

SPECIAL SESSION
77th GENERAL ASSEMBLY
SENATE FLOOR DEBATE
December 17, 1972

1. PRESIDENT:

2. Special Session of the Senate will come to order.
3. Motion by Senator Laughlin to dispense with the reading
4. of the journal. All in favor signify by saying aye, contrary
5. minded. Motion prevails. We have a message from the House.

6. SECRETARY:

7. Message from the House, Mr. Selcke, Clerk. Mr. President,
8. I'm directed to inform the Senate that the House of Representa-
9. tives has passed a bill with the following title and the
10. passage of which I am instructed to ask the concurrence of
11. the Senate to wit: House Bill #1.

12. PRESIDENT:

13. Senator Clarke.

14. SENATOR CLARKE:

15. Mr. President. Again we have the issue of taxes before
16. us. So we have a second chance to seriously do something for
17. the people of this state instead of for the elected and
18. appointed officials, elected officials, only. This bill
19. was derived from an amendment on the other side of the aisle
20. in the House. It doesn't do what we intended originally
21. and what the Governor intended when he called this Special
22. Session, because it doesn't address itself to stabilizing and
23. freezing for a period of time, taxes; but it does attempt to
24. give some relief to home owners who are taxpayers and pay
25. a great amount of taxes in many areas of the State to the
26. schools. I think that we should seriously consider this bill
27. and that we should talk about it. And, I think that the way
28. to do this is to keep it on the calendar and I'd like to make
29. a motion, so that we don't lose any time, that we advance this
30. bill to Second Reading. Read it a first time, ask that it be
31. read a first time and advanced to Second Reading.

32. PRESIDENT:

33. Motion is to suspend the Rules, advance this bill to

1. Second Reading for..without reference to Committee. Is there
2. any discussion? Is there objection, first of all? Senator
3. Partee.

4. SENATOR PARTEE:

5. Could we just be at ease for about three minutes, I want
6. to talk to Senator Clarke about something.

7. PRESIDENT:

8. We shall be at ease for three minutes. We have a three
9. minute button here incidentally Senator Partee and Senator
10. Clarke. Senator Partee.

11. SENATOR PARTEE:

12. I understand there is a motion pending to suspend the
13. Rules for the purpose of advancing this bill to Second Read-
14. ing. Is that correct?

15. PRESIDENT:

16. That is correct.

17. SENATOR PARTEE:

18. I'm objecting.

19. PRESIDENT:

20. There is objection. You wish to pursue your motion,
21. Senator Clarke?

22. SENATOR CLARKE:

23. Yes, I do.

24. PRESIDENT

25. Question is the suspension of the Rules and advancing
26. the bill to Second Reading without reference. Is there dis-
27. cussion? Secretary will call the roll.

28. SECRETARY:

29. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
30. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
31. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
32. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
33. Kosin...

1. PRESIDENT:

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Nobody's saying anything, but I think that somebody
5. ought to say something. I think this is one of the most
6. irresponsible pieces of legislation to be placed before this
7. body. It doesn't take into consideration anyone except the
8. residence owners, it doesn't take into consideration the
9. property owner who has tenants in his property, it doesn't
10. define multi unit as to what it means, nothing said here
11. what happens with respect to the residents on a farm or,
12. residence occupied by a business as well as a residence.
13. All this really does is grant a license to local officials
14. to be irresponsible in taxing. This is the farthest thing
15. from a tax freeze that anyone could imagine because all they
16. have to do is raise their assessed values, tax to the limit,
17. and the state is supposed to refund the money. It just shifts
18. the burden from local taxation to the state, it doesn't freeze
19. taxes at all. It's nothing but a million, a hundred million,
20. or a two hundred million dollar lollipop for the residence
21. owner at the expense of the worker, the business man, and every
22. other type of property owner and taxpayer there is, because
23. it will have to and will result in increase of state taxes
24. income, sales, and otherwise. It can't have any other result.
25. And why we should sit here under the charade that we're freezing
26. taxes when in fact we are doing exactly the opposite. We're
27. opening the gate to unlimited and unlicensed taxation of people.
28. This will only increase the taxes to the people of the State
29. of Illinois because, as I said before, local officials will
30. tax at the maximum limit, will assess at the maximum limit,
31. and have no responsibility whatsoever because they will get
32. a refund from the State and then by that means increase the
33. taxes to the taxpayers of the State of Illinois. And how any-

