

3rd SPECIAL SESSION
of the 78th GENERAL ASSEMBLY
November 13, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will recess from refreshment and relaxation
3. and come to order on the Third Special Session. Senator
4. Weaver. I thought you had a motion Senator. Senator...Reading
5. of the Journal. Senator Soper.

6. SECRETARY:

7. Tuesday, November 6, 1973.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Soper will you tell your guests you're supposed
10. to make a motion.

11. SENATOR SOPER:

12. Third Special Session? On the ...move that we dispense
13. with the further reading of the Journal of November 6
14. and unless there's some additions or corrections to be
15. made that the Journal stand approved.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. You have heard the motion of the Senator from Cicero.
18. All in favor will signify by saying aye. Opposed. The
19. ayes have it and the motion carries. Messages from the
20. House. Senator Soper, you got...

21. SENATOR SOPER:

22. Yes, we have the Journals of November 7th and November
23. 8th, and I move that we postpone the reading and the approval
24. of those Journals pending the arrival of the printed Journal.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. You've heard the motion of Senator Soper all in favor
27. will signify by saying aye. Opposed. The ayes have it
28. and the motion carries. Message from the House.

29. SECRETARY:

30. (Secretary reads Message from the House)

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. First Reading. Senator Johns, who's your guest?

33. SENATOR JOHNS:

1. My good colleague Senator Bill Grindle is visiting
2. with me Mr. President.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. I knew him before I did you too. Senator Weaver.
5. Glad to have you Bill.

6. SENATOR WEAVER:

7. Mr. President, like to ask for fifteen minute recess
8. for the purpose of a Republican Caucus in the President's
9. Office.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Partee. Senator Donnewald. We're having a
12. caucus, do you have a like caucus?

13. SENATOR DONNEWALD:

14. Mr. Chairman, I think that we...the Democrats will
15. have a caucus. Members of the Democratic Party in the
16. Senate will have a caucus on the sixth floor immediately.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. The Senate will stand in recess for the purposes of
19. joint caucuses on different floors.

20. (RECESS)

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Would you ring the bell, Mr. Sergeant at Arms. I
23. think the leadership should be informed that the Session
24. is awaiting their entrance to the Floor for the convening
25. of this Session. Conolly. Senator Conolly. It might
26. be worth calling your attention to the fact again that
27. the Senate is now in order. Third Special Session, order
28. of Senate Bills on 3rd reading, and for those Senators
29. who are in jacent...adjacent environs it might be suggested
30. also that there may be some matters discussed that might
31. be of great importance to them. On the order of Senate
32. Bills on 3rd reading I recognize the Senator from Waukegan,
33. John Conolly.

1. SENATOR CONOLLY:

2. Mr. President, I'd like leave to return SB 27 back
3. to 2nd reading for the purpose of amendment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Conolly would you withhold just a moment
6. please. I promised Senator Fawell for a short... Take
7. that out of the record. Senator Fawell.

8. SENATOR FAWELL:

9. Yes, Mr. President, HB 38 was read by the Secretary
10. as a 1st reading. I'd like to make a motion at this time
11. that it be advanced to the order of 2nd reading without
12. reference to committee, or actually read a first time
13. if it hasn't been read. This is the same as SB 40,
14. Senator Saperstein and Senator Hynes...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Please Gentlemen.

17. SENATOR FAWELL:

18. It's the identical bill as SB 40 which pertains to
19. the Life Safety Code rectifying a mistake which we made
20. earlier this year. There's no opposition to. It's an
21. acceptable bill on both sides of the aisle and I do
22. make the motion that it be read a first time and advanced
23. to the order of 2nd reading without reference to committee.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. You have all heard the motion of the Senator
26. from Naperville. All in favor will signify by saying
27. aye. Leave is granted. The bill will be read a 1st
28. time and the motion then made to advance it to the order
29. of 2nd reading without reference. Mr. Secretary read
30. the bill by title.

31. SECRETARY:

32. HB 38 (Secretary reads title of bill)
33. 1st reading of the bill.

1. that that authority will not ignore or discriminate against
2. a need of...commuter railroads that are not public
3. bodies and are providing a public transportation in
4. the region. A few other changes in it. I would
5. appreciate the adoption of this amendment.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Any discussion? The question is shall the Senate
8. adopt Amendment No. 1 to SB 27. All in favor signify
9. by saying aye. Opposed. The ayes have it, the amendment
10. is adopted. Got another amendment Senator Conolly?

11. SECRETARY:

12. Amendment No. 2 by Senator Mitchler.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Mr. President, Members of the Senate, Amendment No. 2, a
17. copy has been placed on the desk of each Senator along
18. with it an accompanying news article that appeared in the
19. Chicago Tribune on July 29, 1973 relating to a report
20. that more than 45.3 million dollars in outstanding
21. Chicago Transit Revenue Bonds are outstanding with no
22. flow of income to pay the principal and interest. And
23. only enough money in sinking fund reserves to purchase
24. and retire about 1/10th of the bonds. Now to be very
25. brief what Amendment No. 2 to SB 27 in the Third Special
26. Session does it provides that the authority shall not
27. make any grant to a transportation agency to be applied
28. to the payment or redemption of any bonds of such trans-
29. portation agency unless the authority is authorized by
30. law to make such grant for such purpose. The authority
31. shall not make any grant to a transportation agency to
32. be applied for the purposes of or deposited in any
33. reserve fund account or sinking fund account unless the

1. authority is authorized by grant to make such grants...
2. authorized by law to make such grant for such purposes.
3. In other words, any money that is appropriated to the
4. Regional Transit Board for the Transit Authority will
5. not be used to retire these CTA bonds that are out-
6. standing in the amount the reported 45.3 million dollars.
7. I would ask for acceptance of the amendment.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Conolly.

10. SENATOR CONOLLY:

11. I would have to resist this amendment Mr. President,
12. for this would jeopardize the sale and the financial
13. rating of the entire RTA if you were to incur or
14. cause a problem or distraction upon any of the funding
15. bonding powers...

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Just a minute Senator. Gentlemen, we are going to be
18. discussing some very important measures. Could we have
19. your attention, please?

20. SENATOR CONOLLY:

21. As I was saying, if any of the agencies cooperating
22. with the RTA would...if their bonds were in jeopardy it
23. would also jeopardize the financial and rating of bonds
24. of the RTA and therefore I think, it would make the bonds
25. the RTA unsalable and I would therefore resist it. Because
26. one thing we want about this RAT...that it be well financed.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any further discussion? Senator Fawell.

29. SENATOR FAWELL:

30. Senator Mitchler, I have a question here and perhaps
31. Senator Conolly can respond to it also. The amendment
32. as I read it, and I assume I have the right one in my
33. hands says the authority shall not make any grant to a

1. transportation agency to be applied to the payment or
2. redemption of any bonds of such transportation agency
3. unless the authority is authorized by law to make such
4. grants for such purposes. You're...you're referring
5. specifically then to the receiving...to the particular
6. transportation entity in concern, such as the CTA or
7. the Northwestern Railroad, or whatever the particular
8. transportation entity is that their bonds which are
9. outstanding, the State funds could not be used to
10. redeem those outstanding bonds. Is that correct?
11. Well, then, Senator Conolly why would you...why would
12. you say that that would have a detrimental affect
13. upon the bonds which are to be issued by the RTA? I
14. wouldn't think that...as long as this doesn't
15. inhibit the use of these State funds to pay off RTA
16. Bonds, but only the potential of using State funds to
17. pay off what bonds are now existing or I suppose which
18. may be existent from the private entities. I don't see
19. how this could affect the...the salability of the bonds
20. by the RTA.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. Senator Conolly.
23. SENATOR CONOLLY:
24. ...bond counsel and investment counselors, investment
25. bankers who have been consulted in numerous have been
26. consulted have advised our staff and us that...all bonds
27. of the CTA would have to be able to be paid off before
28. the financing of the RTA would be able to be taking place.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Senator Fawell.
31. SENATOR FAWELL:
32. Have you...Well is that...is that conclusion on their
33. part sufficient to you? It...it would again seem to me

1. as long as the RTA is standing behind this, it would...it would
2. seem to me that's pretty good security. I can understand
3. people not wanting to have the State funds being utilized
4. for instance to pay off perhaps a private bond issue
5. by the Northwestern Railroad, etc. And...and that's
6. what we're saying here that the existent bond issues
7. ...that we ought not to attempt to...to necessarily bail
8. out those. Obviously all of this will be taken into account
9. in determining the service contracts, the outstanding obli-
10. gations and things of this sort. But, it seems to me that
11. all we're saying is that we ought not to utilize the State
12. funds to simply bail out existent bonds. But, in no
13. way are we inhibiting the...the...security of bonds which
14. in the future might be issued by the new corporation, the
15. RTA.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Conolly.

