

6-14-72

PRESIDENT:

- 1. The Senate will come to order. We do not have a Chaplain.
- 2. We're going to ask Senator Coulson to have the opening prayer.
- 3. SENATOR COULSON: Opening prayer given by Senator Coulson.

PRESIDENT:

- 5. Reading of the Journal. Moved by Senator Kusibab that the reading of the Journal be dispensed with. All in favor signify by saying aye. Contrary minded. Motion prevails. Committee reports.

SECRETARY:

- 10. Senator Donnewald, Chairman of Assignment of bills assigns the following to Committee: Executive: House Bills 4671, 4673. Appropriations Division Committee on Public Finance: HB4662. Revenue: HB4672. Welfare: HB4445. Senator Course, Chairman of Revenue Committee reports out House Bills 1742 and 3609 with the recommendation Do Pass. HB3608 with the recommendation Do Pass as Amended.

PRESIDENT:

- 18. Any petitions? Resolutions. Motions. Senator Course.

SENATOR COURSE:

- 20. Yes, Mr. President, I'd like unanimous consent to discharge the Revenue Committee from further consideration of HB4649 and have this bill rereferred to the Executive Committee.

PRESIDENT:

- 24. Is there objection? Leave is granted. Message from the House.

SECRETARY:

- 27. Message from the House by Mr. Selcke, Clerk:

- 28. Mr. President--I am directed to inform the Senate that the House of Representatives have passed bills with the following titles in the passage of which I am instructed to ask concurrence of the Senate to wit: HB4131, 4244, 4302, 4610, 4628, 4669 and 4682.

PRESIDENT:

- 33. Motion by Senator Partee that these be referred to the Rules Committee. All in favor signify by saying aye. Contrary minded.

1. Motion prevails. In order to accommodate the Secretary's office
2. we will move to House Bills on 2nd Reading first. House Bills on
3. 2nd Reading. 2222, Senator Mitchler. Hold. 2648, is Senator
4. Harris's. Want to hold that? 2653, is Senator Fawell here?
5. 4082...4082.

6. SECRETARY:

7. 2nd Reading of the bill. No Committee Amendments.

8. PRESIDENT:

9. Any Amendments from the Floor? 3rd Reading. 4087, Senator
10. Vadalabene. Hold it. 4120, Senator Cherry. 4120.

11. SECRETARY:

12. 2nd Reading of the bill. No Committee Amendments.

13. PRESIDENT:

14. Any Amendments from the Floor? 3rd Reading. Is Senator
15. McBroom on the Floor? 4140, Senator Hall. 4160, Senator Knuepfer.
16. 4160.

17. SECRETARY:

18. 2nd Reading of the Bill. No Committee Amendments.

19. PRESIDENT:

20. Any Amendments from the Floor? 3rd Reading. 4161...4161.

21. SECRETARY:

22. 2nd Reading of the Bill. No Committee Amendments.

23. PRESIDENT:

24. Any Amendments from the Floor? 3rd Reading. Senator Hall...
25. Senator Hall, you were off the Floor. 4140, do you wish to advance
26. that...4140, do you wish to advance that? You were off the Floor
27. when it came up. 4140.

28. SECRETARY:

29. 2nd Reading of the bill. No Committee Amendments.

30. PRESIDENT:

31. Any Amendments from the Floor? 3rd Reading. 42...4254,
32. Senator Latherow, you wish to advance that? 4254.

33. SECRETARY:

1. SECRETARY:

2. 2nd reading of the bill. No committee amendments.

3. PRESIDENT:

4. Any amendments from the Floor? 3rd reading. 4255...4255.

5. SECRETARY:

6. 2nd reading of the bill. No committee amendments.

7. PRESIDENT:

8. Any amendments from the Floor? 3rd reading. 4256.

9. SECRETARY:

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? 3rd reading. 4622, Senator

13. Davidson. 4622.

14. SECRETARY:

15. 2nd reading of the bill. No committee amendments.

16. PRESIDENT:

17. Any amendments from the Floor? 3rd reading. 4626, Senator

18. Sours. Senator Sours. 4626.

19. SECRETARY:

20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:

22. Any amendments from the Floor? 3rd reading. Senator Mc-

23. Carthy on the Floor? 4641, Senator Horsley. 4641.

24. SECRETARY:

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading. Senator Fawell,

28. you were off the Floor when a couple of your's came up...2653, do

29. you wish to advance that? Hold. 4092, you want to advance that?

30. 4092.

31. SECRETARY:

32. 2nd reading of the bill. No committee amendments.

33. PRESIDENT:

1. Any amendments from the Floor? 3rd reading. 4644, Senator
2. Clarke. 4644...wish to advance that? 4644.
3. SECRETARY:
4. 2nd reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? 3rd reading. 4647.
7. SECRETARY:
8. 2nd reading of the bill. No committee amendments.
9. PRESIDENT:
10. Any amendments from the Floor? 3rd reading. 4652, Senator
11. Clarke. 4652.
12. SECRETARY:
13. 2nd reading of the bill. No committee amendments.
14. PRESIDENT:
15. Any amendments from the Floor? 3rd reading. 4653, Senator
16. Course. 4653.
17. SECRETARY:
18. 2nd reading of the bill. No committee amendments.
19. PRESIDENT:
20. Any amendments from the Floor? 3rd reading. 4665...4665.
21. SECRETARY:
22. 2nd reading of the bill. No committee amendments.
23. PRESIDENT:
24. Any amendments from the Floor? 3rd reading. Senator Mc-
25. Broom...a couple of your's were here when you were off the Floor.
26. 4130, you wish to advance that? It's House Bills on 2nd reading.
27. SECRETARY:
28. 2nd reading of the bill. No committee amendments.
29. PRESIDENT:
30. Just a moment. You wish to advance....call that...hold it.
31. How about 4199. 4199.
32. SECRETARY:
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Any amendments from the Floor? 3rd reading. Senator Laughlin,
3. Senator Gilbert has several on there. You want to advance those
4. for him?

5. SENATOR LAUGHLIN:

6. Well, I would be glad to do it...I don't know whether he has
7. any amendments. I assume if we advance them he can bring them
8. back and amend them.

9. PRESIDENT:

10. He can bring them back...and anyone has any amendments...
11. then we'll bring them back.

12. SENATOR LAUGHLIN:

13. And if there is anything contested on amendment...

14. PRESIDENT:

15. We'll hold it.

16. SENATOR LAUGHLIN:

17. We will hold it...please...

18. PRESIDENT:

19. Right...4249.

20. SECRETARY:

21. 2nd reading of the bill. No committee amendment.

22. PRESIDENT:

23. Any amendments from the Floor? 3rd reading. 4253.

24. SECRETARY:

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading. 4420.

28. SECRETARY:

29. 2nd reading of the bill. No committee amendments.

30. PRESIDENT:

31. 4528.

32. SECRETARY:

33. 2nd reading of the bill. One committee amendment from

1. Appropriations.

2. PRESIDENT:

3. Senator Gilbert moves the adoption of the committee amend-
4. ment. All in favor signify by saying aye. Contrary minded. Is
5. advanced to 3rd reading as was 4420. Senator McBroom is now ready
6. on 4130. 4130. 4130.

7. SECRETARY:

8. 2nd reading of the bill. No committee amendments. One Floor
9. amendment offered by Senator McBroom.

10. PRESIDENT:

11. Senator McBroom.

12. SENATOR McBroom:

13. Mr. President and members of the Senate, Senator Cherry, on
14. 4130...this is the Pollution Deficiency appropriation and it is the
15. amendment that you requested reducing it by 25 thousand dollars

16. PRESIDENT:

17. Is there any discussion? All in favor signify by saying aye.
18. Contrary minded. The amendment is adopted. Any further amendments?
19. 3rd reading. Senate Bills on 3rd reading. Senate Bills on 3rd
20. reading...11...1154, Senator Kosinski. Senator Kosinski, do you
21. want to call 1154?

22. SENATOR KOSINSKI:

23. I'd like to call it today but...I'd like to hold it until later.

24. PRESIDENT:

25. 1154, will be held....Incidentally, Senator Kosinski is mak-
26. ing a request. I'm not picking on him that others may...the Chair
27. can't guarantee to anyone. If you don't call your bill when it
28. comes up that ...we're going to get to it later in the day because
29. ...we're getting to that point in the Session. 1304, Senator Clarke.
30. Hold. 1305 hold also. 1306...that series. Senator McCarthy, 1333.
31. 1333. Senator McCarthy. Senator Partee...Senator McCarthy, just
32. indicates that he is going to call 1333...now, is this one of that
33. series that you indicated that we ought to be discussing as a whole

1. group...and can we proceed to all of them now then?

2. SENATOR PARTEE:

3. Well, I would hope...I didn't get a chance to see Senator
4. McCarthy this morning being at another meeting...I would hope
5. that he could hold it until we can have our caucus on this sub-
6. ject and we can call all of them at the same time.

7. PRESIDENT:

8. Why don't you two get together...we'll just bypass it tem-
9. porarily and Senator Knuppel...your...Senator Clarke.

10. SENATOR CLARKE:

11. Well, I...I suggested earlier to the President pro tempore ...
12. that...possibly that we should delay taking up these personal pro-
13. perty tax bills for another day anyway. We haven't had an oppor-
14. tunity to...to give it thorough consideration and talk in our
15. caucus about it.

16. PRESIDENT:

17. Just a moment. Senator Partee, did you hear the request of
18. Senator Clarke, Senator Partee.

19. SENATOR PARTEE:

20. Yes, I heard him with one ear and Senator McCarthy with the
21. other...Senator McCarthy, I think sort of wants to go ahead
22. today and I am just trying to dissuade him to hold it until to-
23. morrow. I don't know...if I'm getting through. But I am asking
24. him to hold it until tomorrow.

25. PRESIDENT:

26. Senator McCarthy, the judgment is yours.

27. SENATOR MCCARTHY:

28. Well, the judgment...I'm glad...you recognize that...and I know
29. that you always do...as I don't mind passing it temporarily. But I
30. don't want to be bound by any statements made by Senator Clarke or
31. otherwise that we're going to hold this bill until tomorrow. I'm
32. perfectly willing to give up my point at this time...but I want to
33. call the bill today. And I'd like...I won't call it right now, but

1. I want to reserve the right to get back to it before we adjourn today.

2. PRESIDENT:

3. Well, unless there is... unless there is unanimous consent
4. to do that I think we probably better proceed with it now, Sena-
5. tor McCarthy. 1333.

6. SENATOR MCCARTHY:

7. Yes, Mr. President, 1333... gives individuals a dollar for
8. dollar...

9. PRESIDENT:

10. Just a moment. Please... let's hold down the noise... Proceed
11. Senator.

12. SENATOR MCCARTHY:

13. This bill gives individuals a dollar for dollar credit against
14. their State income tax due on 1972 income for the amount of personal
15. property taxes that are due and paid in 1972. Here's an example.
16. Taxpayer has 1972 Illinois income tax liability of three hundred
17. dollars. That would normally become payable April of next year.
18. The same taxpayer pays personal property tax this year... in June...
19. of a hundred and fifty dollars. The net income tax under this bill
20. due next April would be a hundred and fifty dollars. Another example.
21. Taxpayer has a 1972...

22. PRESIDENT:

23. Just a moment... please... gentlemen... Senators Bruce, Knuepfer
24. and others... let's hold down the noise. Proceed Senator.

25. SENATOR MCCARTHY:

26. Another example is the taxpayer has 1972 Illinois income tax
27. bill of three hundred dollars. He pays personal property tax in
28. June of this year of five hundred dollars. His next State income
29. tax due next year would be zero. This applies to individuals...
30. who would this help? It would help individuals, families having two
31. cars or a car and a pickup truck as a for instance. It would help far-
32. mers having machinery, livestock and grain. It would help small
33. business men with stock and trade and equipment used in their business.

1. It would help any other taxpayers who would have had relief had
2. the Illinois Supreme Court not declared unconstitutional the
3. abolition of personal property tax following the November, 1970
4. election.

5. PRESIDENT:

6. Just a moment...please...gentlemen...let's get those uniforms
7. off the Floor right now. Let's distribute them later. We're
8. getting...we're interrupting...

9. SENATOR MCCARTHY:

10. That's alright. The bill is very simple. According to the
11. estimate of the Taxpayers Federation of Illinois who support the
12. bill, the bill would cost 28 million dollars next year. Farm
13. Bureau supports the bill. I think it's the compliance of an im-
14. plied contract that was made between the State of Illinois when they
15. enacted their income tax and when the personal property was abolish-
16. ed by Constitutional Amendment 1970. I solicit your support.

17. PRESIDENT:

18. Is there any discussion? Senator Knuppel.

19. SENATOR KNUPPEL:

20. You know Mr. President and members of this Body that I have
21. addressed myself to this problem several times and I have been most
22. vehement in my castigation of the members of this Body for not
23. having addressed themselves to this very important problem. I
24. feel that the hour is running out again and that if we get any-
25. thing the most that can be hoped for is some watered down comprom-
26. ise. We are violating our duty to our constituents and their ex-
27. pressed opinion when they voted by a 7 to 1 margin to abolish personal
28. property tax. There have been a great number of bills introduced
29. here. Some were discussed last fall. Some were discussed in the
30. January Session and many of the bills now pending have been on this
31. call and on this docket for a long, long time and they were sent
32. to a subcommittee where they languished. I submit that if we,
33. both Republicans and Democrats in this Body, are sincere about

1. doing what the people want us to do we will move in this area.
2. And we will move now. We will not postpone this until tomorrow
3. or next week and then shove a package together that does not bene-
4. fit the people of this State and go home and say like Pontious
5. Pilate that we've washed our hands of the matter. We have done
6. some tragic little thing toward following the mandate of the people
7. and the mandate of the Constitution which the people approved of
8. 1970. I submit that this not a total package and it's unfortunate
9. that it is not because it only benefits those people who have in-
10. come tax to pay. If a person has no income tax to pay he may still
11. be required to pay personal property tax. And might very well
12. be the person who needs relief the most. Now I submit that...that
13. this is only a small step in the right direction. But I am going
14. to stand here and vote for any bill, any bill that I am sure that
15. the greatest majority of the people in the State of Illinois and
16. in my district are in favor of. This is a small step in the right
17. direction and I challenge the leadership, both Democrats and Republi-
18. cans, of this Body. They have spent a great deal of time this
19. morning but they might have spent a long time ago. I challenge
20. them to address themselves fairly, honestly to this problem and
21. to recognize the prohibition in the new Constitution which provides
22. that the abolition of any personal property tax has to be re-
23. established or replaced by a tax...a uniform tax...not a uniform
24. tax, but a tax that is a Statewide tax on the same people for
25. whom it's taken off from. I don't know, but Senator McCarthy, as
26. I read this bill I fail to see the provision for any replacement.
27. Nevertheless, I think that is a problem that we might deal with
28. in a later Session if necessary. But we must address ourselves to
29. this overpowering problem. We stand here and appropriate money as
30. if it were going out of style. We spend it. But we don't do any-
31. thing about cutting expenditures or giving tax relief. Now, I
32. have been standing up here at this microphone begging every since
33. I have been here for us to really address ourselves to this problem

1. and not wait until the waning hour of each Session and then
2. let the matter die. Now, I say to you here and now even if we
3. have to recess for the time being to go ...to go and to discuss
4. and to meet this problem. This is the overriding admonition of
5. the voters of this State and we have to address ourselves to it.
6. And we cannot wait longer. I will support this bill. I don't
7. think it is an adequate bill. I don't think it answers the ques-
8. tions that have been thrust upon us by the Supreme Court decision
9. holding the abolition of personal property taxes invalid. And
10. I don't think that we have the right to stand here when our Gov-
11. ernor...when our Governor encourages people in the face of a
12. Supreme Court decision not to pay their personal property tax.
13. When he...the courts are holding that personal property tax
14. shall go in abeyance. We have a Governor who thinks it's all
15. right to ask the federal government for handouts. He wants re-
16. venue sharing. He proposes every kind of tax situation that will
17. ...will be to the detriment of units of local taxing bodies and
18. local government. But he hasn't said anything about cutting
19. spending in this State. He hasn't said anything about cutting
20. revenues that are collected by this State. Only he wants to
21. hurt the small units of local government and to take more from the
22. federal government. Get it where you can. Take it from those
23. you can. But don't do anything about it at the State level. Now,
24. we as Legislators in this State and as a voice of the people should
25. condemn that practice and do everything that we can to answer the demands
26. of the people as expressed in the vote that they cast to abolish
27. personal property tax. Now, I challenge you...challenge every mem-
28. ber of this Body...now...to...if necessary to stand at recess to take
29. this problem which is of the greatest urgency. It is of the ut-
30. most importance to every voter in the State of Illinois and to do
31. something constructive about it within the confines of the 1970
32. Constitution. I will support this bill even if we aren't able to
33. get that kind of leadership.

1. PRESIDENT:

2. Senator Clarke.

3. SENATOR CLARKE:

4. Mr. President and members of the Senate, I can't talk quite
5. as loud as the last speaker. But I would like to suggest to you
6. that this bill follows a pattern we talked about in a similar bill
7. a week ago or two weeks ago several times relating to the income
8. tax law. This is a law that we just passed a few years ago. It
9. has proven to be a very substantial producer of income for the
10. State of Illinois. And Illinois has one of the lowest rates,
11. the two and a half percent and the four percent, of any State
12. in the union. And one of the reasons for that is that that rate
13. and the law itself is an across the board tax with a one thousand
14. deduction for each individual and that's all. Now, if we are go-
15. ing to start whittling away at that income tax law, if we are going
16. to start giving a deduction for this...and there are many other
17. things and let me just suggest that we have had bills in. We set
18. up a committee a year ago...a joint committee of the House and
19. Senate Revenue Committees and considered many of these bills...
20. to deduct for educational expense...to deduct for...just a whole
21. series of other things...tuition paid to nonpublic schools or
22. higher education...child care expense...real estate taxes...you
23. can go the whole gambit of what the federal ...income tax is now
24. raising a storm across this country of loopholes or exemptions
25. or whatever you want to call them. And I think that we have a
26. very fine law that we should protect because when you talk...when
27. you start talking about deducting and reducing that amount you
28. have to also start bringing much closer the day when we are talking
29. about raising those rates. And raising them substantially. I
30. think that this bill standing by itself certainly should be de-
31. feated. I think we should protect our income tax law as it is and
32. protect our available source of revenue because even those are
33. going to be stretched in order to cover the problem. And I would

1. hope that this side would oppose this bill and that we could
2. postpone until we have a chance to talk on both sides in cau-
3. cus this whole subject of personal property tax.

4. PRESIDENT:

5. Senator Johns.

6. SENATOR JOHNS:

7. Mr. President, lady and gentlemen of the Senate, I rise
8. in support of SB1333 sponsored by Senator McCarthy because this
9. bill gives individuals a dollar for dollar credit against the
10. State income tax due on 1972 income. Senator Clarke mentioned
11. that we presently have a two and a half and a four percent tax.
12. If the Governor had his way we would have had a four and four.
13. I wish we had a bulletin board up here in front of us neon bulle-
14. tin board and showed us what kind of money we had. Then every-
15. time we appropriated money it would deduct that particular a-
16. mount for the State's in financial chaos. This bill would help
17. individuals and families having two cars or a car and a pickup
18. truck. Farmers having machinery, livestock, grain, small business
19. men with stock and trade and equipment used in their business. An
20. the other taxpayers who would have had relief in the Supreme Court
21. had not declared unconstitutional the admonition of the personal
22. property tax. In my personal opinion the Governor couldn't have
23. been more happy when the Supreme Court struck down the decision.
24. For all of our counties are in trouble. And ladies and gentlemen,
25. I rise in support of this. There is a tax revolt going on. The
26. people are strictly up to their chins and drowning in taxation.
27. And we are not doing much about it and as time is ebbing away and
28. here we sit...we rub our seats and rub our hands together and we do
29. nothing but it's high time that we do it and I beg of you to give
30. deep and serious consideration to this 1333.

31. PRESIDENT:

32. Senator Fawell.

33. SENATOR FAWELL:

1. I...I rise in opposition to this bill also. I would remind
2. the Senate that the trend in this country is in opposition to the
3. concept that is presented by this bill. Those who are now serious-
4. ly looking at the federal income tax I think recognize that the
5. maze of tax laws and regulations that have made attorneys and
6. tax people wealthy in this country are just such laws as this.
7. One million and one loopholes whereby you have credit given for
8. this or that whereby I suppose we sometimes like to think that we are
9. motivating certain worthy causes by granting a credit or an exemp-
10. tion and so forth and so on. I know that in the House there is
11. now a bill pending that is gaining wide attention which would
12. grant exemption for profit and pension carrying...profit share-
13. ing plans and pension plans. And all of this of course has a
14. wide appeal. But I would submit that the best income tax law
15. is one which simply doesn't grant any exemptions or loopholes.
16. And one which would have a flat rate that attaches to everyone.
17. ...if you earned income then you ought to pay a tax upon it...
18. serious...and I still believe that the initial enactment of the
19. Illinois income tax...though of course the tax itself was un-
20. popular...the concept that we aren't going to give special privi-
21. leges to every group that may come along with understandably of
22. laudable motivation that particular group of people whatever
23. it may be, here we are talking about the personal property tax.
24. There are many...there are a thousand other areas...where one
25. extends money where one can make just as much of a case for
26. granting an exemption. And I would say that the toughest thing
27. to do is to look at a bill like this and to say no we're going to try
28. to maintain an income tax law here in Illinois which isn't going to
29. be riddled so that we're going to have so many exemptions and loop-
30. holes that again we'll have to employ an army of tax experts and
31. lawyers in order to be able to even prepare the returns. And I
32. submit that hopefully within the next few years we're going to have
33. reform of a meaningful nature with the federal income tax laws,

1. so that no longer can the millionaire get away without paying
2. any income tax at all. And you'll simply pay income tax on
3. any income whatsoever. In that sense I think although this bill
4. on the surface looks like it is one that would be very accept-
5. able and obviously one on the face of it that would be one
6. that the people back home I assume would think would be good.
7. I think on closer examination it is one that we ought to resist.
8. I would urge the Senate to do so.

9. PRESIDENT:

10. What is your point of order, Senator Horsley?

11. SENATOR HORSLEY:

12. This bill according to the Calendar has been amended. And I
13. don't find any amendment on my desk. Has it been printed?

14. PRESIDENT:

15.I'm at...Senator Laughlin says that he...it has been
16. printed...and it's in the...Senator Lyons.

17. SENATOR LYONS:

18. I wonder if I might ask the sponsor a question, Mr. President?

19. PRESIDENT:

20. Indicates he'll yield.

21. SENATOR LYONS:

22. I'd like to know, Senator McCarthy, I believe I am correct
23. in this. Is it true that this...that the relief granted by this
24. bill would be granted to individuals only?

25. PRESIDENT:

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. The answer to that question is yes. It applies to residents
29. which...would exclude the corporations.

