

TREKKA
RO Session

1. PRESIDENT:
2. The Senate will come to order. The prayer will be offered
3. by our colleague, Senator Fred Smith. Will our friends in the
4. gallery...will our guests in the galleries please rise? Sena-
5. tor Smith.

6. SENATOR SMITH:
7. (Prayer by Senator Smith.)

8. PRESIDENT:
9. Reading of the journal.

10. SECRETARY:
11. Wednesday, June 19, 1974.

12. PRESIDENT:
13. Senator Graham.

14. SENATOR GRAHAM:
15. Mr.. Mr. President, I move you if there are no corrections
16. that the journal stand approved as read.

17. PRESIDENT:
18. Senator Graham moves that the journal of Wednesday, June
19. 19 be approved. Are there any additions or corrections? All
20. in favor signify by saying Aye. Contrary No. The motion car-
21. ries. So ordered.

22. SECRETARY:
23. Thursday, June 20, 1974.

24. PRESIDENT:
25. Senator Graham.

26. SENATOR GRAHAM:
27. I move the approval of the journal of June 20, 1974.

28. PRESIDENT:
29. Senator Graham moves the approval of the journal of June
30. 20th, 1974: Are there additions or corrections? All in favor
31. signify by saying Aye. Contrary No. Motion carries. So ordered.

32. SECRETARY:
33. Friday, June 21, 1974.

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1. PRESIDENT:

2. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President, I move the approval of the journal of Fri-
5. day, June 21, 1974.

6. PRESIDENT:

7. Senator Graham moves the approval of the journal of Fri-
8. day, June 21st. Are there additions or corrections? All in
9. favor signify by saying Aye. Contrary No. Motion carries. So
10. ordered.

11. SECRETARY:

12. Saturday, June 22nd, 1974.

13. PRESIDENT:

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, I move the approval of the journal of
17. Saturday, June 22nd, 1974.

18. PRESIDENT:

19. Senator Graham moves the approval of the journal of June
20. 22nd. Are there additions or corrections? All in favor signify
21. by saying Aye. Contrary No. The motion carries. So ordered.
22. Senator Graham.

23. SENATOR GRAHAM:

24. Mr. President, I move that we postpone the reading of
25. the journals of Sunday, June 23rd; Monday, June 24; Tuesday,
26. June 25; Wednesday, June 26; Thursday, June 27; Friday, June
27. 28th; Saturday, June 29; Sunday, June 30; Monday, July 1;
28. all in the year of 1974, until the arrival of the printed jour-
29. nals.

30. PRESIDENT:

31. Senator Graham moves that we postpone the reading of the
32. journals of June 23rd through June 30th, and the journal of
33. July 1st, pending the arrival of the printed journals. Is

1. there a discussion. All in favor signify by saying Aye. Con-
2. trary No. The motion carries. So ordered. Resolutions.

3. SECRETARY:

4. Senate Resolution No. 525, offered by Senators Harris,
5. Graham, Mohr, Weaver, and all members of the Senate.

6. PRESIDENT:

7. It is congratulatory. It is a congratulatory resolution
8. relative to the service of the Pages. I would move to suspend
9. the rules for the purpose of the immediate consideration of the
10. resolution. All in favor signify by saying Aye. Contrary No.
11. The motion carries. On the motion to adopt. All in favor sig-
12. nify by saying Aye. Contrary No. The motion carries and the
13. resolution is adopted.

14. SECRETARY:

15. Senate Resolution No. 526, offered by Senators Netsch,
16. Harris, Partee, and Kenneth Hall.

17. PRESIDENT:

18. Senator Netsch.

19. SENATOR NETSCH:

20. Mr. President, this is a resolution which would authorize
21. a Special Senate Study Committee on Housing. It has been dis-
22. cussed with leadership on both sides and I believe with most of
23. the members on both sides and has been generally approved. It
24. recognizes the fact that housing is a major issue of the State;
25. that we have not examined State policy in this area for some
26. time; that dramatic changes have taken place at the Federal
27. level and that we have simply got to begin to come to grips
28. with the role that the State is going to play and the form that
29. it is going to take. We felt that this was one way in which the
30. Senate could begin to prepare for the session next year. I move
31. the immediate...or the suspension of the rules and immediate con-
32. sideration and adoption of the resolution.

33. PRESIDENT:

1. Senator Netsch moves to suspend the rules for the immediate
2. consideration of the adoption of the resolution. Is there dis-
3. cussion? All in favor...Senator Mitchler.

4. SENATOR MITCHLER:

5. Well, will this be a sub-committee of one of our standing
6. committees, Senator Netsch?

7. SENATOR NETSCH:

8. No, we considered that, Senator Mitchler, but there is no
9. one of the standing committees that really has this entire area
10. totally within its jurisdiction and that's why Senator Harris
11. and Senator Partee felt that this was the appropriate way to go.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. What...what will the committee be composed of? How many
16. members and who are they and...and where will it be funded
17. from? Their expenses?

18. SENATOR NETSCH:

19. The...Senator Mitchler, the resolution authorizes a seven
20. member committee. I do not know who the members will be. They
21. will be appointed, of course, by the President of the Senate
22. and the Minority Leader and at President Harris' suggestion the
23. funding will come from and it will be only expenses from the
24. Senate Operations Commission.

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Would it be proper to have this just as a Senate committee
29. or should it be a joint House and Senate committee?

30. SENATOR NETSCH:

31. I suppose it...

32. PRESIDENT:

33. Senator Netsch.

1. SENATOR NETSCH:

2. Oh, excuse me. I suppose that it might have been a joint
3. committee but we felt that...that we needed to have something
4. so that we, ourselves, could begin to prepare to deal with
5. these issues next year. The House, of course, is free to take
6. the same action. There have been proposals for Legislative
7. commissions, which have just simply not moved in the session
8. because of our somewhat restricted agenda and so we felt very
9. strongly that we needed to have a device for...to prepare our-
10. selves and have hearings and begin to study this issue. That
11. is why it is in the form of a Senate committee alone.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. The reason I raised these questions and I have no objection
16. to this, Senator Netsch, if it's approved by the leadership. In
17. fact I would encourage it. Anybody that wants to go to work on
18. projects and give us some report why we appreciate that. The
19. only thing is I often see that we have these separate House and
20. Senate committees off on different subjects and it becomes quite
21. involved. Some of them can use them to go into great detail and
22. then when they get back to the Legislative Body you find the other
23. House doesn't necessarily concur, they don't have all of the in-
24. formation and so forth. And then another thing, I'd like of
25. these buried into one of our standing...not buried, but assigned
26. to one of our standing committees so that they can become active
27. and then when the project is brought to them in the form of
28. legislation, they will have had benefit of actually working in
29. it, but I'll go along with this.

30. PRESIDENT:

31. Is there further discussion? Senator Netsch moves to suspend
32. for immediate consideration. All in favor signify by saying Aye.
33. Contrary No. The motion carries. And on the motion to adopt.

1. All in favor signify by saying Aye. Contrary No. The motion
2. carries and the resolution is adopted.

3. SECRETARY:

4. Senate Resolu...

5. PRESIDENT:

6. In regard to matters on the Secretary's Desk, Senator
7. Netsch, we have a Conference Committee report relating to
8. Senate Bill 1500. Are you prepared to proceed with that?
9. Yes. All right. In regard to matters on the Secretary's
10. Desk Conference Committee report with respect to Senate Bill
11. 1500. Senator Netsch.

12. SENATOR NETSCH:

13. Mr. President, the Conference Committee report includes
14. the original amendment which the House put on the bill and
15. then when it came back here for concurrence we recognized
16. that there were several technical errors in the House amendment
17. and that is why we went to a Conference Committee. This report
18. has the approval of everyone involved. Basically, the only change
19. that the House has made in the bill as it left the Senate to 50...
20. 45 to 4, I think it was, is that the permit doctors may be hired
21. only up until July 1 of next year and then all the rest of the
22. mechanism that we had built into Senate Bill 1500 comes into
23. play and there is a final cut off date of...of two years, July
24. 1, 1977. I want to put one thing on the record. After the
25. members of the Conference Committee had originally signed the
26. report we passed July 1, or June 30th, and realized that we
27. needed to have an effective date clause in the Conference Com-
28. mittee report. I added that. I have checked, I hope, with
29. every member of the Conference Committee and received their ap-
30. proval and I want the record to show that we did do that follow-
31. ing their signature but it was by agreement. I would move the
32. adoption of the Conference Committee report.

33. PRESIDENT:

1. Is there further discussion? The question is shall the
2. Senate adopt the Conference Committee report on Senate Bill
3. 1500. Those in favor will vote Aye. Those opposed will vote
4. Aye...I'm sorry...those in favor will vote Aye. Those opposed
5. vote Nay. The voting is open. Have all voted who wish? Take
6. the record. On that question the Yeas are 41, the Nays are
7. none. The Senate adopts the Conference Committee report on
8. Senate Bill 1500, and the bill, having received the required
9. constitutional majority, is declared passed. The bill, addi-
10. tionally having received the affirmative vote of 3/5th of the
11. members elected, is effective immediately upon its becoming
12. law. Senator Clarke, are you ready to proceed on 1262? Very
13. good.

14. SENATOR CLARKE:

15. Mr. President, this is a concurrence to the appropriation
16. bill for the House of Auditor General.

17. PRESIDENT:

18. Just a minute, Senator Clarke. Now we're on the order of
19. passage, final action. Senator Clarke is explaining the House
20. amendment to Senate Bill 1262. The appropriation for the Audi-
21. tor General. Senator Clarke.

22. SENATOR CLARKE:

23. Mr. President, there is a problem. I notice that this
24. amendment, Section 3, says this Act takes effect July 1st, '74.
25. Can I ask whether that needs a change now or is that all right?

26. PRESIDENT:

27. No. Under the statute we enacted last year. This is
28. essential, it's...it's fine, the statute that we enacted last
29. year provides for the bill to be effective immediately upon
30. the signature of the Governor, if that specific July 1st, '74
31. date is in it, so it's fine.

32. SENATOR CLARKE:

33. Fine. Well, let me...let me just say that this amendment

1. from the House merely breaks the contractual services. It does
2. not raise the total amount involved, but it merely earmarks the
3. greater portions, 1 million, 680,000 for effective date, August
4. 1st, when Bob Cronson takes over as Auditor General, and I move
5. concurrence with the amendment...amendment No. 2 to the Senate
6. Bill 1262.

7. PRESIDENT:

8. Senator Clarke moves then that the Senate concur in House
9. Amendment No. 2 to Senate Bill 1262. That question is then
10. shall the Senate concur. Those in favor vote Aye. Those opposed
11. vote No. The voting is open. Have all voted who wish? Take
12. the record. On that question the Yeas are 46, the Nays are
13. none. The Senate concurs in amendment No. 2 to Senate Bill
14. 1262. The bill, having received the affirmative vote of 3/5th
15. of the members elected, is effective immediately upon its be-
16. coming a law, and the bill is declared passed. May I have the
17. attention of the Senate. There are twelve bills that are on
18. the Secretary's Desk in the form of the Conference Committee
19. report of the First Conference Committee. That list is Senate
20. Bill 1261, Senate Bill 1273, Senate Bill 1383, House Bill 2345,
21. House Bill 2347, House Bill 2351, House Bill 2355, House Bill
22. 2358, House Bill 2360, House Bill 2365, House Bill 2405, and
23. House Bill 2416. Now I will suggest in a moment that Senator
24. Graham move to suspend the rules to offer the motion to non-
25. concur in the First Conference Committee report and request a
26. Second Conference Committee on those twelve bills. This will
27. procedurally eliminate a good bit of time for us and get these
28. bills into the Second Conference Committee for us then to pro-
29. ceed later on this morning to take a final determination.
30. we give the Second Conference Committee some time to work
31. things out and get to a determination later today on this
32. list of twelve bills. Now is that understood? Senator Wooten.
33. All right now, is it understood? Senator Graham moves that

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1. that series of twelve bills that are in Conference Committee in
2. the First Conference Committee that we have a single motion to
3. nonconcur in the First Conference Committee report. Is there
4. any question about our procedure here? All right. Senator
5. Graham moves that that list of twelve bills, and so that there's
6. no mistake here I'm going to read the numbers again. Senate
7. Bill 1261, 1267...I'm sorry...1261, 1273, 1383, and House Bills
8. 2345, 2347, 2351, 2355, 2358, 2360, 2365, 2405, and 2416. The
9. question is that the Senate nonconcur, offered by Senator Graham,
10. that the Senate nonconcur in the First Conference Committee re-
11. port on that list of bills. All in favor signify by saying Aye.
12. Contrary No. The motion carries and those First Conference Com-
13. mittee reports are not adopted. Now Senator Graham moves that we
14. suspend the rules for the purpose of his making a single motion
15. ...Senator Graham moves that we suspend the rules for the pur-
16. pose of his motion to request a Second Committee of Conference
17. on that same list of bills. On the motion to suspend for that
18. purpose is there a discussion? All in favor signify by saying
19. Aye. Contrary No. The rules are suspended...the motion carries
20. and the rules are suspended for the purpose of Senator Graham
21. making a single motion to request a Second Committee on Confer-
22. ence on that same list of bills. So ordered.

23. SERGEANT-AT-ARMS:

24. There will be a Democratic Caucus on the Sixth Floor im-
25. mediately. A Democratic Caucus on the Sixth Floor immediately.
26. All persons not entitled to the Floor, please retire to the
27. gallery.

28. PRESIDENT:

29. Senator Don Moore, do you wish to make a motion in con-
30. nection with the...Messages from the House.

31. SECRETARY:

32. (Secretary reads Message from the House.)
33. Mr. President, I am directed to inform the Senate

1. that the House of Representatives has refused to adopt
2. the First Conference Committee report and request a
3. Second Conference...Committee of Conference on Senate
4. Bill 1559. I am further directed to inform the Senate
5. that the Speaker of the House has appointed a such com-
6. mittee on the part of the House: Messrs. Washburn, J.
7. D. Jones, LaFleur, Mann, and Davis.

8. PRESIDENT:

9. Senator Moore.

10. SENATOR MOORE:

11. Thank you, Mr. President. At this time, Mr. President, I
12. would like to make a motion to accede to the request of the
13. House of Representatives and request that the Senate appoint a
14. Conference Committee to...a Second Conference Committee on
15. Senate Bill 1559.

16. PRESIDENT:

17. Question is shall the Senate accede to the request of the
18. House that a Conference Committee re...be appointed with respect
19. to a Second Conference Committee on Senate Bill 1559. All in
20. favor signify by saying Aye. Contrary No. The motion carries
21. and the Senate accedes to the request of the House to appoint a
22. Second Conference Committee. Messages from the House.

23. SECRETARY:

24. (Secretary reads Message from the House.)

25. Mr. President, I am directed to inform the
26. Senate that the House of Representatives has refused
27. to adopt the First Committee of Conference and re-
28. quests a Second Committee of Conference on the follow-
29. ing bills: Senate Bill 1346, Senate Bill 1261, Senate
30. Bill 1273, House Bill 2351, House Bill 2355, House
31. Bill 2358, House Bill 2360, House Bill 2364, House
32. Bill 2365, House Bill 2416.

33. PRESIDENT:

1. Did you mention Senate Bill 1346, Mr. Secretary?

2. SECRETARY:

3. Yes, I did.

4. PRESIDENT:

5. Yes, OK. Now, Senator Graham moves that the Senate accede
6. to the request of the House of Representatives for a Second Con-
7. ference Committee on that list of bills that the Secretary has
8. just read. All in favor signify by saying Aye. Contrary No.
9. The motion carries and the request of the House is acceded to
10. with respect to that series of bills. Report of the Special
11. Joint Committee on submission of the proposed Constitutional
12. Amendment.

13. SECRETARY:

14. (Secretary reads Special Joint Committee report.)

15. There is committed herewith the report of your
16. Special Joint Committees, appointed pursuant to
17. House Joint Resolution No. 105 for the purpose of
18. preparing the explanation, arguments and form of
19. ballot on the Constitutional Amendment, to be voted
20. upon by the people at the election to be held on
21. November 5, 1974.

22. PRESIDENT:

23. For what purpose does Senator Glass arise?

24. SENATOR GLASS:

25. Well, Mr. President, I would like to move the approval of
26. this report. This is the report of the Joint Committee, actually
27. Joint Committees, one committee to prepare the arguments and
28. reasons in favor of the amendment, and one to prepare the oppo-
29. sition. I've read these arguments, I think they're fair, and
30. would move for the approval of this report.

31. PRESIDENT:

32. Senator Glass moves for the approval of the Special Joint
33. Committee for the preparation of arguments for the proposed

1. Constitutional Amendment. Is there further discussion? Senator
2. Netsch.

3. SENATOR NETSCH:

4. Mr. President, just a brief comment. I served on the Negative
5. team. I have read the reports on both sides. We prepared the
6. Negative one. While I think that the case for the Affirmative
7. overstates it and I'm not sure I would totally accept Senator
8. Glass' characterization of it as fair, I think that it is accep-
9. table from our prospective and the report should be adopted.

10. PRESIDENT:

11. Are there further comments? All in favor...Senator Glass.
12. All in favor of the approval of the Special Joint Committee
13. signify by saying Aye. Contrary No. The motion carries. So
14. ordered. May I have the attention of the Senate? We have three
15. more bills that are in the First Conference Committee. It has
16. ...the recommendation of that is not going to be concurred in,
17. so to save some time we're going to put a motion that the
18. Senate nonconcur in the Conference Committee report...the First
19. Conference Committee report, and request a Second with respect
20. to House Bill 2354, the appropriation for Labor the Industrial
21. Commission, sponsored by Senator Ken Hall; 2361, sponsored by
22. Senator Knuppel, the appropriation for the Department of Agri-
23. culture; and House Bill 2367, BED, sponsored by Senator Johns.
24. Senator Graham will put the motion to put them all in the Second
25. Conference Committee. Is that understood? Senator Graham moves
26. that those three bills then be...that the First Conference Com-
27. mittee report not be concurred in and that we request a Second
28. Conference Committee. All in favor signify by saying Aye. Con-
29. trary No. The motion carries. So ordered. Senator Partee, I
30. discussed with you calling noncontroversial things as relates
31. to the other subject we were talking about. Now at some point
32. in time Senator Glass wants to get to a discussion of the...of
33. House Bill 2868, which is the multiplier quadrant problem and

1. I just wanted to relate to you that I separate this from the
2. group of bills that we were discussing before. Is...Is that
3. understandable, or do you wish to defer for awhile on discus-
4. sion? At some point we must proceed to a discussion of Sen-
5. ator Glass' bill it does seem to me. Senator ParTEE.

6. SENATOR PARTEE:

7. Well, I think Senator Glass' assistance makes it ob-
8. vious that we will have to get to the seventh or eighth time
9. we've discussed it. It just has to be, I guess.

10. PRESIDENT:

11. OK. All right then. We have on the Secretary's Desk
12. the First Conference Committee report relative to House Bill
13. 2868. For that purpose Senator Glass is recognized.