18. SENATOR CONOLLY:

19. We have made the identical argument that you have made
20. to us at this time, to the investment banking houses through-
21. out the nation and they have come up with the answer that
22. they...it would not be correct to have an amendment of this
23. siz...kind, because it would be a hindrance of the sale of
24. the RTA bonds.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Fawell, are you concluded...have you concluded?

27. SENATOR FAWELL:

28. I...it just isn't a sufficient answer...I...I tend to
29. think what Senator Mitchler is proposing here has got some
30. merit, but I suppose all that one can say is these outstanding
31. indebtednesses whether they be the CTA or the Milwaukee Road
32. or the Burlington Route, I suppose...in a sense those are
33. obligations that may eventually be cast upon the RTA and

1. in that sense, the overall indebtedness of the...agencies that
2. are being utilized by the RTA may have some effect upon the
3. salability of the bonds, but I think there's an awful lot
4. of merit in saying that we ought not to be even suggesting
5. that the State funds should be utilized here to come in and
6. pay off private indebtednesses of our private corporations,
7. which it would include as well as the indebtednesses that
8. have been brought about by the CTA. It's...it's not
9. a very satisfactory explanation and I think Senator
10. Conolly understands what I mean there. The bonding
11. houses sometimes deal in these conclusions and assume
12. that you just take what they say as Gospel but it seems
13. to me that with the RTA and in effect, the credit of the
14. State of Illinois standing behind the RTA, you ought to be
15. able to pedal these bonds just about any place without
16. having too much worry about un...not having salable bonds
17. simply because there might be some outstanding bond issues
18. of some of the entities with whom the RTA may have
19. contracts.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Conolly.

22. SENATOR CONOLLY:

23. In answer to that I have to say that this is aimed
24. at the CTA, not at the private carriers and that the
25. private carriers activities would be on a contractual...
26. contractual services basis and therefore it would not
27. be aimed at their indebtedness. This is aimed at the
28. CTA and therefore I would say that your concern about
29. the paying off the private carriers bonds is not necessary
30. and I feel that it's from our experience with the bond
31. counsels that we will have to follow their advise at this
32. time. And I urge the defeat of this amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Mr. President, Members of the Senate I...I'm somewhat
4. in agreement...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Just a moment Senator.

7. SENATOR DOUGHERTY:

8. ...with what Senator Mitchler has said to the point
9. that he does not wish to have the RTA be responsible
10. for the bonded indebtedness of the CTA as it now exists
11. at this moment, if you will. And he would prefer that
12. no funds from the RTA would go into a sinking fund to
13. retire those debts. On the other hand we are taking
14. over to some degree part and parcel some of the operations
15. of commuter railroads. These railroads also have...
16. if they don't have bond issues they have bought much
17. of this equipment under what they call equipment trusts
18. which are to a...some degree which are a bond. But
19. there's a different terminology concerned in the CTA,
20. and yet in the future operations should this exist is
21. it not possible that there will such a co-mingling of funds
22. from the operating revenues if there exists them from the
23. tax money that they put into it that it might be necessary
24. for the RTA to have to do these things to keep the faith
25. of the public in use of these equipment trusts or CTA
26. bonds. I believe that the legislation has been set up
27. in both bills, as I see them, does provide that no funds
28. shall be used for the retirement of debts...the debts
29. now in existence. And I do not believe that we should
30. cripple the further operations of the RTA if there is
31. to be one by putting any further language in it. I'm
32. opposed to the amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any further discussion? Senator Mitchler.

2. SENATOR MITCHLER:

3. Yes, Mr. President and Members of the Senate, in closing
4. I was alerted to this Chicago Tribune article dated July 29,
5. 1973 which has a by-line Alvin Nagelburg, Assistant
6. Financial Editor. And I would like to point out in
7. a copy of this reprint of the Tribune article is on
8. each of your desks. Would have pointed out that Moody's
9. Investor Service rates the bonds of the CTA as B.A.
10. That's a classification for security whose future cannot
11. be considered well assured. Now the market place of the
12. thousand dollar bonds which mature in 1978 and 1982
13. should be dropping like a rock you say. Not so. When
14. the bonds are sold they currently command prices of
15. about 81% of value. The article continues by Alvin
16. Nagelburg to say the bondholders are confident that they
17. will be bailed out, says Robert Manchester, Vice-President
18. of the First National Bank of Chicago, which is trustee
19. for the bonds. He believes the bondholders are counting
20. on either a large continuing subsidy or a restructuring.
21. For example, the formation of a regional transit authority
22. with sufficient annual revenue to pay operational costs
23. perhaps...perhaps cut fares and pay for the bonds. Now
24. that's Robert Manchester, First Vice-President of the
25. First National Bank of Chicago being quoted by Alvin
26. Nagelburg, Assistant Financial editor, of the Chicago
27. Tribune. Now, it's just as clear as you want it. This
28. is why I'm pointing out and I don't see any weight in
29. your argument Senator Conolly about the availability of
30. the bonds. If you want to place that ahead of the fact
31. that if you establish this RTA and you're going to allow
32. the RTA to raise annual revenue to pay operational
33. costs, cut fares and pay for the bonds totaling some

1. 45.3 million dollars. Who is going to benefit but the
2. bondholders that are holding these bonds? And maybe
3. that's where some of this great pressure for a regional
4. transportation authority is coming from. I don't know
5. who they. I don't have any of the bonds. But I think
6. that this does have merit and my amendment was based
7. entirely upon this news article that was brought to
8. my attention following...followed by research and
9. discussion with prominent people in the financial field.
10. I think it's a good amendment. I'd ask for a roll call.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Mitchler moves that Amendment No. 2 to
13. SB 27 be adopted and has requested a roll call.
14. Secretary will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
19. Hall, Hynes, Johns, Keegan, Knuepfer ...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Just a minute Mr. Secretary. Ladies and Gentlemen
22. we are having the same trouble. Could you please hold
23. your caucuses off of the Senate Floor? Especially
24. during a roll call. For goodness sakes. Continue.

25. SECRETARY:

26. Knuppel, Kosinski, Latherow, McBroom, McCarthy,
27. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
28. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, ...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. For what purpose does Senator Soper arise?

31. SENATOR SOPER:

32. Mr. President, just matter of parliamentary inquiry.
33. This takes 30 votes or does this take a majority of those....

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Takes a majority of those voting on the question.
3. SENATOR SOPER:
4. Well, Gentlemen you'd better listen to this thing.
5. You'd better know what you're doing here. Because if
6. you...if you vote this amendment on this thing, you're
7. liable to kill this whole bill.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. Continue the roll call.
10. SECRETARY:
11. Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
12. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
13. Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
14. Vadalabene,
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Just a minute Mr. Secretary. There is no...there
17. is really no reason... Try to operate under these
18. circumstances. Will the Gentlemen return to their seats
19. and let the Secretary take care of his desk. Continue.
20. You'll get time to get on the roll call.
21. SECRETARY:
22. Walker, Weaver, Welsh, Wooten, Mr. President.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Course, no. Netsch, no. Kenneth Hall, no.
25. Terry Bruce, no. Richard Daley, no. Howard Carroll,
26. no. Richard Newhouse, no. James Donnewald, no.
27. Knuppel, no. McBroom, aye. You trying to tell me
28. something Senator Keegan? Senator Keegan, aye.
29. Ozinga, aye. Latherow, aye. We'll get to you gentlemen.
30. Don't panic. There has been a request for a call of
31. the absentees. The absentees will be called and
32. hopefully with some sense of order.
33. SECRETARY:

1. Chew, Davidson, Nudelman, Roe, Swinarski, Wooten.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Davidson, aye. Roe, no. On this question the
4. yeas were twenty-five, the nays were twenty-nine. The
5. motion to adopt the amendment has failed. Any further
6. amendments?