30. PRESIDENT:

31. Senator Lyons.

32. SENATOR LYONS:

33. Well, that's what I thought and let me just say this, Mr.
President and members. Judging from the comments that I have

1. heard from the other side of the aisle, it appears that this
2. Body is again going to muffle a chance to do something for the
3. individual taxpayers. Now, we know that one corporation in
4. the State of Illinois...just one, pays ten percent of the per-
5. sonal property tax collected in this State. They would...that
6. corporation would get no relief under this bill. The people who
7. would get relief under this bill as I read it and as Senator Mc-
8. Carthy has explained it are the people who voted by a margin of
9. seven to one as has been said to take the personal property tax
10. off of individuals. This bill will accomplish that. It will
11. give a credit on the income tax against or for property tax
12. paid, which has the effect of taking the personal pro-
13. perty tax off of individuals. Now that is what everybody has
14. been crying to the heavens around here saying that they support. Here
15. is an opportunity to do something instead of just talk about it.
16. This bill will put the personal property taxpayer...the individual
17. ...the voter...the taxpayer in the position that he thought he was
18. getting into when he voted by a margin by seven to one in 1970 to
19. rerevoke the personal property tax from individuals. To not vote
20. for this bill is to turn one's back on the electorate of this
21. State. And they won't forget it.

22. PRESIDENT:

23. Senator Vadalabene.

24. SENATOR VADALABENE:

25. Thank you Mr. President and members of the Senate, I rise
26. in support of this legislation as a co-sponsor of this bill. I
27. know that the people, particularly in my district, demand that this
28. bill be passed. And I say to each and everyone of you...it's
29. time we support our constituents and back up their vote when they
30. overwhelmingly voted to abolish the personal property tax. As
31. far as the loopholes are concerned they were given one of the
32. biggest loopholes that was ever created when the Supreme Court
33. overruled that vote that they so...gave.

1. PRESIDENT:

2. Senator Hynes.

3. SENATOR HYNES:

4. Mr. President and members of the Senate, I rise in support
5. of SB1333. I've heard thus far two objections to the bill. One,
6. that it will cause a loss of revenue to the State of Illinois,
7. which ...of approximately 28 million dollars. And two, that it is
8. going to complicate the income tax filing procedure and may lead
9. others to try to claim similar exemptions. Well, it seems to me
10. that both of these missed the point. With respect to the com-
11. plication of the form I think that is a very small price to pay
12. for the kind of relief that the people of the State of Illinois
13. have been demanding from the legislature these past several years.
14. With respect to the loss of revenue to the State I think that is
15. something we would all like to avoid. But the fact of the matter
16. is if the revenue loss is not to the State it will be to local
17. communities and to units of local government. And in particular
18. to the school districts of the State of Illinois. These districts
19. are presently in serious financial condition and are not in a
20. position to absorb further erosion of their sources of revenue.
21. This is personal property tax relief such as the people of this
22. State have demanded. It is a reasonable approach and it is at
23. a minimum loss of revenue to the state with relief to those tax-
24. payers that are most in need of such relief. And I would urge
25. your favorable support for this legislation.

26. PRESIDENT:

27. Senator Gilbert.

28. SENATOR GILBERT:

29. I'd like to ask Senator McCarthy a few questions, if I might?
30. Senator, how much do the individuals pay statewide for personal
31. property tax? Do you have that figure?

32. PRESIDENT:

33. SENATOR MCCARTHY.

1. SENATOR MCCARTHY:

2. Do you have....I don't have the figure.

3. PRESIDENT: .

4. Senator Gilbert.

5. SENATOR GILBERT:

6. I've just been told that the individuals pay approxi-
7. mately 60 million dollars personal property tax. And it's, I
8. think, 240 or 50 million counting the corporations. Now, accord-
9. ing to the statement I believe that Senator Hynes made, it's
10. estimated that this would cost the State 28 million.

11. PRESIDENT:

12. Senator McCarthy:

13. SENATOR MCCARTHY:

14. That was the estimate given by Maurice Scott, the Executive
15. Director of the Taxpayers Federation.

16. PRESIDENT:

17. Senator Gilbert.

18. SENATOR GILBERT:

19. Then, on that basis we'd have 32 million dollars by individu-
20. als still paid who do not have to file a income tax but would
21. still be paying personal property tax. Now, when Senator Lyons
22. is talking about the 7 to 1 vote I'm sure that many of the 7 who
23. voted to abolish it were people who do not have to pay an income
24. tax. They are elderly people. They have double exemptions...
25. their income is limited...yet they do have property that's subject
26. to personal property tax. I think that this bill is very defec-
27. tive. I even question the constitutionality of this on the basis
28. that you are picking one group of people...those who pay income
29. tax and exempting them and the people who do not pay income tax
30. but are assessed personal property tax still have to pay it. I think
31. that if you're going to say that you're giving less than half of the
32. people relief then on the basis of the figures that we have that would
33. indicate that 32 million dollars will still be paid by people who do

1. not have the exemption of the income tax. I think this is a very defec-
2. tive bill and doesn't even begin to help the poor people that
3. you are attempting to cry crocodile tears about. And an infer-
4. ence that the Governor was very happy that the Supreme Court,
5. which is a Democrat control court ...ruled the...income...personal
6. property tax unconstitutional, I think is in very poor taste.

7. PRESIDENT:

8. Senator Mitchler:

9. SENATOR MITCHLER:

10. Mr. President, I move the previous question.

11. PRESIDENT:

12. Motion for the previous question. All in favor signify
13. by saying aye. Contrary....Roll call has been requested. All
14. in division...all in favor ...will Senators be in their seats...
15. please? All...just a moment. All those in favor of the Motion
16. for the previous question please rise. All those opposed please
17. rise. The Motion does not prevail. Senator Egan.

18. SENATOR EGAN:

19. Thank you Mr. President and members of the Senate, I just
20. want to remind the members of the Senate that the case that
21. was appealed from the Illinois Supreme Court rendering unconstitu-
22. tional the exemption of individuals from the personal property tax...
23. that case was taken by Edward Hanrahan, who was States Attorney
24. in Cook County...not by Governor Ogilvie and not by Attorney Gen-
25. eral Scott. And I just want to remind you of that. Thank you.

26. PRESIDENT:

27. Senator McCarthy may close the debate. Excuse me. Senator
28. Horsley had the Floor. I'm sorry, Senator.

29. SENATOR HORSLEY:

30. Well, I very briefly, Mr. President want to ask one question here.
31. I couldn't hear a while ago when Senator Gilbert maybe did ask
32. a question or at least was touching upon the matter. How about the
33. farmer who has a crop loss and yet he still has a

1. big income...a big personal property tax bill. He owes no
2. state income tax. He gets no benefit under this bill, does he?

3. PRESIDENT:

4. Senator McCarthy.

5. SENATOR MCCARTHY:

6. I think that's right. Let me specifically give you an in-
7. stance. If a farmer pays a thousand dollars in personal property
8. tax next June...or this June...this June...this month and if when
9. he computes his income tax liability to the State in April of next
10. year his tax is zero, he does not get relief under this bill.
11. Now, Herb Klynstra, of the Farm Bureau, who supports the bill
12. asked me to put an amendment in for a one year carry-over
13. carry-back to take care of that. And if you, Senator, find that
14. that's an objection I invite you to put in a bill in this Fall
15. Session to amend this to take care of a carry-over for a farmer
16. that has a tax loss.

17. PRESIDENT:

18. Senator McCarthy may close the debate.

19. SENATOR MCCARTHY:

20. Well, yes Mr. President...I don't know that there is a great
21. deal to say in closing a debate on a very simple subject. Except
22. to say to you, Mr. President and members of the Senate, that there
23. are such things as express contracts, and then there's what's known
24. as an implied contract. I suggest that this bill is part of
25. an implied contract. And who are the parties to this implied con-
26. tract? In 1969, in this Session when the income tax was proposed,
27. Senator Arrington proposed a Constitutional Amendment contempora-
28. neous with the proposal of the State income tax and that amendment
29. at the instance of then Senator McGloon was amended so that the Con-
30. stitutional Amendment would remove the personal property tax as to
31. individuals. Both propositions passed this legislature. The Gov-
32. ernor of this State signed part of the contract the income tax bill.
33. And the people of the State said yes to the other part of the contract

1. by saying yes seven to one we want the personal property tax on
2. individuals abolished. The court has intervened, thwarted
3. this implied contract. And now it comes to us as spokesmen of
4. the people on whether or not we in our legislative capacity wish
5. to carry forth the part of the contract that the people are en-
6. titled to have. If we, as legislators, fail to carry forth the
7. part of the contract that is our duty I feel that we have failed
8. to the people and everybody suffers. Confidence in government erodes.
9. This bill is only 28 million dollars out of one point four million
10. dollars take-out of the income tax. It's part of that implied con-
11. tract and I for one want to vote for it...to show the people that
12. we keep our contract. I ask for a favorable roll call.

13. PRESIDENT:

14. Secretary will call the roll.

15. SECRETARY:

16. Arrington, Baltz, Berning,

17. PRESIDENT:

18. Senator Berning.

19. SENATOR BERNING:

20. Mr. President...I feel impelled to comment just briefly, be-
21. cause it is very tempting to vote for such a measure as this. And
22. I want it clearly understood that I am sympathetic with the plight
23. of our taxpayers and supported the concept of the abolition of
24. the personal property tax. I am concerned because of the constitu-
25. tional provision under the Revenue Article which says that on or
26. before January 1, the General Assembly shall abolish all ad valorem
27. personal property taxes and concurrently therewith and thereafter
28. shall replace all revenue lost. It seems to me that we are running
29. a risk again of keeping faith with the voters in abolishing indir-
30. ectly personal property tax and not undertaking to replace these
31. funds, since this is the money that supports the local govern-
32. ment. I am inclined to believe that this does not fulfill the con-
33. stitutional requirement and while my sympathies are with the con-

1. cepts I would feel that I must vote no.

2. SECRETARY:

3. Bidwill, Bruce,

4. PRESIDENT:

5. Senator Bruce.

6. SENATOR BRUCE:

7. Just briefly to answer Senator Berning's point on constitu-
8. tionality. The Constitution relates to the abolishment of the
9. personal property tax. Senate Bill 1333 does not do that but
10. allows a credit, therefore, the tax is on going and could go
11. on until 1969...there is no...or 1979...there's no difficulty
12. there at all on the constitutional question since we are
13. not abolishing it. Therefore, we do not have to replace it.
14. I vote aye.

15. SECRETARY:

16. Carpentier, Carroll, Cherry, Chew, Clarke,

17. PRESIDENT:

18. Senator Clarke.

19. SENATOR CLARKE:

20. Mr. President, I just want to again say that I feel it is
21. unfortunate that we were precipitated into this by the demand of
22. the sponsor, that we have had a committee working. We intended
23. to take this up in caucus. I know your side intends to take this
24. subject up in caucus. I would hope that we could come out of this
25. Session with some meaningful property tax relief. But if we are
26. going to be pushed into these kind of decisions I would urge the
27. members on this side to withhold their votes or vote no. I vote no.

28. SECRETARY:

29. Collins, Coulson.

30. PRESIDENT:

31. Senator Coulson.

32. SENATOR COULSON:

33. Mr. President, the difficulty I have with this proposal is that

1. we still have the personal property tax. The returns will have
2. to be made out. The assessor will still have to come around
3. and assess property. The school teachers will still have to be
4. paid from that and similar taxes. The revenue needs will be just
5. as great. And the machinery is still there and the voters will
6. not have received the benefit which they are promised now by the
7. oratory on the Floor. In many a district the assessor subject to
8. such pressure will say to the citizens whom your trying to pro-
9. tect...all right sir, we're going to exempt your tax from your in-
10. come tax...now, we're going to assess you. How much have you got
11. in the bank? Show me that diamond ring. Let's look at those mort-
12. gages and those stocks and those bonds and we'll assess you and
13. we'll tax you. And your personal property tax now under the con-
14. stitution which you insist upon doing in this fashion is 36 hund-
15. red dollars and you can deduct that from your income tax due to the
16. beneficence of the Democrats in the legislature. Well, this is a
17. complete fraud upon the people to do this. It seems to me as some
18. historian I guess it was Toynbee said...the penalty upon those who fail
19. to study the lessons of history is that they're forced to relive it.
20. We're now back to where the United States government was in 1921, when
21. after enacting a tax they began to listen to the arguments of those
22. who said this is a wonderful tax...except for me. And they began
23. to enact one exception after another. Now, after the prospective
24. of a few years these are called loopholes. And they're called
25. corrupt evil devices. But at the time they were called generous
26. kindly gestures by those who were looking out for the taxpayer. Each
27. one of those kindly gestures looked from the other side is a loop-
28. hole and you are creating a nice loophole, which if the assessors
29. wish to do it they can simply correct by raising the assessment and
30. giving you this benefit. It's completely illusory to the extent that
31. it does give any tax relief. It punishes the school teacher. For all
32. of those reasons and for the fact that it isn't relief at all, I
33. vote no.

1. SECRETARY:

2. Course, Davidson, Donnewald, Dougherty,

3. PRESIDENT:

4. Senator Dougherty.

5. SENATOR DOUGHERTY:

6. Mr. President, in casting my vote on this bill which is go-
7. ing to be aye, I would like to say that we did make a thorough
8. study of the bill. And we do know the implications of reduction
9. of 28 million dollars in income to the State. However, we must bear
10. in mind that there is still court action pending whether or not
11. we shall reinstate the personal property tax. If the court shall
12. decide the personal property tax is to be reinstated then this is
13. a safeguard for those who would have some degree of exemption and
14. will be relieved to somewhat of the payment of personal property
15. taxes. I vote aye.

16. SECRETARY:

17. Egan, Fawell,

18. PRESIDENT:

19. Senator Fawell.

20. SENATOR FAWELL:

21. ...On just briefly...two thoughts...the... I think what
22. we're doing here we have to be aware that we are talking about
23. tax credits. We're not talking about a nonbusiness deduction
24. but an actual credit, dollar for dollar. There's no reason in the
25. world subsequently if we see fit to grant this type of a credit
26. why those who have made contributions to charity...why those who
27. have funds which they have paid out for sickness, hospital, ex-
28. penses, etc., for college expenses all kind of exceptions can and
29. understandably will be presented to us. But as Senator Coulson
30. has pointed out for those of you on the other side to say to the
31. people of Illinois that this is an abolishment of the personal pro-
32. perty tax borders on the unconscionable. It is not that. As a
33. practical matter the average person because of the exemption of one

1. car and the family household furniture isn't going to be paying
2. much of a personal property tax in the future. But for those in-
3. dividuals and I might add I gather that partnerships, estates and
4. trusts, for instance would be granted this exemption also and
5. there's some mighty fine exemptions built into some pretty good
6. businesses there. But you'll take the example of a farmer for in-
7. stance who has had a bad year. He still pays the personal property
8. tax on his inventory because in that particular year he had such a
9. bad year that he didn't have an income tax to pay. Thus, you see when
10. you say this is an abolishment of the personal property tax you are
11. misrepresenting. And I think that we owe it at least to the people
12. of Illinois to say exactly what it is. We have not yet had courage
13. enough to simply go ahead and abolish the personal property tax,
14. except to that end and address ourselves to that problem. And
15. to waltz around with a bill like this and try to make believe that
16. it is something that is going to be beneficial and to I think come
17. awfully close to misrepresent to the people of Illinois is not address-
18. ing ourselves to this problem. I vote no.

19. SECRETARY:

20. Gilbert.

21. PRESIDENT:

22. Senator Gilbert.

23. SENATOR GILBERT:

24. Senator Fawell has made many points that I would like to have
25. made and for the sake of time I'll not repeat them. But let's
26. keep in mind, folks, that according to the figures all from the same
27. source 28 million would be saved or cost to the State and saved
28. by the people...yet 32 million dollars would still be paid. Let's
29. take care of everybody on the same basis if we're going to abolish
30. the personal property tax. I think what Senator Fawell has said
31. is correct. This is just kidding a lot of people. And you are go-
32. ing to have more people still having to pay as far as money is con-
33. cerned in the amount personal property tax then you are going to get

1. relief from. I vote no.

2. SECRETARY:

3. Graham, Groen, Hall, Harris, Horsley,

4. PRESIDENT:

5. Senator Horsley.

6. SENATOR HORSLEY:

7. Senator Fawell touched very greatly upon the subject that
8. I had in mind with regard to this matter. You are going by such
9. a bill to encourage corporations to unincorporate to dissolve to
10. form partnerships. You're going to have trusts, foundations, es-
11. tates. In other words any...any income producing outfit in the
12. State of Illinois that is not incorporated will come under this
13. bill. They can thereby get a terrific exemption from their in-
14. come tax by the personal property tax that they pay. I think the
15. best bills that we have are those that are given across the board
16. exemption alike to corporations and all groups that will not be sub-
17. ject to personal property tax. But without going at it piecemeal
18. like we are in this bill I'm going to have to vote no.

19. SECRETARY:

20. Hynes, Johns,

21. PRESIDENT:

22. Senator Johns.

23. SENATOR JOHNS:

24. Mr. President, lady and gentlemen of the Senate, in reference
25. to the statement that those who say that the Governor was pleased
26. about the decision made by the Supreme Court....such decision or
27. such statement was made in poor taste. Let me say this. It came
28. from one of his top aides on the day the announcement was made.
29. I overheard it...only a foot away from me...the poor taste my
30. good friends and Senators is in the mouths of the taxpayers.
31. And the poor taste is that spewing forth from the man who said
32. it. The truth hurts. But it remains much to the administration's
33. failure to prove otherwise. Someone said on the other side of the

1. aisle that this complicates the income tax procedure and the
2. returns and so forth. If my memory serves me right we had all of
3. the procedural organizations within the Capitol Dome to write
4. income tax laws. But we saw fit to pay 60 thousand dollars to
5. hire an outside firm to do it. To talk about complicating it
6. they failed to put in something in the way of permitting those
7. who had returns coming to obtain those returns. I rise in sup-
8. port of this bill. And I vote aye.

9. SECRETARY:

10. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,
11. Lyons,

12. PRESIDENT:

13. Senator Lyons.

14. PRESIDENT:

15. Senator Lyons.

16. SENATOR LYONS:

17. Well, first...Mr. President and members of the Senate, first
18. of all I would like to compliment Senator McCarthy. Because I
19. think in framing this bill he has come up with a solution to a
20. serious problem which is as classically simple as a doric column
21. really. What this does is give a tax credit...not deduction...
22. credit...dollar for dollar exchange therefor to individuals for
23. the personal property tax which they pay to local government.
24. Local governments therefore will not be occasioned any revenue
25. loss under this bill. The State is well able to sustain a revenue
26. loss of 20 million dollars. I am sure that the Governor's staff
27. with their bondless ingenuity could figure out a way to squeeze
28. 28 million dollars out of the State budget and if they can't we
29. could. I think that this is the solution that we have been looking
30. for. I'm appalled actually at the silence on the other side and
31. the twisting around that is being done to explain a negative vote
32. on this bill. This bill is what the voters voted for. This is
33. what they want. The voters want to be placed in status quo and

1. this will do it. I think that a serious mistake is being made
2. if this bill is not passed. And I am reminded of the line in
3. Virgil uttered by Leocoleon when he saw the Trojan Horse being
4. wheeled into the city. He said to the Trojans assembled (Latin)
5. My countryman this is madness.

6. SECRETARY:

7. McBroom, McCarthy, Merritt,

8. PRESIDENT:

9. Senator Merritt.

10. SENATOR MERRITT:

11. Mr. President, members of the Senate, in explaining my vote
12. I cannot help but think of the many letters that have come across
13. my desk in the past year or longer. People from low income groups...
14. Many of our senior citizens...

15. PRESIDENT:

16. Just a moment Senator...Senator Merritt is entitled to be
17. heard. Let's cut down...Proceed Senator.

18. SENATOR MERRITT:

19. ...who are finding it most difficult to maintain even a decent
20. standard of living today, what with the higher cost of living, in-
21. flation, high real estate taxes they'd...I'd like to be a part of
22. helping relieve...alleviate the burdens of those people instead of
23. adding to them. In many of those instances they don't even pay
24. any State income tax. In fact I think it has been alluded here perhaps
25. to 32 million dollars would come in that category. I haven't given
26. those people the necessary aid to which I feel that they are en-
27. titled by casing an aye vote in this instance. Now, let's face
28. this realistically. On the Calendar are Senate Bills, the series
29. of Senator Clarke's 1304 on down that really addresses itself to
30. this problem in the proper manner. It does eliminate personal
31. property taxes, and begins phasing out the corporate personal
32. property tax. And what's more important you cannot look at that
33. problem, in my humble opinion, by looking at one side of the coin

1. only and that...and that series of bills does give complete re-
2. placement back to our local taxing bodies. And in all good con-
3. science to those many, many people throughout my district who
4. are already severely burdened I'd have to cast a no vote.

5. SECRETARY:

6. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
7. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
8. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. Groen no. Kosinski aye. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Mr. President, I'd like a poll of the absentees. And I
13. suppose I am out of order when I make this following comment.
14. But I want to inform the members of this Body that because of
15. the exigency of time the vote's going to be taken today. Let's
16. poll the absentees right now.

17. PRESIDENT:

18. The absentees will be called.

19. SECRETARY:

20. Arrington, Bidwill, Carpentier, Carroll, Graham, Harris,
21. Knuepfer, Knuppel

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. I vote aye for this bill. I recognize the deficiencies and I
26. think was the first person to speak here to call attention to the
27. fact that this bill doesn't replace ...it might not help those
28. people who are low income and don't have income tax to pay. Al-
29. so I questioned the constitutionality of it as Senator Berning
30. does. However, I'm not paid a large enough salary to be a judge.
31. I'm only a legislator so I'll let the judges decide that. And I
32. only hope that Senator Berning remembers this constitutional pro-
33. vision when some of the Republican bills come up that have no re-

1. placement provision in them too. I hope that he is steadfast
2. in his reasoning along that line. And for some of those people
3. such as Senator Coulson, who said that this doesn't abolish per-
4. sonal property tax, I call his attention specifically to SB1342,
5. which does unvarnishedly and with any...folderol about it abol-
6. ish personal property tax. And I assume that all of you peo-
7. ple over there, who want to see abolished and see what the people
8. voted for enacted and when that bill comes up you'll all be vot-
9. ing for it. Now, all of you have said that used that as a rea-
10. son will want to vote for 1342...28 million dollars wouldn't be
11. a lot if we'd quit voting for things like two-thirds of a million
12. dollar fancy restaurant down here in the basement that none of
13. us will use. And a million dollar bullet proof cage over in the
14. House and a lot of other wasteful things such as30 or 40
15. thousand dollars salaries for administrative assistants to the
16. Governor, who never made more then 10 thousand to 15 thousand
17. dollars in their life...and they aren't worth anymore than that
18. even if they're paid more than that. And we could soon save the 28
19. million dollars that you are crying about. I submit that a half
20. a loaf is better then no loaf at all. And that's one of the rea-
21. sons I am voting for it. I realize that the bill is not perfect.
22. But there's not many bills that you people pass through here that
23. are. And I would remind Senator Clarke, who says that he has been
24. working on a bill and the leadership has been working on it...
25. that leadership means to go in front of them. We have been sitting
26. here waiting for months and I don't call that leadership when your
27. waiting for us to vote on bills and you haven't come up with some.
28. Leadership means you propose and you go in front of. So I vote aye
29. ...and I remind you people that are on the other side to at least
30. have courage enough to vote. You know if you are over there and
31. I think your people know you are there...silence means as Senator
32. Jack Walker says...silence means you're voting no. And your people
33. didn't send you down here to vote present or be silent. Let's have

1. that vote so your people will know where you stand on personal
2. property taxes.

