

78TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 18, 1974

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will please be in order. The invocation today
3. will be by the Reverend Father Robert T. Becker, St. Ann
4. Catholic Church, Springfield, Illinois. And we invite our guests
5. in the gallery to join with us in this invocation.

6. REVEREND FATHER BECKER:

7. Thank you, Senator.

8. (Prayer by Reverend Father Becker.)

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Thank you, Father Becker. Reading of the Journal. Sena-
11. tor Soper.

12. SENATOR SOPER:

13. Now, Mr. President, I now move that we postpone the reading
14. and the approval of the journals for June 12th, 13th, and June
15. 17th, pending the arrival of the printed journals.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. You have the motion made by the Senator from Cicero. All in
18. favor will signify by saying Aye. Opposed. The Ayes have it and
19. the motion carries. Messages from the House.

20. SECRETARY:

21. (Secretary reads Message from the House.)

22. Mr. President, I am directed to inform the Senate
23. that the House of Representatives has passed bills of
24. the following titles, and the passage of which I am
25. instructed to ask concurrence of the Senate to wit:
26. House Bills 297, 1833, 1990, 2163, 2196, 2303, 2669,
27. 2731, 2770, 2822, and 2823.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senate Bills, Second Reading. Senator Netsch, are you pre-
30. pared to call Senate Bills on Second Reading, 1357, are you?
31. Senator Rock, 1382. Senator Rock, 1424. Senator Rock.

32. SENATOR ROCK:

33. I wonder, Mr. President, we are attempting at least to work

1. out some agreement on these bills, and I don't see the counter-
2. parts on the Floor. I wonder if we can have leave of the Floor
3. to get back to these later in the day when we have more bodies
4. here?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Most certainly. Senator Donnewald. Senate Bill 1425.
7. Senate Bill 1425 will be read by title a second time.

8. SECRETARY:

9. Senate Bill 1425.

10. (Secretary reads title of bill.)

11. Second reading of the bill. No committee amendments.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Have any amendments from the Floor? Third reading. Senate
14. Bill 1426, Senator Soper. Senator Soper, do you want to move 14
15. ...1426?

16. SECRETARY:

17. 1426.

18. (Secretary reads title of bill.)

19. Second reading of the bill. No committee amendments.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any amendments from the Floor? Third reading. Senate Bill
22. 1459 by Senator Rock.

23. SECRETARY:

24. Senate Bill 1459.

25. (Secretary reads title of bill.)

26. Second reading of the bill. No committee amendments.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any amendments from the Floor?

29. SECRETARY:

30. Amendment No. 1 by Senator Rock.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Just a minute, Mr. Secretary. Ladies and gentlemen, we are
33. in the business of consideration of Floor amendment. I do invite

1. your attention. Senator Rock will explain his amendment.

2. SENATOR ROCK:

3. Than...Thank you, Mr. President. Amendment No. 1 to Senate
4. Bill 1459 is an amendment which was offered by the Office of the
5. Attorney General. The Attorney General testified a representa-
6. tive his...of his office testified before the Executive Commit-
7. tee. That he had some misgivings about a certain section of
8. this bill, he has in the past couple of days provided us with an
9. amendment which he asked that we place on it. I would move its
10. adoption, what it does is that...it will exempt the Capital Bond
11. Board from...from the act only in cases when they are making a
12. public improvements on behalf of units of local government,
13. school districts, or bodies cooperate in politics. Thus, the
14. amendment will require the Board to continue to obtain title to
15. land on which public improvements are made by State agencies and
16. to continue to obtain the related title opinions from the Office
17. of the Attorney General. I would move adoption of Amendment No. 1.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any further discussion? The question before the Senate is
20. shall we adopt Amendment No. 1 to Senate Bill 1459. All in fa-
21. vor will signify by saying Aye. Opposed. The Ayes have it, the
22. amendment is adopted. Any further amendments? Third reading.
23. Senator Netsch. Ladies and gentlemen, in about 13...12 more days
24. it'll be June 30th. You're not helping. I would like to...Sena-
25. tor Netsch, before we do what I thought we were going to do before
26. you arrived. Do you have any bills on second reading yet? 1500?
27. Senator Netsch has indicated that she wants Senate Bill 1500 read
28. a second time.

29. SECRETARY:

30. Senate Bill 1500.

31. (Secretary reads title of bill.)

32. Second reading of the bill. The Committee on Public Health, Wel-
33. fare and Corrections offers Amendment No. 1.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Netsch moves the adoption of Committee Amendment No.
3. 1 to Senate Bill 1500. Any discussion? The motion is shall the
4. Senate adopt Amendment No. 1 to Senate Bill 1500. All in favor
5. will signify by saying Aye. Opposed. The Ayes have it and the
6. amendment is adopted. Any further amendments from the Floor?
7. Third reading. I think, perhaps we may have to revert back to
8. Senate Bills on Second Reading later, in order to keep our Senate
9. moving. I would admonish the membership now that most of you
10. aren't listening...but you will be when we go over your bills,
11. because we don't intend to come back. Ladies and gentlemen,
12. we're going to the order of House Bills on First Reading and this
13. should invite your attention, because I think some of you are
14. Senate sponsors of these bills. So, get your calendars turned to
15. House Bills, First Reading; and let's be with it. House Bills,
16. First Reading. Senator Rock. OK. As most of you know, those
17. who aren't listening...Gentlemen, how would you like to adjourn
18. till 7 o'clock this evening? Please be in your seats and let's
19. get on with the business. If you have not indicated...Perhaps
20. this may get your attention: The Joint Leadership will be al-
21. lowed to take some still pictures of the Senate in action. The
22. ...and movies, no sound. The type of action I have been trying
23. to get is not what we would really desire, but be informed that
24. the news services are taking movies and still pictures for a
25. short period of time. Now, ladies and gentlemen of the Senate, I
26. would urgently request that those of you...I wish I could have
27. your attention for about one minute. Those of you who have not
28. indicated the desire to be a sponsor of a House Bill, First Read-
29. ing, if you would please do so at this time, it would be helpful
30. rather than wait till the time that we're on Senate Bills on Third.
31. Senator Walker, for what purpose do arise; do you think you could
32. help me?

33. SENATOR WALKER:

1. Thanks, Mr. President. I don't know whether I can help you
2. or not. I'll try to. House Bills on First Reading, 2147. I'm
3. the House sponsor, and I would like to ask if I'm in order at
4. this time unless you're taking them in numerical order for unani-
5. mous consent to have the bill advanced without reference to a com-
6. mittee.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. We're going to take them in order and your motion, I'm sure,
9. to have the Committee on Rules discharged, will meet with some
10. resistance at the time you desire to make it.

11. SENATOR WALKER:

12. I realize that, but it will be taken in numerical order, Mr.
13. President. Right?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. That's what we hope to do.

16. SENATOR WALKER:

17. Thank you.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Do we have leave of the Body now that the Chair, following
20. our custom of the last few days, will make the decision after
21. deliberation with the leadership as to what committee sees bills
22. on First Reading, or assigned. Is leave granted? House Bill
23. 2609, do we have a sponsor? 2009, I'm sorry. 2089, do we have
24. a sponsor? Senate Bill...House Bill 200...2089, for what purpose
25. do arise, Senator? Senator Mudelman, all right. Thank you.

26. ACTING SECRETARY (MR. WRIGHT):

27. House Bill 2089.

28. (Acting Secretary reads title of bill.)

29. First reading of the bill.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Rules Committee. 2090.

32. ACTING SECRETARY (MR. WRIGHT):

33. House Bill 2090, by Senator Mudelman.

1. (Acting Secretary reads title of bill.)
2. First reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Rules Committee. 2106. I'm sorry.
5. ACTING SECRETARY (MR. WRIGHT):
6. House...House Bill 2009, Senator Hickey.
7. (Acting Secretary reads title of bill.)
8. First reading of the bill.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Rules Committee. Now...
11. ACTING SECRETARY (MR. WRIGHT):
12. House Bill 2106, Senator Harber Hall.
13. (Acting Secretary reads title of bill.)
14. First reading of the bill.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Rules Committee.
17. ACTING SECRETARY (MR. WRIGHT):
18. House Bill 2107, Senator Howard Mohr.
19. (Acting Secretary reads title of bill.)
20. First reading of the bill.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. Rules...
23. ACTING SECRETARY (MR. WRIGHT):
24. No sponsor for 2146.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. I heard we had a sponsor for 2147. Read the bill.
27. ACTING SECRETARY (MR. WRIGHT):
28. House Bill 2147, Senator Walker.
29. (Acting Secretary reads title of bill.)
30. First reading of the bill.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Rules Committee. Senator Walker.
33. SENATOR WALKER:

1. Thank you, Mr. President. I realize that we've been doing
2. our work here in the Senate while they've been rather dilatory
3. in the House. But I have a small bill here; I think it should
4. be in...in black type because it's really an appropriation bill
5. ...it...this bill extends a 20% reduction in the Mobile Home Tax
6. on disabled persons and gives them the same exemptions as Senior
7. Citizens. It came out of the House 103 to nothing. There were
8. no dissenting votes. I haven't discussed it with the leadership
9. on either side, but with just the thought in mind and saving our-
10. selves sometime over here, I would like to move at this time that
11. the...it be discharged from the Rules Committee and advanced to
12. the order of second reading without reference. Thank you.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Well, Senator Walker, there will be more objections than
15. one to this. I would prefer that you would not press your mo-
16. tion. That we would follow the pattern that we have used, send
17. this to Rules Committee. We're going to meet today; it will go
18. to the Committee on Assignment of Bills and if you want to make
19. a motion at that time, I would rather that a motion...motion
20. would come for the discharge of the Committee on Assignment of
21. Bills. I will resist your motion at this point in time. Rules
22. Committee.

23. SECRETARY:

24. ...2146, Senator Dougherty.

25. (Secretary reads title of bill.)

26. First reading of the bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Rules Committee.

29. SECRETARY:

30. House Bill 2220, Senator Glass.

31. (Secretary reads title of bill.)

32. First reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Rules.
2. SECRETARY:
3. House Bill 2268.
4. (Secretary reads title of bill.)
5. First reading of the bill.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. I'm the sponsor of that bill. Rules Committee.
8. SECRETARY:
9. House Bill 2350. Senator Rock.
10. (Secretary reads title of bill.)
11. First reading of the bill.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Appropriations.
14. SECRETARY:
15. House Bill 2368. Senator Bartulis.
16. (Secretary reads title of bill.)
17. First reading of the bill.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Rules.
20. SECRETARY:
21. House Bill 2369. Senator Course.
22. (Secretary reads title of bill.)
23. First reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Rules.
26. SECRETARY:
27. House Bill 2391, Senator Schaffer.
28. (Secretary reads title of bill.)
29. First reading of the bill.
30. House Bill 2402, Senator Bruce.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. That goes to Rules.
33. SECRETARY:

1. House Bill 2402, Senator Bruce.
2. (Secretary reads title of bill.)
3. First reading of the bill.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Appropriations.
6. SECRETARY:
7. House Bill 2428, Senator Schaffer.
8. (Secretary reads title of bill.)
9. First reading of the bill.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Rules.
12. SECRETARY:
13. House Bill 2477, Senator Vadalabene.
14. (Secretary reads title of bill.)
15. First reading of the bill.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Rules. We do not have a Senate sponsor for House Bill 2500.
18. Have some of you Senators forgotten your...no, Senator Mitchler..
19. .let's go on.
20. SECRETARY:
21. House Bill 2546. Senator Latherow.
22. (Secretary reads title of bill.)
23. First reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Rules.
26. SECRETARY:
27. House Bill 2500, Senator Mitchler.
28. (Secretary reads title of bill.)
29. First reading of the bill.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Rules.
32. SECRETARY:
33. House Bill 2561. Senator Graham.