1. one can sit here and vote aye that this should be advanced
2. to Second Reading without going to a Committee, without being
3. honest enough with the people of this State to say that this
4. is really an open gate to unlicensed taxation, unbridled taxa-
5. tion is really a surprise to me. I think it is the most
6. irresponsible legislation that's come to this Body in the form
7. of taxation or revenue raising in the history of the two years
8. that I've been here. It would destroy the whole tax structure.
9. We're not meeting the demands of education or any other fields
10. and then we're going to take another hundred million dollars
11. from the State to refund to the local government which, as I
12. said before, will have no responsibility. The control of
13. taxes at the local level, and that is real estate taxes, it
14. all goes at the local level, is really dependent upon the local
15. elected officials, it's not our responsibility here and we
16. shouldn't even be attempting to assume it; and by this we
17. remove that responsibility from them to be conservative, to
18. be frugal, to be wise in how they raise and spend
19. their money. I vote no.

20. SECRETARY:

21. Kosinski, Kusibab, Latherow, Laughlin,

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Yes. Mr. President and members of the Senate I intend
26. to vote aye, but I want to explain. I don't like to sail
27. under false pretenses. The other day I made a motion on tax
28. freeze bills to get them out and at the time I said...made the
29. motion and argued it, I said that I thought, because I had
30. been told by Mr. Scott of the Taxpayer's Federation, it might
31. be possible to amend it on Second Reading so it would work
32. for a period of one year. Now, I think, consistently I have
33. to support this motion, but I want to make it abundantly clear

1. that by so doing that if this bill, in this form, is voted
2. on on Third Reading I will vote no. It is not a good bill.
3. I'd further make this comment that I do question whether we
4. are going to be here enough days to have the discussion.
5. But having been here for a long time, and leaving under
6. circumstances that I certainly regret, as far as what's going
7. on here is concerned, I've got to vote aye but I don't believe
8. anything is going to happen to this bill, and if it doesn't,
9. I couldn't possibly vote for it on Third Reading.

10. SECRETARY:

11. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,
12. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
13. Rosander, Saperstein, Savickas, Smith, Soper, Sours,

14. PRESIDENT:

15. Senator Sours.

16. SENATOR SOURS:

17. I'm going to support the motion, but I'm going to vote
18. against the bill.

19. SECRETARY:

20. Swinarski, Vadalabene, Walker, Weaver.

21. PRESIDENT:

22. Egan, no. Senator Neistein.

23. SENATOR NEISTEIN:

24. Has this bill got a fiscal note? I want to know how
25. much it is going to cost the taxpayers of this state? Mr.
26. President.

27. PRESIDENT:

28. I'm advised that it does not have a fiscal note.

29. SENATOR NEISTEIN:

30. Well, what's the efficacy of this bill? Not the genesis,
31. the efficacy, and the legality, if it doesn't have a fiscal
32. note accompanying it.

33. PRESIDENT:

1. I assume that question could be raised prior to passage
2. although I've never seen it raised successfully on any bill,
3. as you may recall, Senator Neistein.

4. SENATOR NEISTEIN:

5. Mr. President, I tried to strike all bills for many
6. years and finally there came a day, and there might be the
7. day in the offing that the fiscal note might hold up too.
8. It's on the books, I don't know why we passed it in the first
9. place.

10. PRESIDENT:

11. It's a point that can be raised prior to passage,
12. stage. Senator Clarke.

13. SENATOR CLARKE:

14. Of course, in response to that question if the good
15. Senator was really interested in a fiscal note on this bill
16. he should consult with the minority leader on the Democratic
17. side in the other House. This is his amendment, not ours.