3. SECRETARY:

4. Latherow.

5. PRESIDENT:

6. Senator Latherow.

7. SENATOR LATHEROW:

8. Mr. President and members of the Senate, just to let you
9. know that I may be a member of the bleeding hearts club, and
10. to let you know as one farmer says to another that those who are in the
11. know in the form of agriculture and in the paying of personal pro-
12. perty taxes, and also in the income tax of the State of Illinois
13. and the federal government, that our due date is not the 15th
14. day of April. Our due date is on two occasions, one when we
15. file an estimate and the other one when we file and pay. And
16. that happens to be...the later happens to be the 15th of February
17. and the other prior. Now, you can bleed all your hearts you want
18. to. But to see how many people and you say the great individual
19. you're taking off and so on and the poor farmer that you're taking
20. care of he knows what ...that property taxes are not there to
21. pay for it that he is going to a part of those who contribute to
22. make up what is taken off. And he is going to be the great part
23. regardless of whether he makes one cent or not. I join the bleeding
24. hearts club, gentlemen on the other side. But I'll tell you on my vote
25. today is no. When I vote for something I want it to be something
26. that can be abided by and be successful. I don't want it to be
27. a part time political gimmick.

28. SECRETARY:

29. McCarthy.

30. PRESIDENT:

31. Senator McCarthy.

32. SENATOR MCCARTHY:

33. Yes Mr. President and members...I would like to call your

1. attention that if the United States Supreme Court overrules
2. the Illinois Supreme Court in the North Shore Salvage case,
3. this bill will be a moot issue. Because there won't be any
4. personal property tax as to individuals. And the way I under-
5. stand it the Governor and the Attorney General want the United
6. Supreme Court to reverse the Illinois Supreme Court. I want
7. the United States Supreme Court to reverse the Supreme Court.
8. The individual taxpayers want the United States Supreme Court
9. to reverse the Illinois Supreme Court. But we can't
10. as legislators wait until the Supreme Court of the United States
11. decides. We have to show legislative responsibility. And this
12. is an approach. Now, Mr. President, I mention and I don't like
13. to go back that the votes going to be taken today. There have
14. been several members from the other side of the aisle who have
15. indicated to me that after caucus they might be in a position to
16. support this bill. I cannot put it on postponed consideration.
17. But if those men would care to vote no at this time that's their
18. privilege. They then would have the opportunity to move to re-
19. consider the vote...if this bill fails. That way it's their re-
20. sponsibility, not mine. So Mr. President, I don't think this is
21. a complicated bill. It's an easy bill. California has tax credits.
22. Iowa has tax credits. I've got a book of States that have tax credits.
23. And this does not replace, it does not take away an existing tax.
24. There's no fair constitutional objection to it. It's a simple bill
25. that carries out the contract implied in fact by the naration
26. of facts that I heretofore gave to this Chamber. This bill I think is
27. worthy of the consideration and I know as a sponsor I wish to be re-
28. corded aye.

29. SECRETARY:

30. Mohr, Ozinga, Rosander, Soper, Sours, Walker.

31. PRESIDENT:

32. Senator Baltz.

33. SENATOR BALTZ:

Mr. President, how am I recorded?

1. PRESIDENT:

2. How is Senator Baltz recorded?

3. SECRETARY:

4. Aye.

5. PRESIDENT:

6. You are recorded in the affirmative.

7. SENATOR BALTZ:

8. ...Mr. President and members of the Senate, I'd like to
9. change my vote at this time to nay and I'd like to express my
10. reasons for it. I believe in the concept of this bill. I think
11. it does have a substantial amount of real tax reform in it. I
12. want to be...my vote be changed from aye to nay, because ob-
13. viously the bill doesn't have enough votes to pass. I want to
14. be in a position to possibly make a motion later on after we dis-
15. cuss this bill thoroughly amongst ourselves to make the motion
16. to bring it back. So if you would be kind enough to change my
17. vote from aye to nay. I'd appreciate it.

18. PRESIDENT:

19. Senator Baltz's vote will be recorded in the negative. On
20. that question the yeas are 28. The nays are 16. Three present.
21. The bill having failed to receive constitutional majority is de-
22. clared defeated. Senator Vadalabene.

23. SENATOR VADALABENE:

24. In explaining my vote a minute ago I forgot to mention that the
25. Superintendent of Schools of Madison County is up in the gallery
26. with his class of Peoria and Bradley. I wish they would stand for
27. recognition. Mr. Trimpe.

28. PRESIDENT:

29. 13...Senator Latherow....

30. SENATOR LATHEROW:

31. A point of personal privilege in the Senator's introduction.
32. I think I have a little something unique in common with this gentle-
33. man who was just introduced that you would like to know about. He

1. tells about what a great official he is and I am sure that his friends
2. in the gallery know all about this. I was working a football
3. game with him one night and I tossed a football game over to
4. him and we took him to the doctor just after that. He broke a
5. finger in his hand.

6. PRESIDENT:

7. 1342, Senator Knuppel.

8. SENATOR KNUPPEL:

9. Mr. President...I'd like to have this bill voted up or down
10. today, too. This bill unvarnishedly without any qualms or equivocation
11. does one thing. It does what the people voted to do, at the Gen-
12. eral Election in 1970. It abolishes personal property tax. Now,
13. there are a number of bills, I have one and there are others, which
14. will provide for how we may replace that tax and we have plenty
15. of time to do that yet in this Session, either by amending one bill
16. or another. This bill does one thing and one thing only. It
17. carries out what the Governor is attempting to have done by the
18. decision in the United State's Supreme Court. It does what the people
19. voted to do by a 7 to 1 margin in the 1970 election. It abolishes
20. personal property tax abinitio out. No more personal property
21. tax. And I don't think you have to argue that bill very long. You're
22. either for it or you're against it. You either believe in having a
23. personal property tax or you don't. Now, I realize that you have
24. to under the new 1970 Constitution that tax has to be replaced.
25. But that's a matter for a different piece of legislation, a diff-
26. erent bill and for different debate. Let's start at the beginning,
27. if we are going to build a new house. Let's tear down the old
28. structure and start from the foundation up. Let's abolish per-
29. sonal property tax. Here and now you all have a chance to put
30. your money where your mouths have been and you've got a chance to
31. stand up and support the Governor's position. He wants this so I
32. say let's abolish it.

33. PRESIDENT:

1. Senator Horsley.

2. SENATOR HORSLEY:

3. Would the gentlemen yield to a question?

4. PRESIDENT:

5. He indicates he will.

6. SENATOR HORSLEY:

7. As I read this bill it would abolish the personal property
8. tax paid by Illinois Bell Telephone Company, by the railroads
9. and all of the corporations. Isn't that correct?

10. PRESIDENT:

11. Senator...

12. SENATOR KNUPPEL:

13. Absolutely...absolutely and that's what has to be done under
14. the new 1970 Constitution on or before January 1st, 1969. And
15. there will be...there will be presented to this Body a bill which
16. will replace the revenue lost. It will be a statewide tax and
17. that's 1343.

18. PRESIDENT:

19. Senator Horsley.

20. SENATOR HORSLEY:

21. Do you have figures, sir, that will tell the public as to
22. how much these big corporations like in my area Allis Chalmers,
23. Sangamo Electric, Illinois Bell Telephone Company, all of these
24. corporations pay to go into our schools and our other funds at
25. the present time as compared to the individuals.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. In dollars and cents it's a changing thing each year depending
30. on their assessment. They pay approximately seventy percent of the
31. personal property taxes. 1343 provides for replacement of that.
32. So that there be no loss of revenue, if you vote for this and then
33. vote for 1343. But we have to start at the beginning and we have

1. to meet the mandate of the 1970 Constitution.

2. PRESIDENT:

3. Senator Soper.

4. SENATOR SOPER:

5. Mr. President, I wonder if the sponsor would respond to
6. a few questions?

7. PRESIDENT:

8. He indicates he will.

9. SENATOR SOPER:

10. Senator Knuppel...How much money does the SB1343 call for
11. as a replacement?

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, in it's present form it calls for a complete replace-
16. ment and that would be a changing thing each year. Each year
17. the local assessing official would have the responsibility of
18. determining how much he would have collected if personal property
19. tax had been levied. Then he will extend that against the sources
20. where it has been lost.

21. PRESIDENT:

22. Senator Soper.

23. SENATOR SOPER:

24. Now, you're making a general statement here. What sources do
25. you consider would be lost? Would this be a new tax on real es-
26. tate?

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. No, the new 1970 Constitution expressly prohibits replacement
31. of personal property tax by an ad valorem levy on real estate.

32. PRESIDENT:

33. Senator Soper.

1. SENATOR SOPER:

2. Would this be a new income tax?

3. PRESIDENT: .

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. It would depend upon what this Body, here, wanted to enact.

7. In it's present form it calls for replacement by a levy on cor-

8. porations of an income tax a type of a surtax on additional in-

9. come tax equal to the revenue that would have been lost by rea-

10. son of the abolition of the personal property tax.

11. PRESIDENT:

12. Senator Soper.

13. SENATOR SOPER:

14. Now, how about the personal property tax that is lost by reason of

15. the fact that it's taken off the individual. Where do we get

16. that?

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Unless the Supreme Court of the United States reverses the

21. decision Illinois holding the abolition of the personal property

22. tax void and holds it that it is in fact abolished, it's necessary

23. that there be a surtax on income which would raise the necessary

24. revenues that would otherwise be lost. However, if the United

25. States Supreme Court in fact holds that the people when they voted

26. in 1970 had effectively abolished personal property tax there would

27. be no need for the replacement tax on individuals, only on corpora-

28. tions.

29. PRESIDENT:

30. Senator Soper.

31. SENATOR SOPER:

32. Well, that would be in violation of the Constitution which says

33. that you must place the tax on the same people that you take it from.

1. Right?

2. PRESIDENT:

3. Senator Knuppel.

4. SENATOR KNUPPEL:

5. No, there's a misunderstanding. The Constitution says there
6. will be replacement only...only of those personal property taxes
7. abolished after 1971, I think....January 1, 1971. And if in fact
8. the vote that the people took had abolished personal property tax
9. prior to that, it doesn't have to be replaced. So, it very well
10. may be that there be no individual increase in tax at all, parti-
11. cularly if the Supreme Court overrules the Illinois Supreme Court.

12. PRESIDENT:

13. Senator Soper.

14. SENATOR SOPER:

15. Then, if you don't replace that tax on the individual, where
16. do you get the money?

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Does he mean...if the Supreme Court overrules or doesn't over-
21. rule? That's the question is a twofold one. If, in fact...
22. if in fact the people's vote .of November 1970 is upheld, there
23. was no provision to replace that. So there is no requirement under
24. the Constitution that it be replaced. If in fact they sustain the
25. Supreme Court's decision, then individual personal property taxes were
26. not abolished and therefore there has to be replacement in some manner.
27. Now, this is going to happen whether or not ...whether or not...some-
28. time between now and January 1st 1969. Now, it's possible in con-
29. junction with this to provide a reasonable exemption. We already
30. have an exemption of four rooms of household furniture and a car.
31. And it is also possible to provide for an exemption of a reasonable
32. size. Reasonable exemptions are allowed under the new Constitution.

33. PRESIDENT:

1. Senator Soper.

2. SENATOR SOPER:

3. You know Senator...tell me about it...if the Supreme Court
4. does this if the Supreme Court doesn't do this and...and that sounds
5. very good. But now you know, government is very simple, Senator.
6. You may think it's complicated. , but to me government is very simple
7. and I think the check people understand it. Government is composed
8. of services..and the money to pay for the services. Now, if the
9. people don't want to pay for the services they can't have them.
10. And if the people are unable to pay for this service they can't
11. have them. Now, we generate a certain amount of money in this
12. State through certain taxes. Now, you're going to take the taxes off
13. one place and then you say well if the Supreme Court says so and
14. so, we won't have to replace it. Now, what service are you go-
15. ing to take away? That's what I want to know. If you are going
16. to eliminate a tax and not replace that tax...you know...in the
17. end you talk about taxing corporations. No corporation ever paid
18. a tax, Senator. A corporation only passes on the tax. When you
19. make...when you make ...dry milk...you make suspenders...you make
20. underwear, whatever you make and the public buys it. They pay
21. a tax that the corporations pays. Now if you make the atmosphere
22. undesirable in the State of Illinois to any corporation and this
23. corporation that manufactures oil or parts of automobiles and can't
24. stand the gaff in this State, in order to pay the taxes and make
25. a profit they move to another State. Then the next bill you'll
26. come in with is to give a tax deduction or no tax for a new
27. corporation that will come in and take up the unemployment that you
28. caused with all of this gobbly gook. Now, when you talk about taxes...
29. there's one person that pays the taxes. The guy that gets up in
30. the morning and puts on his trousers and he wipes his face and
31. kisses the kids and the family and says I'm going to go to work.
32. And I am going to bring back enough money to take care of all
33. the things that we need and the taxes...things that are necessary

1. to send my kids to school. And this is a nice time for every
2. politician to get up and say ...I want to eliminate this tax.
3. I want to eliminate that tax. I am against all taxes. All
4. people are against taxes. All people, people say the only fair
5. tax is the one that the oter guy pays. And the fellow paying
6. the tax that's in existence doesn't have to pay. Now, if that's
7. the way you want to do this you just can't say that you can elim-
8. inate a tax and put it on a corporation. Because if the corpora-
9. tion moves out of the State you have unemployment. If the cor-
10. poration can't pay the tax then they are defunct. So, let's quit
11. monkeying around with all of this stuff and let's get some sense.

12. PRESIDENT:

13. Senator Sours.

14. SENATOR SOURS:

15. ...Will Senator Knuppel yield to a question?

16. PRESIDENT:

17. Senator Knuppel. He indicates that he will.

18. SENATOR SOURS:

19. Senator, I represent a distillery. It's personal property
20. tax bill approximates 240 thousand dollars. Are you willing in
21. this bill to effuse that tax?

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. First of all let me say, that if he represents that kind of
26. a client I want to congratulate him. Second...Secondly, it isn't
27. what I'm doing. I am here as a legislator and I took an oath to
28. uphold the Constitution of the State of Illinois. And that Con-
29. stitution as adopted by the people of the State of Illinois on
30. December the 15th, 1970 says that all personal property taxes will
31. be abolished by on or before January 1st, 1969. But let's not for-
32. get. It says will be abolished. Now, your judgment is as good as
33. mine as to how it's to be replaced. I would suggest to you and

1. your fertile mind that you come up with a better solution. Now,
2. all it says is that that would be a statewide tax and it will be
3. paid by those same people who paid personal property tax. I'm
4. upholding the Constitution. All I'm doing by this bill is
5. abolishing personal property tax. We're talking about 1342. A
6. lot of these arguments are how are you going to replace it? And
7. we're discussing 1343 and maybe other bills. There may be other
8. Senators on this Floor who have better ideas about how to replace
9. this tax than I have. Maybe there is a better way than to put
10. a surtax on the income of corporations. And I would suggest to
11. Senator Sours for that good client of his, who undoubtedly pays
12. him a handsome retainer, that he come with a pregnant
13. suggestion as to how to do this.

14. PRESIDENT:

15. Senator Sours.

16. SENATOR SOURS:

17. Well Senator Knuppel, you would be taking one step forward
18. and three steps backwards because by remitting this tax approxi-
19. mating two hundred and forty thousand dollars, that's for whiskey
20. aging in barrels, that same same corporation the next year would have
21. to pay three times that. In other words 720 thousand. Because your
22. bill touches upon 80% of all the personal property taxes when you
23. strip the liability from the corporations. You're talking about an
24. extension figure. Not a paid figure but an extension figure of
25. at least 5 hundred million dollars. Now, when you...I don't know
26. whether you paid much attention to what Senator Soper had to say.
27. I've mouth that many times. Corporations pay no tax. They just
28. transmit it. You and I and the poor stiff on the street, we're the
29. ones that pay those taxes, always and forever ever since the
30. beginning of time when taxes were first devised. Now, I'm not
31. quite finished. It's a nice idea to catch all of the electorate
32. in a election year. Let's soak the corporations. Let's remit.
33. Let's give them remission. And then next year we'll come back and

1. sandbag them three times as much. That is what Senator Soper
2. has been talking about. That's why we lose corporate business.
3. That's why the woolen mills in New Hampshire went down South.
4. That's why the cotton mills in Pawtucket, Rhode Island and Lawrence,
5. Massachusetts went South, be primarily because of just what
6. you're talking about. I can't support this.

7. PRESIDENT:

8. Senator Gilbert.

9. SENATOR GILBERT:

10. Well, I don't understand how you can even consider 1342,
11. without considering the replacement tax that you are going to
12. have in 1343 and these other bills. Now, by the figures that
13. we have 300 million dollars is going to be taken off of the
14. tax rolls from the local government. Now this 300 hundred million
15. dollars is to be replaced by the State. Is that your...is that
16. the procedure?

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well Senator, we consider bills here, chronologically and in-
21. dividually, well, I am answering the question you commented before
22. it. And we consider them one at a time. Their may be somebody
23. else. There's a lot of other bills here about how to replace it.
24. 1343 may be amended. We have Senator Sours back there with his con-
25. flict of interest, he may come up with something real good. But the
26. answer is that you certainly can consider SB1342 and abolish, you
27. don't build a house and tear it down at the same time. You can des-
28. troy personal property tax and then pass...you're going to have to
29. pass ...you're going to have to amend over the years bills which re-
30. place the tax and the revenue that's lost. You understand that.
31. And it complies with the mandate of the Constitution, which the peop-
32. ple of the State of Illinois voted for. It does what they voted for
33. with respect to the abolition of the personal property tax in

1. November of 1970. And what your Governor purportedly wants is
2. an abolition of individual personal property tax. He's taking
3. the case all the way to the Supreme Court. And I haven't heard
4. him say one word yet about abolishing personal property taxes on
5. corporations.

6. PRESIDENT:

7. Senator Gilbert.

8. SENATOR GILBERT:

9. Well, I don't know maybe we have new rules around here, since
10. we have had some of the experts come who wrote the Constitution
11. and all. But it has been my experience in the legislature and
12. I think most of us here that when you're talking about matters as im-
13. portant as this that effect the operation of the State government
14. that you consider things as a package. In other words that you
15. try to look a little bit beyond the end of your nose. And ap-
16. parently some people can't seem to do that. Now, that's the reason I am
17. asking the question I am. I am asking it sincerely. I'm not
18. trying to be smart as I think some other people are. Now, how
19. you going to replace the three hundred million dollars?

20. PRESIDENT:

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. The answer is...in my proposal, it might may not be the only pro-
24. posal that would be offered here. My proposal is to the effect
25. that that part which may be 20 or 30 percent which is raised from
26. individuals will come as an additional income tax on individuals
27. until such time as we make some other provision, or unless the Supreme
28. Court case is reversed. And the other 70 or 80 percent will come
29. as a surtax on corporations. Now, that's what 1343 does..

30. PRESIDENT:

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President and members of the Senate, I believe Senator

1. Knuppel is offering in sincerity what he feels is one of the
2. ways to solve the mandate of the 1970 Constitution to abolish
3. the personal property tax on both...on everybody. Now, I do
4. not agree with his approach. And I've studied SB1342 and it's
5. companion bill if it can be considered SB1343. But for the record
6. I would like to read from the 1970 Illinois Constitution in
7. Article IX Section 5 on personal property taxation (paragraph c)
8. It says, "On or before January 1, 1979, the General Assembly by
9. law shall abolish all ad valorem personal property taxes and
10. concurrently therewith and thereafter shall replace all revenue
11. lost by units of local government and school districts as the
12. result of the abolition of ad valorem personal property taxes sub-
13. sequent to January 2, 1971.. Such revenue shall be replaced by
14. imposing statewide taxes, other than ad valorem taxes on real
15. estate, solely on those classes relieved of the burden of paying
16. ad valorem personal property taxes because of the abolition of
17. such taxes subsequent to January 2, 1971." Now, listen to this...
18. "If any taxes imposed for such replacement purposes are taxes on
19. or measured by income, such replacement taxes shall not be con-
20. sidered for purposes of the limitations of one tax...

21. PRESIDENT:

22. Just a minute...

23. SENATOR MITCHLER:

24. ...and the ratio of 8 to 5 set forth in Section 3(a) of
25. this Article."

26. PRESIDENT:

27. Just a moment...please...let's get some order.

28. SENATOR MITCHLER:

29. Now, Mr. President and members of the Senate, the reason
30. that I wanted that read into the record is because I would like
31. to give this as an explanation. The new 1970 Illinois Constitution
32. was voted on on December 15, 1970. There was a General Election
33. on November 4, 1970, at which time the people of the State of

1. Illinois had the opportunity to amend the Constitution....1870
2. Illinois Constitution. And that proposal and amendment that
3. they voted on was to abolish all personal property taxes on in-
4. dividuals. Now, this was a result of a Joint Resolution by this
5. legislative Body that gave the authority for the people to make
6. that decision in November of 1970. Now, you know as well as I
7. do, Senator Knuppel, that it was somewhat of a jealous attitude
8. of the Delegates to the Constitutional Convention, not all, but
9. on some of them, that the Legislature did preempt what was an-
10. ticipated would be done by the new...by the Constitutional Con-
11. vention and that is attempt to abolish personal property taxes.
12. Now, the mistake that was made was the fact that by this legis-
13. lative Body we did an unconstitutional thing, which is uncon-
14. stitutional at this point in time that I am speaking.
15. And that was to abolish personal property taxes on individuals
16. alone and not on corporations as well as individuals under the
17. 1870 Constitution. Now, the Delegates to the Constitutional Con-
18. vention were fully in accord and knew that the people of this
19. State would vote in the affirmative on the question of amending
20. the 1870 Constitution and would abolish personal property taxes
21. on individuals. But they did not know that the Supreme Court would
22. declare unconstitutional that Constitutional Amendment. And there-
23. fore they put into the new 1970 Constitution the language that
24. I read to you. And they further emphasized in the last sentence
25. of Section C of Section 5 on personal property taxation alludes
26. to the fact that an increase in the State income tax would be a
27. very good means of replacing as mandated the loss of revenue to
28. local units of government and school districts by the abolition of
29. the ad valorem personal property taxes on corporations. And they
30. set forth that you could even violate the heretofore set 8 to 5
31. ratio of corporations and individuals in the payment of personal pro-
32. perty...of the State income tax. And because of this misunderstanding
33. at the time we're caught in a bind. But, this proposal that you give
at this time, Senator, does not do this. Now, we recently voted

1. down one other proposal by Senator McCarthy. And I think that in
2. my wisdom that we're going to vote down your proposal. But this
3. does not mean that we do not have time and we should not address
4. ourself to some type of personal property tax exemption
5. during this Session for the people. And all of us know that the
6. people want something done about this.

