

78TH GENERAL ASSEMBLY

JANUARY 29, 1974

REGULAR SESSION

1. PRESIDENT:

2. Pursuant to our Adjournment Resolution the Senate will
3. come to order. The prayer will be offered by Father James
4. Condrath, of St. Benedicts Church, in Auburn. Father
5. Condrath.

6. (Prayer given by Father Condrath)

7. PRESIDENT:

8. I wish to announce to you that the installation of the
9. Electronic Voting Machine has begun to the extent that your
10. page call buttons are disconnected. The pages are aware of
11. this, so for today, when you need the services of a page you
12. will have to contact him visually. The wiring to the call
13. system is disconnected. Those of you who are here you might
14. pass that information on to your seatmates, who are not on
15. the Senate Floor, now. Approval of the Journal.

16. SECRETARY:

17. Wednesday, January 9, 1974.

18. PRESIDENT:

19. Senator Soper.

20. SENATOR SOPER:

21. Mr. President, I now move that we dispense with the further
22. reading of the Journal of January 9th, unless there are some
23. corrections or additions to be made that the Journal stand ap-
24. proved.

25. PRESIDENT:

26. Senator Soper moves that we dispense with further reading
27. and approve the Journal of January 9, 1974. Are there additions
28. or corrections? All in favor of the motion signify by saying aye.
29. Contrary no. The motion carries. So ordered. Resolutions.

30. SECRETARY:

31. Senate Joint Resolution No. 55, by Senator Mohr.

32. (Secretary reads SJR No. 55)

33. PRESIDENT:

Is there discussion? This is the Adjournment Resolution.

1. The Senate will stand adjourned today when we adjourn until
2. 11 A. M., March 6, 1974. Senator Mohr.

3. SENATOR MOHR:

4. Mr. President, I move the adoption of the Resolution.

5. PRESIDENT:

6. All in favor. Is there discussion? All in favor
7. signify by saying aye. Contrary no. Motion carries and the
8. Resolution is adopted.

9. SECRETARY:

10. Senate Joint Resolution No. 56, by Senators Regner,
11. Graham and Howard Mohr.

12. (Secretary reads SJR No. 56)

13. PRESIDENT:

14. Senator Regner.

15. SENATOR REGNER:

16. Yes, Mr. President, members of the Senate, what this
17. Resolution does is to correct an omission that there was in
18. the Department of Law Enforcement Appropriation bill last
19. Spring. Where a clause was omitted which would authorize
20. the transfer of the funds from the Department of Law Enforce-
21. ment to the Fire Protection Commission. So, therefore, they
22. have run out of funds and this transfer is necessary upon
23. the authorization of the Governor. Right todate the Commis-
24. sion has about twenty-five dollars in their account. And
25. they have accounts payable of about twenty thousand dollars.
26. And this is an agreed resolution authorizing the Controller
27. and the State Treasurer to make the necessary tranfers. And
28. I would move for the adoption of this Senate Joint Resolution.

29. PRESIDENT:

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. My apologies, Mr. President, Senator...is this money com-
33. ing from the Department of Law Enforcement?

1. PRESIDENT:

2. Senator Regner.

3. SENATOR REGNER:

4. ...Yes, Senator Savickas...this commission was set-up
5. under the Department of Law Enforcement, about three years
6. ago. And the appropriation is to the Department of Law En-
7. forcement and then they transfer the monies to the Fire Com-
8. mission, and the amendment was erroneously omitted from
9. the Department of Law Enforcement...appropriation bill last
10. Spring, which authorized the transfer.

11. PRESIDENT:

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. ...I had another question, I'm trying to recall my mind...
15. the Department of Law Enforcement - the commission there...
16. I understand there was one question one time about giving ...
17. funds...did'nt they distribute funds to local municipalities
18. for law enforcement programs and that they were supposedly run
19. out of funds - or they could'nt distribute it to some of the
20. smaller municipalities, and then they created a....

21. PRESIDENT:

22. Senator Regner.

23. SENATOR REGNER:

24. ...Senator Savickas, that would be in a different bill. I
25. think your talking about the local Law Enforcement Commission,
26. and this has nothing to do with that at all. This is for the
27. Fire Protection Commission.

28. PRESIDENT:

29. Is there further discussion? Senator Regner moves to adopt
30. SJR 56. And on that question the Secretary will call the roll.
31. The question is to adopt Senate Joint Resolution No. 56, which
32. cures the problem of transfer of General Revenue funds, to the
33. local Fire Protection Personnel Fund. The Secretary will call
the roll.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

3. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

4. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

5. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

6. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

7. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

8. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

10. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

11. Weaver, Welsh Wooten, Mr. President.

12. PRESIDENT:

13. Senator Course aye. On that question the yeas are 45,

14. the nays are none. SJR 56 is adopted.

15. SECRETARY:

16. Senate Joint Resolution No. 57, by Senator Bartulis.

17. It's congratulatory.

18. PRESIDENT:

19. Senator Bartulis moves to suspend the rules. The Secretary

20. was mistaken, this is not congratulatory...Executive.

21. SECRETARY:

22. Senate Resolution 328, by Senator Vadalabene and all members

23. of the Senate. It's congratulatory.

24. PRESIDENT:

25. Senator Vadalabene moves to suspend the rules for the pur-

26. pose of immediate consideration of the adoption of the Resolution.

27. All in favor signify by saying aye. Contrary no. The motion

28. carries. The rules are suspended. On the motion to adopt.

29. All in favor signify by saying aye, contrary no. The motion

30. carries and the Resolution is adopted.

31. SECRETARY:

32. Senate Resolution 329, by Senators Clarke, Fawell and

33. Knuepfer. It's congratulatory.

1. PRESIDENT:

2. Senator Clarke moves to suspend the rules for the immediate
3. consideration of the adoption of the Resolution. All in favor
4. signify by saying aye, contrary no. The motion carries. Senator
5. Clarke.

6. SENATOR CLARKE:

7. Would just like to mention that this a Congratulatory Reso-
8. lution for a school superintendent in my area, who has been down
9. here quite often representing the school superintendents (Maurice
10. Clark) no relation. He is a fine man. Anyone wanting to join
11. in this resolution - would be happy to have you.

12. PRESIDENT:

13. Senator Clarke moves to adopt. All in favor signify by
14. saying aye. Contrary no and the motion carries - and the
15. Resolution is adopted.

16. SECRETARY:

17. Senate Resolution 330, by Senator Mitchler. It's congrat-
18. ulatory.

19. PRESIDENT:

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. Move to...suspend the rules and immediate consideration
23. of adoption. I'm new at this. I'm sorry and I apologize...

24. PRESIDENT:

25. Well, the procedure is that under the rules these would be
26. considered at a different time in our schedule. And in order to
27. move for immediate consideration on a Congratulatory Resolution;
28. a technical observation of our rules requires for a motion to
29. suspend. Now, you do wish to put that at this time Senator?

30. SENATOR MITCHLER:

31. I...after deliberating I would like to so move, Mr. Presi-
32. dent.

33. PRESIDENT:

1. All right. Thank you. For the benefit of those in the
2. gallery, Senator Mitchler, is a rather consistent introducer
3. of this type of Resolution. On Senator Mitchler's motion to
4. suspend the rules. All in favor signify by saying aye. Con-
5. trary no. The motion carries. On the motion to adopt, all in
6. favor signify by saying aye. Contrary no. The motion carries
7. and the Resolution is adopted.

8. SECRETARY:

9. Senate Resolution 331, by Senator Mitchler and it's con-
10. gratulatory.

11. PRESIDENT:

12. ...is that Robert Mitchler? Senator Robert Mitchler?

13. SENATOR MITCHLER:

14. I would ask the same motion and the disposal of the Reso-
15. lution in the same manner as the previous one, Mr. President.

16. PRESIDENT:

17. On the motion to suspend for immediate consideration. All
18. in favor signify by saying aye. Contrary no. The motion carries.
19. On the motion to adopt. All in favor signify by saying aye.
20. Contrary no. The motion carries and the Resolution is adopted.

21. SECRETARY:

22. Senate Resolution 332, by Senator Mitchler and it is con-
23. gratulatory.

24. PRESIDENT:

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Same motion. Same action, Mr. President.

28. PRESIDENT:

29. On the motion to suspend. All in favor signify by saying
30. aye. Contrary no. The motion carries. On the motion to adopt,
31. all in favor signify by saying aye, contrary no. The motion
32. carries and the Resolution is adopted.

33. SECRETARY:

1. SECRETARY:

2. Senate Resolution 333, by Senator Mitchler and all members
3. of the Senate. It's congratulatory. Dorothy L. Bussard.

4. PRESIDENT:

5. On the motion to suspend for the immediate consideration.
6. All in favor signify by saying aye, contrary no. The motion
7. carries. On the motion to adopt. All in favor signify by
8. saying aye. Contrary no. The motion carries and the Reso-
9. lution is adopted.

10. SECRETARY:

11. Senate Resolution 334, by Senator Mitchler and all members
12. of the Senate. It's congratulatory.

13. PRESIDENT:

14. On the motion to suspend all in favor signify by saying
15. aye. Contrary no. The motion carries. On the motion to a-
16. dopt, all in favor signify by saying aye, contrary no. The
17. motion carries and the resolution is adopted.

18. SECRETARY:

19. Senate Resolution 335, by Senator Mitchler and it's con-
20. gratulatory.

21. PRESIDENT:

22. On the motion to suspend. All in favor signify by saying
23. aye. Contrary no, the motion carries. On the motion to adopt,
24. all in favor signify by saying aye, contrary no. The motion
25. carries, and the resolution is adopted.

26. SECRETARY:

27. Senate Resolution 336, by Senator Mitchler and all Sena-
28. tors, and it requests approval be given to the request of the
29. National Accelerator laboratory for funds for the National
30. Cancer Institute.

31. PRESIDENT:

32. Executive. Senator Mitchler.

33. SENATOR MITCHLER:

Mr. President, if I may be permitted to explain this one?

1. The National Accelerator Laboratory located in Kane and DuPage
2. counties in Illinois...

3. PRESIDENT:

4. Senator Mitchler, our rules propose that this type of
5. Resolution would go to Executive. Now that referral has been
6. made...do you wish to explain it before it is considered by
7. the Executive Committee?

8. SENATOR MITCHLER:

9. ...my purpose in rising, Mr. President, would be ask for
10. suspension of the rules and have immediate consideration of
11. this resolution.

12. PRESIDENT:

13. Proceed.

14. SENATOR MITCHLER:

15. The National Accelerator Laboratory motivated in Kane and
16. DuPage county in Illinois, has been called upon to construct
17. a Nucleon Therapy Facility. What this facility would be cap-
18. able of doing, would be for the treatment of cancer. Now at
19. the Du-Kane Valley council held last week; it was presented
20. to that council that they would like to have the Kane and
21. DuPage County areas and the State of Illinois...reached to
22. the Director of the National Cancer Institute in the National
23. Institutes of Health. And give to those bodies the express-
24. ion of support for the National Accelerator Laboratory in
25. Illinois to construct these facilities. Now, they are capa-
26. ble in what you might say off times from their regular work
27. to get into this Nucleon Therapy work that will advance the
28. eradication of this very serious disease (cancer). I would
29. consider this an important one because their funding from
30. the National Cancer Society and Institute - the National In-
31. stitutes of Health - that decision will be made on the
32. fourth or the sixth of February - next month. And that
33. is why it would be important that this body would

1. pass such a resolution. I might say that in the House similar
2. action is being taken by Representative Schoeberlein, at the
3. request of the Accelerator Laboratory. ...I would give you
4. my confidence that this is a very important step toward the
5. eradication of cancer. And certainly, if this body were to
6. adopt this and in some way help the NAL in Illinois, I think,
7. we would be doing a great service to those that have cancer
8. or might contract cancer in the future.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. I'm trying to understand the thrust of this and I'd ask
13. the Senator this question - Are you saying that the funding
14. for this facility will depend on whether or not this body goes
15. on record as being against Cancer?