14. SENATOR GLASS:

15. Thank you, Mr. President and Senators.

16. PRESIDENT:

17. This is the First Conference Committee. Yes.

18. SENATOR GLASS:

19. The First Conference Committee report recommends adoption
20. of this bill with...with the Senator Nimrod amendment on it.
21. That in effect allows the taxing districts to increase their
22. 1972 levy by 6%. It leaves the multiplier, which the Depart-
23. ment of Local Government Affairs for Cook County has proposed,
24. to reduce to 148 in tact. Now we have got to do something about
25. this problem. There are numerous school districts throughout
26. Cook County. There is the City of Chicago School District, all
27. of whi...all of which stands to lose substantial amounts of tax
28. revenues. The loss in Chicago alone for this year is some 13
29. million dollars. I am sorry that we have come to an impasse
30. over the alternate solution. Now these...the solution that we
31. have proposed, which is a one-year emergency solution, will get
32. the job done, and it will not penalize the taxpayers throughout
33. the county and it...it is, I think, by far the fairest approach

1. and I would only urge those Senators who would choose to vote
2. against this or not give their vote for it, because they think
3. there is perhaps a slightly better solution, perhaps a solution
4. that they would prefer over this one, I would urge you to put
5. those considerations out of the way in the interest of the
6. schools, school children of the various taxing districts in
7. Cook County. Let's put partisan politics and...and...
8. pride of authorship aside and get the job done with this Con-
9. ference Committee report. Now it's going to take 36 votes and
10. I certainly hope it will get them. Thank you, Mr. President.

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. Well, this is...this doesn't relate to the issue per se.
15. This is a parliamentary inquiry. I'm given to understand and
16. I'd like to have clarification on this, that when this bill
17. was called for concurrence in the House it received 68 votes.
18. That there was no main...motion made for nonconcurrence and
19. the bill was simply postponed, and I'm questioning whether or
20. not we have the bill within this Body for this motion.

21. PRESIDENT:

22. Well, Senator, the bill, the physical bill is in the
23. possession of the House. Bills that are in Conference Com-
24. mittees cannot be in both Houses, but the fact is that the
25. bill is in the possession of the House, but the Conference
26. Committee request places jurisdiction in both Houses as to
27. the procedure to resolve the differences and that's where
28. we are, so...Senator Partee.

29. SENATOR PARTEE:

30. I understand that. All I'm saying is if there was not a
31. motion made to nonconcur and asking for another Conference
32. Committee to be appointed, this action that we are now taking
33. is useless.

1. PRESIDENT:

2. Originally...Senator Partee.

3. SENATOR PARTEE:

4. The bill is on the order of postponement over there.

5. The...

6. PRESIDENT:

7. Yes, but let me...let me recite to you that...the original
8. circumstances. We sent Senate amendments to the House, which
9. the House did not concur in. A message came back requesting us
10. to recede. We refused to recede and requested a Conference
11. Committee. If we do not concur in the First Conference Commit-
12. tee report, we then request the Second Conference Committee and
13. the House will accede to that unless we chart new waters today,
14. but the tradition has been that the respective second House in
15. each instance that a request for a First or Second Conference
16. Committee is traditionally acceded to, so the request for the
17. Second is our option and if we take action on this Conference
18. Committee report, the request for the Second is still our prero-
19. gative. Senator Clarke.

20. SENATOR CLARKE:

21. Thank...thank you very much, Mr. President, and I'm sure
22. Senator Ozinga won't mind. I just want to answer that question
23. in terms that if we could agree and take positive action I
24. think it would encourage the House to reconsider their motion
25. and possibly provide the additional 20 votes. Let me point
26. out once again that this is a very complex issue that we've
27. been struggling with for at least 10 days, that we had lengthy
28. conferences with people from the Cook County Assessors Office,
29. with the people from the Chicago School District, with expert
30. advice from people from the Civic Federation and the Taxpayers
31. Federation and to reach a new solution at this point is very
32. very unlikely because to go back and recheck it and try and
33. find what bugs were be...were...might be in it would be very

1. very difficult. I feel, and most of those people who
2. participating in that conference three nights ago for an hour
3. and a half on this amendment felt that this would solve the
4. problem this year for the taxing district and provide equity
5. to all of the taxpayers in Cook County and that is what we were
6. attempting to do and it was not a political question because
7. there are taxing bodies in suburban areas as well as in demo-
8. cratic areas, and we don't want to provide any quality to any
9. taxpayer, whichever quadrant he might be in. But the point is
10. that if we persist in a difference based on political considera-
11. tions for the next year and what it might have in terms of the
12. affect on some particular district, we are going to end up
13. letting the taxing districts take their chances with the
14. Department of Local Government who have said they will apply
15. a lower multiplier which would be disastrous to the taxing
16. districts and that is where we are and I think that we've got
17. to think long and hard because the Second Conference Committee
18. isn't gonna really accomplish anything new.

19. PRESIDENT:

20. Senator Dougherty.

21. SENATOR DOUGHERTY:

22. Mr. President and members of the Senate. I concur in
23. everything that Senator Clarke has said except that I cannot
24. concur in the adoption of the amendments proposed by this
25. Senate. It's an ambiguous one, and being very hard to decipher,
26. I try hard to understand and I agree to that. They too will
27. agree. However, I do say that the alternative. Senator Hynes
28. proposed an amendment which I thought we could live with, but
29. in its present form there are only two quadrants that have been
30. reassessed. The other two have not. Their budget was made up
31. on the presumptive of a...presumption of a 159 and there were
32. no public hearings, or I mean rather...there were public hearings
33. on the proposed new multiplier, that is true, but no official

1. announcement was made - and whatsoever as required by law.
2. No official pronouncement has been made. It has been assumed
3. that we will have 1.431 multiplier. It's just an assumption.
4. And therefore I cannot concur in this Committee report.

5. PRESIDENT:

6. Is there further discussion? Senator Netsch.

7. SENATOR NETSCH:

8. Mr. President, I would hope that we do adopt the Conference
9. Committee report despite the sort of tenuous and growing every
10. day and every hour more tenuous alternative of a Second Con-
11. ference Committee. There is no question that this is a highly
12. complicated issue. I've been involved in many of the hundreds
13. of hours of negotiation and discussion that have taken place.
14. I think that what this amendment does in its present form is
15. probably fair. I'm very persuaded that it's fair to people in
16. Quadrant 1, which includes my district. I think that a lot of
17. the concerns about it are con...fear of the unknown. It may
18. have some impact that we have not yet quite conjured up. I
19. think all of us concede that possibility. In the meantime
20. it is a bird in hand. We know the consequences if the Legisla-
21. ture does nothing. The taxing districts, including the Chicago
22. School District, are going to be in extremely serious difficulty.
23. Something has got to pass. We are at an impasse. This is one
24. alternative that I think, if not perfect, is reasonable and
25. I hope we would accept it.

26. PRESIDENT:

27. Senator Saperstein.

28. SENATOR SAPERSTEIN:

29. Mr. President and ladies and gentlemen of the Senate. It's
30. redundant to say this is a torturous decision and a torturous
31. question but we do have to recognize that it will be disastrous
32. to some school districts, absolutely disastrous if we don't come
33. out with some plan to negate the...the results of what has been

1. done as far as the multiplier is concerned or what will happen.
2. And I represent both the suburb and the City of Chicago and it
3. ...I suppose it's going to be difficult to be fair to both;
4. however, I'm inclined to...to support this bill; however, I'm
5. going to vote Present because I hope, I want to exhaust everything
6. we...every method we can, every facility we can, to see if we
7. cannot work out a compromise.

8. PRESIDENT:

9. Is there further discussion? Senator Glass may close.

10. SENATOR GLASS:

11. In closing, Mr. President, I would just point out to the
12. Senators that the reason we are in this very unfortunate posi-
13. tion is because the Executive Branch of Government waited until
14. late May or June to come out with this multiplier. This is a
15. terrible way to treat our local governments who must plan ahead,
16. must budget intelligently for their needs for the following years.
17. In the case of school districts, they are committed by contracts
18. to their teachers; in the case of other governmental units, they
19. are also committed for the other public services they render.
20. And it was only at the 11th hour that this reduced multiplier
21. came out, causing the best laid plans of all of these districts
22. to go astray. So we really, I think, through this bill have a
23. chance to undo some of the damage that's been done by that
24. proposal and treat them fairly and I...I urge you again to put
25. aside your hopes, look at the time, we...I hope we're in the
26. waning hours of this session and I would urge that 36 votes
27. or more be put on this Conference Committee report. Thank you,
28. Mr. President.

29. PRESIDENT:

30. The question is shall the Senate adopt the Conference
31. Committee report on House Bill 2868. Those in favor will vote
32. Aye. Those opposed Nay. The voting is open. Have all voted
33. who wish? Take the record. On that question the Yeas are

ALL 2897
2/21/14
7/2/14

1. 28, the Nays are 16, 7 voting Present. The bill...I'm sorry...
2. the Conference Committee report is not adopted and the Secre-
3. tary shall so inform the House. Senator Glass, do you wish to
4. move for a...the appointment of a Second Conference Committee?
5. Senator Glass moves to request the House to appoint a Second
6. Committee on Conference with respect to House Bill 2868. All
7. in favor signify by saying Aye. Contrary No. The motion car-
8. ries. So ordered. On the order of Sen...House Bills on Third
9. Reading, Senator Sours has requested to recall House Bill 2897
10. for purposes of amendment. Is there...the bill is ordered to
11. second reading. Senator Sours is recognized.

12. SENATOR SOURS:

13. Mr. President and Senators. I'm told Senator Rock has a
14. copy of the new amendment. Apparently one of the amendments
15. we put on, it was thought quite properly, was a little broad
16. or far too broad, so this will amend page 2, page 3, in 4 dif-
17. ferent places and we refer to in the amendment or as appointed
18. municipal council. It's a good amendment. I think it...it
19. strengthens the bill, it takes away the broadness and I would
20. move its adoption.

21. PRESIDENT:

22. Senator Sours moves the adoption of amendment No. 2 to
23. House Bill 2897. Senator...oh, I'm sorry, it's amendment No.
24. 3...I...yes...I looked at the reading...all right...Senator
25. Rock. OK.

26. SENATOR ROCK:

27. I think, Mr. President, that my amendment has to be re-
28. considered and Tabled and then this one go one.

29. PRESIDENT:

30. Yes. Senator Sours moves to reconsider the vote by which
31. amendment No. 2 was adopted. All in favor signify by saying
32. Aye. Contrary No. The motion carries. Now, with respect to
33. amendment No. 2, Senator Sours moves to Table. All in favor

1. signify by saying Aye. Contrary No. The motion carries and
2. amendment No. 2 is Tabled. Now Senator Sours moves to adopt
3. Amendment No. 3 to House Bill 289". Is there further discus-
4. sion? All in favor signify by saying Aye. Contrary No. The
5. motion carries and amendment No. 3 is adopted. Are there
6. further amendments? Third reading. Senator Mitchler, do you
7. wish to call House Bill 2541? Yes. On the order of Third
8. Reading, Consideration Postponed. Senator Mitchler with re-
9. spect to House Bill 2541.

10. SENATOR MITCHLER:

11. Mr. President and members of the Senate. House Bill 2541
12. as amended is on the Consideration Postponed. This increases
13. the salaries for administrative secretaries to Chief Judges
14. from 8500 to 11,000 per year. The amendment that was put on
15. yesterday makes the effective date of the Act on the date that
16. the bill is signed into law. This will require 36 votes for
17. passage. I would ask for a favorable roll call.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Thank you, Mr. President. I rise in support of House Bill
22. 2541 and I would ask, as Senator Mitchler has, for a favorable
23. roll call.

24. PRESIDENT:

25. Is there further discussion? Question is shall House Bill
26. 2541 pass. Those in favor will vote Aye. Those opposed, No.
27. The voting is open. Have all voted who wish? It is July 2nd.
28. Have all voted who wish? Take the record. On that question
29. the Yeas are 39, the Nays are 7, 3 voting Present. House Bill
30. 2541, having received a constitutional majority, is declared
31. passed. Let the record show that House Bill 2541 received the
32. affirmative vote of a 3/5ths majority of the members elected.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Messages from the House.

2. SECRETARY:

3. (Secretary reads Message from the House.)

4. Mr. President, I am directed to inform the Senate

5. that the House of Representatives has refused to con-

6. cur with the Senate in the adoption of their amendments

7. No. 1, 2, 3, 5, 6, 7, 8 to a bill of the following title:

8. House Bill 2402. Senator Bruce is the Senate sponsor.

9. Department of Personnel.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Bruce. Senator Bruce.

12. SENATOR BRUCE:

13. It's 2402, I believe. Yes. I would move that we refuse

14. to recede from the Senate amendments and that a Conference

15. Committee be appointed.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Motion of Senator Bruce is that we refuse to recede from

18. the Senate amendments on House Bill 2402 and that the com...

19. Second Committee on Conference be appointed. All in favor

20. signify by saying...

21. SENATOR BRUCE:

22. No...no that would be...if I misheard you, it's the first...

23. that a Conference Committee be appointed.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. That a Conference...I'm sorry...I thought...that a Con-

26. ference Committee be appointed. I stand corrected. All...all

27. in favor signify by saying Aye. Opposed. The Ayes have it and

28. the House will be so notified. Senator Kenneth Course.

29. SECRETARY:

30. House Bill 2833.

31. (Secretary reads title of bill.)

32. Third reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Course.

2. SENATOR COURSE:

3. Thank you, Mr. President and members of the Senate. Senate
4. ...or House Bill 2833 provides the necessary funds to start up
5. and implement the cost of a photographic driver's license pro-
6. gram in the State of Illinois. Now ladies and gentlemen, back
7. in 1933...1973 we passed the legislation granting the Secretary
8. of State this power. This is to implement it. We hope to im-
9. plement it by the 1970, January 1st...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. May we have some order. One of our Senators is addressing
12. this august Body on the point of asking for passage of a bill
13. on third reading and I think order is appropriate at this time.

14. SENATOR COURSE:

15. The program will be completed by January 1 of 1976. Now
16. the amount of money necessary is 1 million, 405 thousand dollars
17. and 50 cents. Now ladies and gentlemen, we passed this legis-
18. lation, granting the Secretary of State the authority to do
19. this. Now, as a member of the Motor Vehicle Laws Commission
20. I was privileged to go to the State of North Carolina to view
21. the system that they have. It's a similar system, operating
22. in 30 States in the United States. It's a good program. It's
23. very efficient. It results in the...practically the elimination
24. of counterfeiting of driver's license. It's resulted in the
25. deterrent of crime. This is admitted by the Secretary of State
26. of the State of North Carolina. Now 30 States have this author-
27. ity, ladies and gentlemen, are doing it at the present time.
28. This is to implement the entire program. When the program
29. has been completed, at the stations they will be able to, at a
30. ...a machine, they will be able to scan the driver's license,
31. the record of any driver in the State of Illinois, who has a
32. valid driver's license. It's a good piece of legislation. I
33. understand that I'm going to not enjoy the support of the people

1. on the other side of the aisle, even though we did have a vote
2. of 39 to 3, I believe it was, to implement this, to give the
3. Secretary of State this power. I think it is a good program,
4. I think there has been ample study made on it, and I would
5. appreciate your support.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Discussion? Senator Harris. May we have some order, please,
8. gentlemen. Please, just a moment. Will the Senators please be
9. in their seats? May we have some order. President Harris.

10. SENATOR HARRIS:

11. All right. Mr. President, I just want the members from
12. this side of the aisle to, of course, be aware of the fact
13. that not only in this bill is there the appropriation for 225,000
14. for the development cost of establishing a photographic driver's
15. license program, but additionally there is in the bill as it has
16. been amended approximately a million dollars for the implementation
17. and the actual operations of this program during the next fiscal
18. year. It seems to me that this is one of those items that can
19. be deferred and while there is merit for the concept, I just
20. don't think it's timely to proceed with both the developmental
21. cost and the operations cost and I would encourage the members
22. from this side of the aisle to resist this appropriation at this
23. time.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Further discussion. Senator Kenneth Hall.

26. SENATOR HALL:

27. Thank you, Mr. President and members of the Senate. Now
28. originally that this appropriation was 2,180,000. The
29. Secretary of State found out through their...the number of
30. research and it was cut one million dollars, so it was brought
31. back to one million, one hundred and eighty thousand. Now, as
32. Senator Course has already told you, that we had passed this
33. legislation and we have given them, the Secretary, the right

1. to do this and this is in anticipation that it would take four
2. years to complete this transition. Now a lot of people have...
3. probably think that there're going to be a lot of people wait-
4. ing in line. I've...I've received letters from different ones
5. saying that people would have to lose time from their work, but
6. this is not true. That with this new system that they're going
7. to have it's only a matter of minutes that they can place a
8. person's photograph on this card and noone will have to lose
9. any time. Also that, as Senator Course has told you, 30 States
10. have this and we're...there is no special selection system on
11. the market today and I would say that this is a good bill and
12. I would ask a most favorable vote on it.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Wooten.

15. SENATOR WOOTEN:

16. Mr. President and colleagues. If I can just clear up a
17. couple of points with the sponsor. Senator Course, I under-
18. stand this appropriation will really lay the basic hardware
19. out for immediate transmittal of information so that you can
20. obtain a driver's license on the spot. This amount of money
21. will not accommodate the photographs, is that correct?

22. SENATOR COURSE:

23. No, that is not correct. It will accommodate the photo-
24. graph too.

25. SENATOR WOOTEN:

26. No, I mean, will this amount of money, if we appropriate
27. this, will this mean that the whole thing is ready. I thought
28. this was for gearing it up and laying out the basic hardware
29. and we would have to do some additional work later on.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Course.

32. SENATOR COURSE:

33. No, Senator Wooten. The 225,000 dollars and 50 cents that

1. I had before would have set up the program. This is for the
2. entire program and I called that to the attention of the Senate
3. when I explained the bill. I said there was 1 million, 405
4. thousand dollars, and 50 cents. It includes the 225,000 dollars
5. and one million, 180 thousand dollars.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Wooten, are you completed? Further discussion?
8. Question before the Senate is shall House Bill 2833 pass.
9. Those in favor will vote Aye. Those opposed will vote Nay.
10. The voting is open. Have all voted who wish? Have all voted
11. who wish? Take...have all voted, gentlemen? Have all voted
12. who wish? Take the record. On this question the Yeas are 20...
13. Senator Course.

14. SENATOR COURSE:

15. I'd like to put this bill on postponed consideration...

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. There's been a motion by the sponsor, the bill be placed
18. on the order of consideration postponed. Leave is...is leave
19. granted? Leave is granted. The bill will be placed on the
20. order of consideration postponed. Senator Wooten. Senate will
21. be in order. Senator Harris.

22. SENATOR HARRIS:

23. Mr. President, I believe on the Secretary's Desk is the
24. Second Conference Committee report of...on Senate Bill 1559,
25. the appropriation for the Department of Public Aid. Senator
26. Don Moore is the sponsor of that bill. He is on the Floor.
27. I would be pleased if you would recognize him.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Don Moore.