1. (Secretary reads title of bill.)
2. First reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Rules.
5. SECRETARY:
6. House Bill 2562. Senator Graham.
7. (Secretary reads title of bill.)
8. First reading of the bill.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Rules. Just a minute...just a minute...once again, ladies
11. and gentlemen, you make our job absolutely unbearable. Will
12. you please be in your seats and be in order and will the Sergeant
13. at Arms invoke Rule No. 2. And, will our visitors please not
14. contribute to any more confusion. Please. Will the Senators
15. please be in their seats. Senator Walker.
16. SENATOR WALKER:
17. Thank you, Mr. President. I have about three conferences
18. going on over here. One here, one down there, three over here,
19. four over here and one behind me. It makes it a little difficult
20. to hear, and Senator Roe and I; Senator Bartulis, Senator Schaffer
21. like to know what's going on.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. I agree, and will the conferences please break up. Senator
24. Kenny Course has the same problem as you, Senator Walker. I'm
25. surprised that you can really keep up with the proceedings with
26. all that noise. Will you please...please.
27. SENATOR WALKER:
28. Mr. President, I still have one over here to my left, and I
29. see Scholl is picked up down there in the front. My seat mate is
30. now back. Get another one going on over here to the left, Sena-
31. tors Clarke and Regner.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Will the Senators please be in their seats. Please, will

1. we have some order. Sergeant at Arms, will you remove the fellows
2. that are causing the disturbance?. Continue.
3. SECRETARY:
4. House Bill 2573, Senator McBroom.
5. (Secretary reads title of bill.)
6. First reading of the bill.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Rules. Which one'd you read? Appropriation.
9. SECRETARY:
10. House Bill 2588, Senator Rock.
11. (Secretary reads title of bill.)
12. First reading of the bill.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Rules.
15. SECRETARY:
16. House Bill 2629, Senator Nimrod.
17. (Secretary reads title of bill.)
18. First reading of the bill.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Rules.
21. SECRETARY:
22. House Bill 2667, Senator McBroom.
23. (Secretary reads title of bill.)
24. First reading of the bill.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Rules Committee.
27. SECRETARY:
28. House Bill 2668, Senator Nimrod.
29. (Secretary reads title of bill.)
30. First reading of the bill.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Rules.
33. SECRETARY:

1. House Bill 2671, Senator Nimrod.
2. (Secretary reads title of bill.)
3. First reading of the bill.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Rules.
6. SECRETARY:
7. 2676, Senator Shapiro.
8. (Secretary reads title of bill.)
9. First reading of the bill.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. There...rules for the last bill. 2691 is in need of a
12. sponsor. House Bill 2691. Proceed.
13. SECRETARY:
14. House Bill 2741, Senator Shapiro.
15. (Secretary reads title of bill.)
16. First reading of the bill.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Rules. We have no Senate sponsors for 2743 or 2744. Any-
19. one interested? Proceed.
20. SECRETARY:
21. House Bill 2752, Senator Swinarski.
22. (Secretary reads title of bill.)
23. First reading of the bill.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Rules.
26. SECRETARY:
27. House Bill 2769, Senator Hynes.
28. (Secretary reads title of bill.)
29. First reading of the bill.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Rules.
32. SECRETARY:
33. House Bill 2772, Senator Weaver.

1. (Secretary reads title of bill.)
2. First reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Rules.
5. SECRETARY:
6. House Bill 2773, Senator Weaver.
7. (Secretary reads title of bill.)
8. First reading of the bill.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. We have no sponsor for 2785 or 2773. Rules. Continue.
11. SECRETARY:
12. House Bill 2792. Senators Hynes and Schaffer.
13. (Secretary reads title of bill.)
14. First reading of the bill.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Rules Committee.
17. SECRETARY:
18. House Bill 2833, Senator Partee.
19. (Secretary reads title of bill.)
20. First reading of the bill.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. Rules Committee. House Bills, Second Reading. Senator
23. Shapiro, are you prepared? House Bill 2298 will be read by
24. title a second time. It has been read and held. Oh, yes,
25. that's right. It was read yesterday. House Bill 2298 now up
26. for consideration. Amendments numbered 1 and 2 was adopted yes-
27. terday. Number 3 was lost. We held it on second reading and
28. the Senate sponsor now has an amendment to offer for the Senate
29. consideration.
30. SECRETARY:
31. Amendment No. 4, Senator Shapiro.
32. SENATOR SHAPIRO:
33. Mr. President and ladies and gentlemen of the Senate. This

1. is a new amendment that I am offering to House Bill 2298. It is
2. in an amount of \$100 less than what was proposed yesterday and
3. calls for a cost of living increase for academic and nonacadem-
4. ic personnel with...throughout the Regency System. The reason
5. for this is that our university employees have fallen behind our
6. State employees in that you...within their proposed 5% pay raise,
7. there is included their step plan. This amendment merely adds 3%
8. of the personal services base and I would request a favorable roll
9. call.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. You've heard the explanation of the Senator from Amboy.
12. Any further discussion? All in favor of the adoption of
13. Amendment No. 4 will signify by saying Aye. Opposed. The Ayes
14. have it, the amendment is adopted. Senator Rock, for what pur-
15. pose do you arise?

16. SENATOR ROCK:

17. For the purpose, Mr. President, of requesting a roll call.
18. It seems to me this is the amendment we beat yesterday, is it
19. not?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. No, it is not, Senator. It has a significant of enough
22. change in the amendment to make it a different amendment, so you
23. are requesting a roll call, and I did ask for discussion and no
24. one responded. There's been a request for roll call in the
25. adoption of Amendment No. 4 to House Bill 2298. Those in favor
26. of the adoption of the amendment will vote Aye. Those opposed
27. will vote Nay. This will be the first time for the voting device.
28. I'm suggesting we check our keys, that's why I'm waiting. The
29. question before the Senate now is, shall we adopt Amendment No.
30. 4 to Senate Bill 20...House Bill 2298. Those in favor of Sena-
31. tor Shapiro's amendment will vote Aye. Those opposed will vote
32. Nay. The voting is open. Have all voted who wish? Have all voted
33. who wish? Take the record. On that question the Yeas were 29,

1. the Nays were 25. Amendment No. 4 is adopted. Any further
2. amendments? Third reading. House Bill 2353. 2346, I couldn't
3. see you, Senator, I...I looked for you and I couldn't see you.

4. SECRETARY:

5. 2346:

6. (Secretary reads title of bill.)

7. Second reading of the bill. The Committee on Appropriations of-
8. fers amendments No. 1 and 2.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Vadalabene, do you move the adoption of either or
11. both...take this out of the record. We have the wrong one.

12. SECRETARY:

13. House Bill 2357.

14. (Secretary reads title of bill.)

15. Second reading of the bill. The Committee on Appropriations of-
16. fers amendments numbered 1 and 2.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Once again, may we have your attention, Senator Vadalabene.

19. SENATOR VADALABENE:

20. I...I move for the...the...the adoption of the amendments
21. and then I have Amendment No. 3 to offer to that bill.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. You move the adoption of Amendment No. 1 to House Bill 2357.

24. Any discussion? All in favor of the adoption signify by saying

25. Aye. Opposed. The Ayes have it and the amendment is adopted.

26. Senator Vadalabene now addresses himself to Amendment No. 2.

27. SENATOR VADALABENE:

28. I move for the Committee Amendment No. 2.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Vadalabene moves the adoption of Committee Amend-

31. ment No. 2 to House Bill 2357. All in favor will signify by say-

32. ing Aye. Opposed. The Ayes have it and the amendment is adopted.

33. SECRETARY:

1. Amendment No. 3 by Senators Vadalabene and Buzbee.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Yes, this is the identical amendment for the University of
6. Illinois and for the amendment just adopted by Senator Shapiro
7. which increases the personal services appropriation in the
8. amount sufficient to meet new minimum wage requirements. We've
9. had quite a bit of discussion on it these past two days, so, I
10. would appreciate a favorable vote.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator McBroom.

13. SENATOR MCBROOM:

14. Senator Vadalabene, how...how much money is involved here,
15. Sir?

16. SENATOR VADALABENE:

17. 2,176,500 dollars additional.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Shapiro, did you wish to be recognized? Senator Sha-
20. piro.

21. SENATOR SHAPIRO:

22. Mr. President and ladies and gentlemen of the Senate. Out
23. of my deep respect for Senator Vadalabene, I'm urging my col-
24. leagues on this side of the aisle to support this amendment.
25. It's similar to the one I had. He supported mine. Senator Buz-
26. bee did not, but I still ask the members on my side to support
27. this amendment to the SIU appropriation.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The question before the Senate is shall we adopt Amendment
30. No. 3 to House Bill 2357. Senator Nimrod.

31. SENATOR NIMROD:

32. Mr. President, I'm going to support this, because I did
33. support the one of University of Illinois and I also voted for

1. Senator Shapiro's, but I think there's one thing that ought to
2. be clear and I would hope the sponsor of these bills would let
3. these institutions know that this money is intended for those
4. non-academic personnel, so that they can be put on to a step in-
5. crease. And, that they should not use those funds, there'd be
6. no chance to take those funds and break it down to take care of
7. only the non-academic personnel. There is an injustice that is
8. being done here to them and I would hope that this money that
9. we're making available to them will be used for those non-academic
10. personnel and we would let the personnel in the institution uni-
11. versities know about this.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Any further discussion? Senator Buzbee.

14. SENATOR BUZBEE:

15. Yes, Mr. President, I would address this to Senator Shapiro.
16. Senator, as you recall, yesterday I did support your amendment;
17. had every intention to today. Unfortunately I was called down
18. to testify before a sub-committee on a piece of legislation and
19. I don't even know what the outcome of your bill was, but had I
20. been here I would have voted for it. I did not know it was
21. called and I voted for it yesterday and had every intention of
22. voting for it today.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Harber Hall.

25. SENATOR HALL:

26. Would the sponsor yield for a question?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. He indicates that he will yield. Senator Vadalabene.

29. SENATOR HALL:

30. Originally, Senator Vadalabene, you introduced this and
31. it was somewhat higher than the other two systems. Has that
32. been adjusted to equal theirs?

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Vadalabene.
2. SENATOR VADALABENE:
3. Yes, it's been adjusted.
4. SENATOR HALL:
5. Then I would support it.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Question before the Senate is shall Amendment No. 3 to
8. House Bill 2357 be adopted and there has been a request for
9. a roll call. Those voting in favor of the adoption will
10. vote Aye. Those opposed will vote Nay. The voting is open.
11. Have all voted who wish? Take the record. On this question
12. the Yeas were 30, the Nays were 24, and the amendment is
13. adopted. Any further amendments? Any amendments from the
14. Floor? Third reading. 2415, Senator Hynes. Senator
15. Dougherty, did you want to call 2353? Senator Dougherty.
16. SENATOR DOUGHERTY:
17. Senate Bill or House Bill 2353 is the appropriation
18. bills for the Department of Naval and Military Affairs and
19. the Civil Defense Agency.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. You do want to call the bill?
22. SENATOR DOUGHERTY:
23. I do want to call the bill...
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Be read by title a second time.
26. SECRETARY:
27. House Bill 2353.
28. (Secretary reads title of bill.)
29. Second reading of the bill. The Committee on Appropriations
30. offers six amendments.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. We'll deal with amendments one at a time. Clear the board.
33. And Senator Dougherty will address himself to Amendment No. 1.

1. SENATOR DOUGHERTY:

2. Amendment No. 1, I believe, is the Weaver amendment, is it
3. not? I move it be adopted.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any discussion? All in favor of the adoption of Amendment
6. No. 1 will signify by saying Aye. Opposed. The Ayes have it,
7. the amendment's adopted. Now Amendment No. 2.

8. SENATOR DOUGHERTY:

9. Amendment No. 2 is offered by Senator Harber Hall and it
10. provides that a Training Officer envisioned with this appropria-
11. tion, the Training Officer...who is...suggested that he communi-
12. cate Civil Defense Program to the various community colleges. The
13. appropriation was something like 27,000,000 dollars, amendment
14. was offered striking that appropriation, and I would resist
15. the amendment.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Does Harber Hall move the adoption of Amendment No. 2?
18. Any discussion? All in favor of the adoption of Amendment No.
19. 2 will signify by saying Aye. Opposed. The Ayes have it, the
20. amendment is adopted. Amendment No. 3, Senator Dougherty.

21. SENATOR DOUGHERTY:

22. Amendment No. 3 provides...it eliminates the sum of 300,000
23. dollars that was put on in an amendment in the House that pro-
24. vides for a program of assisting in repairing the damage that
25. has been done by mine subsidence. There's an area downstate,
26. and indeed the entire City of Springfield may be subject to this
27. at some time, or any municipality, any city where mines in the
28. past have been operated underneath the...the area within the
29. city and there subject to collapse of the...the...the...subject
30. to collapse of the bracing that has been put up there to prevent
31. them to engage in shaft mining. Now there are one or two areas
32. in the State where this subsidence has occurred. I would resist
33. this 300,000 dollar cut, for the reason we may as well take

1. recognition of the fact that we're going to have to live with
2. this subject from now on. In England, in Wales, and in Scot-
3. land, they're spending tremendous amounts of money to alleviate
4. the situation and we, in Illinois, may have to live with it in
5. the near future.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Gene Johns.

8. SENATOR JOHNS:

9. Mr. President, members of the Senate. I implore you to
10. give us a chance by restoring this...this cut. I happen to have
11. a dis...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Please, can we break up our caucuses, please? Senator
14. Johns is a very attentive Senator and he deserves your attention.