16. PRESIDENT:

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. ...No, Senator...I believe that the support that has
20. been given to the NAL's request and the cooperation they are
21. getting from the National Cancer Institute and the National
22. Institutes of Health would warrant. This is some seven hundred
23. thousand dollar additional funding. It involves no State
24. funds. But it would be given in an expression of this body
25. along with the House and over governmental bodies that we
26. would like to see this facility created and established in
27. Illinois, where we have the National Accelerator Laboratory.

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. I just want to establish that so that the members would
32. know that I think we all imagine as being against cancer. I
33. don't know of anybody in this body who at least has expressed any

1. real desire to be for cancer. And I'm just not aware of that
2. and I think we are just implicitly known to be against cancer,
3. and I would certainly not have any objection to the Resolution,
4. although I think it is peripheral, and I don't think it really
5. is going to effect the decision one way or another. And I just
6. wanted to make the membership aware of that fact.

7. PRESIDENT:

8. Senator Graham.

9. SENATOR GRAHAM:

10. Mr. President, along that line, I wrote...a little note
11. to Senator Mitchler, along this same line, and I didn't get a
12. reply, I don't think there's a Resolution introduced yet -
13. his typewriter probably not working - but I asked him to quit
14. sending me that anti-smoking-cancerous literature - because
15. today is the seventh anniversary of my stop smoking cigar-
16. ettes bit - so will you save the paper, and I'm making my
17. contribution too.

18. PRESIDENT:

19. Is there further discussion? Senator Mitchler moves
20. to suspend the rules for the immediate consideration of the
21. Resolution. All in favor signify by saying aye. Contrary
22. no. The motion carries. On the motion to adopt Senate
23. Resolution 336, all in favor signify by saying aye, contrary
24. no. Motion carries and the Resolution is adopted.

25. SECRETARY:

26. Senate Resolution 337, by Senator Savickas and Daley.
27. It extends congratulations to the members of the Vikings Foot-
28. ball Team, St. Lawrence High School.

29. PRESIDENT:

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. Mr. President...Senators, I move for the suspension of
33. the rules and the immediate consideration and adoption.

On the motion to suspend. All in favor signify by saying
1. aye. Contrary no. The motion carries. On the motion to adopt
2. all in favor signify by saying aye. Senator ParTEE, I'm sorry.

3. SENATOR PARTEE:

4. ...I plan to vote for it. Is this for the Vikings?
5. The vanquished Vikings.

6. SENATOR SAVICKAS:

7. This is for St. Lawrence who vanquished the Vikings.

8. SENATOR PARTEE:

9. Oh - I see - I thought you were talking about the Dolphins.

10. PRESIDENT:

11. All in favor of adoption signify by saying aye. Contrary
12. no. The motion carries and the Resolution is adopted.

13. SECRETARY:

14. Senate Resolution 338, by Senators Savickas, Daley,
15. Dougherty, Chew, Vadalabene, Welsh and Nudelman.

16. PRESIDENT:

17. Executive. Messages from the Governor.

18. SECRETARY:

19. (Reads Message from Governor)

20. PRESIDENT:

21. Executive. Two messages...the other...you want to read
22. by date...for the record and then....

23. SECRETARY:

24. January 28th 1974.

25. PRESIDENT:

26. Executive. Senator Howard Mohr.

27. SENATOR MOHR:

28. Mr. President, I rise on a point of personal privilege.
29. In the back of the chamber is our good friend, Walter Shaw.
30. Walter is our attendan; has been for many years, and who
31. has recently undergone some major surgery. And I am sure that we
32. are all more than happy to see Walter back with us. He's

1. just here on a temporary visit today. But I am sure that
2. it won't be long that he will be in our midst once again.

3. PRESIDENT:

4. Senator Wooten.

5. SENATOR WOOTEN:

6. Mr. President, I move to suspend Senate Rule 49, for the
7. purpose of making a motion to reconsider the vote by which House
8. Bill 389 lost.

9. PRESIDENT:

10. Senator Wooten moves to reconsider...I'm sorry...to sus-
11. pend Rule 49, for the purposes of reconsidering the vote by
12. which House Bill 389 was lost. On the motion to suspend. I think
13. we would be wise to have a roll call on this...the motion is
14. to suspend the rules. And on that question the Secretary will
15. call the roll. This is a motion to suspend the rules.

16. SECRETARY:

17. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
18. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
19. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
20. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
21. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
22. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
23. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
24. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
25. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
26. Weaver, Welsh Wooten, Mr. President.

27. PRESIDENT:

28. Senator Course, aye. Don Moore, aye. Graham, aye. Senator
29. Hynes, aye. Buzbee, aye. Senator Netsch, aye. Senator Keegan,
30. for what purpose do you arise? Yes. On the motion by Senator
31. Wooten to suspend the rules - the yeas are 48, the nays are
32. none. Senator Wooten having voted on the prevailing side -
33. now moves to reconsider the vote by which House Bill 389 was
lost. And on that question the Secretary will call the roll.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
3. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
4. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
5. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
6. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
7. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
8. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
10. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
11. Weaver, Welsh Wooten, Mr. President.

12. PRESIDENT:

13. On that question the yeas are 46, and the nays are none.
14. And House Bill 386...I'm sorry, 389 is now before the Senate,
15. on 3rd reading. Senator Keegan.

16. SENATOR KEEGAN:

17. ...I make a motion to move the bill back to 2nd Reading,
18. for the purpose of amendment.

19. PRESIDENT:

20. Is there leave to recall House Bill 389 to 2nd Reading
21. for purposes of an amendment. Leave is granted. So ordered.
22. 2nd reading - Senator Keegan.

23. SENATOR KEEGAN:

24. ...and the purpose of this amendment would be to delete...
25. would be to delete...by amendment...lines 1 and 2 ...on page
26. 1...of bill 389 - and inserting in lieu thereof, 'An Act to
27. facilitate changes in the time of election of county board members
28. by accelerating the effective date of Public Act 869, and by de-
29. leting everything after the enacting clause - and inserting in
30. lieu thereof the following: ...Section 1, Public Act 78869 takes
31. effect upon the effective date of this Act...this act takes effect
32. upon its being becoming law. There was an omission, Mr. President,
33. in the provision for the continuation in office of board members

1. other than the President of the county boards, and this provision;
2. this simple provision, would make up that deficiency.

3. PRESIDENT:

4. Is there further discussion? On the question of the adoption
5. of...on the question of the adoption of Amendment No. 2. All in
6. favor signify by saying aye. Contrary no. Senator Keegan,
7. I am advised that in order to eliminate any question of effectiveness
8. that the motion more appropriately, first, should be to reconsider
9. the adoption of amendment No. 1, and to Table that amendment, and
10. then consider the adoption of Amendment No. 2. So, then, do
11. you wish to ...withdraw the motion of adoption of Amendment No. 2,
12. at this point...and then move to reconsider...

13. SENATOR KEEGAN:

14. Yes, I do...I wish...I do wish to withdraw that motion.

15. PRESIDENT:

16. All right. Then the motion is to reconsider the vote by
17. which Amendment No. 1 was adopted. On that question the Secre-
18. tary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
22. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
23. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
24. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
25. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
26. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
27. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
28. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
29. Weaver, Welsh Wooten, Mr. President.

30. PRESIDENT:

31. Senator Course, aye. Senator Buzbee, aye. This is the
32. motion to reconsider the vote by which Amendment No. 1 to House
33. Bill 389 was adopted. On that question the yeas are 52, the nays are

1. none. Now, on the motion to Table. I don't think we have
2. any problems on a voice vote on this question. On the motion
3. to table Amendment No. 1. All in favor signify by saying aye.
4. Contrary no. The motion carries and Amendment No. 1 to House
5. Bill No. 389 is Tabled. On the motion to adopt Amendment No.
6. 2. Is there discussion? All in favor of the motion to adopt
7. Amendment No. 2 signify by saying aye, contrary no. The
8. motion carries and the Amendment is adopted. Third Reading.
9. Resolutions.

10. SECRETARY:

11. Senate Resolution 340, by Senator Mitchler and all members
12. of the Senate. It's congratulatory.

13. PRESIDENT:

14. Senator Mitchler moves to suspend the rules for the im-
15. mediate consideration of the adoption of the resolution. All
16. in favor signify by saying aye. Contrary no. The motion
17. carries. On the motion to adopt. All in favor signify by say-
18. ing aye. Contrary no. The Resolution is...the motion carries
19. the Resolution is adopted. Having had intervening business
20. ...on the order of Third Reading. House Bill 389, Senator
21. Keegan.

22. SENATOR KEEGAN:

23. I move the passage of Senate Bill 389.

24. PRESIDENT:

25. Is there further discussion? On the question of passage
26. of House Bill 389, as amended. The question is, shall this
27. bill pass? And on that question the Secretary will call the
28. roll.

29. SECRETARY:

30. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
31. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
32. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
33. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

1. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
2. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
3. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
4. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
5. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
6. Weaver, Welsh Wooten, Mr. President.

7. PRESIDENT:

8. On that question the yeas are 49. The nays are none. I'm
9. sorry, one name was added after this...tally slip was handed to
10. me. So the yeas are 50. The nays are none. House Bill 389,
11. having received the constitutional majority is declared passed.
12. Senator Weaver.

13. SENATOR WEAVER:

14. Mr. President, I would like to request a recess of approxi-
15. mately twenty minutes for the purpose of a Republican caucus, in
16. the President's office.

17. PRESIDENT:

18. Senator Weaver has requested a recess of approximately twenty
19. minutes for a Republican caucus...in the President's office.

20. Senator Rock.

21. SENATOR ROCK:

22. Yes, Thank you, Mr. President. There will be a Democratic
23. caucus on the sixth floor immediately.

24. PRESIDENT:

25. The Senate will stand in recess for respective caucuses.
26. Hardly.

27. (RECESS)

28. (AFTER RECESS)

29. PRESIDING OFFICER (SENATOR GRAHAM:)

30. The Senate will be in order. Please gentlemen return to
31. your seats, so that the Senate will be in order. Senator Nudel-
32. man, for what purpose do you seek recognition?

33. SENATOR NUDELMAN:

1. Mr. President, I'd like the record to show that Senator Palmer
2. is absent today because of illness. He is hospitalized in Chicago,
3. and otherwise he would be here.

4. PRESIDING OFFICER (SENATOR GRAHAM:)

5. The Journal will show that Senator Palmer is absent due to
6. illness. Thank you, Senator. Mr. Secretary, do we have a com-
7. mittee report?

8. SECRETARY:

9. Senator Conolly, the Chairman of the Committee on Transport-
10. ation of Public Utilities....

11. PRESIDING OFFICER (SENATOR GRAHAM:)

12. Gentlemen...please...unless we want to stay all night...
13. just a minute, Mr. Secretary. Proceed.

14. SECRETARY:

15. (Reads committee report)

16. (House Bill 930)

17. PRESIDENT:

18. Senator Conolly.

19. SENATOR CONOLLY:

20. Mr. President, I move that this bill be....read a second
21. time for purposes of amendment.

22. PRESIDING OFFICER (SENATOR GRAHAM:)

23. You move that the bill be returned to 2nd Reading for...

24. SENATOR CONOLLY:

25. Returned to the order of 2nd Reading.

26. PRESIDING OFFICER (SENATOR GRAHAM:)

27. Heard the motion of Senator Conolly. All in favor of the
28. motion, signify by saying aye. Opposed. The ayes have it and
29. the bill is now on the order of 2nd Reading. Senator Conolly.