7. PRESIDENT:

8. Senator Fawell.

9. SENATOR FAWELL:

10. I...I'd like to put a question to Senator Knuppel. Senator, are
11. you through with the press...that you could respond?

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I have no particular persuasion with the press, Senator
16. Fawell, I'll have to take some lessons from you. I just been sitting
17. standing here waiting to that long treatise on the Constitution by
18. Senator Mitchler, that knowledgeable individual who knows why
19. people voted for things in the Constitutional Convention, when I
20. can't even figure out why when I spent my tme there watching
21. them.

22. PRESIDENT:

23. Senator Fawell.

24. SENATOR FAWELL:

25. I...I have several questions. But first of all in regards
26. to SB1343, do you propose to call that up immediately after pass-
27. age of this bill?

28. PRESIDENT:

29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. Mr. President, we're discussing 1342 and I don't even think
32. it's germane. But nevertheless, I wouldn't have introduced it
33. if I didn't intend to call it. But if 1342 is defeated then it

1. becomes meaningless because all it is is a replacement in case
2. personal property tax is abolished. And that's why there's no
3. point in voting on it until we vote on 1342. Now, if you all
4. hate personal property taxes so much and you all join with me
5. and we get those cotton mills going again out in Massachusetts
6. maybe we can vote on 1343, too.

7. PRESIDENT:

8. Senator Fawell.

9. SENATOR FAWELL:

10. I'm sorry. I guess you didn't understand my question, Senator
11. Knuppel. But I said on the assumption that 1342 does pass you do
12. plan then to call 1343.

13. PRESIDENT:

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. The answer is definitely yes. I may...I may have an amend-
17. ment I want to put on it if there are people who have good sug-
18. gestions. But certainly, if 1342 passes I am in this game to con-
19. currently which is what the Constitution says in this Session
20. pass 1343 in some form. And if 1342 passes I could hold it for
21. a day in order to accept amendments to it, but I intend to call it.
22. Yes sir, if 1342 passes, I intend to call 1343.

23. PRESIDENT:

24. Senator Fawell.

25. SENATOR FAWELL:

26. I realize we're not debating specifically that bill. But I
27. do think that the two are inextricably tied together and that's as
28. it should be. Because as I at least read the Constitution Section
29. 5 it does seem to say that concurrently with the abolishment that
30. we must address ourselves to the replacement of the revenue, which
31. you have done. Now, I, I haven't studied in depth 1343, but I gather
32. that as it states in Section 5 that for the purpose of replacing re-
33. venue lost by units of local government and school districts as a re-

1. sult of the abolition of the ad valorem personal property
2. taxes is a tax measured by net income as imposed upon every in-
3. dividual, corporation, trust and estate. So that just so that we
4. do understand what we are doing here today, I want to bring out to
5. one and all if this is correct, that what we are talking about with
6. a vote for this particular bill is a concurrent vote for an in-
7. crease in the income tax. Now, am I correct in that assumption?

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. No, not necessarily, because first of all the Supreme Court of
12. United States this other bill is pending and it makes it....or this
13. other case is pending and makes it necessary that we...pass this...
14. but it's hopefully it will mean nothing to the individuals. It
15. will mean that there will be a replacement surtax on income to
16. replace the personal property tax lost. But there will be no
17. increase in tax to the taxpayers of the State of Illinois. It'll
18. be a reallocation. Instead of paying it at the County Clerk's office
19. they'll pay it...they will pay it to the Department of Revenue
20. and they in turn will make a determination of how much personal
21. property tax has been lost by the abolition and they will send
22. that money back to the counties where it should have been. So
23. there is no increase in tax. And it's collected only in conjunction
24. with you...can call it any name you wanted to but it's for
25. convenience's sake for administrative purposes...it's collected
26. simultaneously with the income tax.

27. PRESIDENT:

28. Senator Fawell.

29. SENATOR FAWELL:

30. Alright, now...I...I...however, again, I think, you just a
31. bit evaded the my question. The point is that we don't know what that
32. Supreme Court decision of course is going to be. What this bill does
33. do though is to increase the income tax. And I think that that is

1. the first point that I wanted to make and your response to that
2. question has established that is so. There is an increase
3. of the income tax and you are advocating that and I commend you
4. for having the courage to set forth the mode of raising the re-
5. venue, which obviously would be lost, if SB1342 is passed. Now
6. I would trust and I would hope, Senator Knuppel, that contrary to
7. what I understood to be your opening words as you talked about
8. this bill you had said that...something to the effect it seemed to
9. me that implied you may not be calling up 1343. And I want your as-
10. surance that immediately upon passage of this bill...1342...
11. that we're going to present 1343. I would think you would
12. go even a bit further and really ask that the two be voted upon to-
13. gether. Because to me it not only is violative of the Con-
14. stitution to not do so because it does say concurrently with the
15. abolishment despite your condescending all knowing, omniscient, om-
16. nipotent smile, I think that perhaps I might be somewhat correct
17. in that regard. I submit further to the Senator from Petersburg
18. that it would be I think a violation of our basic responsibility
19. as legislators not to make absolutely sure that the money that
20. is being lost through the...through SB1342's enactment that is re-
21. placed. Now, I have one other question, which I want to put to
22. you. In SB1342, as I read the last Section 4 on page 61 of
23. SB1342 it states; this amendatory act takes effect upon its
24. becoming a law and applies to taxes for the year 1971 and subse-
25. quent years. Am I to understand that therefore the 1972 tax
26. bills which are based upon the 1971 assessed valuations will have
27. basically therefore deleted therefrom all of the personal property
28. taxes, which I might add all of the school districts of this State
29. are desperately awaiting.

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. I would start my answer by saying, if they're so desperately
awaiting it you might go down to the 2nd Floor and encourage your

1. Governor to rescind his admonition that everybody pay it under pro-
2. test. Now all over this State we've got courts holding that
3. it's being paid into escrow fund that the City of Chicago has a
4. fund. I don't think anybody's going to be paying any personal pro-
5. perty tax anyway. And thanks to your Governor and the anguished
6. cries of the school board will be heard anyway. So I think that
7. becomes relatively unimportant if the bill passes and somebody
8. could show me that it's bad tactics, I will be happy to amend the
9. date when the bill is in the House to make it 1972 personal pro-
10. perty taxes. But...but the point that you're trying to make just
11. doesn't sound very good when it's your Governor who's admonishing
12. all the groups not to pay their 1971 personal property tax. And
13. when we talk about responsibility, you said something about respon-
14. sibility, I want to say this that there's not one other Senator on
15. this Floor, after what happened to our good Lieutenant Governor,
16. who had guts enough to introduce a bill that would abolish person-
17. al property tax and concurrently therewith introduce a bill to
18. collect that personal property tax in a different way and replace
19. it. So don't talk about responsibility when you ask me a ques-
20. tion unless you have something better to offer.

21. PRESIDENT:

22. Senator Fawell.

23. SENATOR FAWELL:

24. Senator, you seemed to have misunderstood my question.
25. I don't think the answer was too responsive to the question. Is
26. it yes or no? Will this bill have the effect of nullifying all
27. personal property taxes that would be coming in to all school dis-
28. tricts and tax entities payable in the year 1972? Yes or no.
29. Just once in your life, Senator Knuppel, say yes or no.

30. PRESIDENT:

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. I have to say this, I admire the Governor's stand, you know.

1. He told the people not to pay it. And the answer is yes. It
2. will lock up the personal property tax. And the answer is no
3. there will be no personal property tax forthcoming. We'll have
4. to get it some way from the State in it's present form. It will
5. do just what your Governor wants - yes .

6. PRESIDENT:

7. Senator Fawell.

8. SENATOR FAWELL:

9. Then I submit to Senator Knuppel, that he request of the Chair
10. the unanimous consent of this Body that both of these bills be con-
11. sidered at one and the same time. And I submit that any other
12. step is unconscionable for us to consider the idea of passing
13. 1342, where we can say...

14. PRESIDENT:

15. Just a moment. What is your point of order, Senator Cherry?

16. SENATOR CHERRY:

17. We are spending a lot of time with unnecessary comment and de-
18. bate. The bill that is under consideration is SB1342. And no other
19. bill and the sponsor of this bill has indicated that he wishes
20. to proceed for consideration of this bill and this bill alone.
21. And I would say that Senator Fawell's comments are out of order
22. with respect to the voting on this bill.

23. PRESIDENT:

24. Well the Chair will rule that the two are closely related
25. and that the Senator's comments are in order. Senator Fawell.

26. SENATOR FAWELL:

27. Yes, thank you Mr. President, I am saying is that if we con-
28. sider the two together, Senator Knuppel, then we truly have I
29. think this Body going on record of truly addressing itself to num-
30. ber one, the abolishment of the personal property tax, and number
31. two, guaranteeing that we do have the revenue to replace the lost
32. revenue as the result of passage of 1342. My other final state-
33. ment would be that if we would give to this Body the opportunity

1. to just blandly say, yes, I'm against the retaining of the personal
2. property tax and so I vote to abolish all personal property taxes,
3. and then allow us or some of us to walk away from the responsibility
4. of replacing concurrently with the abolishment of revenues to
5. replace the lost revenues, I think that this is not only in dero-
6. gation of the constitution, but it is a failure on your part and
7. my part to address ourselves responsibly to the problem that has
8. been debated so very long in this Chamber.

9. PRESIDENT:

10. Just...I don't think...was it a question directed to Senator
11. Knuppel? Otherwise we have several more that want to speak. Senator
12. Graham.

13. SENATOR GRAHAM:

14. Mr. President and members of the Senate, I'm going to ask
15. the same question that Senator Fawell asked. And this is not
16. going to be in legal language so just answer me in layman's
17. language, will you, John? You do in fact propose an increase
18. in the income tax, if these two bills pass?

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. I've answered it in as many ways as I know how to answer it.
23. It's not really an income tax. It will be collected with the in-
24. come tax. It's a replacement of personal property tax. Now, it
25. will be collected with the income tax for administrative purposes.
26. And the amount will be added on as a surtax so that the same a-
27. mount will be raised from the same people. This gives it the ap-
28. pearance of being an income tax.

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. It seems to me like this would triple the corporate income
33. tax. That what you're really saying is that we're just a little bit

1. pregnant. We're not going to do it all at one time. We're
2. going to kind of scatter it out. And I might suggest to the
3. members of this Senate that no one knows anymore then I the need
4. for a tax reform. But I am going to suggest that you are not
5. going to be able to explain to the school districts who are going
6. to suffer under a certain gap that would evolve as a result of
7. this change in philosophies. You're going to have a hard time ex-
8. plaining to the individuals that their income tax has gone up be-
9. cause we have abolished the personal property tax on corporations.
10. These issues are hard to explain. I don't know how they would be
11. out in Petersburg. But they are hard to explain. And issues such
12. as this if you have talked to one of the most prominent men in
13. this Chamber that fell victim to one of the most irresponsible
14. opportunists in Illinois as a result of making a proposal that was
15. understood, you would understand...who was misunderstood...you
16. would understand my additional fear. Entire tax reform, yes. That's
17. something we need. It's hard to do...election law reform...yes,
18. it's hard to do. Because if you could ever come up with a re-
19. form that didn't effect anyone you could have reform. Now, in
20. no way do I think that this General Assembly is going to be able
21. to relate this problem to their constituency this Fall, no way
22. that we are going to be able to say, well, this is kind of a per-
23. sonal little publicity stunt that had some merit because they are
24. tired of stunts. What we should do and you Senator Knuppel, with
25. your brilliant mind ...if you keep on talking, Senator Sours may
26. let you join him in that retainer over there so he won't get so
27. much from Peoria...I think you and others must address ourselves
28. to an overall tax reform program that has a time to be sold to the
29. public of the State of Illinois. And I bet you in the quietness of
30. his Chambers that the Lieutenant Governor of the State of Illinois
31. would admonish you to that same effect. I think in agreeing with
32. Senator Fawell, these bills should go concurrently. They should be
33. called together. Because I can see that as anyone who had a 3rd grade

1. education or a little less can see the meaning for calling one
2. to abolish personal property tax. But those rascals wouldn't
3. abolish personal property tax. But they won't say that. The
4. press probably wouldn't say the Senate refuse...refuses to abol-
5. ish personal property tax because the funds suggested to replace
6. it are not in accord with the thinking of the Senate. No,
7. they won't say that. Illinois Senate refuses to abolish personal
8. property tax...so we understand that. So why don't we sometime
9. address ourself if we are as interested as I think we should be in
10. the problem address ourself directly to it as it effects the State of
11. Illinois and as it does not effect us one way or another and we
12. got the job done then.

13. PRESIDENT:

14. Senator Clarke.

15. SENATOR CLARKE:

16. Mr. President, I think we have had a lot of debate on this
17. bill as well as the previous one on a subject that we had hoped
18. to hold off on. I would again urge this side of the aisle to
19. either vote no or to withhold their vote...no...to vote no on this
20. bill. Because I think that one point has been raised and that is
21. that this bill and the next bill are intrinsically tied together.
22. And I would urge this side to vote no on the basis that if the
23. sponsor will call the next bill and it passes, we will then make
24. a Motion to reconsider our vote on this bill and bring it back for
25. further debate.

26. PRESIDENT:

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Mr. President and Senators, I move the previous question.

30. PRESIDENT:

31. Motion for the previous question. All in favor signify by
32. saying aye. Contrary minded. The Motion prevails. Senator
33. Knuppel may close the debate.

1. SENATOR KNUPPEL:

2. Well I just have a very simple question. They have the answer.
3. If they'll give me two votes I have already told them and nobody
4. had said that I am a man that lies or cheats on my word. If Senator
5. Fawell and Senator Graham give me their votes or Senator Clarke,
6. I'll call 1343. I've told them if they give me 30 votes, I'll call
7. it. And...and then we'll see. But it would be ridiculous to call
8. 1343 to replace a personal property tax that has not been abolished.
9. And I have said this here for the press and all the members here
10. that I'll call 1343 if they vote vote for 1342. Now, I'll say this
11. to Senator Graham and I have all the respect in the world. I'm sorry
12. to have heard him in a way put me down, because I respect him very
13. highly. What I am really attempting here is an overall...is an over-
14. all reform of the tax structures, Senator Graham, and it is the only
15. comprehensive legislation this Body has before it. It's the only
16. legislation that truly...the two pieces together that truly meet
17. the mandate of the 1970 Constitution. And if those two bills were
18. passed out of this General Assembly I wouldn't care whether the people
19. return me here because I would have given the kind of service that
20. they elected me to give and they would come back years later even
21. though they might have defeated me in this election to praise me
22. for that. And I say to you, oh yea of little faith, your people
23. elected you to do the same. I ask you to support 1342 for the
24. abolition of personal property taxes and then we'll go from there.
25. Thank you.

26. PRESIDENT:

27. The Secretary will call....for what purpose does Senator Gil-
28. bert arise,

29. SENATOR GILBERT:

30. Well, inasmuch as Senator Knuppel has introduced a new tradi-
31. tion in relation to this bill...I...

32. PRESIDENT:

33. Just a moment...what is the point of order?

1. SENATOR GILBERT:

2. Alright...on a point of personal privilege then, inasmuch
3. as he has introduced a new consideration here, will he guarantee
4. 28 votes on 1343?

5. PRESIDENT:

6. The Chair will have to rule that that question is out of
7. order and that....

8. SENATOR GILBERT:

9. He won't do that...

10. PRESIDENT:

11. The Secretary will call the roll. Just ...both Senators
12. Gilbert and Knuppel are out of order. Secretary will call the
13. roll.

14. SECRETARY:

15. Arrington, Baltz, Berning,

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Mr. President, in explaining my vote I want to emphasize that
20. I have listened carefully to the comments of the sponsor, as well
21. as to those who have taken issue somewhat. And again I say this
22. is sort of a measure that is very tempting to cast a vote for. But
23. since it is conceded that 1342 and 1343 are irrevocably tied to-
24. gether I feel constrained and justified in commenting on 1343
25. since it says very definitely as soon as practicable referring to
26. Section 3 after the effective date of this act the assessment officer of
27. each county shall furnish to the department upon forms prescribed by
28. the department a statement showing the amount of revenue lost.
29. And that then is conditioned upon line 29 where it says, availa-
30. ble tax rates against the 1970 personal property assessments. Now
31. I submit there is little relationship between assessments and
32. collections in personal property tax. But if by the implementa-
33. tion of this measure we would allow a statement of revenue lost

1. to be predicated upon assessments, the revenue loss claim would
2. be unusually large and far greater than what the actual revenue
3. return is. And therefore the amount of money necessary to fund
4. this would be vastly greater than is implied. There is one other
5. hole in this and that is on page 2 where it says a tax measure
6. by income is imposed upon every, every individual, corporation,
7. trust and estate. There is no exception. It's all inclusive.
8. Every individual would be assuming part of this whether he was
9. a personal property taxpayer or not. Therefore, in light of
10. these deficiencies I must vote no.

11. SECRETARY:

12. Bidwill, Bruce, Carpentier, Carroll,

13. PRESIDENT:

14. Senator Cherry.

15. SENATOR CHERRY:

16. I have been listening to all of the comments that have been
17. made on this bill. I just want the members of the Senate to know
18. and I told Senator Knuppel, the sponsor of 1343, that I am opposed
19. to 1343. Everyone here has said that they are intertwined and re-
20. lated to one another. Perhaps they are. But there are other
21. methods of raising revenue as Senator Knuppel suggested, when he
22. talked about not only the bill that we are voting on but the subsequent
23. bill following this. I'm opposed to 1343 because I firmly believe
24. and every member here who has paid attention to all of the bills
25. that have been filed and considered both on the Floor of the Sen-
26. ate and in the Senate committees which have the meetings which
27. have taken place this week that there are other methods of rais-
28. ing revenue. And if this bill passes we will have other bills
29. which can and will supplement the loss of revenue as the result
30. of the abolition of the personal property tax. I'm going to
31. support this bill. I'm going to vote aye. That doesn't mean
32. that I am committed to the other bill.

33. SECRETARY:

1. Chew, Clarke,

2. PRESIDENT:

3. Senator Clarke.

4. SENATOR CLARKE:

5. Well, Mr. President I'm glad that I follow the previous
6. speaker. Because he certainly laid bare the hypocrisy of this
7. combination taken separately. It reminds me of a statement a
8. couple of weeks ago about 60 million and the Governor has lots
9. of staff and he can find that 60 million. And here we are talk-
10. ing in the hundreds of millions and you're talking about we'll
11. find other ways or the Governor can find it, I would presume.
12. But this is certainly sheer hypocrisy when you say I am going
13. to vote for this bill, and then I can go home and say I wanted to
14. abolish the personal property tax and voted for it. But I wasn't
15. willing to vote for a bill to raise your income tax, because
16. that's what this means. And I certainly urge a no vote.

17. SECRETARY:

18. Collins, Coulson,

19. PRESIDENT:

20. Senator Coulson.

21. SENATOR COULSON:

22. Mr. President, the total amount of personal property tax
23. which would be lost from utilities amongst a 40 million dollars
24. from the Illinois Bell Telephone Company alone, 6 million
25. dollars from the water utilities company, 20 million dollars
26. from the electric light companies, 23 million dollars from the
27. railroads, 14 million dollars from the gas companies. It is pro-
28. posed in these two bills to transfer that tax from Mother Bell
29. to me and thee. There is an alternative. Eleven months ago
30. and again three months ago the subcommittee which is been re-
31. viewing this placed on most of your...on all of your desks some
32. twenty pages of reports and again some fourteen pages of reports
33. reciting how the utilities might well have a separate utilities

1. tax reimposed in the same breath so that they would not have
2. their taxes paid by us as individuals. I'm sorry that nobody
3. has seen fit to read those reports. It makes the effort a
4. little futile. Because at the footnote of one of the reports
5. was a suggestion that in Texas just a little while ago the
6. State legislature attempted to shift the burden of the utilities
7. taxes from the utilities to the individuals, and 28 members of
8. the Texas legislature were indicted. It's going to be interesting
9. to see how many votes we receive in favor of this. And I vote no.

10. SECRETARY:

11. Course, Davidson, Donnewald, Dougherty,

12. PRESIDING OFFICER: (Senator Lyons)

13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. This bill was...and 1343 were the two bills that were in the
16. subcommittee chaired by me. I studied both bills and while the...
17. it's very popular to vote on the popular side of the issue to
18. abolish all personal property taxes. Nevertheless I have a sense
19. of responsibility to those governments who rely upon these per-
20. sonal property taxes at this time for the operation of the various
21. facilities of state. I also object to 1343 which is a little bit
22. repugnant to me. So I cannot vote for 1342 inasmuch as I would not
23. vote for 1343. So therefore I vote no.

24. SECRETARY:

25. Egan, Fawell,

26. PRESIDING OFFICER: (Senator Lyons)

27. Senator Fawell.

28. SENATOR FAWELL:

29. Just briefly, I think Senator Dougherty's comments were very
30. sound. Unfortunately a vote of no here can be construed easily
31. by the people back home as being against the concept of abolish-
32. ing the personal property tax. And there might be those who could
33. even campaign on an affirmative vote here as though they were the great

1. savior that was out to help the people of the State of Illinois
2. by abolishing the personal property tax. I could be convinced
3. if in the drafting of these bills the creation of the revenue
4. was part and parcel of this bill. But I note it has been pains-
5. takingly drafted so that the manner of replacing the revenue is
6. in a subsequently numbered bill. And I think that Senator Knuppel
7. knows as sure as he is sitting there that the second bill
8. hasn't got a chance of passing because to my recollection the only
9. new tax bills that have gotten through this Chamber I think were the two
10. bills that increased the pari-mutuel betting tax. That hasn't got a
11. ghost of a chance. It will probably be killed in Revenue in the House
12. today. We know there aren't going to be any new taxes. All we're
13. voting for is spending bills really and some reductions. And I think
14. that this puts us in a...those of us who do want to address ourselves
15. realistically to this problem in a very difficult position. I'm
16. simply going to stand on the explanations I have given and vote
17. present.