15. SENATOR JOHNS:

16. Thank you, Mr. President. The 300,000 dollars that we're
17. talking about is on one particular school, or portion of it, at
18. Johnston City, Illinois. As you know I come from the heart of
19. the coal country and we're going to see quite a bit of this.
20. All of this mining has taken place and stripped a great deal
21. from underneath the earth and we're having what we call subsidence.
22. The district has already personally obligated itself and spent
23. better than 100,000 dollars. They're at their wits end as to
24. how to restore the facilities for these young people to go to
25. school, and I'm begging you to give serious consideration to the
26. restoration of this amount of money into this bill. I thank you,
27. Mr. President, for those kind words.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator McBroom.

30. SENATOR MCBROOM:

31. Yes, thank you, Mr. President and members of the Senate.
32. I...I have to resist the...the suggestions of Senator Johns and
33. Senator Dougherty and ask that this amendment, put on by the

1. Appropriations Committee, be sustained. We're getting into an
2. entirely new field here, Mr. President...Mr. President. When
3. we talk about sinking mines, we can talk about bridges...sink-
4. ing bridges and sinking highways. There are legal problems in-
5. volved and we're...we're getting into a whole new field and I
6. ...I don't recall if...if...if Senator, what...what my motion
7. should be, Mr. President, because I...it's been so noisy here
8. that I only heard half of what Senator Dougherty said and I don't
9. know, Mr. President, if he made a motion, but I will have to re-
10. sist the remarks that he made, Mr. President.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. There...there has been...

13. SENATOR MCBROOM:

14. Move the adoption of the amendment, Mr. President, if that
15. motion is in order.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. That motion is in order. Any further discussion? There is
18. a motion before the Senate. Senator Dougherty.

19. SENATOR DOUGHERTY:

20. ...members on the other side of the aisle, to the Breese,
21. Illinois, we have had an experience very recently where it has
22. been subsidence of 3 and 1/2 feet and in the area of Collins-
23. ville it has been greater than that. Up to 4 or 5 feet. Belle-
24. ville also has had this problem. It's something we're going to
25. have to take a look at. This is a small sum of money in order
26. to make a study and try to do what damage...repair what damage
27. has been done. I would ask my colleagues on this side of the
28. aisle to resist it and would ask for a roll call.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. The question before the Senate is shall Amendment No. 3 to
31. House Bill 2353 be adopted. Those in favor of the adoption
32. will vote Aye. Those opposed will vote Nay. There has been a
33. request for a roll call. The voting is open. Have all voted

1. who wish? Have all voted who wish? Take the record. On that
2. roll call, the Yeas were 30, the Nays were 27, and the amend-
3. ment is adopted. Any further amendments? Senator Dougherty.
4. SENATOR DOUGHERTY:
5. I believe Amendment No. 4 has to do with the retirement pay.
6. Is that right, Senator McBroom?
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. He says...answers you in the affirmative. You now move
9. the adoption of Amendment No. 4, Senator?
10. SENATOR DOUGHERTY:
11. I shall move. Yes.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. All in favor of the adoption of Amendment No. 4 to House
14. Bill 2353, indicate by saying Aye. Opposed. The Ayes have it
15. and the amendment is adopted. Further amendments?
16. SECRETARY:
17. Amendment No. 5.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator Dougherty.
20. SENATOR DOUGHERTY:
21. I believe that this amendment is going to be Tabled at
22. this time.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Senator McBroom.
25. SENATOR MCBROOM:
26. Yes, if that is Senator Dougherty's motion, I...I certain-
27. ly support him. This...this amendment had to do with the elim-
28. ination of fifteen watchmen; by Tabling the amendment, these
29. watchmen are restored. Is that your understanding, Senator
30. Dougherty? And, I support his motion to Table.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Senator Dougherty moves that Amendment No. 5 to Senate...
33. House Bill 2353 now be Tabled. All in favor of the motion

1. signify by saying Aye. Opposed. The Ayes have it and the amend-
2. ment is Tabled. Any further amendments?

3. SECRETARY:

4. Amendment No. 6.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Dougherty.

7. SENATOR DOUGHERTY:

8. I'm afraid that I cannot recall precisely what is contained
9. in Amendment No. 6.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator McBroom.

12. SENATOR MCBROOM:

13. Yes, I believe Senator Dougherty is moving to Table Amend-
14. ment No. 6 and I support this, also. It has to do with permanent
15. improvements. The amendment would have reduced it by approxi-
16. mately 160,000 and I would support his...his motion to Table
17. and then we have amendment No. 7 that relates to the same sub-
18. ject matter, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The motion before the Senate, by the gentlemen from Chicago,
21. is that Senate...that amendment No. 6 to House Bill 2353 be Tab-
22. led. All in favor signify by saying Aye. Opposed. The Ayes
23. have it and the amendment is Tabled.

24. SECRETARY:

25. Amendment No. 7 by Senator McBroom.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. This relates to the same subject matter, Mr. President, and
28. adds approx...adds 318,000 dollars to the bill, Mr. President,
29. for permanent improvements. I move the adoption of Amendment
30. No. 7.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Any discussion? The question before the Senate is shall
33. Amendment No. 7 to House Bill 2353 be adopted. All in favor
signify by saying Aye. Opposed. The Ayes have it and the amend-

1. ment is adopted. Third reading. Senate Bill 2415, Senator Hynes.
2. Senate Bill 2426, Senator Hickey. Senate...House Bill, I'm sorry,
3. House Bill 2426. We're holding it, thank you. House Bill 2802,
4. Senator Tom Hynes. I'm not plugged in to you. I can't hear you.
5. Hold it...move it.
6. SECRETARY:
7. House Bill 2802.
8. (Secretary reads title of bill.)
9. Second reading of the bill. No committee amendments.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Any amendments from the Floor? Third reading. 2786. I'm
12. sorry, Senator Glass.
13. SECRETARY:
14. House Bill 2786.
15. (Secretary reads title of bill.)
16. Second reading of the bill. No committee amendments.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Any amendments from the Floor? Third reading. We will now
19. proceed to the order of Senate Bills, Third Reading.
20. PRESIDING OFFICER (SENATOR MOHR):
21. First bill...Senate Bills on Third Reading will be Senate
22. Bill 1326, Senator Regner.
23. SECRETARY:
24. Senate Bill 1326.
25. (Secretary reads title of bill.)
26. Third reading of the bill.
27. PRESIDING OFFICER (SENATOR MOHR):
28. Senator Regner.
29. SENATOR REGNER:
30. Mr. President and members of the Senate. There's been a lot
31. of controversy and discussion over RTA. We know what the vote was.
32. In the outlying counties and in the suburban area and as some peo-
33. ple would describe this, it's a merely bill. It's merely allowing
people that don't want to have anything to do with the RTA to opt

1. out. It allows whole counties or portions thereof, which is exact-
2. ly the same word that is contained in Section 13 or 306 of the ori-
3. ginal RTA bill, as far as opting in, so it's the same wordage for
4. opting out and I'd urge a favorable vote.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Partee.

7. SENATOR PARTEE:

8. I'm sure he didn't expect me to say anything on this because
9. I think he knows that this subject has been cogitated and...and
10. discussed and regurgitated everything else for a long, long time
11. around here. And, we have passed a Regional Transportational Au-
12. thority Bill. There have been some reasonable amendments brought
13. in during this session of the Legislature, which, I think, might
14. well have been advised to have waited till January, but we re-
15. sponded to them and responded affirmatively, because they...we
16. thought were a beneficial and salutary nature. This one is just
17. like going for the jugular vein of the entire operation. The mat-
18. ter is now in the courts, and I think we ought to let it be de-
19. cided there. Without going into any fitful discussion about the
20. wrongness of this motion, I am simply going to say that we would
21. certainly hope that those who believe in public transportation would
22. certainly refrain from this particular bill so that we can get on
23. with the business.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Bell.

26. SENATOR BELL:

27. Mr. President, Senator Partee, Senator Regner, I hesitate in
28. speaking about this. My...I think my opinions are well known. I
29. ...we have an opportunity now to go along with that very judicious
30. decision, coming out of Lake County last week, and I would hope that
31. this Body of the General Assembly would address itself judicious de-
32. cision and allow the collar counties...and allow the collar counties
33. do that which they want to do and I would encourage all members of
the Senate to vote Aye on this bill. Thank you.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Schaffer.

3. SENATOR SCHAFFER:

4. Well, I said a great deal about the RTA in the Fall. I
5. suspect that some of my colleagues, particularly some of my col-
6. leagues on the other side of the aisle, thought perhaps I was
7. exaggerating the sentiment in my area. And, perhaps I hadn't
8. correctly gauged the sentiment because when the smoke cleared on
9. the 19th, the three or four to one majority against the RTA that I
10. expected turned out to be ten, eleven, twelve to one majority a-
11. gainst. In fact, between Representative Hanahan, who happens to
12. be a member of the Democratic Party, and myself, of the same 2500
13. people in McHenry County who voted for RTA, we feel we can cor-
14. rectly identify eighteen hundred of them. The feeling was that
15. universal. Senator Partee, I was wondering if you'd yield for a
16. question? Senator, the...the feeling in my area is...is so strong,
17. it's hard to exaggerate how strong the people in McHenry and Kane,
18. at least the section of Kane that I represent, and I suspect most
19. of Kane, feel on this issue. I wonder, is there not any procedure
20. or formula or percentage by referendum that you would be prepared
21. to accept to allow the people of McHenry and Kane out of the RTA?

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Partee.

24. SENATOR PARTEE:

25. Talking about people in various parts of a State who take a
26. different position from the other people within the same geograph-
27. ical area. There is something called a Constitution. There is
28. something called a majority rule. For many, many years whenever
29. I was interested in any proposition on one side or the other, I
30. abided the majority decision. I could have walked along sore-
31. headed and frustrated for years being opposed to the majority
32. decision. A majority decision has been held. Whether we're go-
33. ing to have a chaotic situation where anytime I am a member

1. of the minority, I have to disagree with the majority. If that
2. is the kind of government you want, then you're going to have a
3. government of chaos. This is a majority decision, and although
4. a particular area voted overwhelmingly against it, there is such
5. a thing, Senator, as accepting and acceding to the majority opin-
6. ion. This was a six county area and in that six county area a
7. majority have decreed that a certain thing should be done. I
8. know that you are still picayunish about it. I note by the
9. papers, a bill was introduced yesterday with 6 co-signers to abo-
10. lish the whole concept. I think, maybe, the time will come when
11. you will get on to some other things, some other problems, some
12. other responsibilities which are yours, and let's get this one
13. behind us. I think certainly that any kind of percentage refer-
14. endum based on a particular area is inimicable...inimical to the
15. Democratic process and concept. I happen to like this country.
16. I happen to like the system of government under which we are go-
17. verned. And, as long as that system prevails, I think you and
18. I would be best advised to observe by that system and all of its
19. nuances when it hurts and when it helps.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Schaffer.

22. SENATOR SCHAFFER:

23. Well, you didn't answer my question, but I'm going to re-
24. phrase the question, perhaps in a simpler form. One thing I
25. would like to point out, Senator, that the people of McHenry
26. and Kane County never in any way, shape or form asked to be in-
27. cluded in the six county area. No county board passed the reso-
28. lution, no village council met and recommended that we be in-
29. cluded, no citizens groups or ecology groups or even the League
30. of Women Voters ever asked that McHenry County and Kane be in-
31. cluded in the six county area. We were arbitrarily placed in that
32. referendum simply because somewhere in approximately 1958 a
33. graduate student, working on his Ph.D. thesis for Nipsey thought

1. that it would be convenient to have McHenry County in there be-
2. cause some day that population growth would reach out. But,
3. more specifically, this particular bill provides for referendum
4. by a majority and it is obviously unacceptable. My question,
5. Senator Partee, is would you accept 2/3rds if...2/3rds of the
6. people voting in the, say November election, were to vote to get
7. out. Would that be acceptable? And, if 2/3rds is not accepta-
8. ble, how about 80 percent? And, if 80% isn't acceptable, how
9. about 90 percent?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Partee.

12. SENATOR PARTEE:

13. I've just been checking the Senator Journal, Senator, and
14. I find that you voted against the bill. Is that right?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. I'd like to...yes, to my everlasting glory.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Partee.

21. SENATOR PARTEE:

22. Well, I'm not as futuristic in my ability to determine as
23. you are and I'm not sure that it will be to your everlasting
24. glory, but so be it. I would suggest to you that the percentage
25. formula for determining what portion of an area shall be in ac-
26. cord with something would create all kinds of problems. One
27. area would want 80%, another would want 75, another would want
28. 50, and we'd find ourselves in a mell of a hess. You just can't
29. do it that way. It has to be a particular area and by a major-
30. ity of the vote. It's just simple as that.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Schaffer.