30. SECRETARY:

31. Amendment No. 1, by the Committee on Transportation and
32. Public Utilities.

33. PRESIDING OFFICER (SENATOR GRAHAM:)

1. Senator Conolly.

2. SENATOR CONOLLY:

3. Mr. President, I move that we adopt the committee amendment

4. to House Bill 930.

5. PRESIDING OFFICER (SENATOR GRAHAM:)

6. Senator McCarthy.

7. SENATOR McCARTHY:

8. Yes, I wonder if the sponsor would yield to a question?

9. PRESIDING OFFICER (SENATOR GRAHAM:)

10. He indicates that he will.

11. SENATOR McCARTHY:

12. Senator, I know I hear that there are other people that

13. do have amendments and other amendments. I know that I have

14. one, it's just in the process of being drafting...drafted. What I

15. want to ascertain is how long are you going to leave the bill on 2nd

16. Reading for the purpose of having amendments offered?

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. If the President might...the Presiding Officer might in-

19. dicate, we're going to leave it on 2nd Reading just as short

20. a time as possible. But we're not going to try to preclude

21. people from offering amendments. But we would like to get out

22. of town sometime, Senator.

23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. Was the sponsor going to explain the amendment for us?

27. PRESIDING OFFICER (SENATOR GRAHAM:)

28. Suppose he would Senator, if you asked him to, and he in-

29. dicates that he will.

30. SENATOR KNUPPEL:

31. All right.

32. PRESIDING OFFICER (SENATOR GRAHAM:)

33. I think first before we burden the sponsor with explaining an

1. Amendment that we ought to have some order on the floor and
2. listen to the amendment. And those who are not entitled to
3. the floor will please leave. Senator Conolly.

4. SENATOR CONOLLY:

5. Mr. President, this...

6. PRESIDING OFFICER (SENATOR GRAHAM:)

7. Just a moment Senator, for what purpose does Senator Chew
8. arise?

9. SENATOR CHEW:

10. To be recognized latter...tried to get your attention...

11. PRESIDING OFFICER (SENATOR GRAHAM:)

12. I'll always recognize you, Senator. Senator Conolly,
13. will explain his amendment.

14. SENATOR CONOLLY:

15. Mr. President, I need not notify all of the members of the
16. Senate that this issue has been widely discussed and widely
17. debated; not only in our Senate committee, but in various hear-
18. ings of a simultaneous committee hearing of the both the House
19. and the Senate Transportation Committee. This bill has been
20. suggested to us by the Federal Government to conform with the
21. Energy; the Emergency Highway Energy Conservation Act. We had
22. broad hearings at that time and at our two hearings and we have
23. studied every ramification, and I think a concensus came for-
24. ward on this amendment. And I will explain this amendment -
25. Amendment No. 1, to House Bill 930. And that is: that we are
26. reducing all speed limits above 65 miles an hour to 55 miles
27. an hour. This reduction of speed will take place on February
28. 25th, at 12:01 A. M., - Monday February 25th. This reduction
29. in speed to 55 miles an hour will last until the Act; called
30. the Emergency Highway Energy Conservation Act is in effect.
31. As we say this has a ...self-destroying situation that this
32. bill...that the speed limits will be resumed upon the federal
33. governments...reduct...as long as the Federal Highway Energy Con-
servation Act is in affect; our 55 mile an hour speed limit

1. will be in affect. All penalties presently under the law for
2. people who speed will be affected by this 55 mile speed
3. limit. There will be no increase of speed for any vehicle
4. now where the law is under 55. There will be no increase
5. of speed for that vehicle to 55. So it's only a reduction,
6. and I think, that is the explanation that you asked for.

7. PRESIDING OFFICER (SENATOR GRAHAM:)

8. Senator McCarthy.

9. SENATOR MCCARTHY:

10. It's another question to the sponsor before called upon
11. to vote on this. Senator Conolly, I need to know from you,
12. if there is an amendment offered...to remove the violation of
13. the speed of 55 and over up to the existing limits whether
14. or not you're in a position to state whether or not you can
15. accept that amendment. That is to say: To make such a energy
16. crisis speed violation whether or not that would be a report-
17. able violation?

18. PRESIDING OFFICER (SENATOR GRAHAM:)

19. Senator Conolly.

20. SENATOR CONOLLY:

21. Be completely candid two weeks ago after that hearing,
22. I would have been able to accept that. But after further study
23. and further investigation by our staff and further contact
24. with the Federal Government (The Chief Council the Depart-
25. ment of Transportation of the U. S. Department of Transporta-
26. tion), I feel that this is inpracticable. It is in-uninforce-
27. ble, and...would not be a...acceptable under our present law
28. and under the way that we would expect that all people would
29. be treated equally within the law. So, therefore, at the pre-
30. sent time, I have chosen after a great deliberation that this
31. is the most appropriate way to go.

32. PRESIDING OFFICER (SENATOR GRAHAM:)

33. Senator McCarthy.

1. ...In the event it does'nt arrive here on the Floor...until
2. such time as perhaps your bill is on 3rd Reading, I wonder
3. if you would give us the courtesy to bring it back for the
4. purpose of having a vote on that...amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM:)

6. Senator Conolly.

7. SENATOR CONOLLY:

8. I would say that there might be other people offering the
9. same amendment. And chances are the time-frame within that we
10. are working ...might make any answer I say now in...not ap-
11. plicable. So I would not want to say anything because this
12. could be over in the House before you get your measure here.

13. PRESIDING OFFICER (SENATOR GRAHAM:)

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Mr. President, members of this Body, I'd like to speak in
17. opposition to this amendment; want to speak in opposition to
18. this amendment for two reasons. First of all this is too harsh.
19. We're passing this 55 mile an hour speed limit for only one
20. reason, because of the black mail of 190 million dollars loss
21. oof highway funds, which we would suffer if we did'nt adopt it.
22. Now, I submit we need go no further then to meet those standards.
23. We need not punish those people who are drivers. I submit that
24. there is no reason that a violation of 56 miles an hour should
25. be a moving violation. And I submit that the people of the State
26. of Illinois don't want it to be a moving violation. I've seen
27. arguments that this is more strenuous on the poor than the well-
28. heeled fellow who can pay the fine. I submit that each driver,
29. each driver does'nt give a damn about the other driver's driv-
30. ing record in the vernacular of Gorden Sinclair. All he cares
31. about is himself. And he don't want to impose on the rich
32. man a driving violation rather than a fine so that he himself
33. may enjoy a moving violation at the speed of 55 miles a hour.
Now, I call the unconstitutional of...

1. the original proposal to the attention of the committee when we
2. were here three weeks ago. It would have been a very simple
3. matter to have drafted a bill - to have drafted an amendment. And
4. I asked the staff to work with them and all they told me that
5. they were redrafting it; to have drafted a simple bill that
6. made the speed limit 55 miles an hour and have provided that
7. a moving violation would attach to any speed more than ten
8. miles in excess of that. I think the people would have been
9. willing to accept that. And I say to each of you Senators here
10. on this Floor, how are you going to explain to your voters
11. back home who gets...the one who gets the moving violation and
12. is going to call you and say, how come? I say that it is politi-
13. cal suicide to pass such a bill. That it's wrong. That it's
14. not what the people want; our highways where they have 65 and
15. 75 miles per hour speed limits have been engineered for those
16. speeds. Now, secondly, the differential in the speed which will
17. be implicit in this amendment is that trucks will be limited to
18. 50 miles an hour on secondary highways - that's two-lane high-
19. ways, and automobiles at 55. There was a reasonable chance for
20. a man to pass and live when the differential was 65 and 50 with-
21. out violating the law. He doesn't have that chance now when the
22. differential is 5 miles per hour. In my area where we have no
23. four-lane highways then that is the only place that you're going
24. to affect drivers anyway is in the rural highways. They testified
25. to this in Committee. Your going to invite everybody in West
26. Central Illinois driving 55 miles an hour to pass a truck going
27. 50 miles an hour on broken, twisted, winding roads and expose
28. himself to the hazard of death. There should be a uniform speed
29. for the secondary roads and then there would be no need to pass.
30. Now, there's arguments that the trucks ought to be limited to 50,
31. so that the cars going 55 could pass them - hell - that's ridi-
32. culous. They don't have to pass them if they're going 55. You're
33. inviting people to disaster on two-lane highways where it takes a half

1. a mile to pass. This is bad legislation. It's too harsh and
2. to have a moving violation at 55 is not what the people in my
3. district want. They want moving violations at 65 or 70 where
4. the person whose traveling at that speed really constitutes a
5. hazard. And I submit to you that never, never has the Attorney
6. General's office, the Department of Transportation, or anyone
7. else suggested that is the way it ought to be. What they told
8. the Transportation Committee was that two violations for one
9. Act were unconstitutional, and that two sets of signs could'nt
10. be enforced. Would have been a simple and still is a simple
11. matter before we leave here to draft a bill that fixes the speed
12. limit at 55 miles an hour and says; anyone that violates that
13. by 10 or 15 miles an hour will receive a moving violation and a
14. reportable offense. I submit to you that this does'nt do what
15. the people of the State of Illinois does - want - and it goes
16. much farther then is required and that our people don't want.
17. They want to save the energy. But I don't know of anyone who
18. wants to lower this down so that they go to court - lose their
19. drivers license for 3 times over 55. The poor man needs it to
20. get to work. He needs it as bad as the rich man and he does't
21. care whether the rich man gets a moving violation or whether he
22. gets a fine. All he cares about is his own personal driving record.
23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Senator Chew.

25. SENATOR CHEW:

26. Mr. President, I'd like to get some attention here, first...

27. PRESIDING OFFICER (SENATOR GRAHAM:)

28. So would I. Will the Senate be in order? Just a moment
29. Senator. We have a lot of additional movement...I think a lot
30. of unauthorized people are on the Floor of the Senate. Sergeant
31. at arms...implement the rule regarding that...Senator Chew.

32. SENATOR CHEW:

33. Mr. President, I rise in opposition to the amendment. I

1. want to make these things crystal clear. I am totally in
2. in favor of following the Federal Government mandate in
3. reducing the speed to 55 miles an hour. It ought to be uniform
4. at 55 miles an hour. And I want the newspapers that's going to
5. report this to hear me very clearly so that it will be reported
6. as I say it. But I can't hear myself here because there's con-
7. ferences all over, Mr. President, I can't hear....

8. PRESIDING OFFICER (SENATOR GRAHAM:)

9. Will the Senators please take their conferences off the
10. Floor? Senator Soper and Scholl.

11. SENATOR CHEW:

12. The...ah....

13. PRESIDING OFFICER (SENATOR GRAHAM:)

14. ...standing next to the speaker, he is trying...