18. SECRETARY:

19. Gilbert, Graham, Groen, Hall, Harris, Horsley,

20. PRESIDING OFFICER: (Senator Lyons)

21. Senator Horsley.

22. SENATOR HORSLEY:

23. Mr. President and members of the Senate, I admired Senator
24. Dougherty when he stood up and very honestly faced the issue
25. in casting his vote. I think he just simply stated it very coldly and
26. as matter of fact that it could be. If you had 43 up here it would
27. fail. It should fail. Voting for 1342 without having another bill
28. together would be sheer hypocrisy. The only way that you're ever
29. going to get this job done is to have one bill that will do both of
30. them at the same time. That will do away with the personal property
31. tax and at the same time provide for either a reduction in budget
32. which is what people are demanding to cut back on some of the
33. services that they're not actually asking for but which are some-

1. what forced on them. I think they'd much prefer to have State
2. spending cut back than they would to have new taxes enacted to
3. take the place of personal property tax. I know that's what the
4. people say to me when I talk to them when they look at these
5. programs that go up and up by the millions and millions and
6. billions and they say we don't need that. We don't ask for
7. that yet we continue to give it to them when they are not demand-
8. ing. I think there has to come a time when we have to cut govern-
9. ment back to its size. There has to come a time when we have to
10. be realistic. And until you combine two bills together to accom-
11. plish this job you're not going to get my vote and I'm not going to
12. be a hypocrite and not vote because that too would be misundertood.
13. And I'm going to vote no.

14. SECRETARY:

15. Hynes, Johns, Knuepfer, Knuppel.

16. PRESIDING OFFICER: (Senator Lyons)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. I submit that anybody who says they're voting no because
20. they don't want to be a hypocrite are being a hypocrite and I'll
21. call it that way. Because I don't know how they are going to ex-
22. plain to their people why they didn't have guts enough to meet
23. the mandate of the 1970 Constitution. And I want to find out how
24. they explain to their people that they are in favor of keeping per-
25. sonal property tax on them and then they sit here and vote a Gov-
26. ernor's appropriation which is astronomical. And that is the
27. other side of the aisle. That's what they have been doing. And
28. then they stand up and say let's cut expenditures but they never
29. vote that way. Now, I wonder who the hypocrite is. Who's voted
30. against the appropriation here? Who voted against the restaurant
31. in the basement, yesterday, Senator Groen is the only other man be-
32. sides myself. Who voted against the bullet proof glass? I guess
33. Horsley did vote against that. However, when we talk about hy-

1. pocrites there's a reason that these people wouldn't vote for
2. 1343 if it were called and that is that they don't have the guts
3. that Lieutenant Governor Simon had to tell the people the truth...
4. that they don't have the guts to tell the people the truth. And
5. I think that the people are waking up to that fact. I think there's
6. a lot of people that have been thinking since that. There's a lot
7. of people that are thinking that maybe one of the best public ser-
8. vants in the whole history of the State of Illinois was abused for
9. something he said which was the truth. And this is the truth
10. whether it passes today or passes January 1, 1969. I therefore
11. vote aye.

12. SECRETARY:

13. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,
14. PRESIDING OFFICER: (Senator Lyons)

15. Senator McBroom.

16. SENATOR MCBROOM:

17. Mr. President and members of the Senate, just very briefly,
18. Senator Cherry made a comment a minute ago that there are ways
19. to replace the revenue. It reminds me I have been on the Senate
20. Revenue Committee for several years. Since I've been a member
21. of that committee, Mr. President, there been a myriad number of
22. bills to come in to exempt this person to exempt that. There
23. never is any provision for replacement when some member of the
24. committee asks how are you going to replace it? The answer has been
25. invariably, well, we'll find a way or there are other ways to do it.
26. That answer reminds me a little bit about the fellow who walks a-
27. round the State, I think Senator Graham, called him irresponsible.
28. Can't remember if his name is Walker or Baron Munchhausen. I vote
29. no.

30. SECRETARY:

31. McCarthy, Merritt, Mitchler.

32. PRESIDING OFFICER: (Senator Lyons)

33. Senator Merritt.

SENATOR MERRITT:

1. Mr. President and members of the Senate, I suppose if one
2. were to do the politically expedient thing...especially in
3. this election year...you would vote for 1342. And then turn
4. down 1343. We have all seen much of that in this Body where you
5. vote for every appropriation that comes along. And then will not
6. in many instances even begin to provide the proper revenues to
7. meet those appropriations. Well, I feel like the people back
8. in my district know that I will not address myself to this im-
9. portant problem in any such irresponsible manner as that. I
10. have repeatedly told people throughout my district I would refuse
11. to vote for any new or increased taxes in this Session of the leg-
12. islature and I intend to keep my word. And by not voting for the
13. following bill, which I would refuse to do, I must vote against
14. this 1342 and then hopefully we will consider in the next day or
15. two some responsible bills, which we can meet financially out of
16. current revenue. I vote no.

17. SECRETARY:

18. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
19. Partee, Rock,

20. PRESIDING OFFICER: (Senator Lyons)

21. Senator Partee.

22. SENATOR PARTEE:

23. I have not heretofore engaged in this debate on this subject.
24. It was something that I felt we could best handle another
25. way. I made that suggestion but we've gotten involved in this
26. series of bills. The one thing that I consider unfortunate
27. is that as various members have addressed themselves to this
28. very serious question, they have spent I think an ordinate amount
29. of time talking about people. People being called hypocrites.
30. People being called irresponsible. I've always have been taught that
31. large men talk about ideas, that smaller men talk about events and
32. that little men talk about people. I think very frankly, Mr.
33. President, that the issue that is before us on this question

1. has been seriously approached and addressed by all of the persons
2. with their various bills and that each of them in his own way
3. has sought to solve a very difficult problem. We've not only had
4. this approach made on an individual basis. This approach has been
5. made by diverse committees, Property Revenue Law Study Commission,
6. and by many, many people who have sought a solution. Now, the
7. basic and fundamental problem is not how to abolish the personal
8. property tax. We are mandated to do so by the Constitution. So
9. that anyway that you went about abolishing it would not cause
10. much of a problem. But the replacement is where the problem really
11. fits in. The replacement of the revenue which is abolished is
12. a problem. It is to be remembered that many units of government
13. have scheduled their financial and fiscal programs for this and
14. following years based on an expectancy that that revenue would be
15. available. Now here is a bill that we are now considering which
16. cannot in my judgment be taken as a single issue. It's like a coin.
17. It has two sides a heads and a tails. I can't say that if you vote
18. affirmatively for this bill that you can then say I will vote for
19. this bill. But I will not vote for the income tax increase. It
20. has to be taken together. It isn't a divisible subject. And on
21. that basis, Mr. President, this Senator knowing full well that I will
22. not vote for an increase in the income tax cannot then vote for
23. half of it and vote aye. I could not do that. That would be
24. popular. That would be self-aggrandizing to me and my district with
25. people who are wretchedly upset about our tax situation. I can't
26. give a half of a vote. It's a whole vote or nothing for me and
27. on that basis it would necessarily, Mr. President, have to be no.
28. SECRETARY:

29. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
30. Sours,

31. PRESIDING OFFICER (SENATOR ROCK)

32. Senator Sours.

33. SENATOR SOURS:

1. I am glad that someone has finally read the gospel to the
2. Chamber here today. I'm simply looking at the headnote, Mr.
3. President and Senators, page 140, Legislative Synopsis and Di-
4. gest Number 8. We have been trying to get a definite answer from
5. the sponsor as to whether or not this is increasing the income tax.
6. I'm going to read the headnotes. It's very brief. Provides for
7. replacement of revenue lost by units of local government....
8. PRESIDING OFFICER: (Senator Lyons)

9. Excuse me, Senator Sours, for what purpose does Senator Knuppel
10. arise?

11. SENATOR KNUPPEL:

12. I want the record at least to be clear that he is probably
13. reading from 1343, which is not the bill we are voting on..

14. PRESIDING OFFICER: (Senator Lyons)

15. Thank you, Senator Knuppel. Senator Sours will you continue?

16. SENATOR KNUPPEL:

17. I think therefore it's not germane.

18. PRESIDING OFFICER: (Senator Lyons)

19. Well, we'll ask him. Which one are you reading from,
20. Senator Sours?

21. SENATOR SOURS:

22. I am reading from the syllabus of SB1343, which is an inte-
23. gral part of the preceding numbered bill. Now, may I finish?

24. PRESIDING OFFICER: (Senator Lyons)

25. You may.

26. SENATOR SOURS:

27. And it says, as Senator Partee has suggested, pleasantly,
28. cordially and kindly, provides for an income tax on individuals,
29. trusts and estates to replace revenue lost as a result of the aboli-
30. tion of personal property tax on individuals, trusts and estates.

31. I have impeccable credentials, Mr. President and Senators, when
32. we get off on the subject of a State Income Tax because if anybody
33. led the opposition in the closing day or two of 1961 in June, I

1. think I could well qualify. May I say the people want the tax
2. abolished. But they don't want it put back in the form of an income
3. tax which they didn't want in the first place, and which retired
4. from this side of the aisle 5 or 6 Republican Senators, so retired
5. primarily because they voted for the income tax. Now, it's nice
6. Senator Knuppel to go back to nature's unbroken loneliness of
7. Menard County and say those Republicans they voted against
8. my bill to abolish the personal property tax. That's wonderful.
9. Let me read to you very briefly what Joseph Mediel or Medile
10. more than a hundred years ago said about that variety of public
11. official. Whoever chooses so...to do may become a politician...

12. PRESIDING OFFICER: (Senator Lyons)

13. Senator Knuppel, for what purpose...

14. SENATOR KNUPPEL:

15. Red light is on which means his time has expired and we don't
16. need an expose' on literature. This has nothing to do this bill.
17. It's not germane anyway.

18. PRESIDING OFFICER: (Senator Lyons)

19. Alright, we'll ask Senator Sours to conclude his remarks.

20. SENATOR KNUPPEL:

21. Well, I don't....with the type of official I am. It has
22. nothing to do with the merit of the bill.

23. PRESIDING OFFICER: (Senator Lyons)

24. Well, let's hear what it says first, Senator Knuppel.

25. SENATOR SOURS:

26. And it is not remarkable...

27. PRESIDING OFFICER: (Senator Lyons)

28. We'll let him conclude his remarks. Senator Knuppel, you
29. don't have to listen if you don't want to, but let him conclude
30. his remarks. The Chair has ruled that he will be allowed to con-
31. clude his remarks hurriedly. The light is shining. Alright....
32. The...we're in the middle of another roll call. Just a minute

1. we're in the middle of a roll call. If you want to appeal the
2. ruling of the Chair do it after the roll call is completed.
3. Will you conclude your remarks, Senator Sours? Well, you're
4. going to have to wait to do it until this roll call is over.
5. Senator Sours, will you complete your remarks?

6. SENATOR SOURS:

7. Well, I was going to say if you are going to have a roll
8. call for the benefit of the spectators, next Monday we will have
9. Uncle Tom's Cabin here with ten live bloodhounds.

10. PRESIDING OFFICER: (Senator Lyons)

11. That concludes Senator Sour's remarks. Continue with the
12. roll call, Mr. Secretary.

13. SECRETARY:

14. Swinarski, Vadalabene, Walker, Weaver,

15. PRESIDING OFFICER: (Senator Lyons)

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Mr. President, it appears rather obvious that this bill hasn't
19. secured the necessary vote and I'd like to change my vote to no,
20. so that I can move for reconsideration tomorrow.

21. PRESIDING OFFICER: (Senator Lyons)

22. Senator Knuppel's vote will be recorded from aye to no.
23. He has that right. Change from aye to no. The vote on the bill
24. is 12 yeas. 19 nays. And 4 present. The bill having failed to
25. receive a constitutional majority is declared lost. Senator
26. Partee. Senator Dougherty.

27. SENATOR DOUGHERTY:

28. In view of the fact that so many remarks were made about
29. Senator Knuppel's actions in introduction of these bills, I have
30. read everyone of these bills and gone over them very thoroughly.
31. I want to say this...these two bills are the only honest approach
32. to abolition of personal property tax and with the subsequent...
33. installation of further income tax. I have the same impeccable

1. qualifications as Senator Sours. I too did not vote for the
2. income tax and I can't do it at this time. But Senator Knuppel's
3. approach was the most honest. He laid it right on the line.

4. PRESIDING OFFICER: (Senator Lyons)

5. Well, Senator Dougherty, I am happy to hear that you think
6. that Senator Knuppel's was the most honest. But I wish you wouldn't
7. say it was the only honest one, because I had a plan for the aboli-
8. tion of the personal property taxes too. Senator Partee. Which
9. would not have required replacing any revenue with an income tax
10. or anything else.

11. SENATOR PARTEE:

12. I have just conferred with Senator Clarke and both he and I
13. are calling caucuses of our individual parties immediately.

14. PRESIDING OFFICER: (Senator Lyons)

15. Do you move for a recess, Senator Partee?

16. SENATOR PARTEE:

17. A recess until 2:30.

18. PRESIDING OFFICER: (Senator Lyons)

19. Senate will stand in recess until 2:30.

20. PRESIDENT:

21. Senate will come to order. Senate bills...Senate bills on
22. 3rd Reading. 13...is Senator McBroom on the Floor? Senator...
23. Senator McBroom on the Floor? We'll back to that. Is he coming?
24. Senator McBroom, 1361, you want to take that now?

25. SENATOR MCBROOM:

26. Mr. Chairman...Mr. President, members of the Senate....
27. SB1361 is a Department of Transportation bill. I have been in
28. communication with some of the officials of the department...
29. I hope to confer with Senator Partee before I called the bill.
30. I wonder if I could talk to him and get back to it in a minute...

31. PRESIDENT:

32. We'll get back to it as soon as you give me the word here.
33. 13...Is Senator Carpentier on the Floor? 1406, Senator McCarthy.

1. 1408 I mean. 1423...1432, Senator Saperstein on the Floor?

2. Senator McBroom. We're ready on 1361?

3. SENATOR MCBROOM:

4. Yes...Mr. President, then I'd like to move it back to 2nd
5. Reading for the purpose of the amendment. I think it's down
6. there on the desk and I believe Senator Partee is in accord with it.

7. PRESIDENT:

8. 1361 is pulled back to 2nd Reading, for purposes of amen-
9. ment. Can you explain the amendment, Senator?

10. SENATOR MCBROOM:

11. Yea. If you'll wait until I get my glasses.

12. PREISIDENT:

13. We'll wait for you and your glasses.

14. SENATOR MCBROOM:

15. The amendment has the effect of doing several things, Mr.
16. President. The safety responsibility section...which the ...
17. before the legislature of the last Session was passed was moved
18. from Director Cellini to the Secretary of State. Three months
19. ago the Secretary of State recommended that it go back to the
20. Department of Transportation. During this state of flux,
21. Mr. President, this responsibility was not budgeted in neither
22. department and this accounts for an increase of seven hundred and
23. seventy three thousand dollars. There is no increase in people.
24. Another aspect of the amendment is the two hundred and fifty
25. thousand dollars contribution to the Northeast Planning Association.
26. Now, I can go further into it if anybody would want me to, Mr. Presi-
27. dent.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Yes, Mr. President and members of the Senate, this is amend-
32. ment No. 2 I take it. Amendment No. 1 being the Task Force amend-
33. ment. This is in my judgment an agreed to amendment and we would

1. have no objection to it's being...

2. PRESIDENT:

3. Any further discussion? All in favor signify by saying aye.
4. Contrary minded. The amendment is adopted. We'll return to it
5. after intervening business. Senator McCarthy, that whole series
6. starting with...excuse me...I'm sorry...I skipped some bills here.
7. 1546, Senator Hynes. 1550, Senator Carroll. Senator Carroll on
8. the Floor? Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President, on those series of Senator McCarthy's bills
11. an amendment is needed. And it has been agreed to now so we can
12. move them so maybe we can take that up as intervening business.

13. PRESIDENT:

14. 1598, Senator McCarthy.

15. SENATOR MCCARTHY:

16. Yes, Mr. President, there is on the Secretary's desk
17. a package of amendments to 1598 through 1602 that represent
18. final agreements between the various representatives on this series
19. of bills that implement the occupational...

20. PRESIDENT:

21. If the Chair can interrupt is it the same or similar amendment on
22. all of them or different amendments on each one?

23. SENATOR MCCARTHY:

24. Different amendments.

25. PRESIDENT:

26. Well, let's take them one at a time. 1598 is called back to
27. 2nd Reading for purpose of amendment. Senator McCarthy will ex-
28. plain the amendment.

29. SENATOR MCCARTHY:

30. This is from the typewriter of Robert Kennedy, fiefine man that
31. works for Senator Clarke. Amendment No. 1 to SB1598, amendments
32. on line 1 through 7, page 1 are technical. Amendments on line
33. 8 through 17 and 20 through 6 on page 1 remove the criminal penal-

1. ty language...place in it...place it in a more different part of
2. the Act which is more appropriate. Lines 27 on page 1 removes
3. language to the bill which requires judicial review will not
4. automatically act as the stay of the order of the Industrial
5. Commission. Lines 28 through 33 of page one y
6. are technical changes. Lines 17 through 23 of page 2 provides
7. that persons dissatisfied with the department findings are en-
8. titled to an independent review thereof.

9. PRESIDENT:

10. Is there any discussion to that amendment? Senator Clarke
11. moves the adoption of the amendment. All in favor signify by
12. saying aye. Contrary minded. The amendment is adopted. 1599.

13. SENATOR MCCARTHY:

14. Well, there's a second amendment to 1598.

15. PRESIDENT:

16. Oh, I'm sorry. 1598. Another amendment. Senator McCarthy.

17. SENATOR MCCARTHY:

18. That would be amendment No. 2. Lines 1 through 13 make no
19. actual change, technical rearrangements. Lines 14 through 18
20. provide that the Director can only impose civil penalties. Lines
21. 19 through 33 provide for the confidentiality of trades secrets.
22. Lines 1 through 3 on page 2 provides the States Attorney as well
23. as the Attorney General may prosecute violations. Lines 4
24. through 7 of page 2 provides that all fines shall be paid to the General
25. Revenue Fund. And lines 8 through 12 provide that this Act shall
26. not create any statutory right under the Workmen's Compensation Act.

27. PRESIDENT:

28. Senator Clarke moves the adoption of the amendment. All in
29. favor signify by saying aye. Contrary minded. The amendment is
30. adopted. Any further amendments? 3rd Reading. 1599, pulled back
31. to 2nd Reading for purpose of amendment.

32. SENATOR MCCARTHY:

33. Yes, there is one amendment to 1599, lines 1 through 8 provide

1. what entry records must be kept. Lines 9 through 13 provide
2. that injuries are not to be reported unless they cause the loss
3. of more than one day's scheduled work and the inability of the
4. worker to do his regular job. This has been one of the problems
5. that has been resolved. Lines 14 through 24 provide a penalty
6. for revealing any reports under this Act...makes the reports con-
7. fidential.

8. PRESIDENT:

9. Senator Clarke moves the adoption of the amendment. All in
10. favor signify by saying aye. Contrary minded. The amendment is
11. adopted. Any further amendments. 3rd Reading. 1600.

12. SENATOR MCCARTHY:

13. Yes, amendment No. 1. There was two amendments to 1600,
14. which pretty well...well lines 1 through 11 on page 1 are mere
15. technical changes. Lines 11 through 34 of page 1, lines 1 through
16. 5 page 2 provide that employers must inform their employees of
17. their protection and obligations under the Act and with informa-
18. tion regarding to hazards in their workplace. Lines 6 through
19. 7 are technical. Lines 8 through 9 delete the word periodic
20. since periodic reports are no longer required. Lines 11 through
21. 14 provide that the reports filed shall be confidential. 15
22. through 18 are minor word changes. Lines 20 through 34 of page 2 and
23. 1 through 26 page 3 provide for the promulgation of emergency
24. standards by the Commission. Lines 27 through 34 on page 3 and
25. lines 1 through 22 page 4 provide the rule changes shall be re-
26. ferred to the Health and Safety Advisory Committee. Lines 20
27. through 34 on page 4. Lines 1 through 29 of page 5 provide that
28. the States Attorneys enforcing the Act and provide that informa-
29. tion gained in the inspections which contains trade secrets shall
30. be confidential and that no cause of action, is created which super-
31. sedes the Workmans Comp.

32. PRESIDENT:

33. Senator Clarke moves the adoption of Amendment No. 1. All

1. in favor signify by saying aye. Contrary minded. The amendment
2. is adopted. Senator McCarthy offers Amendment No. 2.

3. SENATOR MCCARTHY:

4. Right, Amendment No. 2 is a technical change to insure
5. that private persons cannot accidentally make federal rules
6. effective sooner than the Industrial Commission could.

7. PRESIDENT:

8. Senator Clarke moves the adoption of Amendment No. 2.
9. All in favor signify by saying aye. Contrary minded. The
10. amendment is adopted. 1601.

11. SENATOR MCCARTHY:

12. One amendment.

13. PRESIDENT:

14. 1601 is pulled back to 2nd Reading. Can you explain the
15. amendments?

16. SENATOR MCCARTHY:

17. Yes, there is one amendment here. Lines 1 through 7 pro-
18. vide for the recording of certain injuries. And lines 10 through
19. 14 provide for reporting of injuries causing the loss of one
20. scheduled work day or the inability to continue performing the
21. employers regular job. Lines 8 and 9 are technical. Lines
22. 15 through 24 again provide for the reports filed under this Act
23. will be confidential. That's the explanation.

24. PRESIDENT:

25. Senator Clarke moves the adoption of the amendment. All in
26. favor signify by saying aye. Contrary minded. The amendment is
27. adopted. Any further amendments. 3rd Reading. 1602 is pulled
28. back to 2nd Reading for purpose of amendment. No amendment on
29. that. Alright. Is it acceptable Senator McCarthy and Senator
30. Clarke, to have one roll call for all of these bills? Well,
31. while we're on this series let's go ahead with this series. 1598
32. through 1602. Senator McCarthy, do you wish to add anything?

33. SENATOR MCCARTHY:

1. Well, not unless it's necessary except to say that...the total
2. package of these bills are implementation of the Occupational
3. Safety and Health Act and that these matters have been con-
4. sidered through an agreed bill process I recommend them
5. for your passage that failure to pass these bills, I think proba-
6. bly hinders the State of Illinois insofar as promulgation of
7. its rules in compliance under the Act. I'd be glad to read the
8. analysis that's given here if any member wants it.

9. PRESIDENT:

10. Is there any discussion? Senator Clarke.

11. SENATOR CLARKE:

12. I would just like to concur with what Senator McCarthy said
13. that it is my understanding that this federal act will take ef-
14. fect July 1st if we have not acted on the State. The adminis-
15. tration feels that we will lose considerable funds if we don't
16. take this action. As Senator McCarthy indicated, these amendments
17. have been worked out over the weekend between labor and manage-
18. ment. So it is agreeable and this program is satisfactory to both
19. sides. I would urge a yes vote.

20. PRESIDENT:

21. Senator Graham.

22. SENATOR GRAHAM:

23. I only want to echo what Senator Clarke said, minority spokes-
24. man on the Labor and Commerce Committee. Let's get on with the roll
25. call and pass these bills.

26. PRESIDENT:

27. Secretary will call the roll.

28. SECRETARY:

29. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
30. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
31. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
32. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
33. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,

1. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
2. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
3. Swinarski, Vadalabene, Walker, Weaver.