33. SENATOR SCHAFFER:

1. Then the sixty-six percent, two-thirds vote is not accept-
2. able. Or eighty or ninety. There is...there is no way out.
3. No way out at all as far as the gentlemen and ladies on the
4. other side of the aisle are concerned. Well, I think that this
5. is a...an arbitrary and capricious thing. What you're basically
6. saying is that if China and the U.S. decided to have a referendum,
7. we'd have to go with a majority vote even though we didn't ask
8. to be included in the referendum. Fortunately, world government
9. hasn't got the power yet to inflict that upon us but it's an
10. interesting precedent. We did not ask to be part of the RTA.
11. All we ask now is for a chance to vote our way out. And, Senator
12. Partee, while you're checking the voting record, my voting record,
13. I think if you'll discover that I voted for HB 89 and that I have
14. consistently supported mass transit and I shall continue to
15. support mass transit. But, I do not believe that McHenry County
16. ...if you can come up to Hebron and Marengo and Harvard and
17. Woodstock and show me what the RTA is going to do for those
18. areas. I submit to you that this Legislative Body had it had
19. the time to deliberate and had there been any real thought given
20. would have at least let the rural townships in the outer counties
21. go at least temporarily. But, to inflict this taxation and this
22. new taxing body on areas that cannot conceivably use it for a
23. generation is the type of thing that is absolutely destroying
24. government's credibility in this country. I hope that there will
25. be thirty votes on this bill. I doubt it. I know the other side
26. is locked in totally. And again, I would like to repeat to my
27. friends from downstate on the other side, you are creating the
28. monster to destroy your area of the state. You are creating a
29. seventy percent majority that will leave those of you from
30. southern Illinois in a backwash. And, I think you know exactly
31. who I'm talking about because gentlemen when we come down here
32. for that extra three hundred million dollars next year, it's
33. coming out of Carbondale and Rockford and Marion.

1. PRESIDING OFFICER (SENATOR MOHR):

2. The Senator will conclude. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and Members of the Senate...

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Chew, I will...just...just suggest...no, we want
7. you around. I just suggest that all of the time that you take
8. to interrupt will be added to his speech. Now, let's...let's give
9. him his time. Senator Mitchler.

10. SENATOR MITCHLER:

11. Mr. President and Members of the Senate, for the record I
12. would like to have read in the following statistics. On March
13. 19th, 1974, the question was put to the people of the six county
14. area in northeastern Illinois composed of Cook, DuPage, Kane,
15. Lake, McHenry and Will Counties the following proposition. Shall
16. a regional transportation authority be created for Cook, DuPage,
17. Kane, Lake, McHenry and Will Counties, Illinois. And the results
18. of that referendum are as follows: Cook County, yes.- 625,424.
19. No - 423,827. DuPage, 27,224-yes. 79,821-no...Kane, 5,865-yes.
20. 46,187-no. Lake, 16,981-yes. 48,621-no...McHenry, 2,777-yes.
21. 27,533-no. Will, 5,995-yes. 45,298-no. Total vote,- 684,266
22. yes. 671,287-no. That indicated less than a thirteen thousand
23. vote majority. If you were to break down Cook County, you would
24. find that suburban Cook County, outside the city of Chicago, gave
25. more negative votes than affirmative votes to that proposition.
26. It is obvious that the heavy vote of the city of Chicago itself
27. carried the RTA question through. Now, that is the reason that
28. I did not file a bill when we returned to session to repeal the
29. RTA. The majority vote prevail. But, the vote at that time
30. was on the question should you create this act. That did not
31. say that no amendments could be made in the future to the act.
32. Both sides of the aisle and almost everyone in this Body agree
33. that amendments should be made to the act. In fact, amendments

1. are in the process of being made at this time to the act. After
2. we returned and the people just voted in favor of the act. One
3. of the amendments that the people asked for was the elimination
4. of the Eminent Domain power on the Park Districts. We will hear
5. later about that bill. About a hundred percent of the money
6. collected in a certain area remaining to be used in that area.
7. We'll hear further about that amendment. One of the other amend-
8. ments is the amendment we're acting upon now which is the amend-
9. ment to give the authority to the areas. That means the six
10. county areas or portions of counties to opt out, disconnect from
11. the RTA. Now, that is the amendment that we're taking now. I
12. believe the people spoke that they wanted this amendment just
13. as much as they want many of the other amendments. So, Senator
14. Partee, when you refer to these important amendments, I think
15. that it is very important that we consider all of the amendments
16. not only interpret the amendments you feel are proper because
17. you didn't even accept those amendments after you came out of
18. that closed door session. With the leadership of this aisle
19. too, I...on this side of the aisle I might say and the leader-
20. ship on both sides of the aisle on the other side. But, I want
21. to point out to you that in the areas served in Kane County by
22. the leadership on this side, I want to point out to you that in
23. Big Rock Township there were six affirmative votes for RTA and
24. three hundred thirty-eight in opposition. Now, if the leader-
25. ship will take hue of that and represent the district of Kane
26. County in what we call the back towns why I think that we maybe
27. can garner thirty votes. And, I want to say in closing that we
28. don't need that side of the aisle in this. We have thirty
29. Republican votes in this Senate and it's up to the Republicans
30. to see that this opt out amendment is put on.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Further discussion? Senator Regner may close.

33. SENATOR REGNER:

1. Yes, Mr. President, I realize why those that are going to
2. vote no are going to vote no because they like for the five
3. collar counties, the country towns and the rest of the state of
4. Illinois to subsidize the CTA and what ever other little tentacles
5. they may have. Taxation without representation, if that's what
6. you want, vote no. But you downstaters, don't forget, you're
7. going to be paying for this thing for years and years to come
8. the way it's written. It's got a built in deficit and if you
9. can think that CTA deficits and subsidies are a thing of the
10. past, CTA's are. But when we get five times the subsidies
11. coming in for RTA with a built in deficit that it has, you go
12. ahead and vote no. But, I certainly urge a yes vote and let
13. those people that want to have nothing to do with this thing to
14. get out the same way you're allowing others to get and which
15. I'm sure is never going to happen. Because I'm sure nobody else
16. wants to have any part of this and I urge a yes vote.

17. PRESIDING OFFICER (SENATOR MOHR):

18. The question is shall SB 1326 pass. Those voting in favor
19. will vote Aye. Those opposed will vote Nay. The voting is open.
20. Senator Regner.

21. SENATOR REGNER:

22. Yes Mr. President, I'd like to move for...to postpone
23. further consideration of SB 1326 at this time.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Regner moves postpone consideration on SB 1326 and
26. be placed on the order of postponed consideration. SB 1452.
27. Senator Nimrod.

28. SECRETARY:

29. SB 1452...

30. PRESIDING OFFICER (SENATOR MOHR):

31. Hold it Ed. SB 1487. Senator Conolly.

32. SECRETARY:

33. SB 1487.

1. (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Conolly.

5. SENATOR CONOLLY:

6. Mr. President, Members of the Senate, this is a continuation
7. of the package of bills that we passed out of the House and may
8. I report that those other bills that which has the responsible
9. answer to some of the amendments needed for the RTA did pass out
10. unamended out of the House Transportation Committee this morning
11. and are now headed for the Floor of the House and I am confident
12. where they will pass. This provision provides...removes the
13. power for the RTA to use the right of Eminent Domain to acquire
14. park lands, forest preserves and other public lands and it's
15. been discussed before. I think there is little or no opposition
16. to this and I would urge the adoption of this bill.

17. PRESIDING OFFICER (SENATOR MOHR):

18. There further discussion? Senator Fawell.

19. SENATOR FAWELL:

20. Well, I...I simply want to rise in support of this bill.
21. I think that the...the fact that the RTA does have the...does
22. have the authority to condemn. It was a factor that was brought
23. up in the referendum out in our area and as one who supported
24. the RTA measure, I recognize alot of people were fearful that
25. perhaps the RTA Board would misuse its power of Eminent Domain.
26. I frankly was not of that opinion. I think however that this
27. will not be an inhibition upon them and as I indicated before
28. when we voted on this measure in regard to an amendment on
29. another bill and I think the Body did support it. It will mean
30. alot to the people out in the collar county areas because I think
31. at least they will recognize that some of their views here are
32. being heard by the Legislature so, if nothing else, I think it's
33. sound public relations and I don't believe that the RTA Board

1. will be getting up anything.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Partee.

4. SENATOR PARTEE:

5. I want to make it crystal clear that we have no objection to
6. the concept that has been surfaced here with reference to the
7. right of Eminent Domain. The thing we object to is the rejec-
8. tion of the amendment we offered which gives flexibility to the
9. Board. This bill in its present form is inflexible and intracta-
10. ble. It is in granite. The thing that has made America great is
11. its Constitution's flexibility. We only suggested by our amendment
12. that when it became feasible under certain rather stringent cir-
13. cumstances to show with court approval and otherwise that you
14. needed a parcel of park land that there could then be a subsequent
15. decision that that would be permissible. That amendment was re-
16. jected. We thought it was...it made sense. It was rejected and
17. now we have an inflexible proposition that forever there shall be
18. no use of this land where it may be clearly shown that it...that
19. a need does exist for it for the convenience of people, if for no
20. other reason. For that reason, I cannot support the amendment. I
21. am not opposed to the concept of Eminent Domain. I am not opposed
22. to it being used under circumstances of prudence. But this is im-
23. prudent to lock it in and to take away any flexibility for situa-
24. tions which may develop in the future. One of the things that
25. everybody has twenty-twenty vision on is hindsight. But I think
26. we ought to start developing some foresight and all we ask for
27. our amendment was to develop some foresight to put ourselves in
28. a position where we could do that which was proper and that which
29. is exacted by people at a future time. It does not mean that it
30. would every happen but we would be in a position to do it. This
31. amendment, this law prevents that being done. I cannot vote for
32. the bill under those circumstances.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Conolly.

2. SENATOR CONOLLY:

3. Mr. President, to close debate may I say that we have noble
4. people to...people of both the park districts, the forest pre-
5. serves and the RTA to negotiate any take of property but we do
6. think that it is important that the protection of the park dis-
7. tricts are taking place. This legislation is firm we know but
8. we think this is such an important issue that it should be firm.
9. So, at this time, I'd like to ask for a favorable roll call.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Further discussion? The question is shall SB 1487 pass.
12. Those in favor will vote Aye. Those opposed will vote Nay.
13. And the voting is open. Have all voted who wish? Take the
14. record. On that question the Yeas are thirty-one, the Nays are
15. twenty-four, two Voting Present. SB 1487 having received the
16. constitutional majority is declared passed. SB 1492.

17. SECRETARY:

18. SB 1492.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Conolly.

23. SENATOR CONOLLY:

24. Mr. President, Members of the Senate, this is once again
25. a responsible re...answer to some of the objections received
26. that we heard during the debate on the passage of the RTA refer-
27. endum. This would require that all the locally taxes will be
28. allocated and spent in the area the...of the locally raised
29. taxes. It has been explained to me and been discussed with me
30. that actually much more than the locally raised taxes will be
31. spent in the outline areas. But this is a feeling that many
32. people had that if the money is raised locally it should be
33. spent locally. The original bill had seventy-five percent.

1. Here we're raising it to a hundred percent. It...in checking
2. with, as I say, with the authorities, with the people who are
3. knowledgeable in mass transit, they feel that the outline areas
4. will receive more than the locally raised amount and that the
5. funds from the other sources of revenue will be spent in the out-
6. line areas. So, I see that in the near future there should be
7. no objection to this. So, I'd ask everybody to support this
8. measure.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Partee.

11. SENATOR PARTEE:

12. The original bill called for sixty-six and two-thirds per-
13. cent and this amendment calls for a hundred. You know when you
14. give somebody a job to do and then tell them every particular
15. of the way they are to do it, you're really looking for automats
16. or robots and you're not looking for men with minds who are
17. capable of making decisions. And to say a hundred percent under
18. these circumstances seems to me to disintegrate the function of
19. persons on the commission. They can make decisions based on
20. need, based on availability. And, sixty-six and two-thirds
21. percent, in my opinion, was something I thought was reasonable.
22. I would be perfectly willing to let those nine persons make all
23. of the decisions. Either we believe in them or we don't. And,
24. if we do believe in them, they ought to be able to make the deci-
25. sions relating to the viable operation of this authority. If, on
26. the other hand, you don't believe in them then you ought to not
27. have persons. You ought to put the whole thing in a computer
28. and make the decisions every morning on a computerized basis and
29. let's get rid of people. Who needs people to make decisions. I
30. suggest to you that sixty-six and two-thirds percent was absolutely
31. adequate and that a hundred percent is just a sop. It is a palla-
32. tive. It is calculated to...to be something just to take home
33. and I...I think really it's going to do the authority a great

1. deal of harm. It's a sycophantic way of saying to people back
2. home, well, we did something different. I can't support it.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Further discussion? Senator Conolly may close.

5. SENATOR CONOLLY:

6. Mr. President, I just want to urge at this time that this
7. does return all the locally raised money. The locally raised
8. money is only a small part of the entire financial formula of
9. the RTA. I anticipate always there'll be more than the...that
10. amount but for various reasons and to answer the cries of our
11. constituents, I think we should have a hundred percent of locally
12. raised funds spent in the district.