18. PRESIDENT:

19. On that question the yeas are 23, the nays are 5. The
20. motion to suspend the Rules does not prevail. Is there
21. further business to come before the Special Session? Read
22. a first time, advanced, and referred to the Committee on
23. Assignment of Bills. Senator ParTEE.

24. SENATOR PARTEE:

25. Now, we had a Resolution which we passed yesterday, a
26. Joint Resolution, which we considered amending or passing a
27. second one so that this matter, too, will be under study by
28. the Economic and Fiscal Commission. But we will simply write
29. a letter to them advising them that this bill has been passed
30. so that we can, at least, formally say to them that this bill,
31. too, should be considered when they consider the other matters
32. as set forth in the Resolution considering this entire area
33. of consideration.

PRESIDENT:

The...Senator Partee

SENATOR PARTEE:

And now I move, Mr. Chairman, that the Special Session be adjourned sine die.

PRESIDENT:

Motion to adjourn the Special Session. The motion is to adjourn sine die. The question has been raised here Senator Partee whether we need a Resolution. We need the concurrence of the House, somehow, in this action. Ordinarily it has been done by Resolution, but.....Senator Clarke

SENATOR CLARKE:

Mr. President, we have just had reference made to a Resolution that is being amended to send House Bill 1 to a Joint Economic Fiscal Commission, or whatever the Budgetary Commission's successor is, from this Special Session and the previous, the previous, previous bills that were in the form that the Governor suggested were sent to that Commission. Now, I'd like to ask a technical question, a motion to adjourn sine die for this Session means, in effect, that there is no intent to have any study done which would culminate prior to the end of the regular period, or biennium, or January 10th. This Special Session, in other words, is not to be held over for a report from that Commission on this subject.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

The Resolution calls for a report to the 78th General Assembly, which forecloses any report to the remaining days of the 77th General Assembly. There will be no subsequent Resolution as respects the bill which is now under consideration, House Bill 1, there will be no Resolution concerning it. There will simply be a letter written to the Fiscal and

1. Economic Commission advising them of this Bill and its
2. posture and asking them to consider it, along with the
3. other components of this problem.

4. PRESIDENT:

5. A Resolution is being prepared. Can we proceed. We
6. also, I'm advised by the Secretary also we need a Committee
7. to be appointed to approve the journals. Senator Partee.

8. SENATOR PARTEE:

9. Parliamentary inquiry. How many persons are necessary
10. for such a Committee?

11. PRESIDENT:

12. Three can do it.

13. SENATOR PARTEE:

14. All right. We'll appoint Senators Egan, is O'Brien
15. here, Donnewald and Lyons. Oh, pardon me. Egan and
16. Donnewald and whoever Senator Clarke desires from that
17. side.

18. PRESIDENT:

19. Senator Clarke.

20. SENATOR CLARKS:

21. I think Senator Weaver has done this before and has
22. experience in this field.

23. PRESIDENT:

24. Senator Weaver is off the floor and can't defend himself.
25. Oh, there he is. Senator Weaver, you're appointed. We have
26. a...we'll have an adjournment Resolution in just a moment.
27. Adjournment Resolution.

28. SECRETARY: (MR. FERNANDES)

29. Senate Joint Resolution No. 3 by Senator Partee. Resolved
30. by the Senate of the 77th General Assembly at the First
31. Special Session thereof, that when the two Houses, the House
32. of Representatives concurring herein, that when the two Houses
33. adjourn today, Sunday May 16..17, they stand adjourned sine

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die.

PRESIDENT:

December 17.

SECRETARY: (MR. FERNANDES)

December 17.

PRESIDENT:

Right. Motion for the adoption of the Resolution.

All in favor signify by saying aye, contrary minded. The Resolution is adopted. The Special Session has adjourned.

The...