7. SECRETARY:

8. Amendment No. 3 by Senators Schaffer, Mitchler and
9. Bell.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. The first amendment that we've proposed simply
14. does this, there is a referendum procedure in SB 27
15. This procedure is expanded to provide that if any of
16. the six counties in the referendum reject the RTA
17. that those counties are no longer in the RTA and
18. will not be part of the district when it was enacted.
19. Now quite frankly the purpose of the amendment is,
20. I'm sure clear to everyone. Several of us representing
21. primarily counties of McHenry, Kane and Will find that
22. the overwhelming majority of the people in those three
23. counties are not interested in and are opposed to
24. being included in the proposed RTA district. I would
25. like to point out that the two counties that I happen
26. to represent and at least parts of Kane and McHenry,
27. that many of the communities have absolutely nothing
28. to do with the Chicago area. Marengo for instance is
29. a Rockford-Belvidere oriented area with no mass transit.
30. Harvard tied to the Wisconsin line with a very small
31. eastward traveling pattern, a farm community. Many
32. more, Hampshire in Kane, Alton, Hebron, these communities
33. have virtually nothing to do with this district. Many

1. of the other larger towns, closer to the city have
2. very, very little to do with this district. I think
3. it's only right that our people be given a chance
4. by voting to include or exclude themselves from this
5. proposed district. And I would point out to you that
6. I over the week-end had an opportunity to talk to
7. people from UMPRA and the mass transit authorities...
8. authorities in Washington. And I have been informed
9. and I think very reliably that the...should one or more
10. of the outer counties opt out of this proposal that
11. it will not adversely affect the Federal funding for
12. those counties that remain in. In fact it will perhaps
13. work the other way in that the money that might normally
14. be spent for the counties that opted out could be
15. redistributed to the counties that the stay in, and
16. it could be redistributed elsewhere too. I know of
17. no reason at this point in time for forcing the people
18. in the outer counties to participate in this RTA
19. proposal. I think it is only fair and reasonable that
20. they be allowed to be given the chance to determine for
21. themselves whether they wish to be included. Quite
22. frankly Gentlemen, I'm not sure how that referendum
23. would go a year from the now, if the price of gasoline
24. is 80¢ and we're driving at 50 miles an hour. I might
25. be very surprised, public opinion might reverse itself.
26. These counties might choose to stay in. But I can
27. assure you on the basis of every poll that's been taken
28. not only by those of us in the political realm, but
29. also by the Taxpayers Federation that the vast majority
30. of the people in these three counties do not wish to
31. participate in the RTA at this time. I ask for support
32. of this amendment. I think it's a good amendment and
33. quite frankly Gentlemen I'd like to make it very clear

1. that I do not oppose the creation of an RTA. I recognize
2. the problems in Chicago and the suburbs and I want to be
3. able to support the creation of an RTA but I cannot support
4. an RTA which forces itself upon the people of my county who
5. at this point in time neither need or want to be included
6. in this proposal.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Partee.

9. SENATOR PARTEE:

10. Well, Mr. President and Members of the Senate, I sup-
11. pose we can be provincial and parochial with every issue
12. that comes into this Legislature. When I go home, people
13. ask me where their taxes go and when I point out to them
14. how many of their taxes go for areas of this State that they've
15. never seen nor heard of. They are given to understand
16. by me that this is a divided concept that they're taking
17. it that we have a unified State. The Federal government
18. has approached in many instances the regional concept.
19. There are myriad Federal programs which have not for
20. Chicago the kind of...language that we most desire but
21. they say we must consider things on a regional basis.
22. And many is the dollar from the taxpayer of my city and
23. county that goes to fund many, many things throughout
24. the State of Illinois. And we don't ask our people to
25. vote on it. We say you belong in Illinois, you live in
26. Illinois. This is something for the betterment of the
27. entire State. Now the six county area came into being
28. and the thought process behind it came as a result of
29. studies made both at the State and national level...
30. I'm having trouble talking louder than my friend
31. without the mike. At the State and national level
32. these studies have been made to show the regional aspects
33. of American development in many areas. Transportation

1. is one outstanding example of that. I can understand
2. the Senators wanting to get it in the paper back home
3. that you took this position but I think you do a disservice
4. to the entire program, to the entire concept and to all
5. of the citizens of this State. Transportation is a very
6. needed thing and I submit that this amendment should be
7. defeated.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Glass and Senator Palmer.

10. SENATOR GLASS:

11. Thank you Mr. President. I would take issue with
12. Senator Partee insofar as he says that there are many taxes
13. that benefit certain parts of the State, much of the State
14. revenue and do not benefit others, making that analogous
15. to this situation. I think, here we're talking about a
16. continuing tax to benefit one single area, the RTA area
17. and so I can appreciate Senator Schaffer and Senators
18. Bell and Mitchler feeling in regard to this type of an
19. amendment. But I do think there's another objection to
20. it and I would urge its defeat on the grounds that if
21. you try to have referendums in each of the six counties
22. you could easily fragment the RTA and end up with some
23. in and some out and it would...it would do violence to
24. the regional concept which is essential to a successful
25. regional transit authority. So I would hope that this
26. amendment would be defeated, but at the same time I think
27. we should support some of the other amendments that are
28. going to be forthcoming to provide benefits specifically
29. for these areas. Because certainly there are...there is
30. very little benefit that will...fall immediately upon
31. these three counties and in most of their...and throughout
32. most of their areas and I think some of the other
33. amendments that are...are going to be offered are more

1. to the point but I think this one would destroy the
2. regional concept.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Palmer.

5. SENATOR PALMER:

6. Mr. Chairman I had a question that Senator Partee
7. says practically answered my question. Thank you.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Conolly.

10. SENATOR CONOLLY:

11. As the chief sponsor of these bills, I'd like to
12. say that we are very fortunate in northeastern Illinois
13. to have a fantastic mix of modes of transportation that
14. are now in existence that serve this entire region. We
15. have a fantastic potential for growth in this region that
16. will follow the modes of transportation that are now in
17. the area. No other area in the country, no other region
18. in the country has such a situation and therefore we
19. should look to the future and keep this as one viable
20. region and therefore defeat this motion...amendment.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Harris.

23. SENATOR HARRIS:

24. I'd like to direct a question to Senator Schaffer,
25. if he would yield.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. He indicates he will yield.

28. SENATOR HARRIS:

29. Senator there are two...let me say concepts that you
30. and I have had discussions on. I would describe the two
31. this way. One is an amendment that would provide for
32. opting in and opting out of the regional authority by county.
33. The other ceoncept is the requirements that within the

1. existing RTA proposal that's before us, a six county region,
2. that it be created subject to referendum and further
3. that the referendum be required to carry in two areas.
4. One in the City of Chicago, the other in the remaining
5. area of the six county area. Would you identify the
6. amendment that presently is under consideration as
7. being of one of those two concepts?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Yes,

12. SENATOR HARRIS:

13. And which one - the opt in, opt out concept?

14. SENATOR SCHAFFER:

15. No, no the current amendment does not have an...opt
16. in it. Basically in the...in the bill before us provides
17. for a district wide referendum, all that this amendment
18. effectively does is provide that when that referendum is
19. held that if it...the issue fails to carry in a particular
20. county that that county is not included.

21. SENATOR HARRIS:

22. Well, then it really would be an opt out referendum
23. on that basis by county. I just wanted to have the affect
24. of the amendment clearly identified and I did not know
25. whether the way it's drawn, I do not have it before me
26. whether it provided for the opt in, opt out question. It
27. really then is limited to an amendment to the referendum
28. section and the requirement that the referendum carry
29. within each of the six counties and the affect further
30. that if it does not carry, that that county would be
31. excluded from the authority. Ok. That answers my question.

32. SENATOR SCHAFFER:

33. That's the way I understand the bill Senator.

1. SENATOR HARRIS:

2. Just to have it clearly identified. Thank you.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Partee.

5. SENATOR PARTEE:

6. Now, having given that explanation, it gives rise
7. to this question. If geographically a county between
8. existing counties that's within the authority and other
9. counties that are within the authority opt out, how
10. do you propose for commuter railroads for example. Let's
11. say if DuPage County is between Kane and Cook and if
12. commuter railroads are involved here and if DuPage opted
13. out and Kane stayed in the railroads then would not
14. service the area in between that opted out, or do they
15. build a bridge over them or by helicopter at that point.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Schaffer.

18. SENATOR SCHAFFER:

19. Well, I'd be the first to concede that we do need
20. some bridges in my area. It wouldn't be for that purpose.
21. Quite frankly all three of the principal counties that
22. opposition are the strongest in identified as McHenry,
23. Kane and Will have to the best of my knowledge created
24. under the auspices of the Readman bill three independent
25. mass transit districts, county mass transit districts.
26. Now, these districts are admittedly in a state of limbo
27. until such time as this Body and the Body across the hall
28. and the Governor get together. But I would submit to you
29. that it is the proposal in the areas that I represent that
30. our local mass transit districts would continue to support
31. the mass transit functions within our county and I see
32. no reason why that these separate mass transit districts
33. could not cooperate with the major mass transit districts

1. to provide interlocking service. This is done in several
2. areas of the country right now.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Berning.