13. PRESIDING OFFICER (SENATOR MOHR):

14. The question is shall SB 1492 pass. Those in favor will
15. vote Aye. Those opposed will vote Nay. And the voting is open.
16. Have all voted who wish? Take the record. Senator Conolly
17. moves postponed consideration. The next bill will be SB 1618.

18. ACTING SECRETARY (MR. WRIGHT):

19. SB 1618.

20. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Weaver.

24. SENATOR WEAVER:

25. Mr. President and Members of the Senate, this is the down-
26. state transit bill that we discussed yesterday. We amended the
27. bill to satisfy Senator Rock as to the disconnect possibilities
28. of being a participant. If there is any question or any dis-
29. cussion, I'd be glad to answer any of the questions and if not
30. I'd move for a favorable roll call.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Further discussion. The question is shall SB 1618 pass.
33. Those in favor will vote Aye. Those opposed will vote Nay. The

1. voting is open. Have all voted who wish? Take the record.
2. On that question the Ayes are forty-eight, the Nays are none,
3. four Voting Present. SB 1618 having received the constitutional
4. majority is declared passed. House bills on third. Senator
5. Bruce. Senator Weaver. 2274.

6. ACTING SECRETARY (MR. WRIGHT):

7. HB 2274.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Weaver.

12. SENATOR WEAVER:

13. Mr. President and Members of the Senate, this is the annual
14. appropriation to the University of Illinois for the operations
15. of the Urbana campus, the Circle campus and the Medical Center
16. and the related functions. If there are any questions, I'll
17. be glad to try to answer them. These bills have been discussed
18. and amended. I'd appreciate a favorable roll call.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Further discussion. The question is shall HB 2274 pass.
21. All those in favor will vote Aye. Those opposed will vote Nay.
22. The voting is open. Have all voted who wish? Take the record.
23. On that question the Yeas are forty-eight, the Nays are none,
24. three Voting Present. HB 2274 having received the constitutional
25. majority is declared passed. The next bill will be HB 2609.
26. Senator Savickas.

27. ACTING SECRETARY (MR. WRIGHT):

28. HB 2609.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Yes, Mr. President and Members of the Senate, this is a
2. transfer of \$84,000 from personal services to contractual services.
3. And, it's...stems from the relocation of the Industrial Training
4. Center in Chicago. I would appreciate your support on the bill.
5. PRESIDING OFFICER (SENATOR MOHR):

6. Any further discussion? The question is shall HB 2609 pass.
7. Those...those voting in favor will vote Aye. Those opposed will
8. vote Nay. The voting is open. Have all voted who wish? Take
9. the record. On that question the Yeas are fifty-three, the Nays
10. are none, one Voting Present. HB 2609 having received the con-
11. stitutional majority is declared passed. Announcements.

12. SECRETARY:

13. To the Members of the Senate, I do hereby appoint the
14. following to serve as members of the conference committee on
15. SB 84. Senators Regner, Graham, Scholl, Dougherty and Daley.

16. To the Members of the Senate, I do hereby appoint the
17. following to serve as members of the conference committee on
18. SB 641. Senator Shapiro, Soper, Berning, Rock and Romano.

19. To the Members of the Senate, I do hereby appoint the
20. following to serve as members of the conference committee on
21. SB 634. Senators Shapiro, Soper, Berning, Rock and Romano.

22. To the Members of the Senate, I do hereby appoint the
23. following to serve as members of the Second Conference Committee
24. on HB 32. Senators Fawell, Soper, Sours, Bruce and Daley.

25. PRESIDING OFFICER (SENATOR MOHR):

26. For what purpose Senator Scholl rise?

27. SENATOR SCHOLL:

28. Mr. President and Members of the Senate, a point of personal
29. privilege.

30. PRESIDING OFFICER (SENATOR MOHR):

31. State your point Senator.

32. SENATOR SCHOLL:

33. Mr. President and Members of the Senate, a great friend of

1. ours, former Senator and State Representative, a man who has
2. been with the CTA for forty-seven years is going to be honored
3. tonight. He's in the President's Gallery and I'd like him to
4. stand. His name is John Donnevan. John would you please stand
5. and be recognized.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Course.

8. SENATOR COURSE:

9. Thank you Mr. President. I'd like to have unanimous consent
10. to have the Committee on Assignment of Bills discharged from
11. further consideration of SB 1650 and have the bill advanced to
12. the order of second reading without reference.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator...Senator Graham. Would you listen to this request
15. please. Would you restate your request Senator Course.

16. SENATOR COURSE:

17. It's...Senator Graham it's SB 1650 which I talked...spoke
18. to you about yesterday.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Graham.

21. SENATOR GRAHAM:

22. Those bills are in the Assignment of Bills. That message
23. was read in yesterday, I believe. If not, they will be assigned
24. today Senator. I think they've already been assigned.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Dougherty.

27. SENATOR DOUGHERTY:

28. Mr. President, I would request that HB2778 discharge...be
29. discharged from the Committee on Revenue, to be placed on the
30. order of second reading. I have discussed it with the Chairman.
31. He has no objections.

32. PRESIDENT:

33. Senator Graham acknowledges and Senator Clarke. So the

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1. motion is then to discharge the Committee on...the Committee on
2. Revenue from further consideration of HB 2728. All in favor
3. of the motion signify by saying Aye. Senator Dougherty would
4. you restate the bill number.

5. SENATOR DOUGHERTY:

6. 2778.

7. PRESIDENT:

8. 2778. House Bill. The question is shall the Committee on
9. Revenue be discharged from further consideration of HB 2778.
10. All in favor signify by saying Aye. Contrary No. The motion
11. carries. Second reading. For what purpose does Senator Hickey
12. arise?

13. SENATOR HICKEY:

14. Mr. President, I move consent to move HB 2168 from the
15. Revenue Committee immediately to second reading. I've discussed
16. it with the Chairman and had his permission.

17. PRESIDENT:

18. Senator Hickey moves to discharge the Committee on Revenue
19. from further consideration of HB 2168 and be ordered to second
20. reading. Is there discussion? All in favor signify by saying
21. Aye. Contrary No. The motion carries. So ordered. Second
22. reading. We'll return to the order of Senate bills on second
23. reading. Senator Netsch has a bill there. SB 1357. I believe.
24. You wish to make a statement in connection with this, I think,
25. Senator Netsch and then have the bill read a second time.
26. Senator Netsch.

27. SENATOR NETSCH:

28. Thank you Mr. President. By agreement, what we would like
29. to do with SB 1357 which is the annual appropriation for the
30. Environmental Protection Agency is to offer two of the committee
31. amendments today, move it to third reading and I will give my
32. word that it will be brought back to second reading probably on
33. Thursday for purposes of dealing with the amendments that involve

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damned

1. substantial cuts of funds from the bill. This is done primarily,
2. in fact solely, for the purpose of saving a Legislative day.
3. The two amendments that will be offered today are the...Amend-
4. ment No. 1, Committee Amendment No. 1 which is the retirement
5. amendment and the Committee Amendment No. 3 which is the...what
6. we've come to call the Attorney General's amendment.

7. PRESIDENT:

8. Senator McBroom are you ready to proceed? All right. The
9. Secretary will read the bill a second time and then I'd like to
10. have identified the...what the three separate amendments...which
11. ...which are which. Which one is the numbers amendment. Which
12. is the retirement amendment and which is the AG amendment.
13. Proceed Mr. Secretary to read SB 1357 a second time.

14. SECRETARY:

15. SB 1357.

(Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Appropriations offers
18. Amendments Numbered 1, 2 and 3.

19. PRESIDENT:

20. And, Mr. Secretary would you identify whether the...what
21. Amendment No. 1 is, 2 is and 3 is please. Ok. Senator Netsch
22. has the information.

23. SENATOR NETSCH:

24. Mr. President, Amendment No. 1 is the retirement amendment
25. which adds \$127,200 to the appropriation. Amendment No. 2 which
26. will not be offered today but will be offered on Thursday is
27. the amendment which reduces the total operating appropriation by,
28. I believe the figures about a million, one seventy-five. Amend-
29. ment No. 3 is...what is known as the Attorney General's amendment
30. which transfers...right.

31. PRESIDENT:

32. Very...very good. All right then on the motion...all right,
33. Senator McBroom.

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1. SENATOR MCBROOM:

2. Mr. President, I...Senator Netsch has discussed this with
3. me and I know you and I have had a fleeting discussion on it.
4. This occurs to me as...as something that's somewhat foreign to
5. me Mr. President. Adopting one amendment today and holding
6. another one until Thursday. It's...is this...I'd like to have
7. your response to that Mr. President.

8. PRESIDENT:

9. Well, Senator discussions are going on by the Democrats in
10. regard to Amendment No. 2. I think we all recognize that we
11. are getting perilously close to the brink insofar as action on
12. this bill on with finality. We are attempting to save a Legis-
13. lative day here. There is going to be further discussion on
14. the question of number. We ultimately are going to have to reach
15. accommodation on that whether it's today or Thursday. We do have
16. agreement on Number 1 and we do not have party agreement on
17. Number 3 but we're going to consider that today. It does seem
18. to me that it makes some sense to defer while the discussions
19. are clear...are continuing to go on and if Senator Netsch will
20. make a motion to defer action on Committee Amendment Number 2
21. at the conclusion of our action, I think our record will be clear
22. and the Journal will be understandable and then on Thursday,
23. we'll get to not only the finalization of Amendment No. 2 but
24. passage of the bill on Thursday rather than delay it over until
25. Friday. I think that...is that satisfactory? All right. Then
26. on the question of Amendment No. 1. Senator Netsch do you want
27. to propose adoption of that or would you prefer Senator McBroom
28. make that motion.

29. SENATOR NETSCH:

30. I think he should make the motion.

31. PRESIDENT:

32. All right. Senator McBroom then moves to adopt Committee
33. Amendment No. 1 to SB 1357. This is the retirement amendment.

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Amend

1. All in favor signify by saying Aye. Contrary No. The motion
2. carries and Amendment No. 1 is adopted. On Amendment No. 3
3. which is the Attorney General's amendment. All in favor signify
4. by saying Aye. Contrary No. All in favor...let's get...it'll
5. be faster to have a roll call rather than division. Now,
6. Senator Netsch, for what purpose do you arise?

7. SENATOR NETSCH:

8. Mr. President, there are two points I would like to make
9. on the Attorney General's amendment...

10. PRESIDENT:

11. Proceed.

12. SENATOR NETSCH:

13. ...for the record if you please. The first is and a brief
14. restatement of the policy and principle objection to this amend-
15. ment. The Attorney General is indeed the sole constitutional
16. legal representative of the state in court. As a member of the
17. Constitutional Convention, I can confirm what is in the record
18. of that convention that it was never intended that no other
19. agency of government be allowed to hire and direct the activities
20. of its own legal counsel so long as they were not officially
21. representing the state in court. Secondly, there are two parti-
22. cular reasons in the case of the Environmental Protection Agency.
23. For one, if you will look at the statutes that set out the powers
24. of EPA, you will find that they are replete with statements
25. such as the agency shall represent the variance cases before the
26. Illinois Pollution Control Board. Over and over it points out
27. that the agency itself has certain legal responsibilities which
28. could only be discharged by in house council and conversely when
29. the laws that create the Environmental Protection Agency and the
30. accompanying statutes intend for the Attorney General to act,
31. they state so very clearly and very explicitly. I'm not sure
32. this is always as clear as it is in the case of this Agency.
33. Finally, there is no question in my mind and I think this is a

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53 13 37

1. very serious matter for the other side to consider that if we
2. insist; if they insist on putting all of the attorneys under
3. the Attorney General that there will arise in the future con-
4. flicts of interest in this very critical field of environment
5. and I would point out that on numerous, not numerous occasions
6. but on occasion the Environmental Protection Agency takes one
7. position. The Illinois Pollution Control Board takes another
8. position and when that matter finally comes to litigation, the
9. Attorney General under this proposal would now be representing
10. both sides. They are in adversary positions. There is no way
11. that he can do that and it means that one or the other is not
12. going to have the proper representation. This is a conflict of
13. interests. There is no way to avoid it and I think it is an
14. extremely dangerous thing for this Legislature to do.

15. PRESIDENT:

16. Senator McBroom.

17. SENATOR MCBROOM:

18. Well, Mr. President and Members of the Senate, I would like
19. to respond to what Senator Netsch said. We have gone this route
20. before Mr. President and part of the thrust of this argument is
21. whether you believe that there is one Attorney General for the
22. state of Illinois or whether you believe that there are a pro-
23. liferation of Attorney General. As far as I know, each election
24. that I voted in, I've only voted for one. Now Senator Netsch
25. gave...advanced an argument that...attorney for the Pollution
26. Control Board takes one position, the Environmental Protection
27. Agency takes another position. I...I think this negates her
28. argument Mr. President. This is a proliferation of attorneys
29. taking different postures on different subjects in a hundred
30. and fifty-two hundred state agencies argued well for the reason
31. that these people should have the...the approval of the Attorney
32. General and be appointed by him. I think this is an excellent
33. amendment Mr. President and I urge its adoption.