30. SENATOR MOORE:

31. Thank you, Mr. President and members of the Senate. There
32. has been prepared after negotiation a Second Conference Committee
33. report that has been signed by seven members of the Conference

1. Committee, the five members of the Senate and the two Democratic
2. members of the committee in the House. What the Second Confer-
3. ence Committee report does, Mr. President and members of the
4. Senate, we have provided in it additional monies for a 5% Cost
5. of Living increase for the AFDC category, the General Assistance
6. category, and the Aged, Blind and Disabled category. Although
7. the amount for the ABD is 750,000 there is a Federal supplement
8. of 6 dollars a case that does go into effect for a single person
9. as of July 1 and the 6 dollars plus the amount of money we have
10. put in the Aged, Blind and Disabled category will give those
11. people, who, if anyone is in need of a Cost of Living increase,
12. it's the Aged, Blind and Disabled. It will give that category
13. the equivalent to a 10% Cost of Living increase also. These are
14. mandated in the bill as of October 1, 1974. In addition to the
15. new money, which amounts to 26 million, 149 thousand, 500 dollars,
16. there is also mandated from within the existing line item, a 5%
17. Cost of Living increase effective October 1, 1974. So, in effect,
18. we will be granting to recipients a 10% increase, 5% which is
19. in the Governor's Budget, and 5% of new money that is provided.
20. In addition to that we have made a prov...another addition for
21. some 178 employees. These were recommended by the Legislative
22. Advisory Committee on Public Aid, 150 of which are Case Worker
23. I positions, 20 of which are Investigators of which 10 are
24. Special Investigators in the Medical process, and 4 Regional
25. Directors and 4 secretaries for the County of Cook. Also there
26. has been, and I think this is the main bone of contention, the
27. language used insofar as the Attorney General is concerned,
28. members of the staff of the Attorney General and Mr. Goldberg
29. did this morning arrive at language that was acceptable to both
30. of them and they both signed and approved the language that
31. presently exists in the Section 4 of the bill, dealing with the
32. so-called Attorney General's amendment. I think that this is a
33. good compromise; I think the fact that we have put in new money

1. for a Cost of Living increase will get this bill passed in the
2. House, which on two occasions has mandated a Cost of Living in-
3. crease. I think that it is a good compromise; I think that it
4. is now a better bill than it was when we started with. I'd be
5. happy to answer any questions or if there are none, I would
6. move for concurrence in the Second Conference Committee report
7. on Senate Bill 1559.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Partee.

10. SENATOR PARTEE:

11. Well, Mr. President and members of the Senate. I wanted
12. to rise to ask for concurrence also in this bill. I wanted to
13. say first that I think that the Public Aid Advisory Commission
14. members deserve a bit of gratitude extended their way from the
15. members of this Senate. They have done a real humanlike job
16. and this is a very very difficult area. They've done an excel-
17. lent job and I think they deserve our praise and commendation.
18. I was happy to hear the Senator...Senator Moore say that he
19. thinks this is probably now a better bill and I would like for
20. you to know that we think so too and that we hope you will excuse
21. us for not rushing pell mell into voting for it last night,
22. because we had the feeling that it would be a better bill as
23. a result of our withholding our votes last night. We took the
24. barbs and we were excoriated because we didn't but sometimes
25. the future is to be predicted by others and not ourselves, but
26. this time we were able to predict the future and it has now
27. developed into what is a sensible working arrangement and the
28. Attorney General's amen...amendment, which was a part of the bone
29. of contention, the main bone of contention, has now been reworded
30. to a place which makes it acceptable to all parties and makes it
31. in conformity with the statutory law of the Federal Government
32. and the rules and regulations and I would certainly ask all
33. members on this side of the aisle to vote for the concurrence of

1. this new fine Conference report.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Any further discussion? Senator Moore...Don Moore.

4. SENATOR MOORE:

5. Just very briefly in closing, Mr. President. In the Governor's Budget there was money that was, you might say, conditioned
6. upon the reduction of the AFDC case load. I would like to thank
7. Senator Partee for the kind words of the...that he has given to
8. the members of the Legislative Advisory Committee on Public Assistance.
9. I might also add, Senator, that since March of last year,
10. that Commission has held over thirty meetings, so indeed it is a
11. working Commission, but after the so-called reform measures that
12. we have gone into in the State of Illinois, starting with the
13. Flat Grant prob...or the Flat Grant idea, of going ahead with
14. Cook County merger, other legislation, I'd like to just report
15. to the members of the General Assembly that in March of '74 after
16. all the law suits and everything were out of the way, we had a
17. case load in ADC of 210,000 cases. Our actions went into effect
18. during March; they were reflected in April with a decrease of
19. 1,900 cases; in May another decrease of 982 cases; in June
20. another decrease in excess of 1,000 cases; and presently, after
21. 3 months of the work that the Director of the Department of Public
22. Aid has done, the cooperation of the Legislative Advisory Committee,
23. our case load has dropped 4,000 cases since the first
24. of April 1974. It appears that this trend will continue during
25. the month of July, that the case load again will drop. And, I
26. want to point out to the members of the General Assembly that
27. this is the first time in at least 15 years that there has been
28. a continuous deduction in the ADC case load in the State of
29. Illinois. We are headed in the right direction. We are doing
30. things correctly. I think if we continue under the leadership
31. of the Director of the Department, we can have more than sufficient
32. monies for the 5% which we have allocated in the Governor's
33.

1. Budget. Mr. President, at this time I would like to move that
2. the Senate do concur in the Second Conference Committee report
3. on Senate Bill 1559.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. The question before the Senate, shall the Senate concur in
6. the Second Conference Committee report on...report on Senate
7. Bill 1559. Those in favor will vote Aye. Those opposed will
8. vote Nay. The voting is open. Have all voted who wish? Have
9. all voted who wish? Take the record. On this question the
10. Yeas are 45, the Nays are 2. The bill, having received the
11. required constitutional majority, is therefore declared passed;
12. and having received the affirmative vote of 3/5ths of the
13. elected members of this Senate, it will be effective upon its'
14. becoming law. Messages from the House.

15. SECRETARY:

16. (Secretary reads message from the House.)

17. Mr. President, I am directed to inform the Senate
18. that the House of Representatives has acceded to the
19. request of the Senate for a Committee of Conference
20. to consider the differences between the two Houses in
21. regard to Senate amendments to bills of the following
22. titles: House Bill 2753, House Bill 1464, House Bill
23. 2345, House Bill 2347.

24. Mr. President, I am directed to inform the Senate
25. that the House of Representatives has refused to con-
26. cur with the Senate in the adoption of their amendments
27. No. 1, 2, 3, 4, 5, 6, and 7 to a bill of the following
28. title: House Bill 2277. Senator Vadalabene's the
29. Senate sponsor.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Vadalabene.

32. SENATOR VADALABENE:

33. Mr. President, is that the Secretary of State's...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Yes and the House had refused to concur in the Senate
3. amendments.

4. SENATOR VADALABENE:

5. All right, so I will be in agreement with the action of the
6. House and request a Conference Committee. Is that right?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Your motion would be that the Senate refuse to recede and
9. a Committee on Conference be appointed.

10. SENATOR VADALABENE:

11. That's correct.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. All in favor of that motion signify by saying Aye. The
14. House will be so informed. Senator Kenneth Hall, for what pur-
15. pose do you arise? Or are you arising? To rest. Thank you.
16. Mr. Secretary. Conference Committee report. Senator Harris.

17. SENATOR HARRIS:

18. Mr. President, I believe there is on the Secretary's Desk
19. a Conference Committee report on Senate Bill 1261, of which
20. Senator Course is the sponsor. I'd like to inquire whether
21. Senator Course wants that bill called now. I would just point
22. out that we have very little time left to be effective with our
23. responsibility to implement the State Budget. There is a
24. majority Conference Committee report in connection with this
25. agency, the Illinois Liquor Control Commission. Senator Course,
26. are you ready to have this Conference Committee report considered?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Course.

29. SENATOR COURSE:

30. Yes I am, Mr. President.

31. SENATOR HARRIS:

32. Fine. Now I'd like to just make a few remarks that really
33. have little to do with the bill itself. For weeks Senator Partee

1. and I have been urging our colleagues in the General Assembly
2. on both sides of the rotunda to move on toward making these
3. myriad decisions that we are called upon to make and not let
4. them run over until the very last minute. In spite of our
5. joint representation we have ultimately found ourselves in the
6. posture of on the second day of July at 4 p.m. in the afternoon
7. still with major, major decisions yet to be responded to. In
8. the course of several weeks we have systematically been adding
9. a series of amendments that implement the responsibility of
10. the chief legal officer of the State, the Attorney General,
11. to perform that role and within the last several years...several
12. days, understanding crystallized that there were four agencies
13. about which this amendment was critical and there was agree-
14. ment from the joint leadership of both sides of the rotunda
15. that these four agencies would respond to the continued pre-
16. sence of the Attorney General's amendment and the other State
17. agencies, all of which have had the Attorney General's amendment
18. imposed upon them, in the spirit of compromise and understanding
19. that time was perilously short, would be deferred and that the
20. Attorney General amendments in Conference Committee would be
21. removed. Those four agencies are the Public Aid Department
22. appropriation bill, which we've just concurred in by some 40
23. votes, sufficient without question above the 3/5ths majority
24. required. The second such agency is this one, the Illinois
25. Liquor Control Commission. The Attorney General amendment is
26. on, and this understanding that was synthesized several days
27. ago should now be implemented and fulfilled, and we will proceed
28. next, I hope, to have Senator Knuppel call his bill which is on
29. the calendar on the order of the Secretary's Desk, which is the
30. third agency involving the understanding that the Attorney
31. General amendments will remain; and the fourth is the bill about
32. which we have no immediate responsibility because it still
33. resides in the House. The appropriation for the Environmental

1. Protection Agency. Now I think we all recognize that time really
2. is perilously close to running out. I'm not going to state that
3. it has run out, but it's perilously close. We've all been here
4. on a daily basis since a week ago Sunday. The leadership was
5. here on the day before, Saturday, and several members, and we
6. were here that preceding week from Monday through late Friday.
7. During that period of time there have been many late night ses-
8. sions. I want to call attention to two people and I'm not pin-
9. pointing anybody insofar as their votes on this Conference Com-
10. mittee concurrence vote, but I want to call attention to the
11. devotion and the dedication that Senator Hynes and Senator McBroom
12. and their respective staffs. Senator Hynes is the Minority spokes-
13. man of the Appropriations Committee of the Senate, and the Minor-
14. ity staff of that committee; and Senator McBroom, the Chairman,
15. and the Majority staff of the Appropriations Committee, have
16. contributed to the process of Government beyond the call of
17. duty without question. These Conference Com...this Conference
18. Committee report has not been joined in by any Minority members
19. but it is the ultimate product of the Legislative process and
20. I want you to know clearly that there are no words or implications
21. or nuances of threats in what I am saying now. No threats. But
22. I do call for you to recognize the hour. Now the amendatory
23. veto is available to the Chief Executive and I would urge you
24. as Legislators to recognize that this important agency, the one
25. that involves the State's responsibility in the regulation of
26. one of the most complex industries in State Government, we
27. cannot leave unprotected the State's responsibility not to fund
28. this important agency. It has not been funded now for two actual
29. work days of 1974; two days of Fiscal 1975. I do hope that the
30. membership of the Minority side of the aisle will accept these
31. words from me as I have raised them and urging from you to join
32. us to take affirmative action to fund the essential responsi-
33. bilities of State Government and vote Aye with me on the motion

1. to concur in the Conference Committee - the Second Conference
2. Committee on Senate Bill 1261. Thank you, Mr. President.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any further discussion? Senator ParTEE.

5. SENATOR PARTEE:

6. Mr. President and members of the Senate. I, too, would like
7. to add to what Senator Harris said, words of praise, accolades,
8. and encomiums to Senators Hynes and McBroom and their individual
9. staffs for the work product which they have given this Senate
10. during this session. They have been fantastically competent
11. in a very gargantuan kind of task. They've done a marvelous
12. job. Last night we considered the Welfare Budget and because
13. we felt that that Conference Committee contained or did not con-
14. tain language which we thought it should, we withheld our votes
15. from it and were subject to the pillory and railing and
16. excoriation from you because we believed differently and as it
17. eventuated today we passed that bill in what everybody now
18. agrees is a much more acceptable form. Let's talk about some-
19. thing that is beneath the surface of all of these conversations
20. and beneath the subject of...surface of the rhetoric. There is
21. indeed a confrontation existing between the Attorney General
22. of Illinois and the Governor of Illinois on this subject. Let's
23. face it. Both of them are trying at this moment to be expressive
24. of their individual positions and postures by way of the media,
25. by way of press conferences and press releases. Let me say to
26. you that perhaps the Attorney General is right; perhaps the
27. Governor is right, but my decision at this moment is not made
28. on that facet of the problem. I happen to think that the Gover-
29. nor is right. But more than that there is involved in this
30. question a matter of principle for me, a matter of principle.
31. As I read the Constitution, as I read the remarks of the various
32. persons who were formulated...who formulated the Constitution as
33. members of the Constitutional Convention, I have no doubt in my

1. mind but that the engraftment of the Attorney General's office
2. on these various Code agencies is violative of our Constitution.
3. It would not matter to me if the Attorney General were a Demo-
4. crat, I'd still take this same position. I evaluated it in terms
5. of law and principle and not in terms of personality and poli-
6. tics. I don't like being thought of as a pawn on a chess board.
7. I like to be thought of as a responsible legislator who votes
8. his convictions, extrinsic to political considerations past,
9. present and future. We came down here for a revenue session;
10. revenue and appropriations, to deal with the budget and it is
11. ironical that here at the end of the session and two days there-
12. after we're now dealing with the things we came to deal with at
13. the first part of the session. I suppose that isn't anyone's
14. fault, but we have, of course, dealt with a large number of
15. things that had absolutely no place here. Now if we do not
16. vote to concur in this Second Conference report, as I read the
17. rules and those other referred to orders of rules, there is
18. nothing to prevent a Third Conference Committee being called.
19. I suggest to you that custom and usage has dictated that we
20. normally confine ourselves to two Conference Committees. I
21. think there's more than that involved because at a time when
22. we had joint rules the joint rules prohibited more than two
23. Conference Committees. The joint rules would indicate that after
24. a Second Conference Committee was not adopted that the bill died.
25. We tried very hard to get joint rules in this session of the
26. Legislature; and, as early as 1971, when I served as President
27. Pro Tem of this Senate, we've never been able to get joint rules
28. from the House; and hence, that limitation on the number of Con-
29. ference Committees does not now obtain. I suggest to you that
30. when we shall have finished here, if there are not enough votes
31. to adopt this Conference Committee report that there are two
32. alternatives available to the President. One is to not report in
33. this Conference Committee report and see if this Conference

1. Committee on further deliberation can resolve our dilemma or
2. to call a third one. I would hope, I would trust that the
3. business of Government, and this is a vital part of Govern-
4. ment, would not be allowed to die for lack of our giving addi-
5. tional consideration to this very gargantuan problem. It hap-
6. pens that time is still on our side, because in the House of
7. Representatives now they are considering or at least the De-
8. partment of Transportation bill is on...is still on second
9. reading, as is the Environmental Protection Act. The General
10. Services Administration bill has yet to be dealt with, so there
11. is time for us to sit down like reasonable persons and resolve
12. this problem. We feel, gentlemen, that this engraftment of
13. this Attorney General's amendment on this and other agencies
14. is outside of the purview of reasonableness and outside of the
15. purview of the Constitution. We have no one other way to fight
16. it except to withhold our vote. We want to vote for this
17. agency as we do to fund all of the agencies. We're in the
18. same position we were in last night with the Welfare budget.
19. We want to be responsible. We ask you to not let this go down
20. and you have the means and the ability to provide a new forum
21. for the solution of this very crucial problem.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Harris.

24. SENATOR HARRIS:

25. Mr. President.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Harris.

28. SENATOR HARRIS:

29. Will the Senator yield to a couple of questions?

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Partee.

32. SENATOR HARRIS:

33. Senator Partee, as you and I walked over to the House Cham-

1. ber this morning did we discuss the question of custom and usage
2. as relates to the Second Conference Committee report? Custom
3. and usage procedure of the two Houses?
4. SENATOR PARTEE:
5. Yes we did. I just alluded to it.
6. SENATOR HARRIS:
7. And did we not...did we not concur with each other that that
8. custom and usage procedure should be sustained?
9. SENATOR PARTEE:
10. I said that we talked about custom and usage and that we
11. also...
12. SENATOR HARRIS:
13. No...Senator...Senator...
14. SENATOR PARTEE:
15. ...
16. SENATOR HARRIS:
17. Senator, my question is very simple, did we not concur...
18. did we not concur with each other that the Second Conference
19. Committee custom and usage procedure that has been followed
20. without joint rules, should be sustained?
21. SENATOR PARTEE:
22. No, we did not. I did not ever say that. No...
23. SENATOR HARRIS:
24. OK. All right. OK. That's...that answers my question,
25. Senator.
26. SENATOR PARTEE:
27. I said that there was custom and usage.
28. SENATOR HARRIS:
29. You've...you've answered my question. Now...
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Gentlemen, one at a time...
32. SENATOR HARRIS:
33.the preceding few weeks, I'm sorry, the preceding few

1. days from today, has there not been an understanding that four
2. agencies would receive the Attorney General's amendments and
3. did you not concur in that with representatives of the Democrat
4. leadership from the other side of the aisle, of the other side
5. of the rotunda, and representatives of the Attorney General's
6. office. Did you not concur in that, Senator Partee?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Partee.

9. SENATOR PARTEE:

10. We had a long and involved conversation in the presence
11. of other members of the leadership staff on both sides. It
12. was made perfectly apparent to me that the Attorney General
13. wanted those four agencies and wanted his lawyers there. As
14. to my having told to you in granite that I would be supportive
15. of that concept, I would have to say to you No. I told you
16. that I looked kindly with favor on that proposition, but a lot
17. of things have changed since then.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Harris.

20. SENATOR HARRIS:

21. Senator, the thing that has changed is you, and I am really
22. personally disturbed. Honestly, my heart is darn near breaking.
23. Senator Partee, you are the person who has changed. We have an
24. important State agency here and we are going to put our affirma-
25. tive votes on it on the Second Conference Committee report, which
26. is the last Conference Committee report according to custom and
27. usage and which discussion you and I had this morning and your
28. concurrence was given to me. One of the wonderful things that
29. you and I've had over the years has been our ability to under-
30. stand each other and as we walked to the Speaker's office this
31. morning, I can recall precisely where it was, it was in the
32. hallway just outside his door. We did not proceed to his office,
33. we went to the podium, but we discussed the question of custom

1. and usage on the Second Conference Committee and for you to raise
2. that question now really wounds me and when you also say that
3. time is on our side, I say to you, Senator Partee, something has
4. happened, because time is not on our side. We have countless
5. numbers of additional decisions to make here in the second day
6. of Fiscal '75 and it...it...it...it honestly wounds me that
7. these events of the last few minutes are taking place and I urge
8. your membership, if you won't, to join us in funding an essential
9. agency of State Government.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Partee.

12. SENATOR PARTEE:

13. Well, let me just say, Senator Harris, that ours has been a
14. warm and kinetic relationship. I think that we have worked many
15. many hours trying to do what we thought was right and proper for
16. the people of this State through the vehicle through which we
17. work, the State Senate. It grieves me that you are disturbed
18. and that you are hurt. It seriously hurts me that you are hurt.
19. I would hope, however, that if this bill does not receive the
20. necessary votes that you would postpone consideration until we
21. can work out a final arrangement.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Netsch and then Senator Howard Mohr.