4. PRESIDENT:

5. Walker, aye. Smith, aye. Johns, aye. Sours, aye. Fawell,
6. aye. Soper, aye. Groen, aye. Cherry, aye. On those bills the
7. yeas are 48. The nays are none. The bills having received the
8. constitutional majority are declared passed. 1361, Senator Mc-
9. Broom.

10. SENATOR MCBROOM:

11. Well, again Mr. President, this is a Department of Trans-
12. portation appropriation. There's been a Democratic task force
13. amendment added to it and I amended...added Amendment No. 2,
14. just explained it. I don't think we have to dwell on it any
15. further. Appreciate a favorable roll call.

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. Yes, Mr. President and members of the Senate, this is the
20. appropriation for the Department of Transportation. The Demo-
21. cratic task force did put an amendment on it. And I would urge
22. the members on this side to support it as amended.

23. PRESIDENT:

24. Secretary will call the roll.

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce,

27. PRESIDENT:

28. Senator Bruce.

29. SENATOR BRUCE:

30. Yes...if Senator McBroom would answer a question. Did you
31. offer a second amendment that's been adopted?

32. PRESIDENT:

33. Senator McBroom.

1. SENATOR MCBROOM:
2. Yes, I did just a few moments ago. Your leadership with
3. Senator Rock approved of it, Senator Bruce.
4. PRESIDENT:
5. Senator Bruce.
6. SENATOR BRUCE:
7. Was that the one we talked about yesterday?
8. PRESIDENT:
9. Senator McBroom.
10. SENATOR MCBROOM:
11. Yes sir. I am sorry you were off the Floor, Senator Bruce.
12. I didn't notice that, Senator Partee and Senator Rock ap-
13. proved of it.
14. SECRETARY:
15. Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson,
16. Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
17. Graham, Groen,
18. PRESIDENT:
19. Senator Groen.
20. SENATOR GROEN:
21. Mr. President, I would like to know what the total appropriation
22. now is. Is the Calendar correct in its amount or what is the effect
23. of any amendments.
24. PRESIDENT:
25. Senator McBroom.
26. SENATOR MCBROOM:
27. Senator Groen, to answer your question, the Calendar cannot
28. possibly be correct now because it was just amended. I could
29. do some...the amendment added approximately...my amendment added
30. approximately one million dollars.
31. PRESIDENT:
32. Senator McBroom.
33. SENATOR MCBROOM:

1. Mr. Fernandes advises me that the figure on the Calendar
2. is the bill as it was originally introduced. It does not re-
3. flect Senator Rock's amendment or my amendment.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Yes, I think to give Senator Groen a short answer to a rather
8. long question. Amendment No. 1 deleted or subtracted one million
9. one hundred and eighty thousand dollars. Now, Amendment No. 2 be-
10. cause of the transfer of function and because of that grant added
11. one million dollars. In addition our amendment took out three
12. million three hundred and ninety-five thousand dollars of a re-
13. appropriation. So that in sum it's a hundred and eighty thousand
14. dollars less plus three million three ninety-five of reappropria-
15. tion less then the Calendar shows:

16. PRESIDENT:

17. Senator Groen.

18. SENATOR GROEN:

19. Then it would be approximately a billion six hundred and nine-
20. ty million?

21. SENATOR ROCK:

22. Yes.

23. SENATOR GROEN:

24. Alright. I vote aye.

25. SECRETARY:

26. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
27. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
28. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
29. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
30. Swinarski, Vadalabene, Walker, Weaver.

31. PRESIDENT:

32. For what purpose does Senator Bruce arise?

33. SENATOR BRUCE:

1. How am I recorded?

2. PRESIDENT:

3. You're not.

4. SENATOR BRUCE:

5. I'd like to be recorded aye. And just explain briefly the
6. amendment that has been put on by Senator McBroom, because I
7. believe that amendment is one of the worst that has come through
8. this Body since we have started here. First of all this bill
9. has had a hearing in task force. And Amendment No. 2, which has
10. been adopted by this Body does some things that were not under the
11. scrutiny of the task force. The amendment came into this Body
12. quite late and the task force had not an opportunity to look
13. at it. It was the suggestion that the amendment be put on in the
14. House where they would have an opportunity to fully apprise them-
15. selves of the amount of money involved in the amendment. It in-
16. volves nearly one million dollars. One error I think that this Body
17. should be aware of is the fact that the Bureau of the Budget to
18. their own machination forgot to put in six hundred and seventy one
19. thousand dollars for the Safety Responsibility unit. That size-
20. able of an error I believe should have some sort of committee
21. scrutiny. And it is not my intention that type of amendment be
22. adopted on 2nd reading without someone being informed of my op-
23. position. Secondly, the amendment adds two hundred and fifty
24. thousand dollars to the Northeastern Illinois Planning Commission.
25. I believe that this sets an extremely bad precedent. It is the
26. first time to my knowledge that road fund money has been utilized
27. for planning. The Katz Commission, a Chicago Area Transportation
28. study has already been appointed the Body to receive federal funds
29. for transportation study. The amendment adds the two hundred
30. and fifty thousand dollars to NIPC without restriction to the
31. type of planning that they will now be involved in. This I be-
32. lieve is an outright raid on the Motor Fuel Tax fund. One of
33. the first, I am sure only the beginning. I would also alert the

1. members of the fact the amount of the money that has been placed
2. in the amendment...in amendment No. 2 nearly one million dollars
3. has a net effect of decreasing all projects throughout the State
4. by the amount of one million dollars since the department sees
5. this as some sort of a balancing account, and therefore con-
6. struction is reduced as they increase their appropriation. There
7. is also a million three hundred thousand dollar bill in the amend-
8. ment for the construction of a maintenance storage facility. The
9. department was less than clear on this reappropriated item. Al-
10. though we were told that somehow in April the bid-letting did not...
11. did include this bill but somehow the bids were not in such form
12. that they could be accepted. They had to then offer this amend-
13. ment. I would tell the department that the task force had an oppor-
14. tune time to go over this between the bid-letting and when this
15. amendment was offered. But they were not apprised to the situation.
16. I will still vote aye...that Amendment No. 2, I object to and unfor-
17. tunately it has been adopted. I just wanted to point out to the
18. members that particular amendment because hopefully we could
19. straighten out the problem in the House.

20. PRESIDENT:

21. On that question the yeas are 48. The nays are none. The
22. bill having received the constitutional majority is declared
23. passed. Senator Carroll, what's the number of yeas again?

24. SENATOR CARROLL:

25. 1550, Mr. President.

26. PRESIDENT:

27. 1550, Senator Carroll.

28. SENATOR CARROLL:

29. Mr. President and Senators, SB1550 is the annual appropriation
30. for the Department of Public Aid. As you will notice on your Cal-
31. endar the appropriation shows one billion four hundred and fifty-
32. four million. However, the task force did make some changes in
33. that and added some fifty-two million dollars so the total ap-

1. appropriation now is about one billion five hundred and six million
2. dollars. I wanted that understood before we went on with any fur-
3. ther talk on the bill. This you know we had a deficiency appro-
4. priation. Hopefully this year we will not have to have one. The
5. largest part of this appropriation or a big share of it is brought
6. about by the Medical Assistance Program. And of course we also
7. included that aid to the Senior Citizens that was included in
8. SB1414 that's been put in with this and I'd ask for a favorable roll
9. call.

10. PRESIDENT:

11. Is there any discussion? Senator Knuppel.

12. SENATOR KNUPPPEL:

13. A couple of questions to the sponsor. How much larger is
14. this appropriation than the one we passed last year?

15. PRESIDENT:

16. Senator Carroll.

17. SENATOR CARROLL:

18. The total appropriation for...it's higher...it's larger than
19. last year. The..well, wait a minute have I got the...well, we had
20. the deficiency of a hundred and twenty-eight million
21. dollars and this is as I recall the figures and I would have to
22. check it out...one point one two was the appropriation last year...
23. plus the deficiency of a hundred and thirty-five.

24. PRESIDENT:

25. Senator Knuppel.

26. SENATOR KNUPPPEL:

27. So this is substantially larger than the appropriation from
28. year.

29. PRESIDENT:

30. Senator Carroll.

31. SENATOR CARROLL:

32. That is correct. However, you do have many additional people
33. that are on public aid. I have the report here for the last month,

1. the month of May showing the March figures of an increase of a
2. hundred and fifty-nine thousand over...a hundred fifty nine thou-
3. sand a hundred two over March of last year.

4. PRESIDENT:

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Senator Carroll, to what do you attribute that increase?

8. PRESIDENT:

9. Senator Carroll.

10. SENATOR CARROLL:

11. If I could answer that question I would have the solution
12. for this whole problem in the United States. I know that part
13. of it is caused by unemployment. Part of it is caused by people
14. perhaps moving here...not too many...people are trying to get jobs.
15. some of them...I can't give you the right answer to that, Senator.
16. I think you know some of the answers to it as well as I do.

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. I believe that a year ago that the Governor had a strong en-
21. forcement program to get the people off the rolls and proposed
22. hiring about a thousand investigators. Do you know how many those
23. investigators he has actually hired?

24. PRESIDENT:

25. Senator Carroll.

26. SENATOR CARROLL:

27. I don't have the exact number. But I do know that he has
28. hired several investigators and I do know that several people have
29. been gotten off the rolls and I do know that last month there were some
30. six hundred people that were placed in jobs as a result of adding new
31. people to the Department of Public Aid...new employees. You know

1. there was a freeze last year on the number of employees that
2. were hired by the Department of Public Aid. That has been re-
3. moved. The appropriation this year is higher for the services
4. for the people that are working for the Department of Public Aid.
5. We put additional people on and I believe the system is beginning
6. to work. I don't like to have to come in here with an appropri-
7. tion as large as this anymore than you do. But frankly, I think
8. we have this obligation to pass it. And I'm going to ask for
9. a favorable roll call.

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. ...Am I to understand then that what you are saying is the en-
14. forcement program is working and that actually the number of peo-
15. ple on welfare is less now than it was a year ago?

16. PRESIDENT:

17. Senator Carroll.

18. SENATOR CARROLL:

19. You heard me say that there was an increase of a hundred and
20. fifty nine thousand a hundred and two over last year for the same
21. month. There's more people on now than there were at that time
22. However, this program has just been initiated this year. There
23. was a freeze as you will recall on the number of case workers
24. that we had in Cook County and that we had in other parts of the
25. State. Fortunately we have added a few more and I think the pro-
26. gram is going to work.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Do you know what the average salary of the enforcer that has
31. been hired is?

32. PRESIDENT:

33. Senator Carroll.

1. SENATOR CARROLL:

2. No, I'm sorry I can't answer you that.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Well,...based upon the fact that obviously the Governor's
7. program to reduce these rolls is not working, and we are confronted
8. with salaries of people who are not accomplishing that
9. task and the rolls continue to grow and the executive lead-
10. ership of this State has come up with no solution...no satis-
11. factory solution to reduce these rolls or unemployment, one
12. or the other. And I think that either the federal government,
13. the executive branch of the federal government or of the State
14. government has the responsibility of reducing this unemployment
15. if anybody has it. I don't see how I can possibly support a pro-
16. gram that encompasses hiring of more enforcers that is proving to be a
17. failure. I'd like to hear some bright new ideas rather than that
18. old hackneyed clauses about how to get this job done. I remember a
19. very, very tough speech by the Governor of this State saying how
20. he was going to peel these people off the welfare rolls. And it really
21. is amazing to me that we have a hundred fifty-eight thousand more
22. people on it after that type of speech and what it was promised
23. to accomplish for the people of the State of Illinois. And I think
24. the people want some answers as to why these rolls go up and up
25. and why unemployment goes up and up so that more and more of these
26. people come on these rolls. And we're not getting satisfactory
27. answers. We come back here each year and we're told vote more
28. money and next year there will be something happen about it. Now,
29. it seems to me that the only way I can make my feelings felt in this
30. area and everybody else in this Body is to vote no on this appropria-
31. tion for a while and let somebody sit down with it and try to recon-
32. sider it and I am considering the fact that there are many people
33. on these rolls that can't help it. But certainly I think the aver-

1. age person feels that the payroll and the number of people that
2. are on these rolls are excessive. In fact the Governor even said
3. so a year ago, and told us how he was going to solve the problem.
4. And I think that the only way it will ever be solved is to quit
5. voting for increased appropriations every year and sit down and
6. take a hard look at the problem. Just voting more money won't
7. solve the problem or just not voting won't solve the problem.
8. I realize that too. But somehow, somehow we have to attack this
9. problem before it swallows us.

10. PRESIDENT:

11. Senator Bruce.

12. SENATOR BRUCE:

13. Yes, Mr. President, the task force made some substantial changes
14. and also transferred some money that I believe the membership should
15. be aware of. First of all three items may have increased the size
16. of the Public Aid budget because they had at first appeared to
17. increase their amount of money. But actually they are trans-
18. fers. Two amounts of money were transferred from Mental Health.
19. Six point four million for Public Assistance recipients and
20. twenty-nine million five hundred thousand dollars for former Men-
21. tal Health patients on public assistance. Task force felt that
22. the...more adequately reflected the amount of money being spent on
23. Mental Health if we only spent money in Mental Health for those
24. in health in need of mental assistance rather than spending Public
25. Aid money in that department. We also transferred from the De-
26. partment of Public Health the early string and diagnosis of child-
27. ren program seven million dollars. That was transferred in the
28. Department of Public Aid. Those were all transfers and so that the
29. budgetary items remain the same only the Public Aid budget may at
30. first glance appear to have grown substantially. Secondly the
31. tax force recommended the abolishment of the Experimental Project
32. line item three point four million. If the membership will remember
33.

1. last year we reduced that appropriation as the feeling of the
2. task force that that be removed this year. Also because the
3. Covelli decision in Cook County relating to the transfer of
4. general assistance funds throughout the department it was felt
5. that the transfer clause allowing the department to remove the
6. monies from line items that this legislature determines in mov-
7. ing to other items that we remove that. Also with some degree
8. of agreement we transferred in the older American's act which was
9. HB1414 and put in eleven million...twelve million two hundred thousand
10. dollars. That also may appear to have increased the size of the
11. budget relatively...it did not since it was a transfer from another
12. budget item bill. With these amendments of the task force
13. and the review it was given I believe that we should support the
14. appropriation.

15. PRESIDENT:

16. Senator Knuepfer.

17. SENATOR KNUEPFER:

18. Well, in partial answer to the questions that Senator
19. Knuppel raised...And certainly Senator, this is a frustrating ex-
20. perience for all of us I think to have to vote for continued ap-
21. propriations in this area. One of the bright rays I think, two
22. years ago that at least we had anticipated would provide us some...
23. with answers to some of the questions that you raise, was the
24. Institute of Social Policy. And I think as I recollect back to
25. 1970, it received practically unanimous support on this Floor and a
26. three million dollar appropriation. And it's purpose was to ask some
27. of those in the academic areas how best we could solve these problems
28. and how best we could reduce these rolls. And if there was a bright
29. ray in this area it was right here. I would say, unfortunately, in
30. the first year of its operation its administration and operation
31. was evidently not very successful and I can concur, I think in the
32. suggestion that the Democratic task force made that it had some
33. real and substantial problems. Since then, however, it has ac-

1. quired as I understand a new Director. And I think if we want
2. to resolve some of these problems we've got to go, and I think
3. this is what you are suggesting, Senator Knuppel, got to go be-
4. yond the area of simply providing more money. Because more money
5. has been no solution. That's what we've been doing for twelve
6. years. And I had been hopeful that the task force would have al-
7. lowed a reorganized Institute of Social Policy to provide some as-
8. sistance to the Director in solving some of the social problems
9. that we are evidently not able to solve in this legislature simply
10. because we lack direction. We don't know which way to go. I
11. think that was one of the unfortunate cuts provided in this
12. budget because I think that provided an opportunity for us to
13. solve some of these problems in the future. And I am going to
14. support the appropriation. But I do think that in denying the
15. request for any funds by this Institute we have in effect said
16. we will continue to handle these problems on a hand to mouth basis
17. rather than to provide any research into the causes which may en-
18. able us to provide legislation some day that will resolve some of
19. the problems and will reduce some of the expenditures.

20. PRESIDING OFFICER: (SENATOR VADALABENE)

21. Senator Baltz.

22. SENATOR BALTZ:

23. Well, Mr. President and members of the Senate, I have gone back some
24. twenty years and my worrying about relief and relief clients and the
25. money that was spent that the taxpayers furnish to support people...that
26. support people who could not support themselves. I came down to the
27. legislature and found a great deadlock back in 1963 where a deficien-
28. cy appropriation of some thirteen million dollars as I recall it
29. was then an issue in both of the Houses of the Legislature. It
30. resulted in a great deadlock. We formed at that time a pact that said
31. we're going to freeze amounts that we gave to people on relief be-
32. cause there had been many cheaters in the relief field. We wanted
33. to put a ceiling on rents that could be paid because landlords

1. seemed to be gouging some of the relievers. We had a number of
2. reasons why we had to take a second look at this. This was long
3. before the days when the phrase "hard look" came into being. I've
4. heard that when we talk about this appropriation that we have
5. to take a hard look at it. Back in 1963 in order to resolve this
6. deadlock after my favorite ball team the White Sox said,
7. "Bring two pounds of oatmeal and you will be admitted free to a
8. ball game," to give to the poor people who can't get relief because
9. the legislature can't decide on a thirteen million dollar deficiency
10. budget. "Bring two pounds of oatmeal and we'll let you in free."
11. I almost gave up my great support and affiliation for the White Sox
12. at that time because I was thoroughly disgusted with everybody
13. that wanted to get into the act at the last minute...at the last
14. minute, mind you, to solve the problem. Now, in '63 we did decide
15. to form some kind of a commission that would take a hard look at
16. this problem, not only when this bill came before the Legislature
17. once every two years at that time, but to take a hard look at it
18. every month. And this was the time when the permanent commission
19. called the Legislative Advisory Commission...

20. PRESIDING OFFICER (Senator Vadalabene)

21. Could I have a little order please, so Senator Baltz could be
22. heard.

23. SENATOR BALTZ:

24. ...Thank you, Mr. President, this was at a time when we de-
25. cided to take this so-called stern or hard look at this thing not
26. once every two years or not once every year. We formed this com-
27. mission to take a hard look at it every month. I landed on that
28. commission then. I am still on it. I was one of the original
29. members with Senator Carroll and Senator Saperstein and Senator
30. Dougherty and others. And I'll say this that we do take a hard
31. look at this every month. I can understand when the task
32. force on your side of the aisle or the budgetary experts on
33. our side of the aisle take a look at their annual appropriation

1. of well over a billion dollars...a billion and a half dollars
2. and say we have to take a hard look at this. We have bought,
3. tried and discarded programs by the dozens. We have tried every-
4. thing that we knew how to try to help solve this great problem
5. of growing relief clients. We have come to the conclusion that
6. we have done a good job. Sometimes we have made decisions that
7. we have had to rescind. But we have felt that over the years
8. since 1963 that we have experimented in every way possible not
9. only to help the taxpayers relieve their obligations to the poor
10. but we have tried to eliminate the cheaters in this business. We
11. have tried to eliminate the pros. We have stuck our neck out to
12. help those who are worthy and deserving to get jobs, to hold them,
13. to provide them nursery services. We have done everything that we
14. can in my estimation to make this program work. It has grown up-
15. on us. I suppose you would have to liken it to a malignant dis-
16. ease. We don't seem to be able to get ahead of it. We don't
17. know the answer. I don't know of any State in the union in the
18. United States that knows the answer. I don't know of any country
19. in the world that knows the answer. We're obligated to take care
20. of the poor and the deserving. We are obligated to feed children
21. that might go hungry if we don't do our job. The passing of this
22. budget or voting for this bill is just as distasteful to me be-
23. cause it grows every year as it is to the greatest objectors. I
24. would love to have these greatest objectors that want to go back
25. in their home districts and use this as a campaign promise or a
26. campaign speech that I voted against the increase in the Public Aid
27. budget, I'd like to have them sit on this commission to find out
28. how difficult it is to make decisions when you are dealing with
29. people who are in need. Now, there are cheaters. The bigger the
30. program grows the more cheaters we find. The more avenues they
31. find to help cheat this program. We cut them off. We cut them
32. off at the knees everytime we find the solution to do it. We have
33. two or three experimental programs in the mill right now that will

1. help do this. There probably will be some new ideas developed
2. to help key us the next time we meet. We are on it. We're on it
3. every month. I don't like the increased appropriation. I think
4. it is one of the things we have to deal with. We have to meet
5. this obligation just as much as we have to meet the obligation
6. of education. We have to meet it just as well as we have to
7. meet the obligation of Mental Health. And I think it is one of
8. the things whether you like it or not this appropriation has to
9. be passed. We have to meet this need. We have to continue to
10. try to solve the problem. The problem is here. It's one of our
11. problems. This is what we are elected for. This is what we are
12. down here for and I urge people whether or not you like the size
13. of the appropriation. whether or not you like the way the program
14. is run I want you to know that there is a commission that is on
15. top of this problem every month. It's bipartisan. It's equally
16. divided between Republicans and Democrats. It's the workingest
17. commission I have ever been on and I rise in support of this
18. bill. And I think it's a problem we have to face and I think
19. you better face up to it as your own problem.

20. PRESIDING OFFICER (Senator Vadalabene)

21. Senator Soper.

22. SENATOR SOPER:

23. Mr. President, Senator Carroll, you referred to the
24. migration of people from other states coming in this State. How
25. much does that account for in our budget?

26. SENATOR CARROLL:

27. About twenty million dollars. Not over that. That's a small
28. portion of the total budget actually, Senator.

29. SENATOR SOPER:

30. Now, I had some figures in the past years would amount to
31. about five to ten percent of the budget if we had a residency law
32. that would be taken on....am I on...that's what I am trying to
33. do, Bernie. I think if congress would concern itself with the migration

1. of the people from one state to another just in order to...
2. to get a little more money from the State of Illinois. We
3. all know that people come from other states and come to the State
4. of Illinois and they are put on relief immediately. And I think
5. it amounts to between five and ten percent of our budget. When you
6. look at a budget of fourteen hundred million dollars and there
7. will be a deficiency appropriation...that will be it will run
8. into fifteen hundred million and ten percent of that would be
9. a hundred and fifty million dollars. I think that the Democratic
10. Congress that we have sitting up in Washington should look at
11. this thing once in a while and give it some laws that will pro-
12. tect the State against this invasion. And when..before that...
13. if that doesn't happen, I can't vote for a budget that includes
14. this, although I feel for the people that need it and I believe
15. that we're going to have to pass the budget.