5. SENATOR BERNING:

6. Thank you Mr. President. By way of expansion on the
7. desirability of allowing the citizenry to vote let me
8. call your attention to Section 307 of SB 27 where it
9. says contiguous counties or parts of counties can
10. be annexed upon referendum approval of a majority of
11. the electors residing within the area and by acts of
12. the County Board. In other words Gentlemen, we already
13. have provision in this bill for additional annexation
14. by referendum. It therefore seems only elemental that
15. we ought to allow referendum to prevail in the initial
16. formation. Further, if I might prevail upon the attention
17. of the Body, let me call your attention to the Constitution
18. of 1970 under Article 7, Section 5, Townships. Second
19. sentence, Townships may be consolidated or merged and
20. one or more townships may be dissolved or divided when
21. approved by referendum in each township affected. It
22. seems to me that we do already have precedent for the
23. type of action that is proposed in this amendment.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Further discussion? Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, quite frankly I think that for those people,
28. and I'll include myself in the group that truly believe
29. that the creation of an RTA is extremely important in
30. the northern part of the State, that this amendment is a
31. constructive step towards the final passage of such a
32. bill. The three principal counties where the opposition
33. is are small in comparison to the total area. They will

1. not and do not have the needs that the Chicago and suburban
2. area has. My mayor's association had the advantage to
3. attend a meeting of the mass transit planners, and gentlemen
4. the mass transit planners the gentlemen that have come
5. to our committee meetings and testified before us admit
6. in their own plans no additional transportation services
7. in these areas, at least in Kane and McHenry County until
8. the year 1995. 1995 before they run an additional bus,
9. train or taxicab in these counties. We think we can
10. make greater progress in this area on our own. We prefer
11. to spend our money on our own projects and things that
12. are good for our area. We recognize the need for trans-
13. portation in Chicago and we recognize the need and the
14. responsibility of the outer counties that do participate
15. and do send people into the City to pay their fair
16. share. I have not run into one person from my area who
17. is opposed to paying his fair share for services he
18. genuinely needs. This is all we're asking for, this is
19. all we want. We want a right to vote on this question.
20. I don't know. I would think it would go against us in
21. the three areas right now. A few months from it now,
22. who knows. Maybe it wouldn't. This is only fair, this
23. is reasonable, and Senator Partee, I'm not up for
24. election next year. I don't need any publicity in my
25. district. I'm genuinely concerned that by forcing these
26. three counties to participate in this bill that you are
27. in effect sabotaging something that is extremely necessary
28. for the entire State of Illinois.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Any further discussion? If not, the question is
31. shall Amendment No. 3 to SB 27 be adopted. All in favor
32. of the adoption will signify by saying aye. Opposed.
33. There's been a request for a roll call. Roll will be called.

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

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Scholl, no. If you will...Gentlemen if you will
14. stay away from the Secretary so he can get the responses
15. from the podium, it will be helpful. We'll have you
16. all on the roll call before we announce it. Dougherty,
17. no. Course, no. Knuppel, no. Newhouse, no. We'll get
18. you on Gentlemen. We're in no hurry to announce the
19. roll call. On this question the yeas were twenty, the
20. nays were thirty-five, the motion to adopt Amendment
21. No. 3 is therefore declared lost.

22. SECRETARY:

23. Amendment No. 4 by Senator Schaffer.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Mr. President, Senator Regner has an amendment that in
28. ...in the order of amendments it'd be probably more
29. pertinent to go to his amendment first.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. You yield to Senator Regner...

32. SENATOR SCHAFFER:

33. I do.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. His amendment is down here Mr. Secretary?

3. SECRETARY:

4. Amendment No. 4 by Senator Regner.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The Chair recognizes the Senator from Mt. Prospect.

7. SENATOR REGNER:

8. Yes Mr. President, Members of the Senate. This
9. amendment contains similar provisions to that contained
10. in the bill which Governor Walker had introduced and
11. that is providing that 2/3's of the revenues collected
12. in each county for expenditures will be expended in
13. that county. It goes one step further in that it says
14. 2/3's of the monies collected in the 30 suburban Cook
15. County townships shall also be expended in the suburban
16. area of Cook County. And I would move for a favorable
17. roll call on Amendment No. 4 to SB 27.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any further discussion?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Fawell.

22. SENATOR FAWELL:

23. Senator I don't have a copy of that amendment on my...
24. The... the only point I would like to mention is that
25. what is attempted to be achieved by this amendment when
26. it states that the RTA board shall budget an appropriate
27. amount not less than 2/3's of the revenues collected on
28. behalf of the authority in each county for expenditure
29. for services which benefit that county. I simply suggest
30. that that's a lot easier to say than to actually put into
31. practice. I have here before me just a summary of the
32. bill where it is stated that such a concept will impose
33. substantial difficulties in determining allocations of

1. revenues from each county and even more significant
2. difficulties in attributing benefits to each county.
3. For instance, does McHenry County benefit from a
4. capital improvement in the Loop, and if so, how much.
5. How are subsidies to commuter railroads which traverse
6. more than one county to be allocated? By route mile,
7. by passenger mile, by cost? Who benefits from lesser
8. traffic congestion on the Kennedy Expressway? Etc.,
9. etc. I think by putting a clause like this in it may
10. seem to be helpful. And I suppose politically it can
11. be. But very practically speaking I think we inculcate
12. into the act some legal nightmares and something that
13. just is not practical. I think Ladies and Gentlemen
14. this is a regionalized concept that you either can
15. accept the regionalized approach or you cannot.
16. But the attempt to do what is being attempted here
17. is very understandable and human nature but I don't
18. think that it's going to do anything but cause an
19. awful lot of problems.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Conolly.

22. SENATOR CONOLLY:

23. Would the sponsor yield to a question please?

24. PRESIDING OFFICER (SENATOR WEAVER):

25. He indicates he will.

26. SENATOR CONOLLY:

27. Does this amendment include the use of bond proceeds?

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Regner.

30. SENATOR REGNER:

31. I would assume not, the way it's written Senator.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Conolly.

1. SENATOR CONOLLY:

2. With the understanding and on the record that it
3. does not include the bond proceeds, I could accept this
4. amendment.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Schaffer.

7. SENATOR SCHAFFER:

8. I...I would just simply like to refer to Senator
9. Fawell's observations. You know, these are amazing
10. times we live in Senator. We have a little device and
11. in some cases not too little called a computer. The
12. Chicago Northwestern Railroad at my request and at
13. the request of several of our...my fellow legislators
14. in my area was able to provide us with a very detailed
15. cost benefit type of survey and indicated to us that
16. this was not particularly difficult to do with the
17. modern technology we have. This particular proposal
18. is feasible from a management standpoint. It is
19. desirable from a point of equity and justice and again
20. I think it's an important ingredient in putting together
21. a bill that can be enacted into law.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Any further discussion? Senator Regner.

24. SENATOR REGNER:

25. Yes, Members of the Senate, just a few remarks in
26. closing. In the suburban area, the northwest suburban
27. area we have a very fine commuter line. The only problem
28. with it is that we almost can't get there. There is no
29. parking places, there is no bus provisions to get to
30. the Northwest in my area, and I assume it's exactly the
31. same in the entire suburban area, the country towns,
32. and also the other five counties. And all we're trying
33. to do with this is to assure that there will be money-

1. spent in those areas to provide services, not just to
2. improve the commuter lines but also to allow us get to
3. them and to use them and again I would ask for a favorable
4. roll call on this amendment.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. The question is shall Senate Amendment No. 4 be
7. adopted. All in favor signify by saying aye. Opposed
8. nay. Roll call.

9. SECRETARY:

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

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Sours, aye. Conolly, aye. Hall, no. Course, no.
22. Knuppel, no. Scholl, aye. Senator Graham did you...
23. Roe, aye. Netsch, no. Newhouse, no. Carroll, no.
24. ...question the ayes are twenty-eight, the nays are
25. twenty-eight. The amendment fails. ...amendments?
26. ...Regner.

27. SENATOR REGNER:

28. Could I have a verification on that Mr. President?

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Regner asked for verification. A verification
31. of the ayes...of the nays. The negative votes. The
32. negative votes will be verified.