24. SENATOR NETSCH:

25. Mr. President, one thing that it seems to me is very im-
26. portant is that the nature of the dispute that has arisen be
27. put in proper context and it seems to me that that has not really
28. be done in the media or in the debates to date and I think the
29. Attorney General's very quiet efforts around these chambers have
30. done nothing but obscure the real nature of it. This is not
31. really just a simple political battle between two political
32. figures. I think what is involved here is probably the most
33. important Constitutional crises, if you will, involving the

1. nature and the structure of the Executive Branch of Government
2. that has confronted us in a long long period of time. What the
3. Attorney General is saying is that, and remember this is just
4. one man, who is now threatening to really hold up the entire
5. process of State Government until he gets his way on a point on
6. which there is no doubt he has no right to get his way, and that
7. is whether the Governor of the State, in the Executive depart-
8. ments of the State, is to be permitted to have any inhouse
9. counsel, any people on his staff, the staffs of his important
10. agencies, who are permitted to provide the kind of legal advice
11. which, alas, is necessary in this complicated world that we
12. lawyers have created. If he is not in that position, then he
13. and the agencies under the Governor, simply cannot function and
14. this is true whether it is Governor Walker, Governor Ogilvie,
15. or any Governor who might be looking for that position and re-
16. ceive it in the future. A Governor must have his own internal
17. advisors. If he must turn to a separately elected State official
18. for that kind of advice which is a critical part of the operation
19. of every Executive agency in this State, the Governor of the
20. State, despite our Constitution, will no longer be the Chief
21. Executive Officer of the State and that is what this battle is
22. all about. Now in...this is not a new battle. During the
23. Constitutional Convention we saw the groundwork for this very
24. moment in time being laid. In the dispute over what language
25. would describe the legal power of the Attorney General, some
26. of us were very concerned about the things that Mr. Scott was
27. saying at that time about his sole right to hire and control
28. every attorney employed by the State of Illinois and so an
29. amendment was prepared that would more clearly define the con-
30. tinuing right of a Governor and an Executive agency to have
31. its own inhouse counsel. We were being bitterly fought on that
32. issue and so we finally obtained, from the man who was Mr.
33. Scott's spokesman in the Constitutional Convention, Charles Young,

1. a statement clearly on the record of that Convention that the
2. continuation of the language describing the Attorney General
3. as the Chief Executive Officer was not intended to deny the
4. Governor and the Executive agencies the right to have their
5. inhouse counsel, including technical advisors. That statement
6. was clear, it was unequivocal and on the basis of that statement
7. and that alone we withdrew the amendment that would have more
8. clearly defined that and avoided the Floor fight. That is the
9. state of the law at the present time. What Mr. Scott is attempt-
10. ing to do is to fly in the face of the Constitution of the State
11. of Illinois to cripple the Chief Executive Officer of this State
12. and to cripple that Chief Executive Officer, not just for now,
13. not just Governor Walker, but for all time to come. He cannot
14. be permitted to do that. We will have to live with the con-
15. sequences of that action for generations to come if that suc-
16. ceeds, and it cannot be...it cannot succeed and it's got to be
17. stopped right now.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Howard Mohr, and then Senator Glass.

20. SENATOR MOHR:

21. Yes, Mr. President. Here we are. Another day, another plan,
22. picture changed again. I don't know where Senator Partee's get-
23. ting all this time and I would just suggest, Senator Partee,
24. that two Conference Committees and Appropriations staffs have
25. worked, as you well know, long and hard hours. They're physically
26. beat, they've had it as many members of this Body have. I said
27. last night that there were people on this Floor that have heart
28. conditions and...and serious medical problems. We're going to
29. grind them into the ground. The end result's going to be the
30. same. I'm quite amused at some of the remarks, as usual, I
31. might add. Members on the other side talking about, for example,
32. the Attorney General, the way he quietly does his work around
33. here. I want to say, Senator Netsch, that at least we know

1. where the Attorney General stands at all times. He doesn't
2. slip and slide and change and wheel and deal like members of
3. the Executive Branch that are on your side of the aisle. We
4. have a man that has been on the Floor of this Senate, sliding
5. around here and wheeling and dealing for the Governor in the
6. name of Mike Duncan for two years and you want to talk about
7. that, I'd be happy to discuss that with you, so I'm happy to
8. say that our Attorney General, we know where he is and it's
9. unfortunate that you don't know where your Governor is, or
10. maybe you do know that he's in Chicago, or flew to Chicago,
11. or maybe he's back in another part of the State on a press con-
12. ference. I would suggest that if he'd devote some time to run-
13. ning his office rather than running around, or flying around the
14. State with all these...these charges and...and threats and...and
15. lies in many cases about no deals. If he'd stick around here
16. maybe we could get the show on the road. I said last evening
17. that I was going to make a motion to adjourn at 3 o'clock today.
18. I couldn't do that for one reason, we weren't in here until about
19. 4 o'clock, but I would suggest to you, Senator Partee, and members
20. on the other side of the aisle. You know we've...we heard from
21. members on this side that complained about the RTA Referendum
22. and the conversation or...or comments that we got in response to
23. their inquiries from Senator Chew, Senator Partee and others on
24. that side of the aisle, said that there was an election held and
25. if it were just one vote it was the majority. Now we've had
26. votes in these Conference Committees; they've made recommendations;
27. and I think that, you know, we're not going to change the rules.
28. We could have 40 Conference Committees, the majority has spoken
29. in this case Senator Harris has pointed out that the Governor
30. has the power, the amendatory veto. I'd say let's get on with
31. it, and Mr. President, I want to make parliamentary inquiry.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. State your point.

1. SENATOR MOHR:
2. This bill needs 36 votes.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. That's correct.
5. SENATOR MOHR:
6. And all of the bills following need 36 votes.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. That would be correct.
9. SENATOR MOHR:
10. They're on the Second Conference Committee. Should they
11. fail what happens after that, Mr. President.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. If the report...if the Senate fails to adopt the Second
14. Conference Committee report the Chair will rule that the bill
15. is lost.
16. SENATOR MOHR:
17. All right, Mr. President. I hope every member of this Body
18. understands that. I think now is the time that we go up or down
19. with this legislation and the legislation to follow and at 9
20. o'clock I'm going to make a motion to adjourn and I tell you
21. why I say that. I've...I did say earlier I was going to
22. move at 3 o'clock but with the Appropriation staff work and
23. input that has gone on here, they're doing their best to get
24. all of these...these bills together and I think we're ready to
25. go with everything. But I'm disturbed when I hear that a cer-
26. tain leader in the House of Representatives is still trying to
27. fool around with the appropriation...to the...to the Department of
28. Transportation and get a road in his downstate district. Mr.
29. President, I don't know how much time they expect people to put
30. in around here or how long we're going to stay here, but this
31. session was to have been adjourned on June 30th at midnight and
32. we're all sick and tired of the games and I would suggest, Mr.
33. President, to members on both sides of the aisle, that as long

1. as you want to stay, you're going to get picked off and they're
2. going to wheel and deal you and you...they'll get their favorite
3. projects and you'll all sit here like a bump on a log and not
4. know what's going on because you'll be too tired to know, and
5. Mr. President at 9 o'clock you can expect a motion from this
6. Senator to get out of here and I hope that all of these bills,
7. there's going to be some action now, they're either going to go
8. up or down. The party is over.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Glass. I had said I was going to...to acknowledge
11. Senator Glass. After that I will acknowledge you, Senator Rock.

12. SENATOR GLASS:

13. Well, Mr. President, I think just a word of putting this in
14. prospective is in order. I...it seems to me the Legislative
15. Process that we're involved in is...is one...in the last analysis
16. compromise over those issues that are in dispute and the issue
17. of whether the so-called Attorney General's amendment should be
18. added to a number of bills has been in dispute virtually all
19. session. It is a political issue. Let's face it. This side of
20. the aisle, up until a couple of days ago, had 30 votes and that
21. was all that was required to pass this bill or...or virtually
22. any other bill. Now that the...the date is past and the under-
23. standing and the compromise that had been agreed upon regarding
24. that Attorney General's amendment, which as I understood it,
25. would include this bill and allow the amendment to be attached
26. to this bill, that time has run out, our ability to put 30
27. votes on and pass that bill is gone. That, having been gone,
28. it...it appears that the agreement is also gone. Now, as to the
29. merits of...of whether the Attorney General's amendment should or
30. should not be on the bill. I'm convinced that there is legal
31. precedent for that. We debated that on the Floor at...at great
32. length. The Attorney General is the Attorney for all of the
33. departments of State Government. The amendments are proper and

1. ...and...in the settlement of that dispute the agreements to
2. put those amendments on this bill and three other bills were
3. made and as I mentioned earlier it...it seems that those a-
4. greements no longer exist. Now I think what's unfortunate
5. is that talking about more than two Conference Committee re-
6. ports, to me it's simply a method of filibuster, and I...I
7. certainly would concur that...that two Conference reports
8. are all that we should have and...and we should never have
9. gotten this far. So it seems to me the time is now and the
10. Conference to re...Committee report to adopt is this one.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Rock.

13. SENATOR ROCK:

14. I would just like clarification by way of parliamentary
15. inquiry to the question asked by my good friend, Senator Mohr.
16. It seems to me that under our rules the sponsor of the bill
17. has the...has control of it. I am reliably informed and would
18. wish that Senator Course would make a motion to nonconcur in
19. this Conference report.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. I think, Senator Rock...Senator Harris.

22. SENATOR HARRIS:

23. Mr. President, I just want to point out that a motion to
24. nonconcur by the sponsor will be an act on the part of the
25. sponsor to kill his bill, because this is the Second Conference
26. Committee. The Chair has ruled that under custom and usage
27. the Second Conference Committee report, not being adopted, the
28. bill is lost. Now we can play games here some more and let me
29. tell you, we've really been playing them lately, but the fact
30. is that the time of final consideration for Senate Bill 1261 is
31. now, and we ought to address it affirmatively, so that, in fact,
32. if the motion can pass and we ask you to join us, Senator Rock,
33. we will have successfully disposed of it and get on with the im-

1. portant business that waits to be responded to. Senator Course
2. is in charge of this bill. It's his bill. And I urge Senator
3. Course to move to concur and get a roll call here that we can
4. put 36 votes on and move on to Senator Knuppel's motion to con-
5. cur in the House amendments and we'll have met our responsibility
6. and we can move on then to others. We've been waiting for this
7. time for days and days and days and we are really out of time.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Rock.

10. SENATOR ROCK:

11. Well, two things. One - my question as to the effect of
12. an affirmative roll call on the motion to nonconcur has not yet
13. been answered. Secondly - I would frankly dispute with Senator
14. Harris. While custom and usage can and in many instances does
15. prevail, the fact of the matter is that there are, in fact, no
16. joint rules. The House, the other night, you'll recall, suspended
17. their rules to allow the Ethics consideration. Now the...what
18. I'm suggesting is that there is no prohibition against a third
19. or a fourth or a fifth, or for that matter as many as you want
20. Conference Committees. I'm asking the Chair for a ruling. It
21. would seem to me that if, in fact, this Body decides to nonconcur
22. in a Conference Committee report, that report is to be withdrawn.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. The Chair is going to rule that the failure of the motion
25. to nonconcur on a Conference Committee report did not...should
26. not receive the affirmative vote of this Senate, it, in effect,
27. will be the same as a failure to concur and the bill would be
28. lost. Senator Rock.

29. SENATOR ROCK:

30. I...I would...I would...I do not wish to be dilatory and
31. attempt to appeal the ruling of the Chair...now wait just a
32. minute, Bill. I am...but I do not...I started out by saying
33. I don't wish to be, but I certainly am going to voice an objection

1. for the purpose of the record that that ruling is just totally
2. incorrect.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. There...the motion before the Senate...the only motion be-
5. fore the Senate is now that we do concur. I haven't heard the
6. sponsor say anything. I've only heard you, Senator Rock.
7. Senator Course.

8. SENATOR COURSE:

9. Yes, Mr. President and members of the Senate. Somebody
10. coined a phrase at one time or another, I don't know who he was,
11. but he said politics was a...well, because there are children
12. in the gallery, I'll say a prostitute's game. I thought poli-
13. tics was a 2-way street at one time, but I find out today that
14. it isn't. This morning...about 11:30 this morning I thought I
15. knew where I was at, but now I'm completely lost. I don't know
16. where I'm at. I'll be perfectly honest with you. The motion
17. I'm going to make, I'm going to make reluctantly. I move you,
18. Mr. President, that the Senate nonconcur in Committee...Senate...
19. Conference Committee report No. 2 on Senate Bill 1261.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. You are making a motion and the mo...the main motion before
22. the Senate is now that it do not concur in...let me state the
23. motion...in Conference Committee report No. 2, the second one,
24. to Senate Bill 1261. Senator Harris. Is that cor...no...is that
25. not correct, Senator Course? That is the motion before the Senate.

26. SENATOR COURSE:

27. That is the motion, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Harris.

30. SENATOR HARRIS:

31. Mr. President, I move that that motion lie on the Table.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. There has been a motion that the motion put by Senator

1. Course lie upon the Table and this motion is not debatable. All
2. in favor of the motion to Table will signify by saying Aye. Op-
3. posed. The Ayes have it and the motion is Tabled. I can hear
4. you gentlemen, you don't have to yell. There's been a...I can
5. hear very well, that there has been a request for a roll call.
6. That you have a right to do, and a call of the roll will be had.
7. Those in favor of the Tabling motion of Senator Harris of Sena-
8. tor Course's motion to nonconcur will signify by voting Aye.
9. Those in...opposed will vote Nay, and the voting is open, and Sena-
10. tor Har...Fawell will vote me Aye, please. Have all voted who
11. wish? Have all voted who wish? Take the record. On this motion
12. the Yeas were 27, the Nays were 24, and the motion to Table Sena-
13. tor Course's motion prevails. Senator Harris.

14. SENATOR HARRIS:

15. I want to inquire of the sponsor if he really wants to move
16. on with the business of Government and put the motion that re-
17. mains to him to concur in the Conference Committee report, the
18. Second Conference Committee report, and Senator Course, I implore
19. you to meet your responsibility as an independent member of this
20. Body to give us the opportunity to respond to what we ought to be
21. doing here. I urge you to put the motion to concur in the Second
22. Conference Committee report.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Course...Senator Course.

25. SENATOR COURSE:

26. Mr. President, I made a motion once to nonconcur. I'll re-
27. new that motion.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The motion to nonconcur was Tabled by an af...by a vote of
30. the Senate, and the Chair did rule that Senator Harris' motion
31. to Table your motion to nonconcur did prevail. It seems to me
32. that that would be redundant. Senator Howard Mohr.

33. SENATOR MOHR:

1. Mr. President, Senator Course made a statement that he
2. knew where he was at at 11:30 this morning. Where were you
3. at 11:30 this morning on this bill, Senator?
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Senator...Senator Course.
6. SENATOR COURSE:
7. I was having a cup of coffee, Senator Mohr.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. Senator Nimrod.
10. SENATOR NIMROD:
11. Mr...Mr. President and fellow Senators. I...I really don't
12. see the problem. You have already voted and set a pattern
13. under the Public Aid appropriation bill to allow the very
14. thing you're not allowing to happen here, so I think that, you
15. know, that this is sort of redundant, this particular point,
16. is the fact that the Public Aid affected the poor and you don't
17. want to take care of the employees. I don't know what the
18. situation's on the thing, but you've already...
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Senator Rock.
21. SENATOR ROCK:
22. As the Senator very well knows, because he was the one that
23. offered the amendment...
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Senator Rock, for what purpose do you arise? What purpose
26. did you arise? I...
27. SENATOR ROCK:
28. I rise on a point of order, Mr. President, I think the
29. Senator...
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. State your point.
32. SENATOR ROCK:
33. I think the Senator's remarks are out of line because there

1. is a significant difference between the Health, Education and
2. Welfare regulations of the Federal Government with regard to
3. the Attorney General in the Public Aid budget as...regards any
4. other budget, and he well knows that. He made that speech at
5. least five times that I recall.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Rock, I presume that before this is all settled
8. we will have more than one Senator speaking out of order. I would
9. hope that the Senators would direct their attention to the
10. subject matter at hand. Senator Nimrod.

11. SENATOR NIMROD:

12. Yes...at any rate the important thing is that there has
13. been action and we do indicate that in the Public Aid, yes,
14. there will be approximately a million dollars that will be
15. saved by our State, but that still doesn't mean that there
16. won't be...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Nimrod, I believe the point is well taken. We're
19. talking about the Liquor Control Commission. If we may please
20. move on. State your point with regard to this bill.

21. SENATOR NIMROD:

22. Well, my only regard was that since this was germane on
23. some of the actions...or statements about the Attorney General,
24. I was going to mention that he did make an attempt, by the way,
25. to...to speak to the Governor and...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Nimrod, please. Just a moment. Senator Bruce.
28. Gentlemen, I think Howard...Senator Mohr might move up his
29. time for a motion to adjourn if we're going to continue this
30. monkey business if the Chair might admonish all of you. Sena-
31. tor Howard Mohr.

32. SENATOR MOHR:

33. Mr. President, I served as a member of that Conference

1. Committee and nothing is going to change with the members of
2. that committee and that's why I asked Senator Course where he
3. was this morning. I know where he was this morning, not having
4. a cup of coffee, but he knew where he was on this legislation
5. this morning, but something again has happened, the picture is
6. changed. My question, Mr. President, as a member of the Con-
7. ference Committee, the members of that committee report the
8. action of that Conference Committee. Is that not true?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. It seems to me, and this happened just recently.

11. SENATOR MOHR:

12. Now...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. That any member of a Conference Committee can put a motion
15. with the...with regard to the adoption or rejection of the
16. Conference Committee report while it is in...under the control
17. of the Conference Committee and within the walls of the Senate.

18. SENATOR MOHR:

19. All right, Mr. President. Based on that ruling, I'm
20. going to move that we concur in the Conference Committee re-
21. port. And I would ask for a roll call.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Howard Mohr has just moved that the Senate do con-
24. cur in the Conference Committee report No. 2. May I state the
25. motion that Senator Mohr made. To Senate Bill 1261. That is
26. the motion before the Senate at this time. Is there any dis-
27. cussion? Senator Course.

28. SENATOR COURSE:

29. Mr. President, I still think I'm the sponsor of that bill
30. and I'd like to postpone consideration of it.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Course, I had ruled that you are the sponsor of
33. the bill, but you are not the sponsor necessarily of the actions

1. of the Conference Committee and this is not the first time that
2. this has...this point has been brought before the Senate, and
3. it has been ruled in the past that a member of the Conference
4. Committee could do it...suppose you were not here and wanted the
5. Conference Committee report adopted, Senator? The motion before
6. the Senate is shall we adopt Conference Committee report No. 2
7. to Senate Bill 1261. All in favor of adoption will signify by
8. saying Aye...or there would be a roll call. All those in favor
9. of the adoption...just a moment, I'm going to finish the motion
10. Senator. All those in favor of the adoption will vote Aye.
11. Those opposed will vote Nay. Senator Partee.

12. SENATOR PARTEE:

13. Parliamentary inquiry. Is this ruling that any member of
14. a Conference Committee can call a bill on concurrence or non-
15. concurrence, a rule of the Senate or is it something that you
16. say it seems to you that you should be able to do? But I have
17. not been able to find it in the rules.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. It seems to me, Senator, that if a member, representative
20. of a majority of those members who have signed the Conference
21. Committee report, makes such a motion, then we are entitled
22. and should entertain that motion and act upon it in the Senate
23. on a roll call. Senator Partee.