15. SENATOR CHEW:

16. I am totally in favor of a 55 mile an hour speed limit. I
17. think those persons that's traveling in excess of 55 miles an
18. hour, ought to be dealt with severely in the form of a fine. Now,
19. the Federal Government has put this black-mail package on us, for
20. the soul purpose of conserving energy. There is supposed to be
21. an energy crisis existing in these United States. Fine. Ford
22. motor company say: driving 49 miles an hour you save 8 percent of
23. your fuel with respect to driving 70 miles an hour. At 55
24. miles an hour you save three percent. But we don't worry about
25. how much you save we want to comply with Federal Government.
26. Now, federal government did not say and I specifically asked the
27. representative of the government this morning in the presence
28. of Senator Conolly what was the position of the United States
29. government pertaining to this being a moving violation. And
30. he said none. Now, the sponsor of this amendment claims that
31. the federal government said differently, and it did not. All
32. right. We know this is supposed to be a temporary reduction in
33. speed. I'll buy that. I have no problems with it. But let's

1. let's think about the man who drives a truck who does 56
2. miles an hour, or the poor man who has to depend upon his
3. automobile movement for his work. Are we going to take this
4. man away from his livelihood, because he is possibly stopped
5. at 56 or 57 miles an hour and allow him to get on welfare
6. because he can't go to work. Many people are'nt as fortunate
7. to have Mass Transit as we have in Chicago area. Let us not
8. adopt this amendment, because if we do the implication that's
9. going to put on the driver is going to be momentous. And we don't
10. need anymore laws or restrictions that's going to take away
11. from the motorist. Now, I know it's a privilege to drive a
12. automobile and be licensed. We have tried in everyway possible
13. to give the motorist plain old hell. We are thinking of news-
14. papers and television stations, and etc and etc. We ccater to
15. them more than we do the mass of people that's in the State of
16. Illinois. Federal Government said reduce speed. There was
17. nothing involved about penalizing one in the form of revocation
18. suspension of license. This amendment that Conolly has is too
19. severe. We are going far beyond what the federal government has
20. required and they put the 192 million dollars before our faces
21. and you reduce your speed or you don't participate in federal
22. money. I have no problems with that. If they had said we get
23. no federal funds if you don't make it a moving violation then I'd
24. had problems. I recall when we did some rewriting of Illinois
25. Vehicle Code; took out such measures as one taillight, one head-
26. light, prior to that...

27. PRESIDING OFFICER (SENATOR GRAHAM:)

28. Just a moment, Senator...One moment please...will we please
29. break up the caucuses on the Floor and adjacent to the Floor,
30. and show the Senator what he is due. And the secretaries that
31. are not supposed to be on the Floor, will please leave.

32. SENATOR CHEW:

33. ...So what we're doing we're reducing our speeds to comply

1. with the federal government and not participate in the federal
2. program of road construction and repairs. We are not on an
3. issue and it should not be an issue to make it a moving viola-
4. tion, and I'll close with this, Mr. President, I am in full ac-
5. cord to reduce the speed. I am in full accord to make the speed
6. uuniform. But trucks, automobiles - if the Governor could have done
7. this by executive order he would have merely reduced the speed
8. it would not have been a question of whether or not it was mov-
9. ing violation. And todote the Governor is not concerned about a
10. moving violation. Why, penalized the poor motorists? And I
11. will have to vote this amendment on the Floor as I did in com-
12. mittee because it's a bad amendment.

13. PRESIDING OFFICER (SENATOR GRAHAM:)

14. Senator Partee.

15. SENATOR PARTEE:

16. Mr. President and members of the Senate, I have never been
17. a bleeding heart for anybody in connection with our highways.
18. It's just a simple matter of their being represented to us at
19. the federal level in energy crisis. The congress of the United
20. States has suggested that we bring our speed limit back to 55 miles
21. an hour. It does'nt just apply to Illinois. Illinois is just one
22. of 50 states. One of the things that has made this country viable
23. is that we operate in a united fashion and these are the United
24. States. Now, the 190 million dollars as talked about, of course,
25. we would lose it if we did'nt go back to 55 miles an hour. I
26. do not consider it any bludgeoning at all. I do not consider it
27. any black mail. It's a fact of life. It is a condition precedent
28. to the receipt of a 190 million dollars either you want it or
29. you don't, and if you want it you take it as it comes based on the
30. congress...congressional representation. Now, the only thing that
31. could make this law not viable is some splintered enforcement -
32. with this State saying if you don't do this you get a fine -
33. with another State saying if you don't do this you get something

1. else. And splintered enforcement in my opinion has never made
2. any national policy work. There can be many strifes you can
3. think of - a hundred different ways to get around it. You can
4. think of a hundred subrosa ways to avoid the impact of the
5. energy crisis saving. Now, you either going to obey the
6. law or you're not. If you're not going to obey it, then,
7. the law that obtains in terms of moving violations ought
8. to remain inviolate. Does'nt mean to me that one person
9. is going to lose his job - it simply means that he is going to
10. obey the law and stay under 55 miles an hour until hopefully
11. this energy crisis can subside. I suggest to you that if we
12. don't do it the way this amendment proposes, it just lengthens
13. the time that the amendment will be necessary. If we do what we
14. ought to do on the basis of 55 miles a hour and if you go above
15. it get a moving violation it gives some real incentive to
16. people to stay within the 55 miles^{an} an hour. All people rich
17. or poor. And I suggest to you that this is a good amendment
18. and I propose to support it.

19. PRESIDING OFFICER (SENATOR GRAHAM:)

20. Senator Harris.

21. SENATOR HARRIS:

22. Mr. President, I must confess that I have not listened to
23. all of the debate on this. And I hope that some of my comments,
24. which will be brief are not repetitious. But I really just
25. want the membership to share with me the understanding that
26. none of us like being bullied by the federal government ever.
27. And it is, of course, ...a somewhat uncomfortable thing to have
28. the Hobson's choice perhaps of conforming or losing 193 million
29. dollars, which is what we qualify for for fiscal 74. And I
30. presume we can anticipate that figure of 193 million will have
31. some growth in it as far as fiscal 75. We're faced today with
32. a determination to express Illinois' corporate attitude through
33. its board of directors to conserve energy. If we were to reduce it

1. to that simple question even though there are some problems
2. here and there with implementing that posture, I don't think
3. anybody really quarrels with our need to respond to conserve
4. energy. The Transportation Committee of the Senate held a
5. lengthy hearing two weeks ago. In the meantime a great deal
6. of staff research has gone into the ramifications involved.
7. We have had consultations with the State's Attorneys Associa-
8. tion. We have had many, many conversations with the staff of
9. the United States Department of Transportation. The amendment
10. before us now conforms to their implementation requirements.
11. The effective date provided in this amendment February 25th
12. 1974, is well in advance of the date required under the
13. Federal Congressional action approved by the Chief Executive
14. of the United States; that by midnight of March 3rd, 1974
15. there must be in effect maximum speed limits not to exceed
16. 55 miles per hour or thereafter failed to qualify for federal
17. highway sharing money. The department of Law Enforcement
18. prefers the effective date of Monday. This amendment pro-
19. vides for that (Monday, February 25th) The department of
20. Transportation would in fact like a few more days to make the
21. changes of the signs. But by determination and this of course
22. is not a decision that's going to have sneaked up on them;
23. this has been under discussion since the enactment by the Con-
24. gress. We are advised that they in fact can meet the February
25. 25th deadline, but given the option they would really like to
26. have a few more days. I don't think that's an important enough
27. issue; but it does square with the enforcement date requested
28. by the Department of Law Enforcement. States Attorney's leg-
29. islative Committee indicated that we ought to have the same
30. kind of offense by a violation for a violation above 55 as ob-
31. tained now at 55 or 60 on the primary secondary system, and at
32. 70 on the interstate system. This amendment squares with the at-
33. titude. Many of the members of the Legislative Committee of the

1. States Attorney's association really were'nt too shook one
2. way or another. But some were militant in their insistance
3. that a violation of 55 should be a hazardous violation. Now,
4. let us recognize that we're going to hear from a good many
5. people who will have their drivers license suspended. I'm
6. certain that this 55 mile limit is going to operate to impose
7. suspensions. But there is in fact a patriotic duty to conserve
8. this precious and becoming even more precious commodity -
9. motor fuel - whether it be diesel or gasoline. The public must
10. be on notice that this is an Act of patriotism, as well as a
11. response consistent to safety responsibility - the 55 mile an
12. hour limit. This amendment does not address itself to the
13. question of uniformity. It leaves the law as it presently is.
14. That's my personal preference. And I know I have heard the
15. arguments. There are some very persuasive arguments about
16. taking the step towards uniformity. I, personally, want
17. to take action consistent with what this amendment proposes
18. today, and leave the issue of uniformity to dealt with on
19. its own. I urge the membership of this Body to adopt the
20. amendment recommended by the Transportation Committee and ex-
21. plained by the Chairman, Senator Conolly. Thank you, Mr.
22. President.

23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Senator Glass.

25. SENATOR GLASS:

26. Thank you, Mr. President, I'm not going to repeat what
27. eminent leadership on both sides of the aisle have already
28. said - in which I agree. But I think we ought to certainly
29. note that this will make our highways safer. And I don't mind
30. saying that and making that a solid reason to vote for this
31. amendment. I certainly think by having a violation of 55
32. mile an hour speed limit - a enforceable violation and one
33. which will count against the driving record that we're

1. going to get more people actually driving 55. And the results
2. of other States have shown that when that happened the high-
3. way accidents...and fatalities are decreased. And I think
4. that's a good reason to vote for this amendment, and I cer-
5. tainly hope that it will be adopted.

6. PRESIDING OFFICER (SENATOR GRAHAM:)

7. Is there further discussion? Senator Walker. Senator Harris.
8. Yield...

9. SENATOR HARRIS:

10. Senator Walker just momentarily the wire service...photo-
11. graphers - still photographing - have requested the opportunity
12. to take some candid shots here on the Senate Floor during this
13. debate; consulted with Senator Partee, neither of us have any
14. objection, we just want the membership on notice that there
15. has been permission granted for on this very brief occasion
16. to the wire-service photographers. Thank you, Mr. President.

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. Gentlemen, be on notice. Senator Walker.

19. SENATOR WALKER:

20. Thank you, Mr. President, I'm not in any manner attempting
21. to preclude any member of this dedicated, deliberative, dilatory
22. Body from expressing themselves; then again perhaps I am, I
23. would like to move the previous question.

24. PRESIDING OFFICER (SENATOR GRAHAM:)

25. I have no further names on my list...motion by....Senator
26. McCarthy.

27. SENATOR McCARTHY:

28. I'm sorry....

29. PRESIDING OFFICER (SENATOR GRAHAM:)

30. You were not on list and the motion is in order, according
31. to our rules. What is your purpose?

32. SENATOR McCARTHY:

33. Well, I did'nt know that I had to submit my name to get on

1. your list.

2. PRESIDING OFFICER (SENATOR GRAHAM:)

3. Now, Senator....

4. SENATOR McCARTHY:

5. (Laughter)

6. PRESIDING OFFICER (SENATOR GRAHAM:)

7. You know better than that...

8. SENATOR McCARTHY:

9. I thought it was implicit on the list of people...that you

10. did call upon...

11. PRDSIDING OFFICER (SENATOR GRAHAM:)

12. You and I are talking about different lists.

13. SENATOR McCARTHY:

14. ...But, Mr. President, I would like to have the opportunity

15. to be heard on this motion.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The motion to what...

18. SENATOR McCARTHY:

19. The motion to adopt the amendment.

20. SENATOR McCARTHY:

21. I thought you had been heard on it, Senator.

22. PRESIDING OFFICER (SENATOR GRAHAM:)

23. Well, I did'nt think that I had taken my time cause I was

24. extremely doubtful, I just asked a couple questions of the

25. sponsor as to whether or not he would...No. 1. - accept an

26. amendment to.....

27. PRESIDING OFFICER (SENATOR GRAHAM:)

28. Senator McCarthy, I recognized Senator Walker. He made

29. a motion, if Senator Walker's motion is in order; if Senator

30. Walker wants to withdraw the motion to close the debate the

31. chair will recognize his motion, otherwise he was recognized

32. for the purpose of making a motion which he made, and I must

33.

1. recognize him for that purpose and his motion is in order.

2. Senator Walker.

3. SENATOR WALKER:

4. In deference to my good friend, Senator McCarthy, I'm
5. not going to withdraw my motion.

6. PRESIDING OFFICER (SENATOR GRAHAM:)

7. Then, the motion before the Senate is that debate be
8. closed. All in favor of the motion to close debate will signify
9. by saying aye. Opposed. The ayes have it debate is closed.
10. Senator Conolly will make a few brief remarks after which we
11. will call the roll.