33. SECRETARY:

1. The following voted in the negative: Buzbee,
2. Carroll, Chew, Course, Daley, Donnewald, Dougherty,
3. Fawell, Kenneth Hall, Hynes, Johns, Keegan, Knuppel,
4. Kosinski, McCarthy, Netsch, Newhouse, Nudelman, Partee,
5. Rock, Romano, Saperstein, Savickas, Smith, Swinarski,
6. Vadalabene, Welsh, Wooten.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. Senator Regner.
9. SENATOR REGNER:
10. ... Oh, I see him here now. Senator Daley?
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Senator Daley's on the Floor.
13. SENATOR REGNER:
14. Senator Palmer?
15. PRESIDING OFFICER (SENATOR WEAVER):
16. He's here. Senator Palmer is on the Floor.
17. The roll has been verified. Any further amendments?
18. SECRETARY:
19. Amendment No. 5 by Senator Schaffer.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator Schaffer.
22. SENATOR ROCK:
23. Senator Schaffer has two amendments and he wants to
24. know which one he's talking about right now.
25. SECRETARY:
26. Amendment No. 5 by Senator Schaffer.
27. PRESIDING OFFICER (SENATOR WEAVER):
28. Senator Schaffer.
29. SENATOR SCHAFFER:
30. You'll recall that I asked that this particular
31. amendment be held until after Senator Regner's amendment
32. was read and you're...you're going to discover why
33. very shortly. This amendment provides that the...the

1. board shall budget and appropriate an amount not less than
2. 2/3's of the revenue collected on behalf of the authority...
3. of the authority in each county for expenditure for
4. services which benefit that county. Which is similar to
5. the amendment that just tied. The difference of course is
6. that it does not include the Cook County townships. The
7. same arguments prevail with the...perhaps the added state-
8. ment that while it will not provide an accounting problem
9. between the suburban townships and Cook County. I might
10. add in the language of this amendment, and I'd like to
11. emphasize this, for services which benefit that county.
12. Now that does not say to be spent within the county.
13. It says for services that benefit that county. Now, I
14. grant you it's a small difference but it's a big difference.
15. We from the suburban counties would like to be able to
16. go back to our people and give them some assurances that
17. their tax money is going to be spent in a way that benefits
18. them. I would appreciate the same twenty-eight stalwarts
19. and one more on this roll call.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Partee.

22. SENATOR PARTEE:

23. Senator I don't want to seem obstreperous but I...I
24. do have a problem not only with the...arithmetic of the
25. situation. Arithmetical...The arithmetical concepts are
26. going to be difficult under an amendment such as this.
27. But the other thing is how do you make the determination
28. as to what benefits the people of the county. In other
29. words if you built a shelter in Lake County which kept
30. someone who lived in Kane County from getting wet, does
31. it benefit Kane County when the person comes home dry?
32. Because he doesn't buy any cough medicine, or he doesn't
33. die and his taxes aren't collected. Or if he dies and

1. his taxes aren't collected. I just don't understand
2. how you can determine what benefits a county. In other
3. words, the construction of something in one county may
4. have benefit for that county or for another county.
5. How can you tell what the proportionate share of the
6. benefit is between the other parts of the system. I
7. just don't see that it lends itself to any accurate
8. computation.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. Again, a couple things. One, I would point out to
13. you that should that individual in Kane County die, it
14. wouldn't benefit Kane County anyway because as you'll
15. recall from a little earlier the State still gets all
16. the inheritance tax monies despite the crying needs of
17. county government. The...the important thing I think
18. is that these benefits can be and have been arrived at
19. in other mass transit districts. This is not a concept
20. which is unique. This concept is a workable concept.
21. It's in my opinion, a desirable concept and it is...it
22. is not impossible. In fact it is not particularly
23. difficult when you're dealing with mass transit to do
24. this. And you'll bear in mind that we did say 2/3's.
25. Now we realize that there will be gray areas, but this
26. is an assurance to the outer county residents that they
27. will receive some benefits. It is a necessary reassurance.
28. Again, I'd appreciate a favorable roll call.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Conolly.

31. SENATOR CONOLLY:

32. Will the sponsor yield to a question?

33. PRESIDING OFFICER (SENATOR WEAVER):

1. He indicates he will.

2. SENATOR CONOLLY:

3. Is it your understanding that the way this amendment
4. is drafted that it would not affect...would not limit the
5. proceeds of bond sales.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Schaffer.

8. SENATOR SCHAFFER:

9. To the best of my knowledge it is.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Conolly.

12. SENATOR CONOLLY:

13. With the...that on the record and I think I also should
14. point out that it's my understanding that this is the
15. wording that appears in the Partee sponsored bills of...
16. that have been introduced in this Body. Therefore I
17. would urge this acceptance of this amendment.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Bell.

20. SENATOR BELL:

21. Well, Mr. President, Members of the Senate, far be it
22. from me to get up here and make some profound statement
23. that hasn't already come to your thoughts at this stage.
24. But let me say this, that as a member of the block of
25. suburban counties of the RTA that's concerned about
26. representation of our people that we're fast approaching
27. a time in reference to the RTA bill here that you're going
28. to totally alienate these few Senators in supporting any
29. RTA measure that comes forth. Now, I think this is a
30. reasonable amendment. You may not agree. Vote me down
31. in that case, but I assure you, you'd better be darn
32. well certain that you've got the 36 votes to create a
33. regional transit authority, because we need this particular

1. amendment. If you're going to have any support from those
2. suburban counties. And Senator Partee, I think your point
3. is worthy of consideration. But I say to you sir, that
4. there is much in the present bill that is of an ephemeral
5. nature already in interpretation and this does not cloud it
6. up any further. Members of this Senate, we want an RTA.
7. I'm not against it. And by and large I don't believe the
8. people of Will County are against an RTA if we have some
9. reasonable safeguards. Now this amendment will be extremely
10. important to us and it may make the difference of some
11. Republican votes on this side for the creation of this
12. authority and there's a few others, there's another amend-
13. ment that I'll be bringing forth that is also important to
14. us but this is the key issue I assure you.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. ...Senator Partee.

17. SENATOR PARTEE:

18. Well, certainly Senator, I don't have any desire to
19. antagonize anyone. As a matter of fact when I was in high
20. school they called me the original pacifist. I don't like
21. to antagonize and I certainly don't want to antagonize. I
22. certainly want to get a bill in shape for passage but if...
23. as I read this Senator, I would just be unfair with myself
24. and with you if I said to you that I thought that this lent it-
25. self any real...any kind of mathematical computation which was
26. accurate. No, I can arithmetical, okay? ...Also expialidocious,
27. now let me say that this is as I see it, makes it very difficult
28. to judge which county actually generates the revenues because it
29. goes across county lines and what you would be doing it seems
30. to me, would to...invading the province of a board a board
31. which will be selected to be representative of all areas and
32. you will almost be mandating them to spend money in some
33. instances unnecessarily just to comply with the rhetoric

1. and language of this amendment. I don't think you would
2. want them to spend something in Cook County just to comply
3. with the terms of this amendment if the money should be
4. spent in some other area where it was more needed. It seems
5. to me that if it should be spent in Will County where needed
6. that you shouldn't spend it in Cook County if it wasn't
7. needed and I think you are invading the province of the
8. Board in making the judgments, in making the determinations
9. as where...as to where the money as raised ought to be
10. spent...which area has the priority of the moment.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Schaffer.

13. SENATOR SCHAFFER:

14. Well, we've...we've reached on accord Senator we both
15. agree now that this money...there is not the need to spend
16. the money in our outer counties on mass transit. ...It's fairly
17. clear to me where you want to spend our money. ...I think
18. this amendment is necessary and I...quite frankly...I find
19. myself in the unusual position of supporting a proposal that
20. was advanced by the Governor of this State. I would point
21. out to you that the...this idea and the verbage came from I be-
22. lieve from SB 11 of which I believe Senator Partee's name
23. is on. It's not my concept, I freely concede that we did
24. ...get the idea from the so-called Walker RTA Bill and I
25. commend the Governor for having this language in. ...Quite
26. frankly I think this amendment has the benefit...the
27. additional benefit over the previous amendment in that I
28. think it could be argued that it might be difficult to put
29. together a comparison or a study between Cook County and the
30. City of Chicago. But I...I submit to you that it would
31. not be difficult to do this with the outer counties...because
32. quite frankly there's very little service out there right
33. now. It's easy to calculate what benefits we'd get...again

1. I submit this is an important compromise part and I use
2. compromise part of putting together a workable package
3. that's good for the people of the entire six county area.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Schaffer moves the adoption of Amendment No.
6. 5 to SB 27. Ask for a roll call. Secretary will call
7. the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Course, no. Kosinski, no. Nimrod, aye. Request
21. for the absentees. The absentees will be called.

22. SECRETARY:

23. Clarke, Harber Hall, Mitchler.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. On that question the ayes are 28. The nays are 29.
26. Amendment No. 5 is lost.