24. SENATOR PARTEE:

25. Well, it just sort of flies in the face, I think, of the
26. rather invalid rule that a sponsor is always in control of his
27. bill. Now this is the same kind of reasoning that came up in
28. the House the other day on whether or someone else could make
29. a motion to nonconcur and I don't think they got the same kind
30. of ruling over there that we're giving here. I don't know of
31. any rule that permits that.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. We are not governed by the House rules and we don't have a

1. set of joint rules and I have made my ruling, Senator. Senator
2. Harris.

3. SENATOR HARRIS:

4. Well, I would point out that there have been numbers of
5. occasions, while not regular, where a chief sponsor of a bill
6. has not been a member of a Conference Committee. Further, that
7. a sponsor of a bill who does not join in the Conference Committee
8. report would thwart majority rule. Now that's if...by not
9. calling a bill and giving the Senate or the respective Chamber
10. the opportunity to express itself. It's perfectly logical and
11. more consistent with the principle of majority expression that
12. a member of the Conference Committee can put the question of
13. concurrence. It's a perfectly valid ruling on the part of the
14. Chair and the question before us is concurrence. I think we
15. ought to get on with it.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Knuepfer.

18. SENATOR KNUEPFER:

19. I want to point out that this same ruling happened to me
20. several years ago. It was a bill related to the county execu-
21. tive; it was my bill; I did not make a motion because I did
22. not agree with the Commission report...or...or with the report
23. of the Conference Committee. The motion to concur was made
24. by Senator Tom Lyons, so there has been tradition for this, I
25. would suggest, and probably precedent and rule.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. On the question before the Senate. Shall we adopt the
28. Second Conference Committee report to Senate Bill 1261. Upon
29. that question those in favor will vote Aye. Those opposed
30. will vote Nay, and the voting is open. Vote me Aye, Senator.
31. This is an appropriations bill and will require 36 votes.
32. Have all voted who wish? Have all voted who wish?
33. Take the record. On this roll call the Yeas were 28, the Nays

1. were 16. The Conference Committee report was not adopted and
2. the Chair declares that the bill is lost. Senator Howard
3. Mohr.

4. SENATOR MOHR:

5. Mr. President, I would point out to the membership that
6. if they look at that scoreboard, this is one time that the
7. members on the other side of the aisle didn't follow the lead
8. of their leader.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Weaver.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. For what purpose does Senator Partee arise?

13. SENATOR PARTEE:

14. Mr. President, having...having...Mr. President, I voted
15. Yes on that last motion. Is that the prevailing side?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. That is correct.

18. SENATOR PARTEE:

19. Having voted on the prevailing side I move to reconsider
20. the vote...well, which was the prevailing side?

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Excuse me, Senator. No was the prevailing side.

23. SENATOR PARTEE:

24. No was the prevailing side? Then I'll yield to Senator
25. Rock.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. We anticipated there might be
30. a little jump shift in the ruling, so we have filed two motions,
31. one by Senator Partee, who voted Yes, and one by myself, who
32. voted No. I would now ask that the Clerk read that motion and
33. I will defer action on it at this time.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Mohr.
3. SENATOR MOHR:
4. Mr. President. This is going to go on and on and on and,
5. you know, I think games are for kids. I think grownups, especially
6. members of this Body should make a determination and it's very
7. obvious that they don't want to make a determination. If I
8. make a motion to adjourn until November 7th, the date certain,
9. is that in order?
10. PRESIDING OFFICER (SENATOR WEAVER):
11. A motion to adjourn is always in order.
12. SENATOR MOHR:
13. Based on the next two speakers, Mr. President, I'll make
14. a motion following that.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Rock, do you wish to take up your motion?
17. SENATOR ROCK:
18. No, I wish that it be...I wish that the Secretary would read
19. it and therefore the bill is held right here and I would just ask
20. that I will defer action on it.
21. PRESIDING OFFICER (SENATOR WEAVER):
22. Mr. Secretary, would you read the motion, please.
23. SECRETARY:
24. Having voted on the prevailing side on the motion by which
25. Senate Bill 1261 was lost, I hereby move to reconsider the vote
26. by which said bill lost. Dated this second day of July, 1974.
27. Philip Rock.
28. PRESIDING OFFICER (SENATOR WEAVER):
29. Is there any discussion? Senator Rock.
30. SENATOR ROCK:
31. I don't think it's necessary that we go to this order of
32. business. I think we have other matters on the Secretary's
33. Desk. I'm asking as a...custom and usage in tradition in this

1. Senate that I can call that motion, as long as the Secretary
2. holds the bill in its present posture. I can call that mo-
3. tion whenever, later.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator, your motion was to reconsider. It wasn't a
6. motion that you were giving notice that you were going to re-
7. consider. Senator Rock.

8. SENATOR ROCK:

9. I think the motion to give notice to reconsider is...is
10. an echo really of the motion to reconsider itself. I needn't
11. give notice when I have served...served the actual motion to
12. reconsider.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Do you want to be heard on that motion now?

15. SENATOR ROCK:

16. I...I wish to defer that until later. Thank you.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Mohr.

19. SENATOR MOHR:

20. Well, Mr. President, I think that you're trying to render
21. a service here to get this on...show on the road and you're to
22. be commended for that speedy action that and service that you
23. were giving to the Minority Leader. Is this bill not dead,
24. Senator? While you're getting that...

25. PRESIDING OFFICER (SENATOR WEAVER):

26. The bill has been declared lost and a motion to reconsider...

27. SENATOR MOHR:

28. All right...well, I would...I would say then, Mr. Presi-
29. dent, that we really haven't lost anything here because this
30. is another Commission that's very poorly administered, so I...
31. you know I don't think...I think the State has gained on issue.
32. ..this issue. Let's go with the next one, Mr. President.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Rock, your motion is before the Body, unless
2. you get leave to defer action. Are you asking for leave to
3. defer action on this motion?

4. SENATOR ROCK:

5. Yes Sir, I am.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there leave? Leave is not granted. Do you persist
8. in your motion?

9. SENATOR ROCK:

10. Well, my...my motion has been filed in accordance with
11. the tradition and the rules of this Senate and I think it's
12. frankly inappropriate that I be required to call it at this
13. time on this order of business.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. If there's no further discussion, we will act on the
16. motion, Senator Rock. Any further discussion? We will ask
17. if you...are you asking for action on your motion now?

18. SENATOR ROCK:

19. No, I...I would ask that the Chair take a look at Rule
20. 49.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. The motion is before the Body. You didn't give notice
23. on...that you wanted to have this heard on a given day, Senator
24. Rock. ...unqualified motion to reconsider. The Chair has read
25. the rule, Senator. What is your point?

26. SENATOR ROCK:

27. Let me...let me read for the edification of the Chair Rule
28. 49. When a question is once put and carried in the affirmative
29. or negative, it shall be in order for a member of the prevailing
30. side, which I was, to move on the same or the following Legisla-
31. tive Day, for reconsideration thereof, or give notice on the
32. same or following Legislative Day that he will make such motion
33. not later than the next Legislative Day following the day on which

1. he gives said notice. During this time he shall have control
2. of the motion.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Well, Senator Rock, your motion was dated today. Let me
5. read your motion. Having voted on the prevailing side on the
6. motion by which Senate Bill 1261 was lost, I hereby move to
7. reconsider the vote by which said bill lost. Dated the second
8. day of July, 1974, Philip D. Rock. Further discussion? Sena-
9. tor Course.

10. SENATOR COURSE:

11. Yes, Mr. President and members of the...the Senate. Be-
12. fore we do anything hasty and take any hasty action on this bill,
13. I would like to call to the mind of the Senate that this agency
14. is responsible for regulating an industry that brings hundreds
15. of millions of dollars into the State coffers every year. If
16. you want to kill the agency, that's up to you.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. All in favor of the motion signify by saying Aye. Senator
19. Rock.

20. SENATOR ROCK:

21. Now are...are you saying then that if I follow...file a
22. notice that I will file and then I have control of it and I
23. can call it tomorrow? Is that the ruling of the Chair. Be-
24. cause such a notice has been placed on the Secretary's Desk.
25. Now you can't have it both ways.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. We'll consider that motion after the disposition of this
28. motion, Senator Rock. All in favor of the motion, signify by
29. saying Aye. Opposed Nay. For what pur...purpose does Senator
30. Netsch arise? Senator Netsch.

31. SENATOR NETSCH:

32. A point of order, Mr. President. The language of Rule 49
33. is absolutely clear. During the time when the sponsor of the

1. motion has filed that motion or a notice that he will file a
2. motion, he shall have control of the motion. There is nothing
3. in this rule which requires him to call it for a vote right
4. now and we have done that time and time and time again. If
5. Senator Rock does not choose to call the motion at this moment
6. he does not have to and the rule is clear.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Graham.

9. SENATOR GRAHAM:

10. I think the point that you're missing, and we're aware
11. of what's going on. The point that you're missing is tomorrow
12. will probably be November 7th. So if you persist in doing that
13. you in...are in effect doing the thing that you've already done
14. by the ruling I made when you were up there, you've killed the
15. bill. We're not going to be here July the 3rd.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. The question is all in favor of Senator Rock's motion
18. signify by saying Aye. What rule are you trying to appeal
19. Senator Knuppel?

20. SENATOR KNUPPEL:

21. The ruling that this cannot...that it's not in control...
22. I defer to Senator Rock.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator, let me say this. The Chair rules that an un-
25. qualified motion to reconsider was made and is before the
26. Senate. And the motion cannot be withdrawn without unanimous
27. consent of the Senate, and unanimous consent was not given.
28. So the motion is before the Body. Rule 41. Senator Rock.

29. SENATOR ROCK:

30. I would then ask, Mr. President, have I...as I have asked
31. what is your ruling under Rule 49. It talks about the same
32. or the following Legislative Day and it says unequivocally
33. that during this time the sponsor shall have control of the

1. motion. I do not at this time wish to call this motion, and
2. it seems to me that under the words of...not only seems to
3. me, I'm sure that under Rule 49, I have the right either today
4. or the following Legislative Day to call this motion. If I
5. fail to call it either today or the following Legislative Day
6. that motion will and should be out of order.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Rock, that part of the rule does not apply because
9. it was an unqualified motion. For what purpose does Senator
10. Bruce arise?

11. SENATOR BRUCE:

12. Yes, Mr. President. I have filed with the Secretary a
13. notice of intent to file a motion to reconsider. Having voted
14. on the prevailing side on the motion by which Senate Bill 1261
15. was lost, I give notice that I will file a motion to reconsider
16. the vote by which said bill lost on July 3rd, 1974, dated this
17. 2nd day of July 1974. That is before the Secretary, Mr. Presi-
18. dent.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Bruce, we'll have to dispose of the motion before
21. us before we can accept another motion. Question is on Sena-
22. tor Rock's motion. Those in favor of Senator Rock's motion
23. vote Aye. Those opposed vote Nay. The voting is open. Have
24. all voted who wish? Have all voted who wish? On that question
25. the Ayes are one, the Nays are 22. Take the record. On that
26. question the Ayes are 1, the Nays are 22, 1 voting Present.
27. The motion to reconsider fails. Senator Rock.

28. SENATOR ROCK:

29. I would like the record to be ineluctably clear that I did
30. not call this motion and once having called it I wish to ask
31. leave to postpone consideration of the result.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Rock, your motion to re...to withdraw was not in

1. order. Senator Bruce.

2. SENATOR BRUCE:

3. Now that we've disposed of Senator Rock's, my motion is

4. here. I want to alert you that that is on file.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is this on the same bill, Senator Bruce?

7. SENATOR BRUCE:

8. Well...

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Same Conference Committee report.

11. SENATOR BRUCE:

12. What happens to his motion will not affect my note and my

13. filing a notice that I will file a motion tomorrow, and the

14. rules do not say that that that cannot be...

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is this on the same Conference Committee report?

17. SENATOR BRUCE:

18. It is on Senate Bill 1261.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator, your motion is out of order because the reconsid-

21. eration cannot be considered more than once. Senator Graham.

22. SENATOR GRAHAM:

23. ...President...Mr. President, we are not really on the

24. order of motions. We're on the order of concurrence in Con-

25. ference Committee reports. I believe that on the Secretary's

26. Desk there is a Conference Committee report on House Bill 2878

27. and I move that we do concur in the House...in the Conference

28. Committee report on that bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any discussion? State your point, Senator Netsch.

31. SENATOR NETSCH:

32. If I heard Senator Graham correctly. He said we were not

33. on the order of motions. If we were not on the order of motions,

1. then how come we were forced to vote on Senator Rock's motion
2. which he did not want to vote on at this point anyway?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Rock's motion was incidental to the question be-
5. fore us, Senator Netsch. Senator Graham moves the adoption...
6. Messages from the House.

7. SECRETARY:

8. (Secretary reads Message from the House.)

9. Mr. President, I am directed to inform the
10. Senate that the House of Representatives has re-
11. fused to adopt the First Conference Committee and
12. request a Second Committee of Conference on House
13. Bill 2348, House Bill 2405, Senator Palmer... Sena-
14. tor Donnewald was 2348, House Bill 2868, Senator
15. Glass, House Bill 2361, Senator Knuppel, and House
16. Bill 2367, Senator Johns.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Are there any motions to accede to the request? The
19. Secretary informs me that we need motions to accede to the
20. request for Conference Committee. Any of these sponsors
21. care to move?

22. SECRETARY:

23. Senator Donnewald, Senator Palmer, Senator Glass, Senator
24. Knuppel, and Senator Johns.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Rock.

27. SENATOR ROCK:

28. Yes, I think in order of expediting the business, I think
29. an omnibus motion would be in order to accede in each of those
30. listed bills.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Is there leave? Senator Rock moves that the Senate accede
33. to the request of the House that a Conference Committee be

1. appointed for the aforeread bills. All in favor signify by say-
2. ing Aye. Opposed Nay. Motion carries. Senator Barning.

3. SENATOR BERNING:

4. I thought we just had a great deal of dialog about the
5. sponsor being in control of his bill. What have we just done
6. now?

7. PRESIDING OFFICER (SENATOR WEAVER):

8. ...purpose Senator Knuppel arise?

9. SENATOR KNUPPEL:

10. Well, I...I'm not sure here. You say this bill has...has
11. been lost. Now I'd like to know what rule or the basis of the
12. Chairman's ruling that...that a bill is lost after the Second
13. Conference Committee, because it seems to me, I've been on the
14. pay raise bill here a couple of years ago when they had way
15. more Conference Committees than two. Now is there a rule or
16. ...or by what basis is a bill lost, that we can declare a bill
17. lost here. Let's suppose the House approves this Conference
18. Committee report where we haven't.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Knuppel, the Secretary informs me that there's
21. never been more than two Conference Committees. Senator Mohr.

22. SENATOR MOHR:

23. I would inform Senator Knuppel that this has never been
24. done and I would also inform him that they're all going to be
25. lost until November 7th, because that is the day I'm going to
26. move to adjourn, and if you think I'm kidding, just horse around
27. a little longer. I want to tell you, Senator Knuppel and mem-
28. bers of that side of the aisle, that...that this morning, when
29. Senator Course said 11:30...well, join me in the motion then.
30. Senator Course said at 11:30 this morning he knew where he was
31. going. We knew where he was going at 11:30 this morning. We
32. knew where they were going on three other bills. A total of four.
33. We made a mistake, Mr. President, on this side of the aisle.

July 2, 1974
C.A.
P.A.

1. President Harris, you're an honorable man and you got trapped...
2. not trapped, you took somebody at their word. What's happened?
3. We made a mistake. We shouldn't have called the Public Aid bill
4. first. That should have been the fourth. But you got what you
5. want, Senator Partee. You couldn't answer to the people in
6. Chicago if that one had failed. If you'd of gone home and that
7. one wouldn't of gotten off the ground. That's the mistake we
8. made, Mr. President, and I'm for calling the rest of these bills
9. up or down and if we don't get some action, we're going to go
10. back to November 7th. That'll give them a lot of time to
11. think about it.

12. SECRETARY:

13. Conference Committee report on Senate Bill 1641.
14. Sponsors are Senator Graham, Don Moore, Dougherty, and Vadalabene.
15. ...Davidson.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Don Moore.

18. SENATOR MOORE:

19. Thank you, Mr. President and members of the Senate. The
20. Conference Committee on Senate Bill 1641 moves that the Senate
21. do concur in House Amendments 1, 2, 3, and 4 to Senate Bill 1641.
22. The four amendments which they refer to: Amendment No. 1 deals
23. with the problem that exists in DuPage County and potentially
24. in other counties where a county...election commissioners are
25. created, stating that their jurisdiction shall only be with
26. respect to countywide elections. There has been some interpre-
27. tations in, I believe, DuPage and some other counties that the
28. County Board of Elections in that county will also conduct the
29. school elections and so forth. I see no objection to this. It's
30. clarifying language. I believe it's a good amendment. Amendment
31. No. 2 to Senate Bill 11...or 1641 adds the employees of the
32. Office of the State's Attorney to those officials of the county
33. clerk or Board of Election commissioners that are performing

1. election duties on Election Day to vote by absentee ballot. I
2. believe that this is a good amendment. Amendment No. 3 takes
3. the personnel of the State Board of Elections out from under-
4. neath the Personnel Code and puts them directly under the
5. State Board of Elections. I have no objection to this amend-
6. ment. Amendment No. 4 is a technical amendment. It removes
7. old language that dealt with our Senatorial Districts and
8. Representative Districts up to and including the Primary of
9. 1974. What the amendment does is strikes the various provisions
10. of the statute which deal with the Primary elections up to '74
11. and makes it clear that from now on there is a Legislative
12. Committee and there is no longer a Representative or Senatorial
13. Committee. Now those are the four amendments, Mr. President.
14. I'd be happy to answer any questions before I move to concur
15. in the Conference Committee report on Senate Bill 1641.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? Senator Rock.

18. SENATOR ROCK:

19. Well, we've heard a lot of awfully pious talk about some-
20. one's agreement and nonagreement. I would suggest very strong-
21. ly that if there was an interplay or interaction between
22. Senate Bill 1291, House Bill 2878, and this bill. I would
23. urge a No vote.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Any further discussion? Senator Fawell.

26. SENATOR FAWELL:

27. Senator Rock, would you yield to a question? What...what
28. do you mean by that, now? What's the interplay that you're
29. talking about?

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Rock.