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1. PRESIDENT:
2. Senator Howard Mohr.
3. SENATOR MOHR:
4. Yes, I wonder if the sponsor would yield to a question
5. Senator?
6. PRESIDENT:
7. Sponsor of the amendment or the bill?
8. SENATOR MOHR:
9. The bill.
10. PRESIDENT:
11. Of the bill.
12. SENATOR MOHR:
13. Senator Netsch.
14. PRESIDENT:
15. Senator Netsch, Senator Mohr inquires whether you would
16. yield to a question.
17. SENATOR NETSCH:
18. Yes.
19. SENATOR MOHR:
20. Senator, do you plan to advance this to third reading today?
21. SENATOR NETSCH:
22. Yes, and then call it back on, probably, Thursday, Senator
23. Mohr. That was the understanding that I had with Senator Harris.
24. SENATOR MOHR:
25. Will this be called back for the problem that I have dis-
26. cussed with you?
27. SENATOR NETSCH:
28. Yes, it will be called back to deal with the question of
29. the level of funding. These two amendments that we're dealing
30. with today are separable and they will go on their own. The
31. other amendment which is being held deals with the level of
32. funding and that, I think, goes to the question that you and I
33. have discussed and others have raised with me.

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1. SENATOR MOHR:

2. All right. As long as we have a clear understanding then
3. it will be called back.

4. SENATOR NETSCH:

5. I will...yes, in fact, I will move that we postpone Amend-
6. ment No. 3 or...or defer it after we complete this action and
7. you have my word I will bring the bill back.

8. SENATOR MOHR:

9. Thank you.

10. PRESIDENT:

11. Is there further discussion? We have before us the consi-
12. deration of Amendment No. 3. Is there further discussion? On
13. that question those in favor of the adoption of Amendment No. 3
14. which is the Attorney General's amendment will vote Aye. Those
15. opposed will vote No. The voting is open. Have all voted who
16. wish? Take the record. On that question the Yeas are thirty-
17. one, the Nays are twenty-six, one Voting Present. Amendment
18. No. 3 to SB 1357 is adopted. Senator Netsch.

19. SENATOR NETSCH:

20. Mr. President, I would now move that we defer action on
21. amendment...Committee Amendment No. 2.

22. PRESIDENT:

23. All in favor of Senator Netsch's motion signify by saying
24. Aye. Contrary no. The motion carries. Amendment No. 2...
25. Committee Amendment No. 2 is deferred consideration thereof is
26. deferred until the bill is next considered on second reading.
27. Are there further amendments from the Floor? Third reading
28. with the understanding that the bill will be recalled. On the
29. order of consideration postponed. Senator Howard Mohr do you
30. wish to call HB 2826?

31. SENATOR MOHR:

32. Yes Mr. President.

33. PRESIDENT:

All right. HB 2826 on the order of consideration postponed.

1. SENATOR MOHR:

2. Yes Mr. President and Members of the Senate, this is the
3. bill that we called yesterday and fell one vote short of passage.
4. This is the bill that creates the Dangerous Drugs Commission. I
5. don't think we have to go to any great lengthy debate on it. I
6. would like to make just a couple of statements. I mentioned the
7. support of all of the organizations, the Department of Public
8. Health, the Department of Mental Health, Illinois Bureau of In-
9. vestigation, the State's Attorney for the United States Attorney,
10. many, many other organizations; I know of no one opposed. Now,
11. Dr. Levitt, the Director of Mental Health, has stated publicly
12. that the current licensing system has been impotent to deal
13. with the unscrupulous drug program operators who have been res-
14. ponsible for large amounts of controlled substances getting into
15. the street. Now, I think what the doctor is telling us that this
16. is primarily in the Chicago area that, at least I'm familiar with
17. it, happening in the city of Chicago and...which takes care of
18. many of our people in suburbia who are in for drug treatment. I
19. was just couldn't understand Mr. President, yesterday, why members
20. of the Democratic Party failed to support this legislation which
21. would mean that there would be one uniform system, one agency
22. held for the accountability of licensing, drug education and one
23. system for the entire state. I don't feel that the city of
24. Chicago should be one agency and the rest of the state another.
25. It's interesting, too, to note, Mr. President, that some members
26. of the other side, downstaters, voted for a series of Senator
27. Weaver's in the fifteen hundred series, you will recall. One
28. that would amend the Medical Practice Act. Senators Bruce,
29. Buzbee, Hall, Hickey, Johns, McCarthy and Vadalabene all down-
30. staters voted for that bill and the same with the Dental Surgery
31. and Dentistry Act, the Pharmacy Act, the Optometric Practice Act,
32. the Physical Therapy Act, Podiatry Medicine and Surgery Practices
33. Act, Psychologists Registration Act and the Illinois Nursing Act,

1. Social Workers Registration Act. They supported all...all of
2. these bills Mr. President and failed to support yesterday the
3. most important act of the entire Senate insqfar as this Senator
4. is concerned. I would ask those Senators, first of all, why
5. would they want Chicago to be any different than the rest of
6. the state of Illinois. Are they saying that they don't have a
7. problem downstate? We have seen what's happened in the city of
8. Chicago with the licensng of the nursing homes and had great
9. discussion on that in the last session and I think this could
10. be in...I'm sure that this is in the same category as the
11. nursing homes. Now, with all of the support, I know of no
12. opposition, of course other than my good friends on the other
13. side of the aisle. So, I would...I would be happy to answer any
14. questions Mr. President. If there are no questions...

15. PRESIDENT:

16. Are there any questions? Senator Partee.

17. SENATOR PARTEE:

18. Indeed there are questions. Number one, does this bill
19. have any relationship to a motion filed yesterday to reconsider
20. vote by which SB 1402 passed?

21. SENATOR MOHR:

22. Are you asking me that, Senator?

23. SENATOR PARTEE:

24. Well, either you or our mutual friend, the President.

25. PRESIDENT:

26. Well, that is a question isn't it.

27. SENATOR PARTEE:

28. It's called interogation. Well here, let's...let's just
29. make that rhetorical. I don't really think that needs an answer.
30. We all know what's happening. But, seriously Senator, would you
31. turn to page 18 in your bill and look at section 26. It says
32. it is hereby made the sole and exclusive duty of the commission
33. and its designated agents, offices and investigators to enforce

1. all provisions of this act except those specifically delegated
2. and to cooperate with all agencies charged with the enforcement
3. of the laws of the United States or any state relating to the
4. matters pertaining to this act. Now, on the basis of that section
5. do you really still think there's a need for this amendment?

6. SENATOR MOHR:

7. Yes Senator Partee, I do feel that way. I think that there
8. should be concurrent jurisdiction rather than...than separating
9. again Chicago from the rest of the state. I feel very strongly
10. about this. And, I might say Senator that many members on this
11. side of the aisle had reservations about this bill but do recog-
12. nize the importance of it. They do recognize that there's a
13. million dollars in federal money is waiting for us. Should we
14. act on this today and if we don't act on it today why we will
15. lose the million dollars and I will just say Senator that
16. that's the position that we're in. We're going to lose the
17. million dollars if...if we don't pass this bill already in its
18. present form.

19. PRESIDENT:

20. Senator Partee.

21. SENATOR PARTEE:

22. I think maybe this bill ought to be called the bill of the
23. fleeting one million dollars. Every day we hear that if this
24. bill isn't passed today we're going to lose a million dollars.
25. Every day we hear this. Now, let me say something to you. I
26. don't really want to say that I resent the inferential statement
27. that we're opposed to the concept here. For a long long time be-
28. fore a lot of people who are now on this narcotics bandwagon
29. and doing something about it, we've had this problem in our
30. community and only when this problem floated out to the suburban
31. areas that everybody else get excited about it. But it's nothing
32. new to me and as long ago as the time I was in the state's attorney's
33. office and that's been over seventeen years ago, I prosecuted an

1. awful lot of narcotics cases and sent a lot of dealers to the pen-
2. itentiary. That's nothing new to me and I know just how trauma-
3. tic this experience is of persons who use narcotics. I've seen
4. a lot of lives ruined as a result of it. And, I don't take a
5. back seat to anybody about my interest in trying to stamp out this
6. real scourge of American development. It's been said really that
7. it may well be some foreign power that seeks to destroy our youth
8. with narcotics and amphetamines and all of the other things that
9. go into that ball park. Now, I'm saying to you that we are as
10. anxious as anybody on the face of the earth to stamp out narcotics
11. and are willing to help in any kind of program which has as its
12. central theme doing something about narcotics. It seems to me a
13. very beneficent and a very wonderful thing that we can get a
14. million dollars from the Federal Government to help in this area
15. and I'm very anxious to see that this money come here. The only
16. thing I am saying is that it ought not to be made an admixture
17. with a political consideration on the question of home rule. The
18. home rule provision being put on here is put on here for a calculat-
19. edly devious purpose of putting this bill back into the House with
20. this kind of an amendment to bring about some defections as it were
21. and our ranks there who are opposed to the concept that was passed
22. here in the series of Weaver's bills. You know it and I know it
23. and please don't imagine us as being against the concept because
24. you know certainly we aren't. We asked Weaver yesterday to take
25. off this amendment and we'd support this bill immediately and we
26. still have the same feeling about it and we're not going to lose a
27. million dollars because this is a case of the fleeting million and
28. they'll just hold it for us until we can get ourselves straightened
29. out politically.

30. SENATOR MOHR:

31. Well, Senator, if...if you're so sure of that then I'm...I
32. feel a little better should the bill fail. I would just say to
33. you, I'm...I'm happy that you're concerned with the drug problem

1. over there and I would respond to you...your remarks about when
2. the problem hit suburbia why now we're concerned. I want you
3. to know that this Senator has been concerned and involved in
4. the drug problem for many, many years. It's just not in the
5. last six months or couple years. And, one of the areas of con-
6. cern is when I hear young people from my district come in and
7. tell me and I'll be happy to have them tell you, Senator, so you
8. know that I'm...I'm giving you first hand information that they
9. can go into the methadone programs in the City of Chicago and
10. pick up a month's supply when they're entitled to a week's sup-
11. ply. This disturbs me. I think that under the concept that we
12. have here with our amendment, we would eliminate that. I think
13. the problem is too big to have two separate programs and that's,
14. in effect, what we would be having. I don't think we can operate
15. a drug program that way. We have the support of the Department
16. of Mental Health, the Director, who admittedly says that this is
17. a problem, that the narcotics are getting out on to the streets
18. by unscrupulous clinics. It has to be stopped. Mr. President,
19. I would ask for a favorable roll call on this bill.

20. PRESIDENT:

21. The question is shall House Bill 2826 pass. Those in favor
22. will vote Aye. Those opposed will vote No. I would call atten-
23. tion that this bill is on Postponed Consideration. The voting
24. is open. Have all voted who wish? Take the record. For what
25. purpose does Senator Carroll arise?

26. SENATOR CARROLL:

27. On a point of parliamentary inquiry. If the Chair would
28. rule how many votes are needed because of the amendment that
29. added the preemption, taking away the powers already granted.

30. PRESIDENT:

31. It does not...it does not deal with Section G, so it re-
32. quires 30 votes.. The amendment refers to H and I of the Illi-
33. nois Constitution. On that question the Yeas are 32, the Nays

1. are 4, 17 voting Present. And House Bill 2826, having received
2. the constitutional majority, is declared passed. Are there any
3. other matters on con...Senator Nimrod, do you wish to call your
4. bill on Consideration Postponed? Just a minute. Senator Par-
5. tee.

6. SENATOR PARTEE:

7. It has come to my attention by the grapevine, more or less,
8. that a motion on Senate Bill 1402 had been withdrawn. Is that
9. true?

10. PRESIDENT:

11. It probably will be. It has not been withdrawn.

12. SENATOR PARTEE:

13. But it's within the realm of immediate probability?

14. PRESIDENT:

15. Possibility. We...we will get to that matter, I am certain.

16. SENATOR PARTEE:

17. Fine, because we kind of want to get that to the House.
18. There's a problem, you know.

19. PRESIDENT:

20. I know you do. Senator Nimrod, did you wish to call your
21. bill on Consideration Postponed? Senator Regner, you do not
22. have your amendment? Senator Glass has one item for a motion to
23. nonconcur, and then I'll recognize Senator, well, Senator
24. Course, and then we'll get to Senator Saperstein. Senator Glass.
25. On the order of the Secretary's Desk, we'll come back to Con-
26. sideration Postponed. Senator Glass.