27. SECRETARY:

28. Amendment No. 6 by Senator Schaffer.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Schaffer.

31. SENATOR SCHAFFER:

32. Amendment No. 6 addresses itself to another consideration
33. of the outer suburban area people. So far today we've said

1. that the suburban areas, the outer counties don't have
2. the right to vote. They're going to get this thing whether
3. they want it or not. We just said we aren't going to
4. guarantee them that they're going to get anything except
5. a tax bill. That's exactly what we just did. And now,
6. and by the way, I might add under the funding proposal of
7. this quote, unquote Republican bill, the Republican areas
8. the suburban areas will be picking up a...a good size
9. hunk of the bill. In fact probably out of proportion.
10. This last amendment I have simply states that transportation
11. shall be uniform throughout the territory of the authority
12. for that mode...for the particular mode of transportation
13. which simply means that if a mile of train traffic or
14. bus traffic costs 5¢ in the City of Chicago, it shall
15. cost 5¢ in the City of Arlington Heights, it shall cost
16. 5¢ in Hebron - not that Hebron's ever going to see a bus
17. mind you. And that's all I'm trying to do. You said
18. we don't have any choice. You said we aren't going to
19. get any service. Now, if by chance one of our people
20. happens to wander in towards Cook County and get on a
21. train, please don't charge him more in the suburban
22. area than you would in the city area. That's all we're
23. trying to do. I'd appreciate a favorable roll call.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Is there any discussion? Senator Partee.

26. SENATOR PARTEE:

27. I...I'm not saying I'm against this amendment,
28. I just have a couple of questions. One is Senator,
29. is it conceivable that the cost of operating in one
30. county may be more or less than operating the same
31. kind of service in another county?

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Schaffer.

1. SENATOR SCHAFFER:

2. I quite frankly, in my opinion for similar modes of
3. transportation I would tend to say not. I'm not going...
4. I'm not going to pretend to be a mass transit expert.
5. I have talked to the suburban railroad people and a couple
6. of the people and they generally concede that this is
7. possible. But there are of course factors that...that
8. mitigate both ways in this question. Quite frankly I
9. think that...that you can make a case both ways on this
10. argument but I still think the concept of equal fares
11. throughout the district is extremely important and I
12. might add that we have a precedent for this concept in
13. the Illinois toll-way. You'll recall that the tolls
14. collected on the highways in the Illinois toll-way
15. system are required by State statute to be uniform
16. throughout the district. And obviously there are slight
17. variances from one area of the toll-way to another, but
18. it was felt important enough that we did, not myself
19. but those people that were in the Legislature when that
20. authority was drafted did put the concept in. I think
21. it was good then. I think it was good...is good now,
22. and again I think it's a necessary step towards some
23. assurance to the outer suburban areas that they are
24. going to get some form of fair treatment.

25. SENATOR PARTEE:

26. Well, Senator I certainly agree with you. It just
27. occurred to me that there may be some differences in
28. personnel costs between the commuter railroads, between
29. some of the bus lines and between some of the rapid transit
30. authorities within various places. I don't know if...
31. that the personnel costs are the same throughout the
32. system. I just don't have a way of knowing that. And
33. I don't think certainly that we ought to tie the hands

1. of the authority on a basis where they would have no
2. opportunity to take into consideration operational
3. differences, personnel salary differences and other
4. items throughout the system. I think perhaps the
5. concept that you have in terms of fairness is one that
6. I subscribe to. But if you would rephrase this to
7. say that the board would have the right or would even
8. be mandated to make certain that the fares were identical
9. all things considered then I think you'd be approaching
10. a concept of fairness which I think you seek. I'm just
11. not certain that you're going to get it on this basis.
12. I think we're on the same wavelength but I think there's
13. some imponderables here that we don't know about.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you. Sort of a question also and commentary.
18. Senator Schaffer are you getting towards a zone type
19. system, of zone fares? Because in part of it, the way
20. I see it, I mean it costs people to go shorter distance
21. the same amount of money as to go a longer distance even
22. within the City of Chicago. A person going from Senator
23. Netsch's district downtown, which might only be a mile
24. costs them the same fare as a person going twelve miles
25. from my district. And like the tollroads, if I get on the
26. tollroad to come down here from my district it costs me
27. 70¢ before I get to 55, I-55. If we get on from Senator
28. Nudelman's district it only costs 40¢. Both of us are
29. getting on from an area within the city, and you know,
30. I happen to cross an extra toll booth going there. So,
31. how are you equating this to mileage. I mean, is it so
32. much per square mile, or what?

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. That is why we used the word or the expression mode
4. of transportation. I would interpret that in the discussion
5. with the drafting authority this was taken into affect.

6. We are...are talking about mode of transportation and...

7. which I would take to include the type meaning bus or train
8. and the system meaning zone or point A to point B.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Carroll.

11. SENATOR CARROLL:

12. Just again, you know, you can go about 40 miles on
13. one bus line without paying an extra fare within the
14. City of Chicago, at the same time you may be only going
15. 2 miles to get to and from work for the same fare. Which
16. figure are you going to use for computation? Are you
17. going to use Senator Netsch's person who just goes a mile
18. and a half or so for the same fare my person may be traveling
19. 30 miles for, all on the same system. All on the same
20. bus on the same mode of transportation.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Schaffer.

23. SENATOR SCHAFFER:

24. The purpose of my amendment is to defend Senator
25. Netsch's constituents. He should be paying the same
26. amount of fee or of ticket charge for the same type of
27. transportation. That is again why we use the term
28. mode, and I would submit to you that the...by the use
29. of the word mode we encompass Senator Partee's objection.
30. Because I think this does give the authority the leeway
31. it needs to operate.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Conolly.

1. SENATOR CONOLLY:

2. Mr. President I'm going to have to oppose this amendment.
3. In theory, or let's say at first blush this sounds like
4. it's a good idea, but when you start checking it out and
5. start looking at the great future of this RTA should have,
6. they should have the complete opportunity to fix the fares
7. as appropriate or in some cases charge for example no
8. fares such as was done in the demonstration project of
9. the new service, new C...CTA service in Evanston where
10. they allowed for one week the bus service to be free in
11. order to increase ridership as a demonstration to
12. the people. This would be illegal under this bill,
13. and there I would...I think that the RTA should have all
14. sorts of powers that will be able to improve ridership
15. and merchandise transit in the region so therefore I
16. oppose this measure.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Any further discussion? Senator Schaffer may close
19. the debate.

20. SENATOR SCHAFFER:

21. In the suburban areas that I represent served
22. principally by the Chicago-Northwestern Railroad,
23. the train fares as they exist today are 30 to 40%
24. above the per mile, or mode of transportation charge
25. by other mass transit districts in the six county
26. areas. My people are going to be paying a great deal
27. of money for very little service. They're going to
28. not be given a chance to vote on it at least by a
29. county by county basis. And without this referendum
30. they will continue...or this amendment, I'm sure they
31. will continue to pay 30 to 40% more for that small
32. amount of transportation that they do choose to use.
33. I ask for support for this amendment, not on the basis

1. of a regional or parochial interest, not on the basis
2. of partisanship. Quite frankly, on the basis of fair
3. play and justice.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Schaffer moves the adoption of Amendment
6. No. 6 to SB 27. On that question the Secretary will
7. call the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Walker, aye. Newhouse, no. Keegan, no. Hynes, no.
21. Knuppel, no. Scholl, no. On that question the ayes are
22. twenty-four, the nays are thirty-two and Amendment No. 6
23. lost.

24. SECRETARY:

25. Amendment No. 7 by Senator Bell.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Bell.

28. SENATOR BELL:

29. Mr. President, Members of the Senate, I think this
30. is the last amendment that we have for SB 27, no,
31. we're not that lucky. Got a few more I guess. So far
32. this afternoon as we've addressed the RTA question and
33. for want of a better term, I think it can be said that

1. we've been jamming it to the suburbs or the suburban
2. counties. Now, I don't know what you've got in mind
3. Evidentially you've got in mind that you're going to
4. pass this RTA bill in it's present form somehow. And
5. I'd like to think that you're going to have some
6. difficulty in this without some reasonable safeguards
7. to those outlying counties. We just missed one that
8. was awfully important to us and that was the 2/3's
9. funding going back. And I suggest to you that this
10. seventh amendment is equally important. Mr. President,
11. Members of the Senate, this seventh amendment addresses
12. itself to restructuring the board of directors.
13. And what it does is it gives each of the five counties,
14. the outlying counties a member appointed to the board
15. of directors and that member will be appointed by the
16. county board from each of those counties. In reference
17. to Cook County it will change the membership from three,
18. or excuse me to three from Chicago and two from suburban
19. Cook. Now, arithmetically speaking...I can say it.
20. Arithmetically speaking this comes up to a total of
21. 10. Now, the board...the director of the board will
22. be appointed by the Governor at the advise and consent
23. of the Senate with...with the normal rules prevailing
24. that are in presently in SB 27. It's my thought and
25. the thought of the people of my county that we want
26. some representation that is a little more than is currently
27. in this RTA bill. And I offer to you that this amendment
28. addresses itself to that concept and I would solicit
29. your support. And hope that we can get an RTA that
30. will have a little better balanced blend.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Conolly.