12. SENATOR CONOLLY:

13. Mr. President, I don't have to express to you the fact
14. that the United States Congress; those people elected by
15. our - the same voters who elect us have determined that there
16. is an energy crisis. And in one way of their solution is to
17. ask the various states to reduce the speed limits in each of
18. the states to 55 miles an hour. This is our job to do today.
19. We have reviewed this. Everybody has had an opportunity to
20. speak on it. Everybody has had an opportunity in the two
21. hearings that we had in the Senate Transportation Committee
22. to voice their feelings - their opinions. Now, is the time
23. for us to take our position and to vote in favor and to con-
24. cur with the United States Congress that the speed limit of
25. the State of Illinois will be 55 miles an hour maximum.

26. PRESIDING OFFICER (SENATOR GRAHAM)

27. Senator McCarthy.

28. SENATOR MCCARTHY:

29. Yes, I have laid upon the Secretary's desk a motion, which
30. I believe is in order. I'd like the motion to be heard and I'd
31. like to speak on the motion.

32. PRESIDING OFFICER (SENATOR GRAHAM:)

33. The Chair is going to rule that your motion is out of order.
The Chair is made a determination that its a dilatory motion

to prevent action upon this bill. It was not made before
1. Senator Conolly was recognized to close the remarks, and I'm
2. going to move that your motion to recommit this bill to the
3. committee is out of order.

4. SENATOR MCCARTHY:

5. Well, that may be your ruling, Mr. President. But I call
6. your attention to Rule 42, of the 1973 books. It just came
7. out today. Rule 42 says: Precedence of Motions. When a
8. question is under debate - no Motion shall be received - but -
9. and then it goes down to adjourn - the question of the Presi-
10. dent to lay upon the Table the previous question to postpone
11. definitely to postpone a date to commit or recommit. Now,
12. Mr. President, you know this is a Motion to recommit this bill
13. to committee. It was not put on here for any dilatory practice.
14. But I think Mr. President, it is a sad, sad day in Illinois -
15. sad day in Illinois when we want to slow automobile traffic
16. down and yet speed up the legislative process, so that 11 thou-
17. sand - 11 million people whose parents or themselves have motor
18. vehicle licenses that will be affected by this Act are not given
19. through their elected Senator an opportunity to speak. And I
20. persist in this motion.

21. PRESIDING OFFICER (SENATOR GRAHAM:)

22. Senator, I have ruled your motion out of order. And you
23. have one relief and you know what it is...to appeal to the rul-
24. ing of the Chair...you know that Senator. That would be the
25. relief on the Floor, you know that Senator...you're a good
26. lawyer. The question is: shall the amendment presented by
27. Senator Conolly to House Bill 3...be adopted. Upon that motion
28. the Secretary will call the roll. Senator McCarthy.

29. SENATOR MCCARTHY:

30. If the remedy that you offered to me which I presume is
31. to appeal to the ruling of the Chair, I would like to exer-
32. cise that offer given by you.

33. PRESIDING OFFICER (SENATOR GRAHAM:)

1. I thought I had given you a chance and you....

2. SENATOR McCARTHY:

3. Well, I do...I do accept it. I didn't know it had been
4. offered and withdrawn...that speedily. I think that's the
5. word we ought to emphasize (speed). So, Mr. President, I do
6. appeal the ruling of your Chair and hold the...my motion to
7. recommit this bill out of order.

8. PRESIDING OFFICER (SENATOR GRAHAM:)

9. Senate...the motion is...shall the ruling of the Chair
10. be sustained? Those in favor of sustaining the ruling of
11. the Chair, which ruled that Senator McCarthy's motion was
12. out of order will indicate by saying aye. Those opposed.
13. The ayes have it and the motion fails. How many Senators
14. join in asking for a roll call? If I ruled that ten would
15. be needed I would have trouble with you, wouldn't I? Then,
16. we'll have a roll call.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
24. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
25. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
26. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
27. Weaver, Welsh Wooten, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM:)

29. On this question the yeas were 29. The nays are 26. The
30. motion by Senator McCarthy having failed to receive the con-
31. stitutional requirement majority is therefore declared lost.
32. The motion before the Senate now is made by Senator Conolly to
33. adopt Amendment No. 1 to House bill 360...9...930...all in

1. favor will signify by saying aye. Opposed. The ayes have it
2. and the amendment is adopted. Been a request for a roll call.
3. We'll call the roll on the motion to adopt amendment No. 1 to
4. House Bill 930, and will the Senate please be in order, so
5. the Secretary can hear your names on roll call. Please be in
6. order. Call the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning,

9. PRESIDING OFFICER (SENATOR GRAHAM:)

10. Just a minute, Mr. Secretary. Gentlemen, please be in your
11. seats and be in order. This is an important roll call. Join
12. with us.

13. ... Bruce,.... Buzbee,.... Carroll,....

14. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

15. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

16. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

17. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

18. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

19. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

20. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

21. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

22. Weaver, Welsh Wooten, Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Keegan, no. Regner, aye. Sours, aye. On this motion the
25. yeas are 40, the nays are 14. The amendment is adopted. Any
26. further amendments?

27. SECRETARY:

28. Amendment No. 2, by Senator Davidson.

29. PRESIDING OFFICER (SENATOR GRAHAM:)

30. Is Senator Davidson on the Floor? Senator Davidson.

31. SENATOR DAVIDSON:

32. Mr. President, I've learned that discretion sometimes is

33.

1. a better part of valor and I withdraw Amendment No. 2.
2. PRESIDING OFFICER (SENATOR GRAHAM:)
3. Amendment No. 2 has been withdrawn by Senator Davidson.
4. Any further amendments.
5. SECRETARY:
6. Amendment No. 2, by Senator McCarthy.
7. PRESIDING OFFICER (SENATOR GRAHAM:)
8. There is no chairman. Senator McCarthy. Senator McCarthy
9. will explain his amendment if the membership will be so kind as
10. to listen. I would like to hear it too. Be in order...please.
11. SENATOR MCCARTHY:
12. Yes, Mr. President, you know Amendment No. 2 just arrived
13. so...I think the time is just about consumed and we're in the
14. proper order of business, and I'm not going to have to ask you
15. to call the bill back to 2nd Reading...Senator, because the
16. paper just got here. All right. What this amendment does;
17. is that it provides in the powers of the Secretary of State
18. that's (6-206) it says this: It says with reference to the
19. power of the Secretary of State to suspend licenses it puts
20. in this proviso: It says provided, however that during the
21. period for which the emergency highway energy conservation
22. Act enacted by the Congress of the United States of Americas'
23. Public Law 93239 is in effect, the Secretary of State may not
24. - repeat - the bill does'nt say - may not - it does'nt say
25. it twice - it just says it once. The Secretary of State may
26. not suspend or revoke any license to permit for conviction of
27. not less than 3 violations of Section 11601 that's the Speeding
28. Act - this Act unless the person convicted has exceeded the
29. maximum speed limits subscribed by Illinois law on July 27,
30. 1974, that was yesterday - with each such violation. Senator
31. Graham, I know that you've heard the written...in credit word
32. what it means. What I intended it to mean that any conviction
33. of the energy crisis speed violation should not be a basis...shall

1. not be a basis for suspension or other action of a drivers
2. license. And in support of that proposition, I would merely
3. enunciate the following point: No. 1. Historical question
4. - why - are we here today on January 28th...January 29th?
5. Thank you. Yet we're here because the federal government
6. said that we have to be here or we lose one hundred and ninety
7. million dollars. What must we do, Mr. Federal Government,
8. in order not to lose the money? You must pass the Speed
9. Limit Bill...slowing passenger vehicles down to 55 miles
10. an hour. This amendment if adopted coupled with Senator
11. Conolly's ...amendment will meet that requirement. So that's
12. all the federal government has said we have to do. Now
13. there's arguments that have been raised. The editorials
14. that have been written I take no position on at this
15. time to whether or not a speed reduction coupled with a re-
16. ported conviction for the purpose of affecting a drivers license,
17. I take no position on that as a matter of orderly legisla-
18. tive process. By that I mean the months of March...excuse
19. me...the months of April, May and June of this year. I have
20. an open mind my fellow members, if we were to determine in
21. April, May and June of this year that what Senator Harris has
22. said is persuasive and should be an act of this legislature.
23. What I am suggesting is that you adopt this amendment here to-
24. day in compliance as a fair bone type of compliance with the
25. federal edict which commands our attention. To do otherwise,
26. I think, is doing more than the people of the State Illi-
27. nois want us to do. There are individuals in this State, who wish
28. we would not pass any Act in compliance with the federal
29. Act. I don't think they command the majority of the members
30. of this body or the other body. But they also want the State
31. of Illinois government to make its determination. And I sub-
32. mit to you it should be made within the time-frame previously
33. outlined three months of the Session that we have in the later

1. part of the Spring of this year. I would like to say this
2. further, Mr. President, that we are effective as I mentioned
3. earlier when I had to make I felt the motion to recommit the
4. bill; we're effecting the life-style of 11 million people in
5. the State of Illinois. Like to recount to you a personal ex-
6. perience that happened two weeks ago Friday night. I was
7. called by a life...by a...my Motor Vehicle Casualty Company,
8. because my renewal time is up in February. They called long
9. distance on a Watts line. The lady identified herself, and
10. she asked a lot of questions, including the reading on my
11. speedometer, the reading on my wife's speedometer, where my
12. son was at school, etc., etc., and finally, they came to
13. this question. They came to this question...Have you had
14. any moving violations within the last three years? I was
15. fortunate enough to be able to answer no. I had not. But you
16. know and I know and everybody that owns a automobile policy
17. in the State of Illinois knows that when the insurance company
18. asks you that question - have you had any moving reportable
19. violations within the last year, two or three, they use the
20. answer of that question in determining - determining, Mr.
21. President, what the rates of insurance that they should charge
22. you shall be, and I don't quarrel with that. I don't quarrel
23. with that. But here we're asked by the federal government and
24. we're asked by the sponsor of this bill to push through the
25. bill as amended ...without taking this amendment, which in
26. effect would provide the basis for insurance companies rais-
27. ing rates on motor vehicles.....

28. PRESIDING OFFICER (SENATOR GRAHAM:)

29. Senator, Senator, I don't know about the speedometer...
30. you've gone beyond the red light and your on the second time
31. around. Your time has expired.

32. SENATOR McCARTHY:

33. I'll close by this one. Second fastest, and I like to think

1. of and pass on to my colleagues, Thank you, Mr. President, is
2. that there is a syndicalism about the validity, about the true-
3. ness of the energy shortage. People who are...will be marked
4. as a moving violation for a 56 mile per hour violation may
5. find themselves a year from today with three moving violations
6. yet the energy crises over last June; but they still blow their
7. license and they say oh boy, I've been had - I can't drive -
8. I was fooled by the federal government on the energy crisis
9. in the first place, and the State of Illinois went right along
10. with them - and now I've lost my license - and I'm going walk-
11. ing. I urge the adoption of this amendment.

12. PRESIDING OFFICER (SENATOR GRAHAM:)

13. Senator Knuppel. Senator from Virginia - Senator
14. from Petersburg - yields - Senator Sours.

15. SENATOR SOURS:

16. Mr. President and Senators, I have the feeling like
17. a lot of others here. We can't get our own tax money back
18. to the tune of a 190 million unless we kneel and succumb
19. acquiescently and supinely to the will of Congress. I hear a
20. lot of yelping here today. And yet in some instances this
21. yelping is not consonant with some of the bad legislation
22. that we have passed affecting the lives and the property
23. and the comfort of our citizens. It's a sad day and yet it's
24. true that it shows a heavy hand of government today when we
25. can't get our 190 million dollars back in this State unless
26. we do exactly what the federal congress says. Now, I hope that
27. some of us here will take to heart the heavy hand of govern-
28. ment that is now being laid upon individual legislators, so
29. that as we go through this coming Session we do not lay, Senator
30. McCarthy and others, the heavy hand of local State government
31. on our taxpayers. This is a tragedy and I think it's real.
32. We hear a lot of the conservative press saying there is
33. no such thing as a shortage. Well, if there is'nt

1. a shortage there is'nt as much as we had and we know that.
2. Now, we're going to have to do this, I think, whether we
3. like it or not - and some us do - and some of us don't.
4. But we're going to have to do this because in my honest
5. opinion I believe there is at least a shortage. I can't
6. support the amendment.