32. SENATOR ROCK:

33. I...I meant just exactly what I said.

1. PRESIDING OFFICER (SENATOR WEAVER:)
2. Senator Fawell.
3. SENATOR FAWELL:
4. Well, could you state what your objections are? For our
5. edification?
6. PRESIDING OFFICER (SENATOR WEAVER:)
7. Senator Rock.
8. SENATOR ROCK:
9. Yes. DuPage County had an interest in two amendments.
10. One was put on 1291 and one was put on 1641. It was our under-
11. standing that we would go along with those if 2878 passed, in
12. its pristine amended form.
13. PRESIDING OFFICER (SENATOR WEAVER:)
14. Senator Fawell.
15. SENATOR FAWELL:
16. I...I don't think pristine would be the proper adjective
17. there, but I...I...
18. PRESIDING OFFICER (SENATOR WEAVER:)
19. Senator Graham.
20. SENATOR GRAHAM:
21. Now, Mr. President and members of the Senate. We are
22. dealing with the subject matter in this and two other bills
23. that have more to do with the operation of Government, than per-
24. haps, than some of the other bills we've acted upon. 2878,
25. Senator Rock had a run at it and I supported him in it. He
26. didn't succeed. 1291 is down on the Governor's Desk by the
27. assistance of Senator Dan Dougherty and myself. There's an
28. amendment on there perhaps that some people don't like, but
29. the Governor unfortunately has that amenda...that amendatory
30. veto that we gave another Governor a few years ago. The fact
31. really remains with respect to that bill that at this time we
32. have a State Board of Elections, which is a Constitutional Office,
33. created by the mandate of the Constitutional Convention, that is

1. in Limbo, and that bill, if it's going to be part of this action,
2. is purely...was purely to extend the term of the now sitting
3. Democrat Chairman of that State Board of Elections, and all of
4. us agreed that we should extend it because there was only a
5. short time involved and that the Board was operating under a
6. good administration and was bipartisanly effective, so we're
7. not getting any action there and that's not our fault. In this
8. bill that Senator Rock has a right to object to, there are some
9. very salient factors that should be considered and most of those
10. they agree with and there's little peep because there's some
11. amendment that is not in agreement with everybody, but I'll
12. tell you, if we throw out every bushel of apples in the State of
13. Illinois because there's one bad apple, there's a lot of people
14. not going to be eating any apples, and I think that some of us
15. who have been around here for a long time have learned that
16. getting a three-quarters of a loaf of bread is better than getting
17. no bread at all and I urge support of Senator Mohr's motion to
18. concur.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Is there any further discussion? Senator Moore.

21. SENATOR MOORE:

22. Just very very briefly in closing, Mr. President. This
23. bill is Senate Bill 1641. Now I don't know what Senator Rock's
24. problems are with House Bill 2878 or I don't know whether it's
25. a House or Senate Bill 1291, but I think that each piece of
26. legislation should go up or down on its own merits. Now if there's
27. a duplication, Senator Rock, between this bill and 1291, fine,
28. the Governor can use his amendatory veto and strike it out.
29. He probably should. I think it would be good to reduce the sizes
30. of our statutes where there's duplicate language. I see nothing
31. wrong with this bill. I think that there are items in this bill
32. that are important, not only to the Democratic party, the members
33. of your side of the aisle, but to the Republican party on this

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1. side of the aisle and above all to the people of the State of
2. Illinois. I would renew my motion, Mr. President, to concur
3. in the House Con...or in the Conference Committee to Senate
4. Bill 1641, and re...respectfully request a favorable vote.
5. PRESIDING OFFICER (SENATOR WEAVER):

6. The question is shall the Senate adopt the Conference
7. Committee report on Senate Bill 1641. Those in favor vote
8. Aye. Those opposed vote Nay, and the voting is open. Have
9. all voted who wish? Have all voted who wish? Take the record.
10. On that question the Ayes are 27, the Nays are 15, 9 voting
11. Present. Senator...Senator Moore.

12. SENATOR MOORE:

13. At this time, Mr. President, I would then move that a
14. Second Conference Committee be appointed to discuss the
15. differences between the House and the Senate, relative to
16. Senate Bill 1641.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. All in favor signify by saying Aye. Opposed Nay. Motion
19. carries. Let the record show that the Conference Committee re-
20. port was not adopted. On the Secretary's Desk is Senate Bill
21. 15...or 1452 for concurrence. Senator Nimrod.

22. SENATOR NIMROD:

23. Mr. President and fellow Senators. Maybe we can get off
24. to a little different subject and work together and then start
25. over again here, and be about the work of the State. This is
26. a motion that I would move to cur...to adopt the amendments 1
27. and 6 that were passed in the House onto Senate Bill 1452. What
28. this amendments do to the bill is this, it's the RTA bill and I
29. think this is a excellent answer which has had a vote of 147 to
30. 4 in the House on these amendments and on this bill and it does
31. cover the areas that we've all had some great concern and heard
32. a great deal of discussion on. I think that we all are in agree-
33. ment that we agreed and we sent to the House the 100% return on

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1. the taxes of the gasoline taxes and other taxes they collected
2. locally. It provides for that. It also provides for eminent
3. domain. On the eminent domain feature, of course, it only ap-
4. plies for the procedure through the courts and through the coun...
5. through the court within the county where the property is, and
6. al...that's under the parks and the forest preserves. It also
7. provides for a 26 member advisory board and this...this board
8. consists of these 26 members, 13 from the City of Chicago, 8 from
9. the suburbs within Cook County, and 5 from the coun...collar
10. counties, 1 each from the 5 counties. They're appointed for a
11. 4 year term. Now this Board may hold public hearings or adopt
12. resolutions. It advises the Boards on matters of transportation
13. service, fares and policies, and they can make other recommenda-
14. tions as they proceed. We also call for this, as it deletes a
15. particular phrase that we were concerned about, pertaining to
16. extraneous taxing language on double taxation of the gasoline
17. tax. It would also deny any increase in fares for anyone...
18. any of the members receiving a grant and this would be up until
19. July 1st, 1975. It also has a provision for the parking tax
20. for commercial facilities. It requires a notice on owners and
21. when they may enter. It withdraws the RTA power to disapprove
22. the local government applications for Federal grants...for Fed-
23. eral Transportation grants, and it extends the limitations of
24. the Civil Suit from 1 to 2 years. I'd be happy to answer any
25. questions and I would move for a favorable vote.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Is there any discussion? Question is shall the Senate con-
28. cur...Senator Partee.

29. SENATOR PARTEE:

30. Would Senator Nimrod yield for a question? Is this the
31. so-called Katz amendment?

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Nimrod.

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1. SENATOR NIMROD:

2. This...this is the amendment that Senator Katz had pre-
3. sented and also there's one on Senator Hill...that's on...the
4. amendment No. 6.

5. PRESIDING OFFICER (SENATOR WEAVER:)

6. Any...Senator Partee.

7. SENATOR PARTEE:

8. Well, I just wanted to point out to the members on this
9. side of the aisle that this amendment is really a compilation
10. of several amendments offered by several members of the House
11. which addressed themselves to several of the questions that we've
12. wrestled with in this session of the Legislature concerning
13. amendments to the RTA. There are 3...I wasn't here when
14. Senator Nimrod commenced his explanation. I assume that you
15. addressed yourself to all of the various speeches of this amend-
16. ment. I plan to support it.

17. PRESIDING OFFICER (SENATOR WEAVER:)

18. The question is...Senator Regner.

19. SENATOR REGNER:

20. I don't know if this is going to be a question to Senator
21. Nimrod or just a statement, but I understand by this amendment
22. condemnation is back in and the park districts and such would
23. have the same problem that they did under the original RTA
24. bill of Eminent Domain.

25. PRESIDING OFFICER (SENATOR WEAVER:)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Senator Regner, it does change it from what the original
29. provisions were to the extent that there must be court pro-
30. visions for it and it says under the exercise of eminent do-
31. main and for the taking of the authority of the property of
32. the public parks, state or forest preserve the court shall not
33. order the taking of such property unless it has reviewed and

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Senator Weaver

1. concurred in the findings or required the authority and I think
2. you are familiar with the two provisions that are required and
3. under...presently under the Act for that to meet it. That is
4. in the interest of the people who are involved and that there
5. was no other alternative. It does not go as far as pro...eli-
6.minating eminent domain. I wish it did, but it does go part of
7. the way and does add a feature which does not now exist in the
8. present RTA Act.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Regner.

11. SENATOR REGNER:

12. Well, Senator Nimrod, the bill that Senator Conolly spon-
13.sored some weeks ago, that is still alive over in the House,
14.that does absolutely completely restrict the right of eminent
15.domain, and my understanding is that the park districts do
16.oppose this particular amendment that includes that provision.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Nimrod.

19. SENATOR NIMROD:

20. I have spoken...Senator Regner, I have spoken both to
21.the President of the Park District Association for the State
22.of Illinois no less than 2 or 3 hours ago and I said to him
23.exactly what was here and he said...he would...understood and
24.he would explain it to the board. I said there are many pro-
25.visions involved here and it would mean that if we would send
26.this bill back to the House, that we would amend that provision
27.for the eminent domain as it existed, that I believe that all
28.the other provisions that...benefits to the suburbanites and
29.to the collar counties would be lost, and it did improve what
30.the present situation was and I did not see at this particular
31.time that it would be able to pass. I did assure him however
32.that I would work with Senator Conolly and that I would pursue
33.to attempt to get that provision in as soon as we come back

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1. here in the fall or next year.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Any further discussion? Senator Knuepfer.

4. SENATOR KNUEPFER:

5. Senator Nimrod, do I understand that among other things this
6. gives condemnation powers over park districts to the RTA?

7. SENATOR NIMROD:

8. No, Senator Knuepfer, it does not. It...it all...what is
9. does, it has whatever powers the Act has now. What this does
10. is...anyone...if they exercise the right of eminent domain,
11. which they presently have, what it will do, is it will force
12. them to go to the court within the county where the property
13. is and go through the court procedure, which is not required at
14. the present time.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Knuepfer.

17. SENATOR KNUEPFER:

18. Well, I...I...I don't follow you on how it is not required.
19. Condemnation is a court proceeding in my opinion...or ...in my
20. book. I don't happen to be a lawyer, but you don't just condemn
21. without a court...without going through a court. You do need
22. a court hearing. Now what's the difference?

23. SENATOR NIMROD:

24. If...if you do, and the words are not so-stated in the Act,
25. all this does is state in the...in the Act here that you must
26. do it. Now if you have that power anyway, all this would do is
27. stating in the a...in the amendment that you will follow that
28. procedure which you already stated. So it doesn't change or
29. take anything away.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. Well, this just sounds to me like putting the same stuff

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1. in place. One of the problems that many of us had were these
2. condemnation powers and if you take it out and put it back in
3. again that doesn't make me happy.

4. PRESIDING OFFICER (SENATOR WEAVER:)

5. Any further discussion? Senator Glass.

6. SENATOR GLASS:

7. Well, Mr. President, I think this bill is an excellent bill
8. and...and I...I think we should clarify this condemnation pro-
9. vision. I was just talking with Senator Conolly. The membership will
10. recall that his bill passed, which removes condemnation entirely
11. from the RTA. Now, I wonder, if that passes in the House, it
12. seems to me that portion of this bill would...would not apply
13. and I wonder if you could clarify that, Senator Nimrod? Because
14. if our bill which removes RTA condemnation powers passes both
15. Houses, then this would appear to be academic. If it doesn't...I
16. think this section improves the condemnation rights of the forest
17. preserves, and I think otherwise there are many good provisions in
18. it. I wonder if Senator Nimrod could respond to that. Would
19. you agree that if...

20. PRESIDING OFFICER (SENATOR WEAVER:)

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Yes, this was discussed with the Park Board and I said if
24. ...if it would pass it would only help and certainly it would
25. supersede this provision and that...we address ourselves when
26. that bill goes through the House, but this in no way diminishes
27. anything that we presently have and if that bill should pass
28. I would be the first one to rejoice with it. You're absolutely
29. right, Senator Glass.

30. PRESIDING OFFICER (SENATOR WEAVER:)

31. Any further discussion? The question is shall the Senate
32. concur in Amendments No. 1 and 6 to House...Senate Bill 1452.
33. Those in favor vote Aye. Those opposed vote Nay. The voting is

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Concurrence

1. open. Have all voted who wish? Take the record. On that ques-
2. tion the Ayes are 38, and the Nays are 3, and 4 voting Present.
3. The Senate adopts the con...the Senate concurs in amendments
4. No. 1 and 6 to House...Senate Bill 1452, and the bill, having
5. received the required constitutional majority, is declared passed,
6. and the bill, having received the affirmative vote of 3/5ths of
7. the members elected is effective immediately upon its becoming
8. law. Conference Committee reports.

9. SECRETARY:

10. Con...Second Conference Committee report on House Bill 2878.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Graham.

13. SENATOR GRAHAM:

14. Mr. President, this has been debated and debated and de-
15. bated. Amendment was placed on; it's been over to the House;
16. the House failed to accede to our amendment and our Conference
17. Committee in fact removes that amendment. Amendment which was
18. op...which was offered by Senator Rock. I think to continue to
19. fight a battle on this, win or lose, is probably placing in
20. jeopardy the State of Illinois insofar as many, many law suits
21. are concerned and some 3 or 4,000 people that didn't do perhaps
22. what the law says they should do, many of whom didn't understand.
23. I don't think there's any subterfuge here in a great majority
24. of the cases. As I said the other day, had we had the State
25. Board of Elections at the time we...at the time we adopted the
26. Economic Interest Statement and others, so we had them in con-
27. formity, this...I would not be able to defend the position that
28. this bill represents. I think it is something that is humane
29. to the taxpayers, is going to save us a lot of trouble. We
30. have pledged that the Election Laws Commission will try to
31. correct this in any event, and I urge the passage...I urge the
32. concurrence in the House...on the Conference Committee Report
33. No. 2 to House Bill 2878.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Donnswald.

3. SENATOR DONNEWALD:

4. Yes, Mr. President and members of the Senate. I know that
5. this bill has been cu...discussed and cussed and rediscussed
6. and I know that I think the Senate did do properly by adopting
7. my colleague to my immediate left, Senator Rock's amendment. I
8. think that was a good bill the way it was. The bill is not in
9. as good a shape as I would like it, but I would urge all of my
10. constituents on this side to support this legislation.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Nudelman.

13. SENATOR NUDELMAN:

14. Thank you, Mr. President. Would the sponsor yield for a
15. question?

16. SENATOR GRAHAM:

17. Yes, Senator.

18. SENATOR NUDELMAN:

19. Could you tell us, Senator Graham, what class of candidates
20. are included in the legislation right now?

21. SENATOR GRAHAM:

22. In effect they are all in it except the Legislators. I be-
23. lieve that is true and there are no Legislators in the contest.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Any further discussion? Senator Don Moore.

26. SENATOR MOORE:

27. Yes. I raise in support of concurrence to the...the Second
28. Conference Committee report to this bill, Mr. President. I had
29. many questions originally when this bill came up. I've since
30. been informed that there are over 3,000 candidates for local
31. offices in the State of Illinois that are affected unless this
32. bill is enacted and I might add that there are 33 counties that
33. have not reported yet. I think that this is a good bill.

1. I think the way it's drafted it's a Constitutional bill, because
2. the Constitution does make a differentiation between State candi-
3. dates and other candidates. State candidates and State officers
4. are mandated. They shall file. The local candidates may, as
5. prescribed by the General Assembly. We have prescribed; I think
6. we have the right to alter. In addition to the fact that the...
7. the State candidates, members of the General Assembly have been
8. notified on at least two occasions that they were to file, they
9. sure should know better, but I can see where some little school
10. district candidate for the Board of Education or maybe some lo-
11. cal Board of Township Auditor of someone like that may not be
12. fully aware of the impact. I'm informed that there are counties
13. in which neither the Democrat or the Republican candidates have
14. filed. I don't know what's going to happen in that bill unless
15. we give some redress. There also is a question, a very serious
16. question, Mr. President, as far as any school board or library
17. board that is elected officials that have not filed their Ethics
18. Statement, who have issued bonds, who have incurred indebtednesses
19. for that particular district, those bonds may be...may be very
20. much clouded, they might, in fact, be void. I conceive all types
21. of problems that are going to come out unless we give a one shot
22. deal on this to straighten this matter out. In addition, in
23. respect to the State Board of Elections, they have to have hear-
24. ings on all these 3,000 cases. I don't know if this can be ac-
25. complished between now and the election. I think that this is a
26. good bill. I think that the members of the Senate should concur
27. in the Conference Committee report, and that's about all I have to
28. say, Mr. President.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Fawell.

31. SENATOR FAWELL:

32. Well, I...Mr. President and members of the Senate. Briefly,
33. I would rise in support of the bill in...in support of the Con-

1. ference report in the form in which it is now before us. It has
2. the affect of removing, if I can refer it...refer to the amendment
3. as the Rock amendment, amendment No. 1, the amendment to which
4. a number of us did object, and that amendment now is taken off
5. and the bill is in the form in which it was originally introduced
6. by Representative Philip so that we are then making the attempt
7. of granting these extensions of time to the hundreds and/or
8. thousands of persons who have not...innocently not met the pro-
9. visions of the Economic Disclosure Act so that I would hope,
10. although there's still, of course, as Senator Netsch, I think,
11. pointed out several days ago, even with the extension we could
12. have some question of Constitutionality of our effort here to
13. help many local government officials, at least we certainly are
14. making the effort, and I think that the Conference re-
15. port, therefore, is sound and would rise in support of the
16. affirmance of the Second Conference Committee recommendations.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Partee.

19. SENATOR PARTEE:

20. Well, I'm not going to give you any pious incantations and
21. ...nor am I going to come in a fit of petulance about what they
22. did to this bill in the House. This bill left here an excellent
23. bill, which would have accomplished exactly what it accomplishes
24. now, while at the same time creating an atmosphere of certainty
25. rather than uncertainty. Now those of you who say it's a good
26. bill lose sight of the fact that there are 5 to 700 law suits
27. filed, all of which must be defended at a tremendous cost to
28. the taxpayers of Illinois. I hear every day about how we want to
29. save money for the taxpayers and we have tax relief programs
30. and all kinds of things and we gave you the opportunity to save
31. some money, to avoid some confusion, but because of the petulance
32. of certain members in the House, they took this amendment off.
33. This should...wouldn't have been necessary if they had been

1. minding what they're supposed to have been minding in the first
2. instance. There's one county in this State where the County
3. Chairman filed one candidate properly. Now, and then, when we
4. try to do something properly to save people the money, save the
5. time, prevent confusion, then there's something wrong with it.
6. I'm going to support the bill, but I want to make it crystal
7. clear, as I understand, the record here that this bill applies
8. to local officers and does, by its terms, provide any relief for
9. persons other than local officers. Is that correct, Mr. Sponsor?
10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Graham. Senator Partee asks the question. Restate
12. your question...

13. SENATOR GRAHAM:

14. That is true.

15. SENATOR PARTEE:

16. Very good. Thank you much.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Netsch.

19. SENATOR NETSCH:

20. The bill is, Mr. President...the bill is in good form as it
21. is now. It was not before and to members on this side of the aisle
22. I would say and urge, let's do this one for Bill Redman, who will
23. have no local candidates in DuPage County unless we pass this bill.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Daley. Senator Daley.

26. SENATOR DALEY:

27. Mr. President and fellow Senators. It seems in regards to
28. this bill that many local officials have made a mistake, and
29. many of the Senators who are talking on this issue, I'd hope
30. they'd remind themselves just a few days ago, when they start
31. castigating certain members for voting for a certain bill, dealing
32. with a number of former Legislators in...in our...in our House
33. here, yet I guess the concept here is the rehabilitation, help-

1. ing men who made a mistake.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. The question is shall the Senate adopt the Second Conference
4. Committee report on House Bill 2878. Those in favor vote Aye.
5. Those opposed vote Nay. The voting is open. Have all voted who
6. wish? Take the record. On that question the Ayes are 48 and
7. the Nays are one. The Senate adopts the Conference Committee re-
8. port on House Bill 2878 and the bill, having received the required
9. Constitutional majority, is declared passed, and the bill, having
10. received the affirmative vote of 3/5ths of the members elected,
11. is effective immediately upon its' becoming law. On the Secre-
12. tary's Desk is Senate Bill 1264, Senator Knuppel. Senator Knuppel.
13. SENATOR KNUPPEL:

14. Sir, this bill had two amendments placed on it over in the
15. House and I'd like to move that we nonconcur in those amendments.
16. Two amendments were placed on it in the House. One of them re-
17. placed money that this Body had expressed...expressed that it
18. didn't want in the form of providing funds for the upgrading of
19. minorities, so I'd respectfully request that we not concur in
20. the House amendments and that a Conference Committee be appointed.
21. PRESIDING OFFICER (SENATOR WEAVER):

22. All in favor signify by saying Aye. Opposed Nay. Motion
23. carries. Conference Committee will be appointed. ...Mohr,
24. Howard Mohr, it's a quarter to six....Knuppel.