33. SENATOR CONOLLY:

1. Mr. President, I once again have to rise to oppose
2. this amendment. First of all on the basis that this does
3. not meet what we feel is the directive of the courts on
4. the one man, one vote issue. Secondly that the Transpor-
5. tation Study Commission spent a great deal of time working
6. up a formula that meets the criteria of the one man, one
7. vote and secondly to...have other safeguards such as the
8. 3/4's vote for the election of the directors. Therefore
9. I think that with that agreement of the Transportation
10. Study Commission and that being incorporated in both
11. this series of bills and the bills of Senator Partee's, I
12. think that this would only add to causing more dissention
13. on the adoption of RTA. So therefore I urge that this
14. be defeated.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President, Members of the Senate, in all due
19. deference to the Gentleman from Joliet, I think that all of
20. the members of the Senate Executive Committee who have
21. sat through hours and hours of testimony which related
22. itself to gubernatorial appointments for various depart-
23. ments would shutter at the thought of the incorporation
24. of that phrase in this amendment. I just call that to
25. your attention.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Any further discussion? Senator Bell may close debate.

28. SENATOR BELL:

29. Well Senator Graham, I know the batting average of
30. the Governor has been something less than 100% with
31. this Senate, but after all we do have to address ourselves
32. to the future Governors of the State of Illinois and it
33. would be my hope that some of those appointees forthcoming

1. in the future would be better qualified. And I also
2. believe that...that the present, or the legislation
3. under consideration here addresses itself to certain...
4. certain criteria that any director of the RTA would
5. have to have. Again I want to emphasize without hopefully
6. being redundant, I guess it is redundant but it is
7. important to our outlying counties. I don't think that
8. this is going to break the back of the RTA, but it's
9. meaningful certainly to my county, Senator Schaffer's
10. county, Senator Mitchler's county and Senator McBroom
11. who has a portion of my county. I think we're in real
12. trouble on the RTA if we can't get somehow or other
13. a...a means of addressing ourselves to reasonable
14. viability in these outlying districts. I'd ask for
15. support of the Senate.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Bell moves the adoption of Amendment No.
18. 7 to SB 27. All in favor signify by saying aye.
19. Opposed nay. Amendment lost. Any further amendments?

20. SECRETARY:

21. Amendment No. 8 by Senator Regner.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Regner.

24. SENATOR REGNER:

25. Mr. President, Members of the Senate this is a very
26. simple amendment. Several years ago the U.S. Supreme
27. Court ruled that all elections...elected districts shall
28. be based on the one man, one vote. There is no such
29. phrase..phraseology in this bill and what it does is
30. mandate after the 1980 census and thereon every ten
31. years that the composition of this board be made up
32. based on the one man, one vote as nearly as possible.
33. And I'd urge a favorable roll call on this bill...amendment.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Conolly.
3. SENATOR CONOLLY:
4. There could very well need to be a change ten years
5. from now on the make up of the RTA board. But I think
6. it would only be appropriate that this Body make that
7. change and it be not mandatory. This Body will have the
8. wisdom to do this and therefore there's no need to have such
9. an amendment, and I would oppose the amendment at this
10. time.
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Any further discussion? Senator Regner.
13. SENATOR REGNER:
14. We felt it was necessary in various other elected
15. bodies such as county boards and that and I feel it's
16. necessary in this. And again I'd ask for a favorable
17. roll call.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Senator Regner moves the adoption of Amendment No. 8
20. to SB 27. And requests a roll call. The Secretary will
21. call the roll.
22. SECRETARY:
23. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
24. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
25. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
26. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
27. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
28. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
29. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
30. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
31. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
32. Weaver, Welsh Wooten, Mr. President.
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Buzbee, no. Keegan, no. Bell, aye. Nimrod, aye.
2. Partee, no. Swinarski, no. On that question the ayes
3. are twenty-seven, the nays are thirty-one, and Amendment
4. No. 8 is lost.

5. SECRETARY:

6. Amendment No. 9 by Senator Regner.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Regner.

9. SENATOR REGNER:

10. Yes Mr. President, this amendment provides...is a
11. conflict of interest amendment and what it says, every
12. member of the board or the employee of the authority
13. who knowingly has an interest direct or indirect in any
14. contract to which the authority is involved must make
15. full disclosure of such interests. Failure to make
16. disclosure...by the board member or the employee would
17. allow his being removed from either the board or from
18. whatever position he's serving in on the board. Like I
19. say it is a conflict of interest. This seems to be a
20. big thing that's going on today that everybody should
21. know and I would ask for the adoption of this amendment.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there any discussion? Senator Conolly.

24. SENATOR CONOLLY:

25. In the existing statutes and the code of the office...
26. of State officers we already have a conflict of interest
27. code that is more strict than this. So this would seem
28. to supersede that code and therefore make it less strict
29. than what was...the board members already have. So there-
30. fore I would oppose this because we certainly would not
31. want to have this less...least requirement than the, what
32. we require the other State officers to have.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Any further discussion? Senator Regner may close
2. debate. Excuse me, Senator Clarke.

3. SENATOR CLARKE:

4. I'd just like to get a little clarification of
5. what Senator Conolly just said. What...what code is
6. this that's more strict and applies to all the employees?

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Conolly.

9. SENATOR CONOLLY:

10. It's...we don't have the exact citation, but it's
11. in the Revised Statutes under Officers, and...is listed
12. under Conflict of Interest. My counsel here does state
13. that.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Any further discussion?

16. SENATOR CONOLLY:

17. You want to hold it, we'll get the actual citation.

18. PRESIDING OFFICER(SENATOR WEAVER):

19. Senator Clarke.

20. SENATOR CLARKE:

21. I just want to comment that I...I question that
22. there's anything in the present statutes that gives
23. this kind of...control over even State officers much
24. less the employees of a district as this amendment
25. proposes.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Regner may close debate.

28. SENATOR REGNER:

29. Yes Members of the Senate. I don't...I can't visualize
30. these people on the RTA board or the employees, the motormen
31. and such being included as State officers and I think this
32. is a good amendment, it's a needed amendment. And I would
33. urge a favorable roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator...Senator Partee, Senator Regner closed debate.
3. Did you...you have... Senator Partee.

4. SENATOR PARTEE:

5. Would he yield to me for just a minute, just to ask
6. you a question? Won't the members of this board have to
7. file an ethics statement under our existing statutes
8. anyway? And wouldn't that statement reveal the information
9. sought to be elicited by this amendment?

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Regner.

12. SENATOR REGNER:

13. I don't know if they would have to file the ethics
14. statement or not Senator Partee. However if we do adopt
15. this it certainly won't be any extra burden upon them,
16. but it will include the employees other than the board
17. members. ...I'm sure we're going to have some high paid
18. employees in the RTA and they're going to be making
19. major decisions and I certainly think that they should
20. also be included somehow in being covered in a possible
21. conflict of interest.

22. SENATOR PARTEE:

23. Well, I certainly don't want to be imagized as voting
24. against anything that would require a conflict of interest.
25. My only concern is that we don't do things that are
26. unnecessary and have statutes that are already covered
27. by another concept. That's my only problem.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Fawell do you have a question?

30. SENATOR FAWELL:

31. The...the point I wanted to make I think that Senator
32. Conolly...Conolly is correct, that the reference he is
33. making is to the Corrupt Practices Act, and inasmuch as

1. this amendment basically pertains to any interest direct
2. or indirect in any contract in which the authority is or
3. is about to become a party, we're talking about contractual
4. relationship in other words between a board member and
5. some other private entity. And the Corrupt Practices
6. Act does cover this and as we well know to such an extent
7. that its caused an awful lot of problems around the State,
8. but it's tought as can be and with the court constructions
9. that have been put to it, it is a penitentiary offense, it
10. knocks you out of office if you are...are sitting on a
11. board and even if you don't vote on a given project. Any
12. type of an interest direct or indirect and that's been
13. construed even to mean that your wife or a member of your
14. family may have that interest is construed to be yours. So I
15. would tend to think that if this were to be construed as super-
16. seding the Corrupt Practices Act, ot actually would have
17. the opposite of the affect that I'm sure the sponsor is...
18. is desiring to have here.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Regner may close debate...Regner, you want to
21. close debate the second time?