27. SENATOR GLASS:

28. Thank you, Mr. President. Secretary's Desk, Senate Bill
29. 831, and at this time I would move to nonconcur in House Amend-
30. ment No. 1.

31. PRESIDENT:

32. The question is to nonconcur in the House Amendment to
33. Senate Bill 831. Is there discussion? All in...Senator Soper.

1. SENATOR SOPER:

2. Would the...the sponsor tell us what this amendment is all
3. about? What we're nonconcurring in or what we're concurring in?
4. I'd like to know what it's all about.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Senator Soper, this was the amendment to Senate Bill 831,
9. which changed the dates of the Commission's reporting, moving
10. it up to November 15 from February 15. This is the Commis...
11. Officers Compensation Commission, and I'm moving to nonconcur
12. in that amendment.

13. PRESIDENT:

14. Is there further discussion? All in favor of the motion to
15. noncon...Senator Fawell.

16. SENATOR FAWELL:

17. Excuse me. I...I was not listening as well as I ought to.
18. What does the...what does the amendment the House put on do?

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Senator Fawell, the amendment put on by the House changes
23. the date upon which the Commission would render a report. From
24. February 15, back to November 15, of '74, and I'm moving to non-
25. concur in that amendment.

26. PRESIDENT:

27. Is there further discussion? Question is to nonconcur in
28. House Amendment No. 1 to Senate Bill 831. All in favor signify
29. by saying Aye. Contrary No. The motion carries and the Senate
30. does not concur in the House Amendment to Senate Bill 831.

31. Senator Course.

32. SENATOR COURSE:

33. Yes, Mr. President, I'd like to have unanimous consent to

1. have the Executive Committee discharged of further consideration
2. of House Bill, or Senate Bill 1650, and have it placed on the or-
3. der of second reading without reference.

4. PRESIDENT:

5. Senator Course moves to discharge the Committee on Executive
6. from further consideration of Senate Bill 1650. All in favor sig-
7. nify by saying Aye. Contrary No. The motion carries. Second
8. Reading. Now you wish to also make a motion in connection with
9. Senate Bill 1651, Senator Course? Oh, OK, fine. Reverting to
10. the order of consideration postponed. Senator Saperstein is
11. recognized.

12. SENATOR SAPERSTEIN:

13. Thank you, Mr. President. Ladies and gentlemen of the Senate.
14. This decade can be characterized as an era...

15. PRESIDENT:

16. For what purpose does Senator Newhouse arise?

17. SENATOR NEWHOUSE:

18. Mr. President, I'm sitting right next to Senator Saperstein
19. and I find it a little difficult hearing what she's saying. I
20. would...wonder if we could have some order in the Chamber?

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10/12/68

PRESIDENT:

1. That is a most appropriate request. Wait just a minute,
2. Senator Saperstein. Now there is a great deal of Floor activity
3. and moving about. I would admonish the members of the Senate
4. that this matter before us is on the order of consideration
5. postponed. This is a critical point and an important issue.
6. Senator Newhouse's question is appropriate. Senator Saperstein
7. is recognized and she is entitled to order. Will the Senators
8. please be in their seats. Proceed, Senator Saperstein.

9. SENATOR SAPERSTEIN:

10. Thank you again, Mr. President. I must preface my remarks
11. by saying in spite of the fact that Senate Joint Resolution 68
12. did not receive the required number of votes as you ruled, Mr.
13. President, I am indeed proud again to be ab...to be the vehicle
14. to again bring to your attention through consideration postponed
15. Senate Joint Resolution 68. This decade can be characterized
16. as an era of great social change and Senate Joint Resolution 68
17. is another step toward the fulfillment of the great American
18. dream. I am sure that all of you are cognizant of that fact.
19. That for the last hundred years women have worked, have failed,
20. have been successful in achieving some degree of equality in
21. these United States. However, some of us believe in a great
22. major...majority of us believe that the circle has not closed.
23. Equality under the law is a simple and direct statement and as
24. you said a moment ago, it is a crucial, crucial issue. I think,
25. and in fact I should not say I think, I know that the thesis
26. that the thrust of Senate Joint Resolu...Resolution 68 is entire-
27. ly in conformation with the principles upon which this country
28. was founded. Today the Illinois Senate can join the other 33
29. States, who have ratified the 27th Amendment, which provides
30. that equality under the law shall not be denied or abridged
31. in the United States or any State because of sex. An enunciation
32. of principle which not...not one member of this Senate can deny,
33. because Illinois in its new Constitution had a similar but not

1. yet identical provisions against sex discrimination. In one of
2. the daily newspapers yesterday afternoon, there was an editorial
3. which stated among other things, it's another chance for ERA, one
4. of the most abused amendments ever offered in the State of Illinois,
5. and this is true. Abused in what way? Abused in the fact that
6. there have been myths...myth making, as far as the effects of this
7. Constitutional Amendment will have. Myth making such as immediate
8. draft of women; myth making such as husbands will not be required
9. to support their families; myth making that women will be forced
10. to work; myth making that it will hurt...hurt the lower - the
11. women and men on the lower rung of the economic ladder. Myth
12. making. When in a democracy has equality under the law worked
13. against the...the happiness and fulfillment of its people? Never.
14. And, I am thinking now of the fight of the Black man for equality.
15. It has...took him a long time to achieve this, but they never gave
16. up, as they should not have given up. And, now another minority,
17. according to law, is making the same plea to you to accept the
18. ratification of the...27th Amendment. This amendment has
19. been enforced by the cultural, fraternal and religious organiza-
20. tions across the State. I can find...any newspaper which has not
21. endorsed the 27th Amendment. You have an opportunity today,
22. ladies and gentlemen, to ratify the amendment, send it over to
23. the House, and put Illinois in the ranks of States ratifying the
24. amendment. I urge your support.

25. PRESIDENT:

26. Is there further discussion? The question is, does the
27. Senate adopt Senate Joint Resolution 68. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Mr. President, I thought I wouldn't speak on this amend-
30. ment again, but I think I just need to, very briefly, raise a
31. couple of points that I think are sort of significant. It isn't
32. a myth, for example, that the responsibility for the support
33. of children will be changed, no myth at all. And the lawyers

1. who explain the purposes of ERA will seem to be unanimous in
2. this opinion. It's not a myth I think it's not a myth that
3. those who are poor and those who are...do not have access to
4. courts and so forth, will not be damaged, and for about a year
5. I've been asking for some discussion on this as a matter of
6. fact. Mr. President, I happen to come from a community where
7. the income for the year, 1/3 of which comes from public sources,
8. that means thousands and thousands of young men out of jobs;
9. that means thousands and thousands of female heads of families,
10. who don't particularly want to be lonely heads of families; it
11. means thousands and thousands of children who are not properly
12. attended, with all the things that this brings about. This is
13. a very thin fabric, Mr. President. It's the fabric of society
14. that lat...relates to survival - survival mechanisms. The
15. question that I would raise and the problem that I have with
16. this is in talking about, on the one hand, the improvement of
17. the quality of life, and I have no problem with that, the question
18. then becomes how does that impact upon a survival society? I
19. have asked that a discussion on this take place. It simply hasn't
20. been heeded. It appears to me that the one thing that is absolute-
21. ly necessary, is that all of the information be laid upon the
22. Table so that all strata of society will be able and capable of
23. making the decision that they want to take or to make. I would
24. have sat in my seat and said nothing, but for the fact that the
25. issues were raised were so compelling and if for...if not directed
26. at me, then I am not sure where they were directed. But I want
27. to make it clear that the fact is that a move that should have
28. removed from society an awful lot of the problems that beset my
29. own community, I'm afraid has been reluctant to discuss those
30. problems in some fashion, under which my community would be able
31. to make a decision. The decision might be Yea, it might be Nay,
32. but it should be informed and that decision should be made by
33. all people. Thank you, Mr. President.

1. PRESIDENT:
2. Is...Sen...Senator Regner.
3. SENATOR REGNER:
4. Question, Senator Saperstein.
5. PRESIDENT:
6. She indicates she will yield. Proceed.
7. SENATOR REGNER:
8. After earlier debate on another bill today, I'd like to ask
9. the Senator from Chicago if she wouldn't accept an amendment to
10. this Constitutional Amendment to allow an opt out provision for
11. those ladies who don't want to have anything to do with it?
12. PRESIDENT:
13. The Chair wishes to admonish our guests. We are most ap-
14. preciative to have you with us. But our rules do not permit
15. either approbation or objection to be voiced from the galleries.
16. You are welcome. We want you to participate. But we do not
17. acknowledge either expressions of approval or disapproval from
18. the galleries. Thank you. Senator Saperstein, do you wish to
19. respond to Senator Regner's question?
20. SENATOR SAPERSTEIN:
21. No. 1 - I didn't hear the question above the din. No. 2 -
22. obviously it was not a serious question and if it is serious,
23. would he repeat it loud enough so we could hear the myth.
24. PRESIDENT:
25. Senator Regner.
26. SENATOR REGNER:
27. Senator Saperstein, what I asked is would you accept an
28. amendment to this Constitutional Amendment to allow an opt out
29. provision for those ladies that don't want to be involved in
30. your ERA?
31. PRESIDENT:
32. Senator Howard Mohr.
33. SENATOR MOHR:

1. Mr. President, parliamentary inquiry. If this bill passes
2. that's one thing. If it fails, do we hear this bill again?

3. PRESIDENT:

4. Well, this Senate Joint Resolution has been considered a
5. first time. Under the rules it has one additional opportunity
6. to be considered by the Senate. If Senate Joint Resolution
7. fails to receive 36 votes today, it will be declared lost. Under
8. our rules.

9. SENATOR MOHR:

10. I'm happy to hear that, Mr. President, because there are
11. many members of the Senate that would like to get into the real
12. reason why we are here, and that's on the 8 billion dollar
13. Governor's Budget that we have a lot of questions to ask and
14. there's much to be resolved and I...I just wondered if, you know,
15. if we're going to hear this again. I'm happy with the ruling.

16. PRESIDENT:

17. All right, Senator Sours, and then I will recognize Senator
18. Chew. Senator Sours.

19. SENATOR SOURS:

20. Mr. President, I can be very brief, because I know we've
21. gone over this before. You know when God created women, boredom
22. ceased at that very instant, and since that time men have looked
23. rather cavalierly upon women. I want to go on record publicly
24. as making this statement that I am opposed to the ERA, because
25. I think women need more protection than men. Thomas I. Emerson,
26. the professor at the Yale Law School, has written a...an excel-
27. lent treatise on the subject. I believe women in Illinois are
28. far better off with our protective legislation. Now I know
29. some of that may be knocked around under the Equal Protection Law,
30. the 14th Amendment, but I think many of us who oppose ERA do it
31. with the firm conviction, not private rumor or miscellany opinion,
32. with the firm conviction that women in this State are better off
33. with all of our legislation that has accumulated over the years.

1. I wanted to make myself clear on that subject because at times
2. I have been misunderstood.

3. PRESIDENT:

4. The question is, shall Senate Joint Resolution 68 be adopted.
5. The Chair wishes to point out, the language of Article 14, Section
6. 4 of the Illinois Constitution. The affirmative vote of 3/5 of
7. the members elected to each House of the General Assembly, shall
8. be required to request Congress to call a Federal Constitutional
9. Convention to ratify a proposed amendment to the Constitution of
10. the United States, or to call a State Convention to ratify a
11. proposed amendment to the Constitution of the United States. That
12. language is perfectly clear and it is improper in the opinion of
13. the Chair for the Legislature to directly circumvent that language
14. of the Constitution. The question of interpretation is the re-
15. sponsibility of the Courts and not of the Legislature. So, on
16. this question the Chair rules that a 3/5 vote is required. Those
17. in favor of adoption of Senate Joint Resolution 68 will vote Aye.
18. Those...for what purpose does Senator Partee arise?

19. SENATOR PARTEE:

20. I recognize that there has been a motion made to shut off
21. debate, and I do not desire to debate. I think, in fairness, I
22. ought to have a chance to say, just by way of response, since
23. the Chair has addressed himself to the legal issue involved here,
24. that we stand on the statement we made with reference to the
25. number of votes required, which we made the last time this matter
26. was up. We stand on the proposition that only 30 votes are re-
27. quired, despite the language of the Constitution, as read by
28. you, and I simply wanted the record to be complete in that the
29. Court would know that we have not abandoned that position.
30. Thank you.

31. PRESIDENT:

32. The ruling of the Chair is that the Illinois Constitution
33. is perfectly clear and that adoption by the Senate of Senate

1. Joint Resolution 68 requires a 3/5ths vote. On the question of
2. adoption, those in favor will vote Aye. Those opposed will vote
3. No. The voting is open. Have all voted who wish? Take the
4. record. On that question the Yeas are 30, the Nays are 24, one
5. voting Present, and Senate Joint Resolution 68 is declared lost.
6. Senator Regner, do you have business on Senate Joint...or on
7. consideration postponed?