25. SENATOR KNUPPEL:

26. There seems to be a lull here. I'd like to call to the
27. Chair's attention that I fo...filed a...a motion here pursuant
28. to Rule 49 which says, I hereby give notice that I will move to
29. reconsider the vote by which Senator Rock's motion to reconsider
30. the vote on the motion to nonconcur on Conference Committee
31. Report No. 2. I'll call that motion on the next Legislative
32. Day.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. The motion is out of order, Senator...Berning.

2. SENATOR BERNING:

3. Mr. President, since there is a lull, would this be an

4. appropriate time to take up a resolution, which is on the Sec-

5. retary's Desk?

6. PRESIDING OFFICER (SENATOR WEAVER):

7. ...get to that in just...just a few minutes, Senator.

8. ...pose Senator Sours arise?

9. SENATOR SOURS:

10. Mr. President and Senators. I have a bill on the third

11. reading, 2897, that's sort of lying fallow there. There's

12. nothing wrong with it and I'm afraid as the hour gets late

13. and tempers get shorter this fine bill may become moribund.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Would you like to move the order of third reading to call

16. that bill?

17. SENATOR SOURS:

18. Yes, Sir.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. House Bills on Third Reading.

21. SECRETARY:

22. House Bill 2897.

23. (Secretary reads title of bill.)

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Take it out of the record. Messages from the House.

26. SECRETARY:

27. (Secretary reads Message from the House.)

28. Mr. President, I am directed to inform the Senate

29. that the House of Representatives has concurred with

30. the Senate in the passage of a bill of the following

31. title: Senate Bill 1555 with amendment No. 1. Sena-

32. tor Partee.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Partee.

2. SENATOR PARTEE:

3. Yes, Mr. President. We move to concur in House Amendment
4. No. 1. It simply gives an effective date on this statute.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is there any discussion? Senator Partee moves that the
7. Senate concur in Amendment No. 1 to Senate Bill 1555. Those
8. in favor signify by saying Aye. Opposed Nay. Excuse me...
9. excuse me. Those in...all those in favor vote Aye. Those op-
10. posed vote Nay. The voting is open. Senator Harris.

11. SENATOR HARRIS:

12. My attention has been diverted. I see we're concurring
13. in amendments to Senate Bill 1555. Is this the bill for the
14. Housing Development Board? Increases to 8%? I assume this
15. amendment is just an effective date amendment, but I...

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Partee.

18. SENATOR PARTEE:

19. Yes, it's an effective date amendment and there'll be many
20. bills like this where we have to have a new effective date.

21. SENATOR HARRIS:

22. This is a good piece of legislation. No problem. This
23. kind of thing ought to be supported just like several other
24. good bills here ought to be supported by at least 36 of us.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Have all voted who wish? Take the record. On that question
27. the Ayes are 40 and the Nays are 5. Senate Bill 1555, having
28. received...the Senate concurs in amendment No. 1 to Senate Bill
29. 1555, and the bill, having received the required constitutional
30. majority, is declared passed, and the bill, having received the
31. affirmative vote of 3/5ths of the members elected, is effective
32. immediately upon its becoming a law.

33. SECRETARY:

1. (Secretary reads Message from the House.)

2. Mr. President, I am directed to inform the Senate
3. that the House of Representatives has concurred with
4. the Senate in the adoption of the following preamble
5. and joint resolution, Senate Joint Resolution No. 65,
6. together with the following amendments: House Amend-
7. ment No. 1.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. ...Partee.

10. SENATOR PARTEE:

11. These amendments, both of them, are simple language changes
12. in this resolution. There were words which the House did not
13. like, which I think does not in any way destroy the thrust of
14. the resolution. I am going to ask for concurrence on all of the
15. amendments as they're presented.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Amendment No. 1. Senator Partee.

18. SENATOR PARTEE:

19. I've been asked what the amendment...what the resolution
20. does on this side and I'm sure there may be others who would
21. ask the same question. This is a resolution in which we ask
22. the Medical Society to come up with a plan to help us obtain
23. more doctors and to help to structure schools and other...in
24. other areas-where we could get more doctors, both in the inner-
25. city and in the rural areas. Originally when it left here
26. there was a concentration on the inner-cities and we've abandoned
27. that concept, we just want more doctors.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Any discussion? Senator Partee moves concurrence in...of
30. Amendment No. 1 to Senate Joint Resolution 65. All in favor
31. signify by saying Aye. Opposed Nay. Amendment's adopted.

32. SECRETARY:

33. (Secretary reads Message from the House.)

1. Mr. President, I am directed to inform the Senate
2. that the House of Representatives has concurred with
3. the Senate in the passage of a bill of the following
4. title: Senate Bill 328, with House Amendment No. 1.
5. Senator Fawell is the Senate sponsor.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Fawell.

8. SENATOR FAWELL:

9. Yes. Mr. President and members of the Senate. Amendment
10. No. 1 simply states that the Park Board must supply forms of the
11. petition to anyone that may request it, and I would...I would
12. ask therefore for concurrence in the amendment which the House
13. has placed on this bill.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Is there any discussion? Senator Fawell moves that the
16. Senate concur in House Amendment No. 1 to Senate Bill 328.
17. Those in favor vote Aye. Those opposed vote Nay. The voting
18. is open. Have all voted who wish? President Harris.

19. SENATOR HARRIS:

20. Mr. President, I'm just sorry, but there is just so much
21. confusion. Might it...might it be in order so that we know
22. what we're doing here, for the sponsor of this to make a brief
23. explanation about which we are...well, I appreciate that he did,
24. but too many of us obviously didn't hear it or we're not per-
25. suaded. I don't know what was said and I think others share
26. that problem with me.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Fawell, do you want to give a brief explanation
29. of House Amendment No 1 to the bill?

30. SENATOR FAWELL:

31. Yes. This amendment is a very innocuous one which it
32. deals...the bill itself deals with the right of all local
33. Park Districts t be able to have recreation bond issues. It

1. doesn't deal with any tax funds, but gives them the broad author-
2. ity to be able to sell bonds for recreational and park district
3. projects and in that Act there's a provision for the filing of
4. petitions by the populous. This amendment merely states that
5. copies of the petition forms must be supplied to any citizen
6. who requests a petition form from the Park District. It's
7. backed by the Illinois Park District Association and I think was
8. passed out of here with next to no votes against it, and I don't
9. know what might have made it unpopular in the meantime, if...if
10. anything, aside from the sponsor.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. ...further discussion? Senator Rock.

13. SENATOR ROCK:

14. Thank you, Mr. President. I think probably the lack of
15. popularity of the sponsor should not sway us in this instance.
16. Senate Bill 328 passed out of here last May, 46 to nothing. The
17. amendment is merely a new effective date. I think the legisla-
18. tion has merit and it deserves our support, sponsor not withstand-
19. ing.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Have all voted who wish? Have all voted who wish? Take
22. the record. On that question the Ayes are 41, the Nays are
23. none, 6 voting Present. The Senate concurs in amendment No. 1
24. to Senate Bill 328, and the bill, having received the required
25. constitutional majority, is declared passed, and the bill,
26. having received the affirmative vote of 3/5ths of the members
27. elected, is effective immediately upon its becoming law. Con-
28. ference Committee reports.

29. SECRETARY:

30. Conference Committee report on 2753. Senator Hynes.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Hynes.

33. SENATOR HYNES:

1. Mr. President and members of the Senate. This Conference
2. Committee report involves the Senate receding from its amendments
3. 1 and 2 and then additional language is inserted to clarify the
4. meaning of amendment 2. Amendment 2 had originally been inser-
5. tified...had been inserted to clarify the prior provision of the
6. bill. I...I believe that all conferees have approved the report
7. and I know of no objection to it. It is the School Problems Com-
8. mission cleanup bill for the school aid formula. I would move
9. the adoption of the Conference Committee report.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any discussion? The question is shall the Senate
12. adopt the Conference Committee report on House Bill 2753. Those
13. in favor vote Aye. Those opposed vote Nay, and the voting is
14. open. Have all voted who wish? Take the record. On that ques-
15. tion the Ayes are 49, the Nays are none. The Senate adopts the
16. Conference Committee report on House Bill 2753, and the bill,
17. having received the required constitutional majority, is declared
18. passed, and the bill, having received the affirmative vote of
19. 3/5ths of the members elected, is effective immediately upon
20. its becoming law.

21. SECRETARY:

22. Conference Committee report on...Second Conference Committee
23. report on House Bill 2298.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and ladies and gentlemen of the Senate. This
28. is a Second Conference Committee report on House Bill 2298, which
29. is the appropriation for the Board of Regents. The report asks
30. the Senate to concur in Senate ame...amendment No. 4. Senate
31. amendment No. 4 is the amendment that adds in the 3% Cost of
32. Living factor for our Regency employees. I would urge a favor-
33. able roll call. I think the subject has been discussed many

1. times in the past few weeks and I would appreciate a favorable
2. roll call.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Buzbee.

5. SENATOR BUZBEE:

6. Mr. President, I certainly support that concept. However,
7. I'm a member of that Conference Committee and nobody has asked
8. me to sign it yet. I just wondered by...there was any particu-
9. lar reason? All right. He's going to tell me later.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? The question is shall the Senate
12. adopt the Conference Committee report on House Bill 2298.

13. Senator Vadalabene, for what purpose do you arise?

14. SENATOR VADALABENE:

15. Yes, I believe I'm a member of that Conference Committee
16. also.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Do you wish to sign it also?

19. SENATOR VADALABENE:

20. Yes.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Course.

23. SENATOR COURSE:

24. Senator Vadalabene, did you attend the meeting at all?

25. PRESIDING OFFICER (SENATOR WEAVER):

26. The question is shall the Senate adopt the Conference Com-
27. mittee report on House Bill 2298. Those in favor vote Aye.
28. Those opposed vote Nay. The voting is open. Have all voted
29. who wish? Take the record. On that question the Ayes are 50
30. and the Nays are none. The Senate adopts the Conference Com-
31. mittee report on House Bill 2298, and the bill, having received
32. the required constitutional majority, is declared passed, and
33. the bill, having received the affirmative vote of 3/5ths of the

1. members elected, is effective immediately upon its becoming
2. law.

3. SECRETARY:

4. Conference...Second Conference Committee report on House
5. Bill 2357. Senator Vadalabene.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Vadalabene.

8. SENATOR VADALABENE:

9. Yes, thank you, Mr. President...

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Excuse me, Senator, you didn't sign this Conference Com-
12. mittee report. Do you want Senator Shapiro to handle it for
13. you?

14. SENATOR VADALABENE:

15. Same issue, same roll call. I...I mo...I'm in accord.

16. Let 'er roll.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Question is - Senator Vadalabene moves that the Senate adopt
19. the Conference Committee report on House Bill 2357. Those in
20. favor vote Aye. Those opposed vote Nay. The voting is open.
21. Have all voted who wish? Take the record. On that question the
22. Ayes are 50 and the Nays are none. The Senate adopts the Con-
23. ference Committee report on House Bill 2357. And the bill, hav-
24. ing received the required constitutional majority, is declared
25. passed, and the bill, having received the affirmative vote of
26. 3/5ths of the members elected, is effective immediately upon its
27. becoming a law.

28.

29. (RECESS BEGINS)

30. (RECESS ENDS)

31.

32. SERGEANT AT ARMS:

33. All persons not entitled to the Floor, please retire to the

1. gallery.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senate will come to order. The Senate will come to order.

4. Message from the House.

5. SECRETARY:

6. (Secretary begins to read Message from the House.)

7. PRESIDING OFFICER (SENATOR MOHR):

8. Mr...hold on...will unauthorized people please leave the

9. Floor? Senate will be in order.

10. SECRETARY:

11. (Secretary continues to read Message from the House.)

12. Mr. President, I am directed to inform the Senate

13. that the House of Representatives has concurred with

14. the Senate in the passage of a bill of the following

15. title to wit: Senate Bill 1552, together with the

16. following amendment: House amendment No. 1, Senator

17. Course.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Course.

20. SENATOR COURSE:

21. Mr. President and members of the Senate. I move that the

22. Senate nonconcur in the House Amendment No. 1 to Senate Bill

23. 1552 and that a Conference Committee be appointed.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Course moves to nonconcur in House Amendment No.

26. 1 to Senate Bill 1552. All those in favor...Senator Harber

27. Hall.

28. SENATOR HALL:

29. Yes, Mr. President. I...I agree with Senator Course that

30. this Body should not concur. The interest rate involved here

31. is much too low. It will deprive the State of needed income

32. from this source of revenue.

33. PRESIDING OFFICER (SENATOR MOHR):

1. All those in favor vote Aye. Opposed. Motion carries
2. and the Secretary shall so inform the House.

3. SECRETARY:

4. (Secretary reads Message from the House.)

5. Mr. President, I am directed to inform the Senate
6. that the House of Representatives has concurred with
7. the Senate in the passage of a bill of the following
8. title to wit: Senate Bill 1357, together with the
9. following amendments: Amendment No. 1, 2, 8, and 11.
10. Senator Netsch, the Senate sponsor.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Netsch. Senator Rock.

13. SENATOR ROCK:

14. Mr. President, for the benefit of the members, I would like
15. to introduce the distinguished Senator from Chicago, Senator
16. Netsch.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator...Senator Netsch, on Senate Bill 1357. We have
19. a mes...mes...message from the House.

20. SENATOR NETSCH:

21. Mr. President, I'm so overwhelmed by Senator Rock's intro-
22. duction that I move to nonconcur.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Netsch moves to nonconcur in House Amendments
25. No. 1, 2, 8 and 11 to...Senator Harris.

26. SENATOR HARRIS:

27. Well, Mr. President, it seems to me that the Senate spon-
28. sor of this bill ought to explain to us what those amendments
29. are and these are House amendments to Senate Bill 1357, is
30. that not correct?

31. PRESIDING OFFICER (SENATOR MOHR):

32. That's correct.

33. SENATOR HARRIS:

1. Well, before I vote to nonconcur I'd like to know what
2. the amendments do.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Netsch.

5. SENATOR NETSCH:

6. I just received copies of them about 60 seconds ago. I
7. don't believe in concurring in something I haven't read yet.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Netsch.

10. SENATOR NETSCH:

11. Could I ask to hold this a minute. I had understood
12. there were only two amendments on in the House anyway and
13. I have not seen all four of these.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Well...all right...well, Sen...Senator...President Harris.

16. SENATOR HARRIS:

17. Well, I...does the sponsor want some time to evaluate the
18. amendments? That's certainly a...a...a reasonable thing, but
19. I just think just a motion without any explanation to nonconcur,
20. you know, there might be...there might be a new office at Pontiac
21. in there that I want to vote for. Now...I...just...

22. PRESIDING OFFICER (SENATOR MOHR):

23. Your point is well taken, Senator. Senator Netsch.

24. SENATOR NETSCH:

25. That's why I'm requesting to hold it a minute, please, Mr.
26. President. I have not seen all four of these amendments and I
27. did not understand that there were four on the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. There might be something good in one of those amendments
30. that you would like and you're just not sure that there might
31. be something for Pontiac in there. Is that your concern,
32. Senator?

33. SENATOR NETSCH:

1. Close...I'll keep a close...I'm sorry, I'll keep a close
2. eye open for that, Senator Harris.

3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Conolly.

5. SENATOR CONOLLY:
6. Mr. President, on the Secretary's Desk there's an amen...a
7. bill, Senate Bill 880, and at this time I would like to make
8. the motion to rerefer this to Rules Committee.

9. PRESIDING OFFICER (SENATOR MOHR):
10. Senator Conolly asks for leave to refer Senate Bill 808
11. ...

12. SENATOR CONOLLY:
13. 880.

14. PRESIDING OFFICER (SENATOR MOHR):
15. 880, I'm sorry...

16. SENATOR CONOLLY:
17. That's eight eight o.

18. PRESIDING OFFICER (SENATOR MOHR):
19. Eight eight o, to the Rules Committee. Is there leave?
20. Leave is granted.

21. PRESIDING OFFICER (SENATOR GRAHAM):
22. The Chair is happy to recognize the Senator from Chicago.
23. Senator Netsch.

24. SENATOR NETSCH:
25. Thank you for your forbearance. We've now had a chance
26. to go at least quickly over these four amendments and the
27. first reallocates money without changing the amount, but
28. the Director of the Department tells me that it severely cripp-
29. ples two essential programs and puts money where it is not, so
30. I would move to nonconcur in amendment No. 1 on that ground.
31. The second...amendment No. 2 has in it a line item, this is a
32. ...the bond fund, the appropriation of the bond funds, and one
33. of the items, we think, is not properly stated. It seems to

1. be an operating and a use of the bond funds which is not correct
2. and so I would move to nonconcur in amendment No. 2. In amendment
3. No. 8 it does partially restore some of the Senate cuts, but it is
4. only a partial restoration and it is particularly deficient with
5. respect to the Water Pollution Division, and I would move to non-
6. concur in amendment No. 8. Amendment No. 11, I have no objection
7. in substance to, but it will now be technically deficient because
8. of the nonconcurrence in the others. That is, it is built on the
9. others, so I think to make that easy, I will nonconcur in amendment
10. No. 11. All of these to Senate Bill 1357.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. You have heard the motion of Senator Netsch that the House
13. ...that the Senate do nonconcur in amendments No. 1, 2, 8, and
14. 11 to Senate Bill 1357. All in favor will signify by saying
15. Aye. Opposed. The motion carries and the House will be so
16. notified. Will the doorkeeper please close the doors? Senator
17. Harris.

18. SENATOR HARRIS:

19. I believe, Senator Thomas Hynes has a matter of business.
20. Is it on the Secretary's Desk, Senator Hynes? That would be
21. on the order of resolu...resolutions.

22. SECRETARY:

23. Senate Resolution...Senate Joint Resolution No. 82, offered
24. by Senators Hynes, Carroll, Howard Mohr, Weaver, McBroom, and
25. Harris.

26. (Secretary reads Senate Joint Resolution No. 82.)

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Executive. Senator Hynes.

29. SENATOR HYNES:

30. It's difficult to follow a resolution, but this calls for
31. a proposition to be submitted for a Constitutional Amendment to
32. require that the Legislature transact its business on or before
33. June 30th of every year, and I would ask that any other members

1. interested join as co-sponsors of the resolution.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Nudelman.

4. SENATOR NUDELMAN:

5. I would like to be shown as a co-sponsor.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Newhouse. Why don't you come up and give the
8. Secretary your names. That might be easier. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I don't really need this thing, but I don't know how it
11. may be as for the rest of you, but I came in here Sunday morn-
12. ing and I believed at that time that what we would accomplish
13. would not amount to a whole lot from then on until we got some
14. rest, and until whatever has to be done has to be done, and I
15. don't think we need 59 bodies sitting here on the Floor for the
16. people that have to make these accomplishments or whatever com-
17. promises or accommodations have to be made. I...I really am an
18. admirer of yours, Mr. President, and I was so happy last night
19. and today when you forcefully said that we would be out of here
20. by 9 o'clock tonight, and I even said that I would support your
21. motion, when maybe there were some people on my side of the aisle
22. that didn't agree, I think you're a hell of a man and I was going
23. to be right in there voting with you. I didn't necessarily agree
24. with the date of November 7th, but I'm going to make a motion
25. and this motion is subject, I'll be happy to withdraw it until
26. whatever routine things have to be done, but I'm going to make
27. a motion here that this Sten...Senate stand adjourned...