7. presiding officer 9senator graham:)

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Mr. President and colleagues, I have found in the
11. year I have been here very seldom do I take exception to
12. anything my colleague from Decatur offers in the way of leg-
13. islation or amendments to legislation. I agree that the
14. 55 mile an hour speed limit is wrong. A portion for ex-
15. ample in many air-cooled engines will consume gas most ef-
16. ficiently at speeds of 70 to 75 miles an hour. The figure
17. 55 miles is a good average; but it will work an injustice
18. on some people burning gas less efficiently in some engines.
19. But we have been given this by congressman...Congress, I
20. think it is approaching the problem from the wrong end, and
21. I am willing to go along with enforcing this, not only because
22. we would lose the money, but also to focus the public's at-
23. tention on just how precipitously Congress has acted in this
24. regard. We're making the presumption that people will break
25. the law; that they will be required by their own personal needs
26. to exceed the 55 mile an hour speed limit. I know I will be
27. sorely tempted in traveling down here every week to do that.
28. But it seems to me that we have to face the fact that we must
29. not put ourselves in a position in any degree where you can
30. buy your way out of a law. And that's simply what this
31. will do. You pay your fine and you keep on speeding. It will
32. be an advantage to those with money. It will, I think, bring
33. chaos to the highways. If we really want to follow not only the

1. letter of the suggested law - the suggested speed limit -
2. but the spirit as well, we will see to it that everybody
3. stays within that 55 mile an hour limit - else - why -
4. pass it at all? It all becomes a charade. As I say I am
5. Not at all enthusiastic about this. But I believe that we
6. for a couple of reasons must reject this amendment and go
7. with the 55 mile an hour limit with the understanding that if
8. we can ever alleviate this we can go back to a proper speed;
9. our interstates are designed to operate safely and efficient-
10. ly at speeds of 70 miles an hour. We're only doing this to
11. conserve energy. It does work in the average car; will work
12. some hardships on others. It simply seems to me that we have
13. no strong argument for making this division in enforcement
14. of speed limits. So I will oppose the amendment.

15. PRESIDING OFFICER (SENATOR GRAHAM:)

16. Senator Conolly.

17. SENATOR CONOLLY:

18. I would like to now...

19. PRESIDING OFFICER (SENATOR GRAHAM:)

20. I recognized Senator Conolly, Senator Knuppel. For
21. what purpose do you arise?

22. SENATOR KNUPPEL:

23. I rise to reply to some of the arguments that have
24. been proposed by Senator Wooten.

25. PRESIDING OFFICER (SENATOR GRAHAM:)

26. I recognized Senator Conolly. You are out of order,
27. Senator, wait until Senator Conolly has...He is in the order.
28. And I am recognizing ...I recognize Senator Conolly - he was
29. on the list. He's been on the list. I even skipped over
30. him once for Senator Wooten, and the Chair recognizes the
31. Senator from Waukegan.

32. SENATOR CONOLLY:

33. Mr. President, as I mentioned earlier we have had ex-

1. tensive hearings on this and we have worked on this bill
2. and we have tried to make this objection...as least object-
3. able to the people as possible; but still in fact enforce
4. the law - make it the law enforceable - make it be equally
5. administered throughout to all of the people of the State
6. of Illinois. And therefore I think that this point that
7. is being raised by this amendment basically has not been
8. covered in committe hearings and there will be other op-
9. portunities latter on in the year in our Session that this
10. could be approached. So therefore I would urge the members
11. of this Senate to pass this bill out of here without further
12. amendments. And let's get on with it the House is standing
13. at recess until our action takes place and there is a times
14. limit on this; it takes 30 days to sign the bill...to put
15. signs on the highways to conform with this Act. So may I
16. just urge the Senate that we move forward now to defeat this
17. amendment and if this amendment would like to be raised at
18. a different time, it can be done in a form of a bill in the
19. Regular Session.

20. PRESIDING OFFICER (SENATOR GRAHAM:)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. I submit that the arguments of Senator Wooten are
24. felicitous in that he says that this will bear more heavily
25. on the poor man than it will on the rich. I submit that
26. the poor man drives as fast in his used Ford as the rich man
27. drives in his Cadallac. And as I said before in the vernacular
28. of Gordon Sinclair - he does'nt give a damn whether the rich
29. man gets a moving violation or a fine - what he's concerned
30. with is what he's going to get, and he's going to get one
31. hell'uva lot more moving violations under this law.

32. PRESIDING OFFICER (SENATOR GRAHAM:)

33. Any further discussion? Senator McCarthy...will close
 the debate.

1. SENATOR McCARTHY:

2. Thank you, Mr. President, Yes, ...Yes, I'll try
3. to be brief. In answer to some of the good arguments that
4. have been raised and I think I have better answers. No
5. one has touched upon the extra cost that it is going to
6. cost the Secretary of State to administer this new Act,
7. with all of the new violations going in. I don't know but
8. I think that's something that we're not under mandate of
9. the federal government to take us off fiscally in the Sec-
10. retary of State's budget. He's going to have to give re-
11. stricted. You know what I am talking about with all of
12. these violations going in. Second. The argument that
13. Senator Wooten has been made - I thank him for the fact that
14. he and I agree at most times - he says that this would only
15. be a penalty on the rich and it would'nt affect the poor. I
16. call to the attention of the members of this Body that there
17. is in my recollection a Section of the Motor Vehicle Law
18. which would still stay into effect that provides upon the
19. 2nd or the 3rd violation of the Motor Vehicle Code a minimum
20. fine of a hundred dollars - not a dollar an hour - a minimum
21. fine of a hundred dollars and that certainly is a deterrent.
22. Now, I also call to the attention of this Body - this Body made
23. a determination that there are 68 - count them - 68 different
24. moving violations - excuse me - 68 different violations of
25. the Motor Vehicle Code - Bad Mufflers, one Headlight, so forth
26. and so on, which are violations of the Code but cannot be
27. used by the Secretary of State in taking away the licensing
28. of the operator who has disregarded the law. And I think this
29. bill at this time with this proposed amendment would make an
30. excellent 69th exception to the Drivers License revocation
31. privileges. Finally, Mr. President, because you were so kind
32. to me, I again within the time-frame allotted to me mention a-
33. bout the time-frame here in the Legislature, April, May and June is

1. the time to thrash this out. It should be adopted and if there
2. is any validity we'll take it in; not the way you say, Jack...
3. Senator Conolly, that I have to come in in April and undo what
4. your trying to do today. I urge the adoption of this amend-
5. ment. I think it's a wise thing...I think it is politically
6. practical and that's what we are politicians.

7. PRESIDING OFFICER (SENATOR GRAHAM:)

8. The question before the Senate is: Shall it...adopt
9. Amendment No. 2 to House Bill 930 - 930. All in favor of the
10. adoption signify by saying aye. Opposed. The noes have it.
11. The amendment...I was afraid you'd do that...Been a request
12. for a roll call - who joins you? I see no support for your
13. ...be a roll call. Those in favor of the motion to adopt Amend-
14. ment No. 2, will signify by voting aye. Those opposed to the
15. gentleman from Decatur's amendment will vote no. Secretary
16. will call the roll.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
24. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
25. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
26. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
27. Weaver, Welsh, Wooten, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM:)

29. Clarke, no. Regner. Harris, no. Howard Mohr
30. no. On this question the yeas were 12. The nays were 33.
31. The amendment is declared lost. Any further amendments?

32. SECRETARY:

33. Amendment No. 3, by Senator McCarthy.

1. PRESIDING OFFICER (SENATOR GRAHAM:)

2. There'll be no objection. There has been asked for
3. leave to withdraw Amendment No. 3. All in favor signify
4. by saying aye. Opposed. The ayes have it. The amendment
5. is withdrawn.

6. SECRETARY:

7. Amendment No. 3, by Senator Knuppel .

8. PRESIDING OFFICER (SENATOR GRAHAM:)

9. Senator Knuppel. You withdraw yours too?

10. SENATOR KNUPPEL:

11. No. Amendment No. 3 was originally proposed by
12. Senator Davidson and for some reason he is not going to
13. submit. He said he had no objection to me offering it.
14. What it does in effect is to strike everything from the en-
15. acting clause on down and in very simple terms put in a 55
16. mile uniform speed limit. I would be remiss if I did not
17. offer this amendment in view of the nature of the roads
18. where I live. They're twisting, winding, routed highways
19. two-lane entirely. And to have reduced the differential
20. in speed from 65 ..to...or from 15 to 5 miles per hour is to
21. expose all of the people in west central Illinois who have
22. to use those horrible roads ...is a necessity of offering
23. their life on the block to pass any moving truck. Now, you
24. people are responsible and for not having appropriated money
25. for those roads in the years past that have been here for a
26. long time, and I'm asking you to recognize the condition
27. of those roads in Forgotonia. And to make provisions so that
28. if I come up from behind or am traveling with a truck going the
29. same direction I am if he is driving 55, I don't have to at-
30. tempt to pass him - to pass him at going 55 without violating
31. the law will require a half a mile's distance. So, all this
32. does is simply propose a uniform speed limit so that I don't
33. have to- if I want to go around him - that I don't have to

1. put my life on the line. I'd like a favorable roll call.
2. PRESIDING OFFICER (SENATOR GRAHAM:)
3. Senator Walker.
4. SENATOR WALKER:
5. Mr. Chairman, Mr. President, thank you, I move that
6. that amendment lie on the Table.
7. PRESIDING OFFICER (SENATOR GRAHAM:)
8. Motion by Senator Jack Walker that Amendment No. 3
9. offered by Senator Knuppel lie upon the table. All in favor
10. of the motion from the Senator from Lansing, signify by say-
11. ing aye. Opposed. The ayes have it and the motion carries.
12.to Table....3rd Reading.
13. SECRETARY:
14. Senate Resolution 340, by Senators Mitchler, Latherow,
15. Wooten, Buzbee and Scholl.
16. PRESIDING OFFICER (SENATOR GRAHAM:)
17. Executive.
18. SECRETARY:
19. Senate Resolution 341, by Senators McBroom, Harris
20. and Merritt. It's commendatory.
21. PRESIDING OFFICER (SENATOR GRAHAM:)
22. Senator McBroom .
23. SENATOR MCBROOM:
24. It's congratulatory, Mr. President, I move for the
25. suspension of the rules and the immediate adoption of the
26. Resolution. Appreciate if all members would join me.
27. PRESIDING OFFICER (SENATOR GRAHAM:)
28. Heard the motion from the Senator Kankakee to sus-
29. pend the rules. All in favor signify by saying aye. Opposed.
30. The rules are suspended. The motion before the Senate is
31. now: Shall this resolution be adopted and all the Senators
32. be shown as co-sponsors. All in favor signify by saying aye.
33. Opposed. The ayes have it and the Resolution is adopted.

1. Senator Scholl.

2. SENATOR SCHOLL:

3. Mr. President and members of the Senate, I move to
4. discharge the committee on Revenue from further.....

5. PRESIDING OFFICER (SENATOR GRAHAM:)

6. ...The motion...the motion is by Senator Nimrod that
7. we proceed to the order of House Bills on Third Reading. Any
8. objection? The question before the Senate is: Shall House
9. Bill 930 as amended pass? On that question the Secretary will
10. call the roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
13. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
14. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
15. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
16. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
17. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
18. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
19. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
20. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
21. Weaver, Welsh, Wooten, Mr. President.