16. PRESIDENT:

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. Mr. President and members of the Senate, very briefly, the
20. thing that concerns me about the Public Aid budget, is the fact
21. that with our annual Sessions...we don't really get a reflection
22. of a true cost of the budget being presented. And now this I
23. firmly believe because for fiscal year 1972, we had a one point
24. one two billion dollar budget. But coming back this year we were
25. presented with a deficiency budget...deficiency appropriation of
26. some a hundred thirty five million. This was reduced to a hundred
27. twenty nine million by amendments in the House after passing the
28. Senate at a hundred thirty five million. Now, I point out under
29. the new Constitution this deficiency appropriation when it comes
30. back in the second year for the same fiscal year does not re-
31. quire a two-thirds majority as it did under the 1870 Constitution,
32. but under the new Constitution it only requires a thirty ma-
33. jority vote to pass this Body. Just the regular majority vote.

1. So I am wondering and of course this would be a question that
2. I know, Senator Carroll, would be unfair to even ask you.
3. Because if you...I know your sincerity and I want to compliment
4. you as Chairman and the members of the Public Aid Commission that
5. studied this and if you had the solution you'd certainly come up.
6. But although we now have instead of a budget of about one point
7. two four nine billion dollars for fiscal year 1972, we're start-
8. ing out with a one point four five four billion dollar budget
9. plus the anticipated deficiency appropriation that will come in
10. 1973 for fiscal '73 budget. And I point that out because once
11. people have found that they can live off of government and gov-
12. ernment has the ability to tax themselves to produce revenue to
13. give back to themselves and certainly the federal government found
14. that out in the State of Illinois and other states are finding it out
15. faster and faster....the cost of government will go up. But I
16. am sort of pleased in a way to see some of the revolt that is
17. occurring through the State in the ...refusal and the filing of pro-
18. test when they file their real estate and personal property taxes. And
19. people are going to find too that they can protest paying taxes
20. just as easy as they can tax themselves to produce the services
21. for themselves.

22. PRESIDING OFFICER (Senator Johns)

23. Senator Smith.

24. SENATOR SMITH:

25. Mr. President and members of the Senate, while sitting here
26. listening to the objections that have been voiced with regards
27. to the appropriation as delineated to us by Senator Carroll. I am
28. forced to the conclusion that man is necessarily a part of every
29. instinct and every emotion that ever touched or moved him here or
30. there. I have noticed in life that the extremely wealthy...those who
31. are born to luxuries and plenty...they seem to look down upon those
32. of us in the middle class income brackets like those of us who serve
33. here in the Senate and elsewhere....Mr. President, may I have order

1. because I want to say something here...

2. PRESIDING OFFICER (Senator Johns)

3. Yes sir. Just a moment...let's have a little order...

4. SENATOR SMITH:

5. ...because I want to say something here that may clear
6. the atmosphere, I hope...still others look down upon the plodder
7. The plodder looks down upon someone else and considers somebody
8. else perhaps as a mere misfit in life. I would have sat here and
9. said nothing if the argument had been the fact that the appropria-
10. tions for Public Welfare have reached staggering proportions.

11. No man can deny or dispute that. I could...

12. PRESIDING OFFICER (Senator Johns)

13. Pardon me just a moment sir, ...gentlemen can we have a little
14. more order in this assembly, please...thank you.

15. SENATOR SMITH:

16. I could have and would have sat silently here, if the argument
17. had been that this subject has now grown to national proportions.
18. Because it has. I think it has grown to such an extent since the
19. days when the task was mine rather than that of Senator Carroll
20. to espouse the cause of Public Welfare...that the national gov-
21. ernment should now step in and take charge of all matters pertain-
22. ing to public welfare. I don't think that any of us could have
23. disputed or doubted the necessity for that. This question of
24. public welfare is not a question that is peculiar to the State of
25. Illinois. It's outgrown us. Various and sundry other
26. States have tried to do that which Senator Soper asked an explana-
27. tion of what to do. And no state has as yet come up with a suit-
28. able or sensible answer. I have served on this particular com-
29. mission since the day of it's inception and I have given it not my
30. bit but my very best. I notice that out in the State of Cali-
31. fornia, for xample, the Governor of that State came to the con-
32. clusion that the appropriate thing to do was to seek out and
33. search out deserting fathers. And after continued efforts that

1. program failed. Over in the State of Connecticut they tried
2. the flat grant method of payment of public aid recipients
3. and that failed. Federal government never allowed them or
4. gave them the right to do just that. It would appear to me,
5. Mr. President, that the real fault with regards to this entire
6. set-up of program lies squarely not here in Illinois, but in the
7. hands of Health, Education and Welfare in Washington, D. C.
8. Whereas they refuse to allow the State of Connecticut to issue
9. a grant of flat grant payments, the State of Massachusetts tried
10. flat grant payment and HEW immediately gave them their approval.
11. And in Massachusetts they are using the flat grant payment.
12. Over in Pennsylvania, in answer to what Senator Soper asked, they
13. appointed some ...they, in Pennsylvania, they appointed men to in-
14. vestigate the cheaters. And after months of investigation the
15. record shows that Pennsylvania came to the conclusion that there
16. were but few cheaters there. We tried it here in Illinois and
17. we did not come forward with numerous cheaters. In other States
18. they have come forward with various and sundry other programs
19. in an attempt. And we all say, at least the speeches thus far that
20. we should cut the welfare payments. May I call your attention
21. Senators to this fact...First, nationally a majority of those on
22. Public Welfare in one or more of the various categories is not a
23. member of the ethnic group of which I am a part. They are of
24. other ethnic groups. Be that as it may. Under the set-up under HEW
25. and I could wish that Senators would bare this in mind....that
26. if all who were entitled to assistance under one or more of the
27. various categories of public welfares now operated by Health, Educa-
28. tion and Welfare, if they were to apply here in the State of Illi-
29. nois tomorrow, your welfare rolls would be more than double
30. what they are today. Because under the HEW's regulation and
31. rulings they are entitled to it, and if they make application
32. that application under the new regulations must be honored. Now
33. remember if they should apply tomorrow your rolls would be more

1. than double and this appropriation which the Senator mentioned
2. and which I have here would be more than double the amount that it
3. is here today. It's a staggering thought. But nevertheless it
4. is the truth. I have here some clippings and my leader has just
5. suggested that I be brief. And I'm going to be brief. Though
6. I think that this subject needs some discussion, because frankly
7. members are not informed. Senator Mitchler mentioned what the
8. lawmakers in Washington should do. We have been there. And we
9. found to our complete dismay that the average lawmaker in Washing-
10. ton insofar as public welfare is concerned he knows no more about
11. it than a rabbit does when Sunday comes. He doesn't seem to be
12. interested. I passed a bill here two or three days ago...to
13. grant direct payments to hospitals and to other vendors of ser-
14. vice. We went to Washington. We tried to get it. They smiled
15. in our faces but they denied it. Another one of the reasons is
16. the fact of the administration, gentlemen, of public welfare here
17. in this State. I have here a clipping from a recent newspaper ac-
18. count. I wish you could read it. Here's a man that owns several
19. buildings on Halsted Street, in the City of Chicago...not of my
20. ethnic group...owner of certain places of business and I could
21. read it to you and will or let you read it if you wish...he has
22. two children and his wife...he has recently bought a new station
23. wagon...a Cadillac car...he's not of my ethnic group and he was
24. receiving two hundred and eighty nine dollars monthly welfare
25. payments. On the back of that I pasted a clipping from the same
26. newspaper of a mother of my ethnic group and nine children receiv-
27. ing a hundred and fifty dollars though...a mother...and no...there
28. were ten in the family including the father. Now, here's another
29. down the page. Out in California as I said they were trying to lo-
30. cate deserting fathers. Here in Illinois if a woman can by mis-
31. treatment or otherwise induce her husband or spouse to leave,
32. they'll more than double her allowance. I wonder if Sena-
33. tors know that that is a fact. You'd do better to send the old man

1. away...let him go out either the front door or the back door. Then
2. you'll get double the amount that you were getting while he
3. was there. And then they went further. They said first man
4. in the house and we'll deny all public aid. Now, he can go out
5. the front door and came in the back door and they'll more than
6. double the amount that is his. My leader advised me of the fact
7. that he wants a roll call to get on to other business. Let me
8. then be personal and say this and I will sit down. No, no, you
9. don't mean it. I know you don't mean it. I want to say this
10. and I say it. That as God is my judge, gentlemen, I
11. would that this problem of public welfare should never again face
12. us. I could wish and members of the commission know what my in-
13. ner feelings are far better than you do..I could wish that the
14. resources of this State were so developed that employment would
15. be stimulated to the point that every man and every woman who
16. wants work could find it. I shall hope but like you I will not
17. live to see the day when poverty is banished from our midst. When
18. the resources of this State will have been developed to the point where
19. employment will be available because certainly it isn't now. Your
20. wage market is at the lowest ebb that it's been in perhaps ten
21. or 15 years and you're talking about put them on a job. The college
22. graduate can't find employment. These people can't find employ-
23. ment. The amount that is in this bill, yes, it's more than last
24. year. But bear in mind that if the then Director's request had been
25. granted there would have been no deficiency appropriation such
26. as been referred to here today. The appropriation is necessary
27. and is...one final thing and I will sit down. The federal courts
28. gentlemen, the federal courts have consistently...I would if those
29. Pages and others back there were directed to be quiet....

30. PRESIDENT:

31. Just a moment....

32. SENATOR SMITH:

33. I want to say this...and close it...the federal courts and

1. certainly you lawyers have noticed it...They have sought to force-
2. fully bring to bear upon the state officials here in the State of
3. Illinois the fact that you simply cannot reduce welfare payments
4. by doing what Senator Soper said. You can't possibly reduce them
5. by having state laws or state rules that run counter to federal
6. laws and to federal regulations. He mentions residency require-
7. ments. It can't be done because all assistance...all federal matching
8. funds would be denied the State of Illinois. And perhaps the most re-
9. cent case in point or the one that comes to me more readily was
10. the unanimous Supreme Court decision mandating the State of Illi-
11. nois to grant welfare payments to minor children of public aid
12. families who are in attendance in colleges and universities. You
13. just simply can't do it. The fault lies not with Weaver, the Dir-
14. ector...the fault does not lie with your advisory commission...we've
15. have done it the job...as Senator Baltz said that we have. The
16. fault lies in the hands of Health, Education and Welfare in Wash-
17. ington, because we are bound on every side by their rules and re-
18. gulations and can do only that that they allow or permit us to do.

19. PRESIDENT:

20. Senator Vadalabene.

21. SENATOR VADALBENE:

22. Mr. President and Senators, I move the previous question.

23. PRESIDENT:

24. Motion for the previous question. All in favor signify by
25. saying aye. Contrary minded. The Motion prevails. Senator
26. Carroll may close the debate.

27. SENATOR CARROLL:

28. Just two points is all I want to make. I want to point out
29. that two hundred and one million dollars of this is on account of
30. medical assistance for the aged. And I also want to answer Sena-
31. tor Knuppel's inquiry about reducing the rolls under the pro-
32. gram the Governor has. For the month of April 1971 was nine mil-
33. lion dollars for general assistance and, for the month of April this

1. year, it was six million dollars so that we did have a three mil-
2. lion dollar reduction because of that program. I ask for a fav-
3. orable roll call.

4. PRESIDENT:

5. The Secretary will call the roll.

6. SECRETARY:

7. Arrington, Baltz, Berning.

8. PRESIDENT:

9. Senator Berning.

10. SENATOR BERNING:

11. Yes, Mr. President, just one comment in response to questions
12. by Senator Knuppel and points raised by Senator Smith...

13. PRESIDENT:

14. Just a moment.. .you have a point of order, Senator Neistein?

15. SENATOR NEISTEIN:

16. I have a point of clarification on my part, for my own
17. edification. How many minutes can a Senator speak in explain-
18. ing his vote on this bill?

19. PRESIDENT:

20. Three minutes.

21. SENATOR NEISTEIN:

22. Thank you...is the...and how many times...is right.

23. PRESIDENT:

24. You may only explain your vote once.

25. SENATOR NEISTEIN:

26. And is the Parliamentarian operating that clock?

27. PRESIDENT:

28. He is operating that clock and this time that you are taking
29. right now will be taken away from your explaining your....

30. SENATOR NEISTEIN:

31. Fine. I'm not going to speak on this bill anyway.

32. PRESIDENT:

33. Senator Berning.

1. SENATOR BERNING:

2. I just wanted to make the observation that in my opinion
3. one of the reasons that we have an increasing welfare load is
4. the fact that we have increasing unemployment generated by the
5. minimum wage. Gentlemen, we did ourselves no good by the mini-
6. mum wage bill. I vote aye.

7. SECRETARY:

8. Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke,
9. Collins, Coulson,

10. PRESIDENT:

11. Senator Collins.

12. SENATOR COLLINS:

13. Mr. President and members of the Senate, I don't know whether
14. I can say these few words in three minutes or not. But we are
15. the richest and the most progressive nation in the whole world.
16. What we have done in the last two hundred years is almost unbe-
17. lievable. We have automation which naturally reduces some unem-
18. ployment. We spend billions to go to the moon and find other
19. planets...now, I have to I suppose we will be criticized by some
20. real ardent Republicans. But I have come to the conclusion af-
21. ter thinking this thing from all angles, all ramifications, there's
22. only one answer and that is to put every able bodied man to work...
23. the poor, the weak, the sick...the mothers and the old and the or-
24. phans...no...but every able bodied man. Find him a public employ-
25. ment job and put him to work to build improvements for society
26. and for the benefit and welfare of mankind and let me say this...that
27. without work you cannot have a nation, you cannot have a society.
28. All you can have is decrepitness and a socialized state. We've
29. got to change our course and in Washington, as Senator Smith says
30. it's in their hands to chage this course and come up with ap-
31. propriations for public improvements and put them to work. I vote
32. aye.

33. SECRETARY:

1. Coulson, Course, Davidson, Donnewald,

2. PRESIDENT:

3. Senator Dougherty.

4. SENATOR DOUGHERTY:

5. Mr. President and members of the Senate, I am going to
6. be very brief. I, too, am a member of the Public Aid Advisory
7. Commission. I have been on it since it's very beginning. I
8. am going to reecho the words of Senator Baltz, Senator Smith and
9. Senator Carroll. The great increase has been in the area of
10. medical assistance to aged, and in the area of ADC and
11. ADCU which is a separate category. The welfare rolls as you say
12. are now around nine hundred thousand. It is not our fault. It
13. is the fault of economy. It is the fault of the method of opera-
14. tions. But we must support this appropriation. I vote aye.

15. SECRETARY:

16. Egan, Fawell, Gilbert, Graham, Groen,

17. PRESIDING OFFICER (Senator Rock)

18. Senator Groen...oh, I'm Senator Graham. Senator Graham.

19. SENATOR GRAHAM:

20. Mr. President and members of the Senate, I'm not going to
21. try to follow Denny Collins. That's impossible. I heard the
22. speech though this afternoon from the gentleman from Petersburg
23. that seemed to infer that the relief problems in the State of
24. Illinois have been peculiar to our State only after Governor
25. Ogilvie was elected. I would like to state for my friend. First
26. of all in trying to weed out the needy from the greedy that I'll bet
27. if you supply fifteen people to the Department of Public Aid from
28. Menard County to go to Chicago and work in those areas every
29. darn one of them will be back home in a week or before, if you
30. ever get them in there. That's the whole problem. In 1959, I
31. almost fell out of my chair when I saw the Public Aid Budget of
32. three hundred and thirty million dollars. That was under Governor
33. Stratton. Well, right afterward they got rid of Governor Stratton and

1. we had Governor Kerner. He went up to five hundred million
2. dollars then. Then we had Shapiro. He went up to seven
3. hundred and fifty million dollars then. And now it's up to
4. a billion and so forth. So I think that anyone in this Body
5. is ill advised in trying to place the responsibility of the
6. Public Aid problem on any Party, because up to now none of
7. them have solved it for the very basic reason we can't legis-
8. late initiative and we can't legislate a willingness to work
9. or responsibility. The thing that bothers me about this...the
10. task force...task force operation on this budget...the little
11. thing that does disturb me ...and I'm going to close with that
12.I am informed that there were some seven million dollars
13. in a Medicaid Program which was previously under the Department
14. of Public Aid...was taken from the Department of Public Aid...and
15. placed under the Department...or from the Department of Public Health
16. and placed under the Department of Public Aid. Now, I just want one of
17. the gentlemen along the line to indicate to me who is better to
18. operate a seven million dollar Medicaid Program...the Department
19. of Public Aid or the Department of Public Health. If I were
20. going to bet on someone I think I'd take the Department of Pub-
21. lic Health and I think you gentlemen on the task force made a
22. mistake. I vote no.

23. SECRETARY:

24. Groen.

25. PRESIDING OFFICER (Senator Rock)

26. Senator Groen.

27. SENATOR GROEN:

28. Mr. President and members, I don't know how many of you are
29. aware of the fact that for fifteen minutes this afternoon you
30. heard a speech by a member of this Body that should be recognized
31. by someone for the classic it was. Senator Smith, I commend you.
32. It's unquestionably the most informative dissertation on this sub-
33. ject matter I have ever heard anyone make on the Floor of this Sen-

1. ate. I would hope that the speech which he made may be transcribed
2. from the record and distributed to each of us. That those of
3. you who were preoccupied with other things might have an opportu-
4. nity to read it and to better understand some of the basic problems
5. that face us in the solution of this problem. I would also recom-
6. mend to the membership that you contact Director Weaver and that
7. you obtain from him a copy of the laws of this State dealing with
8. this subject matter and that you also obtain from him a copy of
9. the rules and regulations of the Department of Health, Education
10. and Welfare, under which he is forced to operate and under which
11. we are forced to enact our laws. And, lastly, I would suggest that
12. you obtain from him copies of court decisions that completely change
13. the direction in many instances of public aid in this State. We
14. have no alternative but to support this appropriation bill. Of
15. course it's astronomical. None of us like it. But let's be hon-
16. est with ourselves. We have got to meet this obligation. The
17. solution is not in our hands as has been said so much better than
18. I could phrase it. The solution to it does lie in Washington and
19. until they act and untie our hands we have no choice. Senator, I
20. commend you again for an outstanding contribution to this subject.
21. I vote aye.

22. SECRETARY:

23. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
24. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
25. Merritt, Mitchler, Mohr,

26. PRESIDING OFFICER (Senator Rock)

27. Senator Mohr.

28. SENATOR MOHR:

29. Mr. President and members of the Senate, I'll be brief.
30. Just to go a little bit beyond the words of Senator Collins,
31. about four years ago in this Body I introduced a bill to put
32. general aid recipients...people on public aid to work for govern-
33. ment in parks in schools, local government and so on. I think

1. now in the days that we are in the importance of ecology
2. it seems to be important to so many. I would expand on that
3. and ask that these people that are able go to work for state
4. parks for example. There's much to be done. We're short of
5. funds. I think that these able bodied people could be serv-
6. ing their fellowman by contributing something to the govern-
7. ment that is providing them with some money. I introduced a
8. bill that passed this Body with only a couple of Democrats sup-
9. porting it. I'm going to bring it back should I return here
10. in January. I'm going to bring it back at that time and would
11. hope that everyone would support it and get some support on the
12. other side of the rotunda, where the bill did not get out of
13. committee. I recognize the problem. I'm going to support it
14. with tongue in cheek. But I'm going to ask that when I do bring
15. this bill back that you give me a little help and maybe we'll cul-
16. tivate some working habits to the people that might prove bene-
17. ficial. I vote aye.

18. SECRETARY:

19. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
20. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
21. Swinarski,

22. PRESIDING OFFICER (Senator Rock)

23. Senator Sours.

24. SENATOR SOURS:

25. Just very briefly. I, too, thought Senator Smith's address to-
26. day was superior. I'm voting against this, however, for other
27. reasons. I think someone back here in the wilderness ...far
28. removed from Washington D. C., ought to someday in someway
29. perhaps more eloquently than just a plain no vote tell the Con-
30. gress, also tell the United States Supreme Court which some of us
31. trust will change its ways. The Warren Court represented in my
32. honest opinion a very nadir judicial temperance and judicial
33. progress. I'm thinking of an uncle I had and I want to personal-

1. ize this a little. And this wouldn't apply universally to the
2. recipients, but I am sure that it would apply to a few of them.
3. I had an uncle who was mustered out of the Spanish American War
4. at the ripe old age of twenty-two, ready for the Old Soldier's
5. Home which he never made. In the Spring it was too nice for him
6. to work. In the summer it was too hot. The Autumn he was resting
7. up from his summer vacation. And in the Winter it was always far
8. too cold. Now, there ought to be some way to eliminate that lech-
9. erous barnacle from the recipient group for whom the largest Illi-
10. nois appropriation will be forthcoming. I think that we ought
11. to tell Congress that they are spending our money and not their
12. money. I vote no.

13. SECRETARY:

14. Swinarski, Vadalabene, Walker

15. PRESIDENT:

16. Senator Walker.

17. SENATOR WALKER:

18. Thank you, Mr. President and members of the Senate, I in-
19. tend to vote no as I have voted for the past two or three terms.
20. I hate to give Albany, New York, any press because if I remem-
21. ber correctly that's the State of Javitts, Lindsey and Rocke-
22. feller, gentlemen whose philosophy who I don't quite agree with.
23. But on the front page of Hammond Times on May the 31st, was
24. an article that caught my eye. I don't know whether states
25. are doing this. I assume they aren't, but if they will do it I will
26. support your program a year from now. But today I can't do it.
27. This states, "Due to a fledgling work or else program the State
28. Department of Social Services reports that thousand of welfare re-
29. cipients are disappearing into the job market. In the first
30. nine months of the program twenty two thousand plus welfare
31. recipients were placed in jobs. An additional thirty nine thou-
32. sand plus were removed from welfare for failing to report for
33. job interviews or for other reasons." You total that up and you

1. have over sixty three thousand. Under the program enacted by the '71
2. legislature and put into effect last July 1, welfare recipients are
3. sorted into two basic groups...those who can hold jobs and those
4. who can not. If the recipient were classified as employable his
5. check would be sent to local state employment service office
6. and it would seem to me that that would eliminate some of the
7. stealing of these checks in the city and he had to go over
8. there and pick it up in person. When he shows up to pick up that
9. check, he or her, he is referred to a training program or to a job
10. if one is available. If he does not pick up his check his wel-
11. fare eligibility is with drawn. If he gets his check and does not
12. take the job he is also dropped. They sampled four hundred and
13. fifty job placements in September for the study of the results
14. of the program and they found that many of those placed in jobs were
15. still working. Other figures show that thirty two percent of the jobs
16. lasted one week or less. Only about one third had jobs at the
17. end of November. Probably one of those was Hudson Sour's uncle.
18. I'm voting no not becausethat I do not have compassion in my
19. heart for the blind, the disabled, the elderly and the handicapped
20. but I do feel and I've felt for a number of years that there is
21. too many people on these relief rolls that are not entitled to it.
22. I vote no. Thank you.