28. PRESIDING OFFICER (SENATOR MOHR):

29. For purpose Senator Bell arise?

30. SENATOR BELL:

31. Ex...Excuse me, Senator Knuppel. I just...I just wanted to
32. make the point that really the situation has changed from when
33. Senator Mohr had talked about his motion. I know situations

1. have a way of changing here and the situation is a little differ-
2. ent than it was when Senator Mohr made his motion...or talked
3. about it.

4. PRESIDING OFFICER (SENATOR MOHR):

5. That's a good point. I think I made that with Senator
6. Course at 11:30 this morning. Continue Senator.

7. SENATOR KNUPPEL:

8. Yeah, that's right. It has changed a little, but not
9. enough to change what I believe. We have...we have members
10. of the staff that have been here almost night and day and for
11. what we're going to accomplish, we've got 2 or 3 more days of
12. work, even if we were able to reach an accord right now, and
13. it's for that reason that I'm going to make a motion that we
14. adjourn until 10 a.m. on...on the 18th day of July.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Sen...Senator Bell.

17. SENATOR BELL:

18. Yeah. Mr. President, I...I...I want to know. Senator
19. Knuppel is that...represent a Democratic position over there?
20. Well, who said No? Was that you Cec?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Knuppel.

23. SENATOR KNUPPEL:

24. I...I think anyone who knows me knows that this is John
25. Knuppel's position. That I don't ask anybody about these
26. things. I stay until 10 o'clock. I think the day is over,
27. that we've put in a day. It's my idea, and I...I really believe,
28. as I believed Sunday that...that we shouldn't punish ourselves
29. beyond the point that we have. No matter when we come back
30. here, we can't get this done tonight. Whenever we come back
31. here, and I don't think we should come back tomorrow with the
32. holiday coming up on the 4th. I don't think it makes much sense
33. to run back in here the following Monday. I just believe, sin-

1. cerely believe, that it's going to take 36 votes to pass any-
2. thing we pass, whether we pass it at 3 o'clock tomorrow morn-
3. ing or if we pass it on the 18th. Now if it's the...in the
4. infinite wisdom of this Body that they want to amend
5. that motion to a different reasonable date, I'm willing to
6. accept that. If they don't approve of the date I chose.
7. But I just don't think it makes any sense to continue here.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President, I'm intrigued by the gentleman from Havana's
12. ..Petersburg, what have you, suggestion. For a man who was so
13. much influential in Constitutional Convention, that knows the
14. law as Senator does, knows very well that the rules of this
15. General Assembly would prevent us from precipitously adjourning
16. until July whatever date, and that if we're going to have any
17. adjournment more than three days that it takes bilateral action
18. of both Bodies. So why don't we just cut out the monkey business.
19. This doi...noise doesn't make it any easier on us.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Message from the House.

22. SECRETARY:

23. (Secretary reads Message from the House.)

24. Mr. President, I am directed to inform the Senate
25. that the House of Representatives has refused to recede
26. from their amendments, No. 1, 2, 8, and 11 to a bill of
27. the following title: Senate Bill 1357. I am further
28. directed to inform the Senate that the House of Repre-
29. sentatives requests a Committee of Conference to consist
30. of five members from each House to consider the differ-
31. ences of the two Houses in regard to the amendments to
32. the bill. The Speaker of the House has appointed a such
33. Committee on the part of the House: Messrs. LeFleur

1. Washburn, J. D. Schneider, and Barnes.

2. PRESIDING OFFICER (SENATOR MOHR):

3. President Harris.

4. SENATOR HARRIS:

5. I think Senator Netsch should make the motion to accede to

6. the request of the House, and I have Senator Mohr's appointees.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Netsch.

9. SENATOR NETSCH:

10. I move to accede to the request of the House for a Confer-

11. ence Committee No. 1 on Senate Bill 1357.

12. PRESIDING OFFICER (SENATOR MOHR):

13. All...the Senate...the question is shall the Senate accede

14. to the request of the House that a Conference Committee be

15. appointed to Senate Bill 1357. All in favor vote Aye. Opposed.

16. The motion carries and the Senate accedes to the request

17. to appoint a Conference Committee. President Harris.

18. SENATOR HARRIS:

19. Now, Mr. President. On behalf of Senator Mohr, the Chamer

20. of...Chairman of the Committee on Committees, the members for

21. the Senate on the Conference Committee on House Bill...I'm

22. sorry, Senate Bill 1357, will be Senators McBroom, Howard Mohr,

23. Harris, Netsch, and Hynes.

24. PRESIDING OFFICER (SENATOR MOHR):

25. The Secretary will so advise the House. We'll give the

26. Secretary five minutes for his dinner. Senate will stand at

27. ease for a few minutes. President Harris. The Senate will

28. come to order.

29. SENATOR HARRIS:

30. Has the report of the Committee on Conference with respect

31. to Senate Bill 1357 reached the Secretary's Desk, Mr. President?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Yes.it has, Mr. President.

1. SENATOR HARRIS:

2. Well, now does it show that Senator Netsch, the sponsor
3. of the bill, is a co-signer of the report?

4. SECRETARY:

5. No, she did not sign the report.

6. SENATOR HARRIS:

7. All right, then with respect to that fact, and since I am
8. a member of the Committee on Conference on the committee to re-
9. solve the differences between the two Houses, in regard to
10. Senate Bill 1357, I now move that the Senate concur in that
11. Conference Committee report. The affect of the Conference
12. Committee report is to recognize our...

13. PRESIDING OFFICER (SENATOR MOHR):

14. President Harris.

15. SENATOR HARRIS:

16. The affect of the Conference Committee report is to concur
17. in amendments 1 and 2, which were described in some detail by
18. Senator Netsch, and to recede from amendments 8 and 11...yeah
19. ...that the House recede from amendments 8 and 11. The affect
20. is then, so that it is clear, that the House and Senate concur
21. in amendments 1 and 2 and that the House recede from amendments
22. 8 and 11, and I move that the Senate concur in the First Committee
23. of Conference on Senate Bill 1357.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Netsch.

26. SENATOR NETSCH:

27. As I believe President Harris indicated, I did not sign
28. the Conference Committee report. It is totally unacceptable.
29. It restores no funds to the Environmental Protection Agency.
30. The two amendments deal only with the...the bond issue...the
31. bond money and its appropriation and a rearrangement of funds
32. between...with no change in amount among several of the divisions
33. thereof. It is totally unacceptable, and I would urge this side

1. not to occur in the...or not to approve the Conference Committee
2. Report No. 1.

3. PRESIDING OFFICER (SENATOR MOHR):

4. The question is shall the Senate adopt the Conference Com-
5. mittee report on Senate Bill 1357. Those in favor will vote
6. Aye. Those opposed will vote Nay. Voting is open. Have all
7. voted who wish? Take the record. On that question the Ayes
8. are 24, the Nays are 22, 2 voting Present. The Conference Com-
9. mittee report is not adopted and the Secre...and the Secretary
10. shall so inform the House. President Harris.

11. SENATOR HARRIS:

12. Yes, now implicit in that motion is to request a Second
13. Committee on Conference, is that not correct?

14. PRESIDING OFFICER (SENATOR MOHR):

15. That is correct, Senator.

16. SENATOR HARRIS:

17. OK. Thank you.

18. PRESIDING OFFICER (SENATOR MOHR):

19. The Senate will stand in recess for about 10 minutes.

20.

21. (RECESS BEGINS)

22. (RECESS ENDS)

23.

24. PRESIDING OFFICER (SENATOR MOHR):

25. The Senate will reconvene. Message from the House.

26. SECRETARY:

27. (Secretary reads Message from the House.)

28. Mr. President, I am directed to inform the
29. Senate that the House of Representatives has refused
30. to adopt the First Conference...Committee of Conference
31. and request a Second Committee of Conference on Senate
32. Bill 1357. I am further directed to inform the Senate
33. that the Speaker of the House has appointed a such

1. Committee on the part of the House: Messrs. LaFleur,
2. Washburn, J. D. Jones, Schneider, and Barnes.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator McBroom.

5. SENATOR MCBROOM:

6. Yes...yes, Mr. President and members of the Senate. I move
7. that this Body accedes to the House request and a Second Conference
8. Committee be reported...or be appointed.

9. PRESIDING OFFICER (SENATOR MOHR):

10. The question is shall the Senate accede to the request of
11. the House that a...a Second Conference Committee be appointed.
12. All in favor say Aye. Opposed. Motion carries, and the Senate
13. accedes to the request to appoint a Conference Committee. House
14. will so...be so advised. Messages.

15. SECRETARY:

16. To the members of the Senate. I do hereby appoint
17. the following to serve as members of the Second Confer-
18. ence Committee on Senate Bill 1357: Senators McBroom,
19. Harris, Howard Mohr, Netsch and Rock. Signed: Senator
20. Howard R. Mohr, Chairman, Committee on Committees.

21. SENATOR SAPERSTEIN:

22. Ladies and gentlemen of the Senate. I'd like to have your
23. attention, please. It is my great honor and privilege to intro-
24. duce a man who has a great future, a man who has been my friend
25. and your Lieutenant Governor, Neil Hartigan.

26. PRESIDING OFFICER (SENATOR MOHR):

27. President Harris.

28. SENATOR HARRIS:

29. Mr. President...

30. PRESIDING OFFICER (SENATOR MOHR):

31. President Harris.

32. SENATOR HARRIS:

33. I would like to inquire if the Second Conference Committee

1. with respect to Senate Bill 1357. Is that on the Secretary's
2. Desk? Now...yeah...go ahead.

3. SECRETARY:

4. Second Conference Committee report on Senate Bill 1357.
5. To the President of the Senate and the Speaker of the House of
6. Representatives. We the undersigned Committee of Conference,
7. appointed to consider the differences between the two Houses
8. in relation to the House amendments to Senate Bill 1357,
9. recommend the following as the action to be taken by the Senate
10. and the House of Representatives, respectively. 1. The Senate
11. concur in House amendments 1 and 2. 2. The House recede from
12. House amendments 8 and 11. And it's signed by six members of
13. the Conference Committee.

14. PRESIDING OFFICER (SENATOR MOHR):

15. President Harris.

16. SENATOR HARRIS:

17. Now, I am one of the signers of that Conference Committee
18. report so I now move that the Senate concur in the Conference
19. Committee Report No. 2 to Senate Bill 1357. And on that motion
20. I would respectfully ask for a roll call. It does require 36
21. votes. It will be final action of the Senate on this bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Further discussion? Senator Netsch.

24. SENATOR NETSCH:

25. Mr. President, so that the record is clear. Senator Harris
26. would you describe what is in the Second Conference Committee
27. report?

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Harris.

30. SENATOR HARRIS:

31. The Second Conference Committee report calls for the
32. concurrence by the two Houses in House amendments 1 and 2.
33. As you stated amendment No. 1 primarily deals with technical

1. changes in several different line items and it does not effect
2. any dollar changes in the totals. No new money. Amendment No.
3. 2 is in connection with changes in line items of the anti-pollu-
4. tion bond fund money, but it also does not change any dollar totals.
5. The Conference Committee recommendation is that those two amend-
6. ments be adopted by both Houses. No. 8, amendment No. 8 added
7. some 50,000...I'm sorry...500,600 dollars to several different
8. line items, but in total new money it's in round figures 500,600
9. dollars. Amendment No. 11 initiates an appropriation of 446,900
10. dollars for the hazardous material control responsibility and
11. those last two amendments, according to the recommendations of
12. the Conference Committee report, the House would recede from.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Netsch.

15. SENATOR NETSCH:

16. Is it correct to say, Senator Harris, that the Second
17. Conference Committee report is identical to the First Conference
18. Committee report?

19. SENATOR HARRIS:

20. It is correct to describe it that way and just...excuse
21. me, go ahead.

22. SENATOR NETSCH:

23. May I point out then that there has been no give at all
24. between the First and Second Conference Committee reports,
25. which is probably not surprising, since I think they were both
26. written at the same time, and in addition, I think it's important
27. to note that this means that the enormous cuts that were taken
28. out of the budget of the Environmental Protection Agency have
29. not been in one iota restored. The House in its wisdom, which
30. it doesn't often exercise, but I think did in this case, restored
31. a total of about 900,000 dollars to EPA. 400,000 dollars of that
32. were specifically earmarked for the hazardous substances program,
33. something which this Legislature and many of the members

1. as individual legislators have urged EPA to do. The House put
2. that money into this bill. The Senate apparently is not willing
3. to go along with that, or at least one side of the Senate is
4. not willing to go along with that. In addition the House re-
5. stored almost 500,000 dollars in the 1.1 million dollars that
6. had been cut from the operating appropriations of EPA so that
7. EPA would not be crippled and would have a chance to do its job.
8. None of that money has been restored in either the First or the
9. Second Conference Committee report. That is totally unacceptable
10. and I hope that we do not concur in this report.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator McBroom.

13. SENATOR MCBROOM:

14. I don't want to delay these, Mr. President and members of
15. the Senate, these proceedings any longer because we're all
16. exhausted, but I would want, simply want to point out in regard
17. to the section that Senator Netsch is talking about on hazardous
18. substances that seems to be source of concern to her that the
19. first time that this was brought to my attention was sometime
20. today by Doctor Bryson. Now if that is what you call respon-
21. sibility in Government, it's certainly something new to me.
22. That's the only comment I care to make on that subject, Mr.
23. President.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Further discussion? President Harris.

26. SENATOR HARRIS:

27. Yes, I just want to make one point in regard to the comments
28. by Senator Netsch in connection with the comments on the hazar-
29. dous material appropriation. She indicated that that was set
30. out in a line item for that purpose. It is my understanding
31. that the restoration of the 446,900 dollars is not in a single
32. line item, but as a matter of fact, spread all through the various
33. line items of the EPA appropriation bill. We have a deep concern

1. about what is typical of this administration and the experience
2. with which I have never come into confrontation before and that
3. is the absolute political activity of its personnel. If these
4. funds were going to be used precisely for the kind of
5. professional activity that most of us consider to be the respon-
6. sibilities of these important agencies from time to time, that
7. would be one thing. But as a matter of fact the operation of
8. this agency has deteriorated terribly since this administration
9. has been operating it and we just serve notice that the inclusion
10. of half a million dollars for political activity on which we
11. cannot have control is just unacceptable to us and that we
12. support strongly our commitment to fund the important agencies
13. and none really can be described as more important than this
14. one - the agency charged to not only preserve but to recapture
15. our environment and I just must respectfully reject Senator
16. Netsch's comments. We conclude that this agency is fully funded
17. with the recommendations that are before us in the Conference
18. Committee report and at the point where discussion is ended,
19. I would again indicate that I will put the motion to concur
20. in Conference Committee No. 2 to Senate Bill 1357.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Rock.

23. SENATOR ROCK:

24. I...I will yield to Senator Bell.

25. PRESIDING OFFICER (SENATOR MOHR):

26. No, Senator Rock, you're recognized. Senator Bell's in
27. a conference. There're other speakers ahead of Senator Bell.

28. SENATOR ROCK:

29. No, I...well, as long as we are talking about the absolute
30. presumptive political character of this agency, let me just say
31. if the sponsor will yield, that is Senate Amendment 3 to this
32. agency still intact, and I am speaking about the absolutely
33. political character of this amendment. As I read this amendment

1. it appropriates 612,000 dollars for the sole and exclusive use
2. of the Attorney General of this State. Is that amendment in-
3. tact in this Conference Committee report?

4. PRESIDING OFFICER (SENATOR MOHR):

5. President Harris.

6. SENATOR HARRIS:

7. It certainly is and that's what a great deal of this dif-
8. ficulty is all about. That the Chief Legal Officer of this
9. State shall be just that. I might point out that the results
10. of some of the technical advisors attempting to pursue cases
11. without communication with the Attorney General have resulted
12. in being thrown out of the Illinois Commerce Commission. The
13. Governor's very agency. The bungling that's been going on the
14. last year under this administration in protecting and safeguard-
15. ing the people of this State demonstrates clearly to us and cer-
16. tainly the people of Illinois will concur that as is provided
17. for Constitutionally the Chief Legal Officer of this State ought
18. to be the person to prepare the cases or his assistants, the
19. person to prepare the cases and to truly safeguard this State's
20. environment.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Rock.

23. SENATOR ROCK:

24. I think that answer was much longer than the question I
25. asked. But the question was, in fact, answered. Well, let me
26. just say that we are not now talking about Environmental Pro-
27. tection or Conservation or motherhood or Lawrence Welk or the
28. hot dog. We are talking about where it's at. We are talking
29. about the Attorney General invading the province of the
30. Executive of this State and I urge our members to vote No.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Netsch.

33. SENATOR NETSCH:

1. Mr. President, may I add one comment with respect to the
2. presence of the so-called Attorney General's amendment in this
3. bill? I pointed out when the amendment was first put on that
4. apart from the extremely important matter of principle that I
5. talked about earlier today that there are some very special
6. reasons why it is absolutely inappropriate and unacceptable
7. in the context of EPA. For one thing if you take a look at
8. the statutes they specifically direct the Environmental Pro-
9. tection Agency, the agency itself, to carry on a very substan-
10. tial number of legal functions quite apart from the point
11. at which these matters get into the courts when we all concede
12. it is the Attorney General who does the representation. There
13. is no way that that agency as an agency can perform those func-
14. tions with this amendment in it. In addition there is no ques-
15. tion that the presence of this amendment would give rise to
16. conflicts of interest on the part of the attorneys who are in
17. that position. There are occasions when the EPA itself takes
18. a position, works up a case, and makes a recommendation which
19. the Illinois Pollution Control Board does not accept. That
20. means that there are two opposite points of view. At that
21. point the Attorney General is now trying to tell us that he is
22. going to represent both of those points of view, adversary
23. points of view in one and the same person, the Attorney General.
24. That cannot be done. That is a conflict of interest and it would
25. lead to untold mischief in terms of the...the implementation of
26. the programs of this agency. So that is another reason why the
27. amendment is unacceptable, and in addition I emphasize once again
28. that you have taken so much money out of this agency that all
29. of the important functions that you have given to it cannot be
30. performed adequately on the funds that you have made available.
31. That also is unacceptable.

32. PRESIDING OFFICER (SENATOR MOHR):

33. The question is shall the Senate adopt the Conference Com-

1. mittee report on Senate 135. Those in favor vote Aye. Those
2. opposed vote Nay. Voting is open. Have all voted who wish?
3. Have all voted who wish? Take the record. On that question
4. the Yeas are 23, the Nays are 16, 5 voting Present. The Second
5. Conference Committee report is not adopted and the bill is
6. declared lost. Senator Weaver.

7. SENATOR WEAVER:

8. Mr. President, I would move that the Senate now adjourn
9. until Wednesday, July the 3rd, at 12:15 a.m.

10. PRESIDING OFFICER (SENATOR MOHR):

11. All in favor say Aye. Opposed. Senate stands adjourned
12. until 12:15 July 3rd...a.m.

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