22. PRESIDING OFFICER (SENATOR GRAHAM:)

23. Senator Keegan is voting aye. Senator Kenneth Hall
24. is voting aye. Senator Knuppel would like to vote aye
25. but he is voting no. Senator Hynes, voting aye. Senator
26. Clarke is voting aye. Senator Kosinski is voting aye.
27. Senator Newhouse is voting aye. Upon this question the
28. yeas were 52. The nays were 2. The bill having received
29. the constitutional required majority is therefore declared
30. passed. Are you...now prepared for a motion...Senator
31. Scholl.

32. SENATOR SCHOLL:

33.

1. Mr. President, I move to discharge the committee
2. on Revenue from further consideration of House Bill 554
3. and that the bill be placed on the order of 2nd reading
4. for the purpose of offering amendments....
5. PRESIDING OFFICER (SENATOR GRAHAM:)

6. I think the motion Senator Scholl is making that
7. the committee on Revenue be discharged from further consider-
8. ation of this bill and it be re-referred to the committee on
9. appropriation. Is not that the motion?

10. SENATOR SCHOLL:

11. That is right.

12. PRESIDING OFFICER (SENATOR GRAHAM:)

13. Senator McBroom.

14. SENATOR MCBROOM:

15. Well, Mr. President, I would...I would...if I may
16. and the time is appropriate, I'd like to make a comment or
17. two in regard to...Senator Scholl's motion, which I appreci-
18. ate very much. The...I think this bill should be sent to the
19. Appropriations Committee...the approach...and in my opinion
20. of the...Department of Revenue has been somewhat...somewhat
21. irresponsible and autocratic. When they first came to the
22. Appropriations Committee, Mr. President, I'd...

23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Could we have a little order? Senator McBroom, has some
25. pertinent remarks and very few are listening. I'm trying to
26. Senator. .Could we have some order?

27. SENATOR MCBROOM:

28. Thank you, Senator Graham...when they first...when
29. the first approach by the Revenue...by the Department of
30. Revenue to the Appropriations Committee was a request for
31. 1 million 7 hundred and 29 thousand dollars. And our staff
32. attempted to investigate what was going on; the responses,
33. Senator Graham, were something along the lines - don't worry
about it - there probably will be some defects...that those
will be ironed out...there'll probably be a lot of changes

1. We want something, ladies and gentlemen of the Senate, some-
2. thing of a definitive nature. We were not able to get any
3. definite plans. Then, when it appeared, Mr. President, that
4. the a million 7 hundred thousand was not forthcoming...suddenly
5. some effort and I want to underscore the word (Some) effort was
6. made to spell out definite plans. But I want to tell you how in-
7. definite the definite plans were. They, then, asked all of a
8. sudden for 9 hundred and 23 million. Now, I don't know how
9. you come into a appropriations committee and ask for a million
10. 700 thousand and then shortly later find out that you need only
11. approximately half that amount. We found...we found at least
12. some of the functionaries who approached the appropriations com-
13. mittee were not at all cooperative. The responses were amazing
14. to our staff when they commented we know what we're doing...
15. we have the program - give us the money. Well, that's all fine
16. if we're going to approach all things in that nature, then, I
17. would suggest the appropriations committee be disbanded, Mr.
18. Chairman, I think that...or Mr. President, I think that this
19. should be delayed until we have more definitive information.
20. There's been comments about 60 station wagons for perhaps 54 people
21. and when we asked how they arrived at this rather illusory figure
22. well, there was...their response was; we were not just sure,
23. but it appears based on other States that this would be appro-
24. priate...We don't know how many branch offices are going to be
25. set up; how many employees are going to be hired - how much
26. equipment exactly is going to be required for each employee. I
27. think the whole thing has been a fly by the seat of your pants
28. approach, Mr. Chairman, and I urge the members to support Senator
29. Scholls motion and that it be sent to the Appropriations Com-
30. mittee.

31. PRESIDING OFFICER (SENATOR GRAHAM:)

32. Senator Partee.

33. SENATOR PARTEE:

Mr. President, let me just start by saying...

1. PRESIDING OFFICER (SENATOR GRAHAM:)

2. Could we just start by trying to get some order,
3. Senator?

4. SENATOR PARTEE:

5. Let me just start by saying that some of the state-
6. ments that have recently been made are just simply out of
7. proportion to what has been suggested. Now, I saw the
8. figure for Automotive Transportation and it's 20 thousand
9. dollars. And the gentleman knows that you certainly can't
10. get any 50 odd stations wagons out of 20 thousand dollars.
11. Now, it occurs to me that one of the real problems here is,
12. I don't know why this is dilatory. I don't know why we're
13. delaying here. Senator Scholl was the Senate sponsor of this
14. bill and I do know, of course, that the bill was not signed in his
15. home district. It was signed somewhere else. And I understand
16. there is some personality factors that motivates some con-
17. versation and some rhetoric. But the fact-of-the-matter
18. is the philosophical part of this bill has been settled I
19. would hope once and for all - and it's now really a question
20. of revenue. We're talking about getting the bill in imple-
21. mentation, so that for revenue projective can start coming
22. into the coffers of the State. And those that bemoan the
23. fact loudest that there is little or no money for this
24. or that are now prepared to delay bringing in the money which
25. this bill will bring. I've been in constant contact with Dir-
26. ector Allphin and his staff and I have not encountered the
27. problems that you gentlemen allude to in terms of his not say-
28. ing rather definitely from time to time and being able to carefully
29. explain what he had in mind of the figures whether it was
30. original start of money or this start of money. Now the fact-
31. of-the-matter is we have passed the bill. We passed it with the
32. emergency clause here and it be...would have become law immedi-
33. ately if the House had done likewise. The fact-of-the-matter is

1. the House did not supply the number of votes for immediate a-
2. doption and as the fact is now this bill will become law on
3. the 1st of July. Now, we're going to have hearings now. It
4. just simply seems to me that you're going to indicate to those
5. persons who will be voting on the question of the RTA on the
6. 19th of March that we haven't really finalized this question.
7. And I would hope that the press does not give any impression
8. but that the money for the lottery, is in fact, a part...a
9. part in granted of this entire situation. It will in effect...
10. become effective on the first of July. This move today...
11. if we could have this bill heard today would simply move up,
12. perhaps three, perhaps four, perhaps five months, the date
13. that we will receive money from the package. To delay it,
14. I say, loses money for the State we are in no position to
15. lose money, it seems to me that we ought not now send it to
16. the Appropriations Committee and delay the date and delay the
17. time when we will actually start to receiving the money. And I
18. would on that basis oppose this motion to re-commit this bill
19. to the Appropriations Committee.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any further discussions? Senator Weaver.

21. SENATOR WEAVER:

22. Well, Mr. President, I see no reason why this can't be heard
23. by the Appropriations Committee in early April. Answers given
24. to the Appropriations Committee on what this money will be
25. spent for. I don't know of any other Department in the State
26. of Illinois that can come in and ask for an appropriation of
27. \$886,000 without adequately explaining to the Appropriations
28. Committee or any appropriate committee the manner in which
29. it's going to be spent. So I think this is reasonable action,
30. there is no reason why it can't be heard in early April and
31. implemented earlier than possibly July the 1st.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator McBroom.

SENATOR MCBROOM:

1. Well, Mr. President, I don't desire to prolong this. I
2. don't know where Senator Partee picked out his figure of
3. \$20,000, I am confident that he offered that figure in good
4. faith and that perhaps at the suggestion of someone who passed
5. it on to him as we all have to do. The point I'm trying to
6. make out...suggested members of the Senate is that our side
7. of the aisle and our members of the Appropriations Committee
8. and our staff apparently weren't able to establish the rapport
9. with the Department of Revenue, that Senator Partee alludes
10. to. And it has been a situation where we have been dealt
11. with in generalities. Now, Director Allphin talked to me
12. today, perhaps about an hour ago. This is the first time he
13. has discussed this matter with me and I think to do anything
14. but send this to the Appropriations Committee is precipitous
15. action. And I would strongly urge that all members support
16. Senator Scholl's motion.

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. The question before the Senate is shall HB 554 be...to
19. discharge the Committee on Revenue from further consideration
20. of 554 and have it recommitted to the Committee on Appropria-
21. tions. All in favor of the motion by Senator Scholl signify
22. by saying aye. Opposed. The ayes have it and the motion
23. carries. The bill is recommitted to the Committee on Appropri-
24. ations. Any further business? Senator Harris. Senator Glass.
25. SENATOR GLASS:

26. Thank you, Mr. President, just a reminder to Senators
27. Wooten, Johns, Scholl and Bartulis that the Energy sub-
28. committee will be meeting one half hour after adjournment
29. and the Room number is M-3. Thank you Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM:)

31. Any further business? Is Senator Ozinga on the floor?
32. Senator Frank Ozinga? We have another Committee report in...
33. We are now in the order of Committee reports. Mr. Secretary.

1. SECRETARY:

2. (Secretary reads Governor's Message)

3. PRESIDING OFFICER (SENATOR GRAHAM:)

4. Senator Ozinga.

5. SENATOR OZINGA:

6. Mr. President and members of the Senate, Executive
7. Committee has met and we have considered various messages
8. of the Governor, as per the statement made by the Secretary
9. of the Senate. On the message of September 20th, 1973
10. was the nomination of Mr. George E. Batzel, of Waukegan to
11. be a member of the Waukegan Port District Board, for a term
12. expiring May 31st, 1979. And Mr. President, I would move
13. that the Senate advise and consent to the nomination of
14. George E. Batzel of Waukegan to be a member of Waukegan Port
15. District Board.

16. PRESIDING OFFICER (SENATOR GRAHAM:)

17. Senator Ozinga moves that the Senate do now resolve
18. itself into Executive Session for the purpose of hearing
19. his recommendation on the Governor's nomination. Is leave
20. granted? Leave is granted. He now moves that the Senate
21. do advise and consent to Mr. Batzel being advise and consent...
22. to his appointment to the Waukegan Port District and the
23. Secretary will call the roll.

24. SECRETARY:

25. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
26. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
27. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
28. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
29. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
30. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
31. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
32. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
33. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

Weaver, Welsh, Wooten, Mr. President.

PRESIDING OFFICER (SENATOR GRAHAM:)

1. McBroom, aye. Senator Keegan, aye. On this question the
2. yeas are 44, the nays are none. As a result of the vote of the
3. Senate on the question the majority of the Senators elected con-
4. curring therein, the Senate does advise and consent to the Gover-
5. nors nomination of Mr. Batzel to be a member of the Waukegan Port
6. District. Senator Ozinga.

7. SENATOR OZINGA:

8. Mr. President, on the Governor's message of November the
9. 13..was...Mr...Well, let me put it this way - I will move that
10. the Senate advise and consent to the nomination of Harris
11. Kevensky, to be a member of the Board of Unemployment Compensation
12. and Free Employment Office Advisory, which has now been changed to
13. the office of Employment Security Advisory Board for a term ex-
14. piring on the 3rd Monday of January, 1975.

15. PRESIDING OFFICER (SENATOR GRAHAM:)

16. Your motion is - Do the ...Senate advise and consent...upon
17. that motion the Secretary will call the roll.

18. SECRETARY:

19. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
20. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
21. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
22. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
23. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
24. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
25. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
26. Saperstein, Savickas, Schaffer, Schöll, Shapiro, Smith,
27. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
28. Weaver, Welsh, Wooten, Mr. President.