23. SECRETARY:

24. Weaver.

25. PRESIDENT:

26. For what purpose does Senator Baltz arise?

27. SENATOR BALTZ:

28. How am I recorded?

29. PRESIDENT:

30. You are not.

31. SENATOR BALTZ:

32. Very, very briefly in explaining my vote. I too want to join
33. with Senator Groen in complimenting Senator Smith in his fine speech

1. I think his speech put into perspective the problem that we
2. have faced with this great public aid budget that
3. is always coming upon us every year. I think Senator Groen,
4. too, touched on the fact that the solutions are always
5. sought and they are difficult to obtain. I have a son who keeps
6. needling me because I am a Senator and he wants to teach me
7. something because he thinks I have superimposed my authority
8. on him all of those years. He keeps telling me if I am not part
9. of the solution that I am part of the problem. He maintains
10. that this is a truism...this is an action. But I would like to
11. have him too sit with me on this commission to find out...to try
12. to help me to determine just exactly what the problem is. We have
13. never really been able to pin it down. We have never really been
14. able to pin down the solution to this great problem. Let's not
15. kid ourselves. It is a problem. This is the Body that deals with
16. it. We've dealt with it responsibly today. And I am glad to add
17. my aye vote to the majority of the Senators here that voted aye
18. to pass this Public Aid budget.

19. PRESIDENT:

20. On that question the yeas are 46. The nays are 6. The bill
21. having received the constitutional majority is declared passed.
22. House bills on 3rd Reading. And at the suggestion of the President
23. pro tempore since we discussed the personal property tax matter at
24. some length earlier, Senator Sours has HB4218. We'll proceed im-
25. mediately to HB4218. For what purpose does Senator Bidwill a
26. rise?

27. SENATOR BIDWILL:

28. Mr. President, if we're on House Bills on 3rd Reading, I have
29. a House bill that needs amendment that I would like to get at today
30. before we close.

31. PRESIDENT:

32. Can we take that immediately after Senator Sours, Senator
33. Bidwill?

1. SENATOR BIDWILL:

2. Sure...Sure.

3. PRESIDENT:

4. And you'll be the first one on the list. For what pur-
5. pose does Senator Knuepfer arise?

6. SENATOR KNUEPFER:

7. On a matter of personal privilege. If Senator Partee
8. doesn't get his baseball team out there we're going to go down.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. You are very right. And I would hope that the members would
13. bear that in mind in these discussions.

14. PRESIDENT:

15. For what purpose does Senator McCarthy arise?

16. SENATOR MCCARTHY:

17. Why, I arise on a question under rule 52 and I think it has
18. precedence. I have filed with the Secretary a notice that to-
19. morrow I will move to reconsider the vote by which SB1333
20. was defeated. The reason that I bring it up this time is that
21. I have looked at the official roll call or a total copy of a
22. roll call, which shows me voting on the non prevailing side. So
23. what I want to do before we get into Senator Sours's bill is to
24. ask that my vote be corrected or leave to change to put it in the nega-
25. tive so that my notice would be in order.

26. PRESIDENT:

27. Senator McCarthy asks unanimous consent of the Body to change
28. his vote from aye to nay. Is there objection? There is objection
29. Senator. Senator McCarthy.

30. SENATOR MCCARTHY:

31. I will now ask that the record be corrected to put my
32. vote as in the negative and I say this and represent to the
33. Senate that when we were debating this bill I explicitly mentioned

1. to the membership that I wanted to ~~raise~~ the question of recon-
2. sideration open and in accordance with that in or-
3. der to protect so that the notice ~~should~~ be given wished to change
4. at that time my vote to no and I just bring this up now because I
5. want to make it crystal clear.

6. PRESIDENT:

7. The Chair would have to rule in fairness, Senator McCarthy,
8. that you did...that the record is correct and that you did vote in
9. the affirmative on that bill. Senator McCarthy.

10. SENATOR MCCARTHY:

11. Alright then...

12. PRESIDENT:

13. Just a moment. For what purpose does Senator Partee arise?

14. SENATOR PARTEE:

15. I noted that there were objections to his desire. This is
16. normally a matter of courtesy so long as the change does not alter
17. the results. Now, if his changing his vote will alter the results
18. of the bill then of course this would be a different subject. It's
19. a matter of courtesy.

20. PRESIDENT:

21. We have no Motion before the Body. Unless there is a Motion
22. we're going to proceed to the...Senator McCarthy.

23. SENATOR MCCARTHY:

24. Well...the...the Motion then is...if first of all if the Chair's
25. ruling is that I am recorded in the affirmative I move you that I
26. be allowed to have my vote changed from aye to nay on this matter.

27. PRESIDENT:

28. Well...I...It's the Chair's offhand opinion since the Senator
29. has explained his vote during roll call and this is on tape that
30. it's quite clear what the Senator's vote was. That the proper
31. Motion would be for the suspension of the Rules if you wish to
32. do so.

33. SENATOR MCCARTHY:

Yes, I would like to move that the Rules be suspended for that purpose.

PRESIDENT:

Senate...Just a moment...Alright. Senator Cherry.

SENATOR CHERRY:

Mr. President...I think this Motion can be made...Alright let him go ahead if he wants make a Motion to suspend the Rules, he may do that. It would seem to me that any member tomorrow can get up and make a Motion to take any bill from the Table whether he...regardless which side he has voted on. So I think this is an exercise in futility, but if Senator McCarthy wants to do that he certainly has the prerogative.

PRESIDENT:

Senator McCarthy has moved to suspend the Rules for the purpose of permitting him to file...Senator McCarthy, your Motion is to suspend the Rules so that you may file a Motion tomorrow to reconsider. Is that correct?

SENATOR MCCARTHY:

It's not quite correct.

PRESIDENT:

But...Senator....

SENATOR MCCARTHY:

The Motion is that the Rules be suspended so that I may be allowed leave to change my vote on 1333 from aye to nay.

PRESIDENT:

Senator ParTEE.

SENATOR PARTEE:

...Senator, it requires the same number of votes to suspend the Rules as it does to take the bill from the Table. And if you desire to hear the bill again it's just as easy tomorrow to make a Motion to take it from the Table rather than to go through a circuitous process. You'd be getting the same thing accomplished.

PRESIDENT:

Senator Clarke.

1. SENATOR CLARKE:

2. Well...I think the President pro tempore is mistaken when
3. he says this bill is on the Table. It was defeated. It's not
4. on the Table.

5. PRESIDENT:

6. I think the point, however, that Senator Partee made that
7. the Motion can be to suspend the Rules can be made with equal val-
8. idity tomorrow is correct. All right...I...I...Senator Partee's
9. point, I think is correct, that you can make this Motion
10. tomorrow and take it up immediately tomorrow at that point, if you
11. wish to do so, Senator McCarthy.

12. SENATOR MCCARTHY:

13. And the Motion would be ... be...

14. PRESIDENT:

15. Motion to suspend the Rules so..so that you can file a
16. Motion to reconsider.

17. SENATOR MCCARTHY:

18. Oh, I see. It would also be in order at the present time.

19. PRESIDENT:

20. It would also be in order at the present time. Motion
21. to suspend the Rules is always in order.

22. SENATOR MCCARTHY:

23. I have withdrawn the Motion at the present time. We proceed
24. to Senator Sours, but I understand...

25. PRESIDENT:

26. Motion is being withdrawn...Senator Sours...on HB4218.

27. SENATOR SOURS:

28. Mr. President and Senators, I'm going to try to be brief
29. because I know we've got the Miniature World Series game about
30. to commence. HB4218 amends the Revenue Act of 1939 by adding
31. Sections 51 - 1 through 51 - 4. It allows a standard deduction of
32. seven thousand five hundred dollars from the assessed valuation
33. of personal property owned by every taxpayer...meaning two legged
persons...Homo Sapiens and also corporate persons, beginning

with the assessments made in 1972. It provides for a rebate to
1. local taxing districts based on actual collection. And I want to
2. reiterate that collection not extension of personal property
3. taxes of 1970 to compensate them for the actual losses incurred
4. by granting the allowance. The amendment put on recently on
5. 2nd Reading...I'd like to discuss that very briefly. And I
6. shall be brief. The amendment makes prominent the distinction
7. between an exemption and a deduction. Now, there is a legal
8. difference. The amendment makes certain that this standard de-
9. duction will operate as a bona fide deduction. It conforms this
10. proposed deduction the language contained in Section 71 of the
11. Revenue Act, which allows other deductions. In other words, it puts
12. it in the deduction category. Now, the actual loss under this
13. bill will be reimbursed to each respective taxing authority on
14. certification of the actual loss. Now, the reason it is based
15. upon the taxes paid rather than the extension is because the ex-
16. tension in many instances is never final. There's a matter where
17. one goes before the Board of Review. If he doesn't get his remedy
18. there he then pays under protest and then in the autumn of that
19. year before the sale or go before a judgment or before suit he institutes
20. a suit in the circuit court. Now, I want to say this in a very
21. kind manner if I may...that we are now winding up this Session.
22. There isn't too much more time. Unless something is done in this
23. short Session we will not only miss the boat for the tax year 1972.
24. But unless we expect a protracted visit here in the late Autumn
25. we will also miss the boat in 1973 for the tax year 1973. Now,
26. I don't know how important this is to people who aren't bothered
27. too much with personal property tax. I know in certain areas it's
28. not really too much of a problem. In some areas it isn't even
29. assessed as to individuals. And after all they're the ones who
30. vote and not the corporations. I think the salient benefit of
31. this bill is that it is of universal application. It applies to
32. all persons who would be legally defined under the case decisions
33. touching upon the equal protection of the laws clause at the end
of the first paragraph of the Fourteenth Amendment. Now, I do

1. think it has little if any constitutional infirmities. I think
2. people want it. It's not going to enhance or deteriorate my posi-
3. tion in my district. I know the rural people are a little
4. redheaded about the personal property tax. I think they want
5. it. I think they deserve it. One other comment and I will quit.
6. When the assessor goes out to the farm, he sees a corn crib full
7. of corn. He looks over in the pasture and he sees some fancy swine.
8. He looks out on the grass land part of his farm and he sees some
9. beef cattle. He looks in the big barn and there's some milk cattle,
10. none of which can be hidden by the taxpayer, whereas, his next
11. door neighbor in town may have a thousand shares in U. S. steel or
12. sweeny blue sky futures in the safe somewhere or a safe de-
13. posit box, which has the equivalent worth what the farmer has
14. out on the landscape. The farmer pays the tax and the man who has
15. the securities pays nothing because he doesn't report it. I want to
16. repeat this is probably the last chance we'll have. I'm
17. not arbitrary. I'm not cocky about it. I think it's a good bill.
18. The people want it. I'd appreciate thirty-one or thirty-two re-
19. sounding affirmative votes.

20. PRESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. Members of the Senate, I would hope that this can be a day
24. to be remembered as a day dedicated to taxpayer recognition. The
25. subject of personal property taxes has been with us for about twenty
26. years now in terms of getting rid of personal property taxes. It
27. has been subject to referendums, to debates, to court decisions,
28. to promises at every level of governmental endeavor, to speculation,
29. and to constitutional revision. Today this is the third bill that
30. has been presented to this Body on this subject. Senator McCarthy
31. had a bill. Senator Knuppel had a bill. Now, Senator Sours has
32. a bill. Senator Clarke, I think, indicated to Senator McCarthy and
33. those that when they called those bills that they were calling them

1. futilely because the votes would not be forthcoming. And that
2. his vote would be no to those bills. And my vote will be a
3. a non affirmative one. I shall not vote no. We just are not going
4. to vote on this bill. And this action is not politically mo-
5. tivated. When those first two bills were presented here and
6. they were presented by persons on this side of the aisle, I
7. voted for one of them and voted against the other...not that I
8. thought more or less of the gentlemen presenting them, but I thought
9. that my fealty and loyalty to the people that I represent in-
10. dicated and dictated that I should vote affirmatively for one
11. and negatively for the other. I am not voting for this bill be-
12. cause I don't think this is the best bill which the members of
13. this Senate are capable of producing. We are capable of produc-
14. ing a better than then this and a bill which is more palatable
15. to all the people and can attract the kind of votes needed to pass
16. it. We can have the best bill. And we will have the best bill.
17. And let me suggest to you that my non vote on this bill along
18. with the members on this side of the aisle, none of whom will cast
19. an affirmative vote for it, is not a recriminatory measure. As
20. a matter of fact it is calculated to not be recriminatory, but to
21. invite solidarity. Not solidarity on this side of the aisle or
22. solidarity on that side of the isle, but solidarity within the
23. well of this Senate from one rail to another. I am not hung up
24. on whether we pass a Republican bill or whether we pass a Demo-
25. cratic bill. What has to be passed is a bill for the relief of
26. the taxpayers in this State for whom we are mandated to pass a
27. personal property tax bill. They voted in referendum to relieve
28. themselves of this burden. And I for one will stay here until we
29. do pass a personal property tax bill. And in that vein, I am in-
30. viting to my office at 8 o'clock tomorrow morning, Senator Sours,
31. Senator Laughlin, Senator Clarke, Senator Dougherty, Senator
32. Donnewald and I, of course, will be there. I want six people,
33. three from each side, to sit down and look at all of these bills

1. and come up with something that we can all support. I think that
2. this can be done. I have high hopes that we can accomplish it.
3. I would wish that we could have a larger group. You will note
4. that there are not three Democrats and two Republicans. You
5. will note that there are three from each side. This bill pre-
6. ponderates political consideration. This bill is more important
7. than we are as individuals. We want three from each side. Maybe
8. it should be twelve or eighteen, but the numbers become...as the
9. numbers become larger the committee work and structure becomes
10. more cumbersome.. So I am asking these six men, five other than
11. myself, to sit down with me tomorrow morning at 8 o'clock. There
12. are many, many saleable, viable, laudatory features in many of
13. the bills that are floating around here. And we can take them
14. I am certain and develop and restructure a measure which will
15. be embrasive of some of the fine concepts that have been advanced
16. in other bills and bring back to the Floor, hopefully, by Monday.
17. a bill which will help us to decide this very worrisome and agoni-
18. zing question.

19. PRESIDENT:

20. Senator Neistein.

21. SENATOR NEISTEIN:

22. On that note, I move the previous question.

23. PRESIDENT:

24. Motion for the previous question. All in favor signify by
25. saying aye. Contrary minded. Motion prevails. Senator Sours
26. may close the debate. Secretary will call the roll.

27. SECRETARY:

28. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
29. Carroll,

30. PRESIDENT:

31. Just...Just a moment...if Senator Neistein and Senator Knuppel
32. will take the dialogue off the Floor, here, we'll proceed with the
33. roll call.

1. SECRETARY:

2. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
3. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,

4. PRESIDENT:

5. Senator Groen.

6. SENATOR GROEN:

7. Mr. President and members, to the group that will labor
8. tomorrow morning, I'd like to make a suggestion. In the event
9. you find yourselves unable to come up with a compromise bill,
10. I would suggest that you perhaps take all of the bills, Senator
11. Knuppel's, Senator McCarthy's, Representative Nowlan's, which is
12. here now in the Senate and Representative Blade's bill, which
13. Senator Sours is now handling. Maybe we ought to let everybody
14. get some political credit on both sides of the aisle. Maybe we
15. ought to pass all of these bills and then let the Governor sign
16. the one that he thinks fits the budget the best. I vote aye.

17. SECRETARY:

18. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. I believe that I was the first to ask to speak and I stepped
23. aside for the President pro tempore and so I was foreclosed by the
24. Motion here to end debate. I think I can say what I have to say
25. in three minutes, however. First of all, I hope whoever goes to
26. that meeting tomorrow morning takes a copy of the 1970 Constitu-
27. tion of the State of Illinois with them. Because despite what
28. Senator Sours has said his bill is constitutionally deficient.
29. As Senator Mitchler read the Constitution this morning you know that
30. it says such revenue shall be replaced by imposing a statewide tax
31. other than ad valorem taxes on real estate solely on those classes
32. relieved of the burden of paying ad valorem personal property taxes
33. because of the abolition of such taxes subsequent to January 2nd,

1. 1971. Now, this bill does not replace those solely from a state-
2. wide tax levied for that purpose. I heard a lot of malarkey from
3. the other side of the aisle today about supposedly raising income tax.
4. I want to know just where in the Hell do the funds in general revenue
5. come from? If it isn't going to call for an increase in the in-
6. come tax I don't know where it's going to come from. It's going
7. to be levied on the people...quit...quit milking the people. This
8. is a cruel hoax on the people of the State of Illinois, because
9. it does not address itself to the constitutional solution of this
10. problem. I too...you, you gentlemen condemn the decisions of the
11. Supreme Court. I have heard much condemnation here of the de-
12. cisions of the Supreme Court about what this legislative Body does.
13. But I tell you, gentlemen, that you don't even read the Constitution.
14. You pass a law and hope and there is no way possible if this law
15. is passed that the Supreme Court of the State of Illinois can
16. find that it is on foursquare with our Constitution. It does have
17. mechanical deficiencies. I hope you will take the Constitution
18. with you. I'm not going to vote. I hope that we could get per-
19. sonal property relief. Nobody spoke longer or fought harder for
20. it than I have. I see that I am not included on that committee,
21. because I assume that some attempt will be made that will not gel
22. with the Constitution.

23. SECRETARY:

24. Kosinski, Kusibab, Latherow,

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. Mr. President and Senator Partee, I wish you real good luck
29. with your meeting in the morning and congratulations for your
30. thought. I would like to convey something to you that I did to
31. Senator Partee earlier today, when we started on this program
32. and heard long speeches sometimes that was rather hard to follow.
33. I talked quite a lot of the old Christian song, and I'm not the

1. greatest religious man in the world, that said - How great thou
2. art. And I couldn't help but think today how many people on
3. this Floor were trying to rewrite that song and say - How great
4. I art. I vote aye.

5. SECRETARY:

6. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
7. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,
8. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. I want to accept cordially the good Senator's invitation to
13. appear at his office tomorrow...that will necessitate, Senator,
14. my getting out of bed about five A. M., which I am delighted to
15. do, but you know I am somewhat addicted to the gaieties...noc-
16. turnally rather. So that will give me about four or five hours of
17. sleep so I will come down here, Senator Knuppel, with my auto-
18. graphed copy of the new Illinois Constitution promulgated by the
19. old gentlemen and the old ladies Convention. I vote aye.

20. SECRETARY:

21. Swinarski, Vadalabene, Walker, Weaver.

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. How am I recorded?

26. PRESIDENT:

27. How's the Senator recorded? You're not.

28. SENATOR HORSLEY:

29. Aye.

30. PRESIDENT:

31. Horsley, aye. For what purpose does Senator Sours arise?

32. SENATOR SOURS:

33. I put this in a subjunctive mood. Just in the event I do

1. not have thirty solid votes I'd like to move to postpone con-
2. sideration.

3. PRESIDENT:

4. Motion to postpone consideration. All in favor signify by
5. saying aye. Contrary minded. Motion prevails. Senator ParTEE.
6. We have some Resolutions. What's your desire now as far as the...

7. SENATOR PARTEE:

8. Well...there are...we have people who want to go to a certain
9. athletic event. And I would hope we could hold them until tomorrow....

10. PRESIDENT:

11. Can you hold the Resolutions until tomorrow? Or are there
12. any of them that pressing?...I did promise Senator Bidwill that we
13. would get to one amendment...

14. SENATOR PARTEE:

15. Yes, that's right.

16. PRESIDENT:

17. We will take that and then we will...what was the number of
18. your bill?

19. SENATOR BIDWILL:

20. 4104...Mr. President...I'd like to call back to 2nd Reading

21. PRESIDENT:

22. 4104, called back to 2nd Reading for purpose of amendment.

23. SENATOR BIDWILL:

24. Now, Mr. President, I'd like to move to Table Amendment No.
25. 1 that I put on about two weeks ago.

26. PRESIDENT:

27. Motion to reconsider the vote by which Amendment No. 1 was
28. adopted. All in favor signify by saying aye. Contrary minded.

29. SENATOR BIDWILL:

30. Now, Mr. President, I'd like to Table..

31. PRESIDENT:

32. Motion to Table. All in favor of Motion to Table signify
33. by saying aye. Contrary minded. Motion to Table....

1. SENATOR BIDWILL:

2. I'd like to offer Amendment No. 2 and move it's adoption.

3. PRESIDENT:

4. You want to give a one minute explanation?

5. SENATOR BIDWILL:

6. Yes, Mr. President, all this does is it puts the date of
7. enactment to 1973, and gives us a little time to remodel this
8. bill, because there was some objections yesterday and I think
9. we can do it by that time.

10. PRESIDENT:

11. All in favor signify by saying aye. Contrary minded. The
12. amendment is adopted. Any further amendments? 3rd Reading.

13. PRESIDENT:

14. Senator Bidwill.

15. SENATOR BIDWILL:

16. Can I impose upon you, sir, and announce a Republican caucus
17. at nine o'clock tomorrow morning. Nine o'clock Republican caucus.

18. PRESIDENT:

19. Senator Sours.

20. SENATOR SOURS:

21. Mr. President, I have discussed this matter...instant matter
22. with Senators Partee and Senator Smith ...who is the Chairman
23. of the Public Welfare and I refer to HB4445. They agreed that I
24. could have that committee discharged and have the bill placed on
25. 2nd Reading - HB4445.

26. PRESIDENT:

27. Is there objection? Leave is granted. Senator Lyons.

28. SENATOR LYONS:

29. I would just like to remind the membership that there will
30. be a meeting of the Committee on Appropriations immediately after
31. adjournment. The business of that meeting will be conducted with
32. the most utmost dispatch. I have in mind, Senator Carpentier, that
33. the ball game is scheduled for tonight.

1. PRESIDENT:

2. Senator Course.

3. SENATOR COURSE:

4. Yes, Mr. President, I would like to have unanimous consent
5. to discharge the Executive Committee from further consideration
6. of House Joint Resolution 124. It seems as though this Resolution
7. was...received in the Senate, April the 19th and it languished in
8. the Executive Committee and nobody picked it up. So I'd...

9. PRESIDENT:

10. What is the nature of the Resolution? Don't read it...but
11. ...what...

12. SENATOR COURSE:

13. It urges Congress and the Veteran's Administration to commend
14. the Polish Veterans of World War I and II.

15. PRESIDENT:

16. No objections. All in favor of the adoption of the Resolu-
17. tion indicate by saying aye. Contrary minded. The Resolution is
18. adopted. Senator Nihill.

19. SENATOR NIHILL:

20. Mr. President, Senators, On the Secretary's desk I have a
21. Resolution. I would appreciate it if he would read this right
22. now, please.

23. PRESIDENT:

24. Senator Nihill, has a Resolution that he requested be read.
25. (Secretary reads Senate Resolution 370, introduced
26. by Senator Nihill.)

27. PRESIDENT:

28. All in favor of the adoption of the Resolution indicate by
29. saying aye. Contrary minded. Congratulations, Senator. Senator
30. Hall.

31. SENATOR HALL:

32. I just want to say, thank you gentlemen.

33. PRESIDENT:

1. Motion by Senator Partee that the Senate stands adjourned
2. until 10:00 o'clock tomorrow morning. All in favor signify by
3. saying aye. Contrary minded. Senate stands adjourned.

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