8. SENATOR REGNER:

9. Yes, Mr. President and members of the Senate. Senate Bill
10. 1326 is on the order of consideration postponed. I would like
11. to move to bring it back to second reading for the purposes of
12. an amendment.

13. PRESIDENT:

14. Senate Bill 1326 is ordered to second reading for the pur-
15. pose of an amendment. Senator Regner.

16. SENATOR REGNER:

17. Yes, Mr. President, what this amendment does, it strikes
18. everything in the bill pertaining to opt out and inserts instead
19. the creation of a five, three, five board. That's five...

20. PRESIDENT:

21. Senator Regner, Senator Regner. Would you take this bill
22. out of the record for a moment and would you come to the podium,
23. please? Take the bill out of the record. The order of Resolu-
24. tions. Presentation of Resolutions. Senator Smith is recognized.

25. SECRETARY:

26. Senate...Senate Joint Resolution No. 77.

27. SENATOR SMITH:

28. Mr. President...

29. PRESIDENT:

30. Senator Smith.

31. SENATOR SMITH:

32. Mr. President and members of the...
33.

1. PRESIDENT:

2. Just a moment, Senator Smith. We are quite disorderly.
3. I am certain that the members can't hear you. I can't hear
4. you here from the podium. Will the door keeper please get
5. the door closed out there as quickly as you can. Alright,
6. Senator Smith.

7. SENATOR SMITH:

8. Mr. President and members of the Senate. The resolution
9. in the hands of the Secretary is one being presented by the
10. members of the Legislative Audit Commission. We have been
11. charged with the duty of selecting an Auditor General
12. for the State of Illinois. We have our recommendations in
13. written form, a printed form, and in order that all members
14. might acquaint themselves with the contents of the resolution,
15. I ask unanimous consent, Mr. President, that the amendment lie
16. on the Secretary's Desk and be set for hearing by a committee
17. of the whole as of Thursday noon of this week.

18. PRESIDENT:

19. Alright. Senator Smith moves to suspend the rules for
20. the purpose of introduction of Senate Joint Resolution 77 and
21. to have the bill placed on the Secretary's Desk and be set
22. for a special order of business Thursday, at 12 o'clock Noon. On
23. that motion all in favor signify by saying Aye. Contrary No.
24. The motion carries. So ordered. I want a...the record to show
25. that Senators Don Moore and Bartulis have...are attending a
26. meeting in the Director of Public Aid's office in connection
27. with a...an emergency matter relating to a...a public aid inquiry.
28. Their presence has been required there. We have, I believe, a
29. motion filed with the Secretary relative to...yes, Senate Bill
30. 1402 that I filed yesterday. Yes, I would like...I'd like to
31. seek leave of the Senate to withdraw that motion that I filed
32. relative to reconsideration of the vote by which Senate Bill
33. 1402 was passed. Is there leave? Senator Mohr.

1. SENATOR MOHR:
2. Mr. President, you haven't taken final action on...
3. PRESIDENT:
4. No, I have not.
5. SENATOR MOHR:
6. ...on your request of leave of the Body on 1402, Senate
7. Bill 1402. I would ask you, Mr. President, if you would be
8. kind enough to reconsider and hold that another day or so until
9. we get some other problems worked out.
10. PRESIDENT:
11. Alright, then the Chair will withdraw his request to seek
12. leave for the withdrawal of the motion to reconsider the vote
13. by which Senate Bill 1402 was passed. The motion then obtains
14. on the Secretary's Desk regarding reconsideration of the vote
15. by which Senate Bill 1402 was passed. See Senator Regner. Oh,
16. yes, yes, I see. Alright. Senate Bill 1326 then is recalled
17. to second reading. Senator Regner has an amendment.
18. SENATOR REGNER:
19. Yes, Mr. President and members of the Senate. I'd like
20. to move to...it has...Mr. President, it has been recalled? It's
21. on second now?
22. PRESIDENT:
23. Senate Bill 1326 is on second reading. Yes.
24. SENATOR REGNER:
25. OK. I would like to offer an amendment and what it does,
26. it takes all the opt out provisions out of Senate Bill 1326 and
27. instead inserts a...an amendment to create a 13 or a 14 member
28. RTA board. 5 from the City of Chicago, 3 from the suburban
29. area, and 5 from the outlying counties and those members will
30. appoint a...a chairman of the board for the 14th member, and
31. I would move for the adoption of amendment 2? Amendment No. 2
32. to Senate Bill 1326.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Further discussion? All those in favor of the adoption
2. of Amendment No. 2 to Senate Bill 1326 signify by saying Aye.
3. Opposed? Amendment No. 2 is adopted. Further amendments?
4. Back to consideration postponed. Message from the House.
5. SECRETARY:

6. (Secretary reads message from the House.)

7. Mr. President, I am directed to inform the Senate
8. that the House of Representatives has passed bills of
9. the following titles and the passage of which I am
10. instructed to ask concurrence of the Senate to wit:

11. House Bills 2150 and 2207.

12. Passed the House June 18, 1974.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Any further business to come before the Senate? Senator
15. Knuepfer.

16. SENATOR KNUEPFER:

17. I just want to remind Public Health and Welfare, get to
18. bed early because at 8:30 we start to work again tomorrow
19. morning. We've got a very substantial bill which is the rate
20. regulation bill. We meet at...at...at 8:30 and just a minute
21. and I'll tell you where. 8:30, Room 212, and I would certainly
22. appreciate as many of you as possible there, because this is
23. not a merely bill we're hearing.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator McBroom.

26. SENATOR MCBROOM:

27. Mr. President and members of the Senate. The Appropriations
28. Committee will meet at 3 o'clock in Room 400. I have no idea how
29. long it will last, Mr. President. I hope not over 3 hours, but
30. Room 3...Room 400 at 3 o'clock, Mr. President.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Fawell.

33. SENATOR FAWELL:

1. I want to...I would like to announce that the Education
2. Committee will be meeting tomorrow at its customary time. We
3. had thought we did not have any bills. Yesterday, as you know,
4. a bill was...the 6-day period was waived, so we do have at
5. least one bill so we will be meeting im...be meeting immediately
6. after session, after which there will be the sub-committee that
7. Senator Newhouse is heading...will be meeting immediately after
8. the Education Committee, so keep that in mind. I'll try to re-
9. mind everybody tomorrow. Education Committee tomorrow immediately
10. after adjournment.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. yes, Mr. President, I would like to call the attention of
15. the Democratic members. There was to be a caucus tomorrow morn-
16. ing - Democratic members, but there will not be a caucus tomor-
17. row morning. There will be one Thursday, and we will announce
18. the exact time and place tomorrow. There will not be a caucus
19. tomorrow.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Partee.

22. SENATOR PARTEE:

23. Mr. President, I understand that there is a motion on the
24. Secretary's Desk with reference to House Bill 2826. Is a...
25. that so? Now let me just tell you what it's about, Mr. Presi-
26. dent, and Senator Harris...Senator Harris, I'd like your atten-
27. tion on this. I feel like a hundred dollars waiting on a nickel.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Harris.

30. SENATOR PARTEE:

31. Mr. President, on the Secretary's Desk is a motion filed
32. by Senator Vadalabene, who voted on the prevailing side of
33. House Bill 2826, to reconsider the vote by which that bill passed.

1. Now I don't want to get into this kind of a situation. I can
2. understand, and I am not naive about politics, that you would
3. withhold 1402 until 2826 got out of here. But I think it goes
4. past judgment and reason to hold a House bill here, or a Senate
5. bill here dependent upon what happens in the House on a Senate
6. bill. If I, Sir, had control of what happens in the House, it
7. would be of no moment to me. I think you know on evaluation and
8. history, that we in the Senate have no control over what happens
9. in the House. Once we have passed our measures here, and I can
10. understand the hostage process, I think it's inimitable to
11. government, but nonetheless, it exists, but when we have resolved
12. matters here to hold matters here that relate to the Senate,
13. based on what transpirations take place in the House, I think
14. makes us something less than responsible. Now I have that motion
15. there, I...it's the only way I know to fight, and we'll fight if
16. we have to. We don't want to do that which is untoward and that
17. which is unreasonable, but when we pass House...bills over here,
18. let's send them on over to the House and not play games with them.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Partee, I would respond by saying that your motion
21. is out of order, and quote "that no motion for the reconsideration
22. of any vote shall be in order after a bill resolution message
23. report amendment or motion upon which the vote was taken shall
24. have gone out of the possession of the Senate". House Bill 2826
25. has left the Senate, Senator Partee. Senator Partee.

26. SENATOR PARTEE:

27. I have a question and I want an answer because I want to
28. remember this process cause we may have occasion to use it in
29. the future. Do you have a separate rule as to how long you
30. keep Democratic bills and how long you keep Republican bills
31. here?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Harris. President Harris.

1. SENATOR HARRIS:

2. Absolutely not.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Partee.

5. SENATOR PARTEE:

6. Well, the reason I asked is because 1402 had been called
7. a long time before that motion came, but it was languishing.
8. 2826 has not been called and passed that long and now I am told
9. that it is physically out of the Senate. Is that correct?

10. PRESIDING OFFICER (SENATOR MOHR):

11. That is correct, Senator, and I was responsible for the
12. movement of that bill because, if you will recall my stating
13. yesterday and again today that time was of the essence. There
14. was a million dollars involved and I urged the office to move
15. that bill...

16. SENATOR PARTEE:

17. Well, I appreciate that...I appreciate that and I want you
18. to know that the learning pro...the learning process is some-
19. thing that I am familiar with and I've learned something here
20. today which I shall never forget.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator, I think that you've been around a lot longer than
23. I and this is certainly nothing new. Senator Scholl.

24. SENATOR SCHOLL:

25. Mr. President, I'd be more than happy to help Senator
26. Partee if he could help me get out some of those bills I still
27. have in the City Council in Chicago.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Sours.

30. SENATOR SOURS:

31. Mr. President. As a matter of memory, Senator Partee, I'm
32. not sure you were here at the time, but when we had former
33. Governor Shapiro up in...up in the...in the...the rostrum there,

1. you may take my honest word for it, that when a bill passed it
2. left this Chamber instanter. Now that's a Latin word, which
3. means immediately, and many times we were faced with trying to
4. find the bill and sure enough it was over there under the con-
5. trol of the late Secretary of State and the Congressional
6. Medal of Honor winner, before we knew it even left here.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Any...Senator Knuepfer.

9. SENATOR KNUEPFER:

10. I've talked to Senator Knuppel. I...I would request per-
11. mission to waive the 6-day rule on Senate Bill 1636. We did
12. post it last week, but it hasn't met the 6-day test and I just
13. move...or ask permission to waive that rule.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Further announcements? President Harris.

16. SENATOR HARRIS:

17. Mr. President, I have a motion on the Secretary's Desk
18. dated today that I would like to have the Secretary read.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Secretary will read the motion.

21. SECRETARY:

22. Having voted on the prevailing side, tomorrow I will move
23. to reconsider the vote by which Senate Bill 1402 passed. Dated
24. June 18, 1974. William C. Harris.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Will be at ease for just a moment. Any further business
27. to come before the Senate. Will members please be in their
28. seats. We have a death resolution. Members please in in their
29. seats for a death resolution. Senator Carroll, Senator Soper,
30. Senator Donnewald, Senator Nimrod, Senator Scholl, Senator
31. Merritt, will you please be in your seats so we can proceed.
32. Senator Palmer, Senator Johns...Senator Palmer. Secretary will
33. read the resolution.

1. SECRETARY:

2. Senate Resolution No. 486, offered by Senator Mohr and
3. all members of the Senate.

4. (Secretary reads Senate Resolution 486.)

5. PRESIDING OFFICER (SENATOR MOHR):

6. I move for the suspension of the rules for consideration
7. of the resolution. Is there leave? I move the adoption of the
8. resolution. All in favor will please rise. Resolution is
9. adopted. Senator...or President Harris moves the Senate stand
10. adjourned until tomor...President Harris.

11. SENATOR HARRIS:

12. I just discussed with Senator Knuepfer the meeting that he
13. is having at 8:30 tomorrow morning. He's going to require more
14. time than we had originally anticipated, so our schedule tomor-
15. row will be: a Republican Caucus at 10:30, and the Senate will
16. convene at 11:30. I now move to adjourn until 11:30 tomorrow
17. morning. A Republican Caucan at 10:30 tomorrow morning in the
18. President's Office.

19. PRESIDING OFFICER (SENATOR MOHR):

20. President Harris moves the Senate stand adjourned until
21. 11:30 tomorrow morning. All those in favor signify by saying
22. Aye. Opposed? The Senate stands adjourned.

23. SERGEANT AT ARMS:

24. There will...there will be a meeting of all the Pages in
25. the Page Office immediately.

26.

27.

28.

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