29. PRESIDING OFFICER (SENATOR GRAHAM:)

30. Bartulis, aye. Kenneth Hall, aye. On this question the yeas
31. are 42, the nays are none. The result of the vote of the Senate
32. on this question; a majority of the Senators elected concurring
33. by record vote the Senate does advise and consent to the appoint-

1. ment of Harris Kevensky, in the Governors message of November
2. 13th...as confirmed. Senator Ozinga

3. SENATOR OZINGA:

4. Now, Mr. President, from the Governor's message of January
5. 14th, 1974, I would move that the Senate advise and consent to
6. the nomination of Ed C. Oakes, of Champaign, Illinois, to be a
7. member of the Illinois Veterans Commission, for a term expir-
8. ing July 1st, 1977.

9. PRESIDING OFFICER (SENATOR GRAHAM:)

10. You've heard the motion of the Senator from...where are
11. you from....Evergreen Park....The Secretary will call the roll.

12. SECRETARY:

13. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
14. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
15. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
16. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
17. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
18. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
19. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
20. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
21. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
22. Weaver, Welsh, Wooten, Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM:)

24. Mr. President, aye. Hynes, aye. Daley, aye. The result
25. of the vote of the Senate on the question is 40 yeas, and no
26. nays. A majority of the Senators elected concurring by a
27. record vote; the Senate does advise and consent to the Governor's
28. nomination of Edward C. Oakes, to become a member of the Illinois
29. Veterans Commission as outlined on the message of January 14.

30. Senator Ozinga.

31. SENATOR OZINGA:

32. I have one more and that is of Mr. William G. Adrian, Sr.,
33.

1. of Mascoutah, to be a member of the Kaskaskia Regional Port
2. District Board, term expiring On June the 30th, 1976.
3. Now, Mr. President, this member was slated to appear be-
4. fore the committee at least three other times, and special
5. effort was asked to have him present. And it appears that
6. he has consistently refused to face the committee - and on
7. the basis of that and considerations other than that in
8. the hands of a committee a motion was made by the committee
9. that the committee recommend to the Senate that it does not
10. give its approval and consent to this appointment. However,
11. in conformity to the rules of the Senate as are stated -
12. I will be forced to make the motion as Chairman of this com-
13. mittee that the Senate move...that the Senate advise and
14. consent to the nomination of Willim G. Adrian, Sr., Mascoutah
15. to be a member of the Kaskaskia Regional Port District for the
16. term expiring June 30th 1976.

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. You've heard the motion. Senator Rock.

19. SENATOR ROCK:

20. Yes, Mr. President, I will voice the same objection which
21. I voiced in the Senate Executive Committee. This gentleman did not
22. appear before the committee and the action that was taken there
23. apparently will be taken here is premature. I don't know what
24. the facts are underlying this movement to not confirm this
25. gentleman. But the fact of the matter is he did not appear be-
26. fore the committee. And I think that any motion is premature
27. and I intend to vote present.

28. PRESIDING OFFICER (SENATOR GRAHAM:)

29. The motion by Senator Ozinga in conformity with the rules
30. is that the Senate do advise and consent despite the fact that
31. the committee did vote that the Senate did not advise and con-
32. sent and upon the motion of Senator Ozinga, the Secretary will
33. call the roll.

1. SECRETARY:
2. Bartulis...
3. PRESIDING OFFICER (SENATOR GRAHAM:)
4. Senator Buzbee.
5. SENATOR BUZBEE:
6. I rise on a point of personal privilege, Mr. President,
7. as Mr. Adrian is from my district, I was wondering what prec-
8. edent there is for committee's taking a vote without the
9. persons' being - I understand full well the Chairman's con-
10. cern, because Mr. Adrian did not appear for some four or five
11. meetings - but for taking a vote without his having appeared
12. to...testify...
13. PRESIDING OFFICER (SENATOR GRAHAM:)
14. The Chairman may answer that. I think he answered it
15. in Committee.
16. SENATOR HARRIS:
17. Well, Mr. President, I would just observe that for unsalaried
18. positions there have been literally thousands of confirmations.
19. I don't know how many rejections when the invited nominee has
20. failed to respond to the request of the committee - I'd say
21. four times is enough. The Senate does have the precedent of
22. acting on nominations without the presence of nominee. And I
23. think we are clearly within our prerogative to take this action.
24. PRESIDING OFFICER (SENATOR GRAHAM:)
25. Senator Buzbee.
26. SENATOR BUZBEE:
27. Thank you, Mr. President. President Harris, I am simply
28. asking for my own information.
29. PRESIDING OFFICER (SENATOR GRAHAM:)
30. SENATOR OZINGA, I think, ruled this morning that this man
31. had had reasonable opportunity to appear. The Secretary will
32. call the roll.
33.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
3. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
4. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
5. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
6. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
7. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
8. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
10. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
11. Weaver, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR GRAHAM:)

13. Scholl, no. Merritt, no. Mitchler...Netsch, aye.
14. Senator Netsch, aye. The result of this vote is 2 yeas,
15. 21 nays, three voting present. The majority of the Senators
16. elected having refused to give their advise and consent by
17. a record vote - the Senate rejects the Governor's nomination
18. of Wm. G. Adrian, for the office of a member of the Kaskaskia
19. Regional Port District. Senator Ozinga.

20. SENATOR OZINGA:

21. Mr. President, there are others but we have agreed in the
22. committee to withhold the further appointment here, and I would
23. now move that the Senate do now arise.

24. PRESIDING OFFICER (SENATOR GRAHAM:)

25. Senator Ozinga moves that the Executive Session of the
26. Senate do now rise. All in favor will signify by saying aye.
27. Opposed. We have risen. Any further business, Mr. Secretary?
28. Resolutions . Senator Vadalabene.

29. SENATOR VADALABENE:

30. Thank you, Mr. President, I was wondering if I could at
31. this time add my name to Senate Resolution 325. And for the
32. sake of expediency the other Senators are also here would like
33. to have their names added to it. It would be Senator McCarthy,
Senator Netch, Senator Newhouse and Senator Chew.

1. PRESIDING OFFICER (SENATOR GRAHAM:)
2. Our shorthand is not that good - you're asking leave
3. of the Senate to add a list of names to Resolution 325.
4. SENATOR VADALABENE:
5. Senate Resolution 325.
6. PRESIDING OFFICER (SENATOR GRAHAM:)
7. Is leave granted? Leave is granted and you will submit
8. the list of the names in writing to the Secretary so that he
9. may add them to the Resolution. Alright Senator?
10. SENATOR VADALABENE:
11. Very good. Thank you.
12. PRESIDING OFFICER (SENATOR GRAHAM:)
13. Senator Harris. Senator Bill Harris, Mr. President.
14. Senator Buzbee you're holding up the workings of the Senate.
15. Senator Harris. Senator McBroom.
16. SENATOR MCBROOM:
17. Senator Vadalabene explain what the Resolution does,
18. Mr. President?
19. PRESIDING OFFICER (SENATOR GRAHAM:)
20. It's already been introduced and adopted. Senator Harris.
21. SENATOR HARRIS:
22. I yield to my seat-mate - Senator Robert Mitchler.
23. PRESIDING OFFICER (SENATOR GRAHAM:)
24. The Chair can not see Senator Mitchler.
25. SENATOR MITCHLER:
26. Mr. President, on the Secretary's desk is a Resolution -
27. the last one that I will have today....
28. PRESIDING OFFICER (SENATOR GRAHAM:)
29. oh, no....
30. SENATOR MITCHLER:
31. I'd like to have ...would the Secretary please read the
32. Resolution...
33. PRESIDING OFFICER (SENATOR GRAHAM:)

1. How long is it, Senator?

2. SECRETARY:

3. (Reads Senate Resolution 342)

4. PRESIDING OFFICER (SENATOR GRAHAM:)

5. There have been a...Senator Soper...is whirling his in-
6. dex finger at me. Senator.

7. SENATOR SOPER:

8. Now, I go along with some of these things where the Reso-
9. lution has some sense and so forth - but I'd like to know if
10. Senator Mitchler with this nonsense if he is going to pay the
11. bill for the printing and the...involvement as far as the
12. Journal is concerned. We haven't got a lot of money around
13. here to throw around - even though someone did quit smoking.
14. And I know that Senator Graham would like to have Mitchler
15. pay the cost of this thing. Thank you. That's all I've got
16. to say.

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. Senator Mitchler takes the fifth. Thank you very much
19. gentlemen, and since I've learned to do without cigarettes
20. if I can learn to submit to all of the Resolutions introduced
21. by the gentleman from Oswego, I'll have it made around here.
22. There has been a motion for suspension of the rules for the
23. immediate adoption of the Resolution. Leave granted. Leave
24. is granted. All in favor of the adoption signify by saying
25. aye. Opposed. The ayes have it and the Resolution is adopted
26. - almost - Senator Harris.

27. SENATOR HARRIS:

28. Mr. President, Is it correct that we have now completed
29. all the business on the Secretary's desk - with the exception
30. of the Death Resolution?

31. PRESIDING OFFICER (SENATOR GRAHAM:)

32. Yes, I have been so informed by the Secretary, Mr. President.

33. SENATOR HARRIS:

1. All right, Mr. President, then I with the conclusion of
2. these remarks will then move that the Senate recess subject
3. to the call of the Chair. Now, it is appropriate that the
4. members of the Senate be available to receive the message
5. from the House on its action on House Bill 930. We must
6. anticipate that there could be disagreement between the
7. two Houses develop and it would be inappropriate for us
8. to adjourn in order to facilitate any...well not to fac-
9. ilitate any misunderstanding; but in order to eliminate
10. any misunderstanding between the Houses it's important
11. for us as individual members to be in a position to res-
12. pond to the bell and the announcements over our squawk box
13. system that we reconvene some fifteen minutes or so after
14. we know of the action by the House. So with that understand-
15. ing and with that word of caution I now move to recess the
16. Senate subject to the call of the Chair.

17. PRESIDING OFFICER (SENATOR GRAHAM:)

18. The Senate will stand at recess until the call of the
19. Chair.

20. (RECESS)

21. (AFTER RECESS)

22. PRESIDENT:

23. Senator Soper would you approach the bench, please?
24. Pursuant to the recess motion the Senate will come to order.
25. Messages from the House.

26. SECRETARY:

27. (Reads Message from the House)

28. (House concurred with Senate in adoption
29. of their Amendment No. 2 to HB No. 389)

30. (House concurred with the Senate in the adoption
31. of Amendment to House Bill 930)

32. (House has adopted Resolution HJR No. 89)

33. And this Resolution provides to extend the reporting date of the

1. Township Government Laws Commission from February 15 to
2. June 15th.

3. PRESIDENT:

4. The chairman of Local Government is recognized.
5. Senator Soper.

6. SENATOR SOPER:

7. I move that we concur with the House in the extension
8. of the reporting date of the Township...Commission.

9. PRESIDENT:

10. This extends it from February 15 to June 15th. Is
11. there any discussion? All in favor of the House Joint Reso-
12. lution signify by saying aye. Contrary no. The motion
13. carries and the Joint Resolution is adopted. Are there
14. any other matters to come before the Senate? We have four
15. Death Resolutions.

16. SECRETARY:

17. (Senate Resolution 343)

18. PRESIDENT:

19. Mr. Secretary, why don't you read ...the pertinent material
20. of the three others and then Senator Mitchler can put the motion.

21. SECRETARY:

22. (Senate Resolution 344)

23. (Senate Resolution 345)

24. (Senate Resolution 346)

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President...I would move for the suspension of the
29. rules immediate consideration adoption by this Body of these
30. memorial Resolutions.

31. PRESIDENT:

32. On that question - all in favor signify by saying aye,
33. contrary no, the motion carries. The rules are suspended

1. and on Senator Mitchler's motion to adopt all four Death
2. Resolutions, all those who favor of adoption signify by
3. rising. The Resolutions are adopted. The Senate stands
4. adjourned pursuant to our Adjournment Resolution until
5. 11 A. M. Wednesday March 6th 1974. Safe journey every-
6. one.

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