22. SENATOR REGNER:

23. My understanding from what Senator Fawell just said
24. that the board members would be covered already under
25. the Corrupt Practices Act but the various employees would
26. not be covered and with that I would move to Table this
27. amendment with the understanding that I will have one
28. prepared covering just employees which are not covered right
29. now in Corrupt Practices Act.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Regner moves to withdraw Amendment No. 9.

32. SECRETARY:

33. Amendment No. 9 by Senator Regner.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Regner.

3. SENATOR REGNER:

4. Senator Conolly just said he was half right on the
5. last debate. Amendment No. 10...in this...

6. PRESIDING OFFICER (SENATOR WEAVER):

7. This has been renumbered 9, Senator Regner.

8. SENATOR REGNER:

9. Number 9. In the SB 27 it allows \$500,000,000 of
10. nonreferendum bonded indebtedness. All this does is
11. make the five hundred...\$500,000,000 bonded indebtedness
12. part of the referendum on the adoption of the RTA
13. so that the people when they are voting on the RTA
14. whether or not we should adopt it they will also know
15. that they are voting for \$500,000,000 of non-referendum
16. bonded indebtedness and not just for the creation of the
17. board and other taxing powers. I would ask for a favorable
18. roll call on Amendment No. 9.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Is there any discussion? Senator Conolly.

21. SENATOR CONOLLY:

22. I would oppose this amendment because this will
23. set a very negative tone to any referendum granted...
24. for the granting of the...the creation of the RTA. It
25. is in the act that the bonds would have the...the board
26. members would have the authority to establish this
27. bonding powers up to \$500,000,000 of bonds and notes.
28. But to have it as part of a referendum required, I would
29. say that this would be...have a very negative affect,
30. it would be used to the...by those opponents of RTA
31. or opponents of any progressive steps in our northeastern
32. Illinois and therefore I would urge that this amendment
33. not be adopted.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Any further discussion? Senator Regner may close
3. debate.

4. SENATOR REGNER:

5. I'd just like to have the taxpayers of the State
6. of Illinois and particularly this district, this RTA
7. district know what they're voting on and know that
8. they're voting for one heck of a lot of money in taxes
9. in future years. And again I'd ask for a roll call vote.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. The question is shall Amendment No. 9 to SB 27
12. pass and upon that question the Secretary will call
13. the roll.

14. SECRETARY:

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

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Shapiro, aye. Ozinga, aye. Don Moore, aye. Aye.
27. Mitchler, aye. ...question the ayes are twenty-two, and
28. the nays are thirty. Amendment No. 9 fails.

29. SECRETARY:

30. Amendment No. 10 by Senator Regner.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Regner.

33. SENATOR REGNER:

1. Well, this is another referendum, members of the
2. Senate and what it do...does is it adds a section to
3. the area regarding the funding of the district. As
4. you know the various transit districts throughout the
5. Nation as they're operating have been encouraging...
6. incurring huge deficits each and every year and they've
7. had to pump additional monies into them. So realizing
8. the fact of life that we are going to...or someone is
9. going to have to provide additional revenues other than
10. is provided right now, it definitely allows the RTA
11. board to raise additional income through various
12. taxes but it also requires that it be put to a referendum
13. of the people in the district and I'd ask for a favorable
14. roll call.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion? Question is...Senator
17. Conolly, did you have any comment? Senator Conolly.

18. SENATOR CONOLLY:

19. There is no...there is no authority in the RTA
20. as proposed by this series of bills to increase the
21. taxes under the matter, so therefore this would be
22. not unnecessary language, it would not be able to be
23. ...the board would not be able to increase taxes
24. anyway and there would be nothing to offer to referendum.
25. Therefore I would oppose this as just being a dilatory
26. act...action on the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Any further discussion? Senator Regner may close
29. debate.

30. SENATOR REGNER:

31. Senator Conolly is wrong. It's not dilatory at
32. all, and I would especially call this to the attention
33. of the downstate Senators sitting here today. As we

1. incur additional deficits each and every year of the
2. operation of this proposed transit authority if it
3. does actually get adopted we're going to have that
4. authority before us every year asking us and the
5. General Assembly to provide more monies out of general
6. revenue just as has happened over the years regarding
7. the CTA. And you downstaters just remember that if
8. it passes as is without this in, we're going to have
9. them down here every year asking for more State monies and
10. I'd ask for a favorable roll call.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. The question is shall Amendment No 10 to SB 27
13. pass, and upon that question the Secretary will call
14. the roll.

15. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Graham, aye. On that question the ayes are twenty-
28. one, the nays are thirty-one. Amendment No. 10 is lost.

29. SECRETARY:

30. Amendment No. 11 by Senator Regner.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Regner.

33. SENATOR REGNER:

1. Yes Mr. President and Members of the Senate, this
2. amendment would not have been offered if Amendment No.
3. 4 had been adopted where we're protecting the outlying
4. areas is in regard to the expenditure of monies raised.
5. But now I have a deep concern about the construction of
6. the board of directors of the RTA board. As the bill
7. states there'll be four from the city, two from the
8. suburban area and two from the other outlying counties.
9. And all this says is the two directors from the suburban
10. area shall not come from an area served by...shall not
11. come from an area served by the CTA. If we'd have members
12. coming from areas served by the CTA from the suburban
13. areas this would give the CTA an unfair weighted
14. advantage on the board. And I'd ask for a favorable
15. roll call vote.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Soper.

18. SENATOR SOPER:

19. Well, Mr. President, I...I have to oppose this
20. amendment, cause I come from one of the biggest town-
21. ships and the town of Cicero and Berwyn Township is
22. served by the CTA and part of Stickney and part of...
23. crosses the border of North Riverside and I think that...
24. to...would be a disservice to my...my constituents if
25. we didn't have the opportunity of putting somebody on that
26. ...on that board, so I've got to oppose this if that's the
27. way it's going to be.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Any further discussion? Do you wish a roll call?
30. The question is shall Amendment No. 11 to SB 27 pass
31. and upon that question the Secretary will call the roll.

32. SECRETARY:

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

1. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
2. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
3. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
6. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
7. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
8. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
9. Weaver, Welsh Wooten, Mr. President.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Scholl, no. Buzbee, no. Bartulis, aye. ...question
12. the ayes are twenty and the nays are thirty-two. Amendment
13. No. 11 is lost. ...Further amendments?
14. SECRETARY:
15. Amendment No. 12 offered by Senator Regner.
16. PRESIDING OFFICER (SENATOR WEAVER):
17. Senator Regner.
18. SENATOR REGNER:
19. Mr. President, Members of the Senate the next two
20. amendments pertain to the same topic as this previous
21. one and I'd just ask that the next two be withdrawn.
22. SECRETARY:
23. Amendment No. 12 by Senator...
24. PRESIDING OFFICER (SENATOR WEAVER):
25. Eleven will be taken out of the record.
26. SECRETARY:
27. Amendment No. 12 by Senator Regner.
28. PRESIDING OFFICER (SENATOR WEAVER):
29. Senator...
30. SECRETARY:
31. (Secretary reads title of bill)
32. PRESIDING OFFICER (SENATOR WEAVER):
33. Senator Regner.

1. SENATOR REGNER:

2. Yes, Mr. President, Members of the Senate. The purpose
3. of this amendment is to make the council independent
4. and not subject to control of the board by way of its
5. pursestrings, I guess I could say. The council members
6. should be more respondent to elective officials that
7. they were appointed by rather than just the board and
8. I would ask for the adoption of Amendment 12.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Is there any discussion? Senator Conolly.

11. SENATOR CONOLLY:

12. One word I don't like to use on the Floor of the
13. Senate but I think I'm going to use this time, it sounds
14. like these amendments are getting a little nit-picking
15. and I think this one, the RTA authority can be left
16. without.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Any further discussion? Senator Regner may close debate.

19. SENATOR REGNER:

20. Just ask for a favorable roll call.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Question is shall Amendment No. 12 be adopted to
23. SB 27. And on that question the Secretary will call
24. the roll.

25. SECRETARY:

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

1. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
2. Weaver, Welsh Wooten, Mr. President.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Newhouse, no. Bartulis, aye. Hynes, no. Bruce,
5. no. Netsch, no. On that question the ayes are seventeen,
6. the nays are thirty. Amendment No. 12 is lost. Any
7. further amendments.
8. SECRETARY:
9. Amendment No. 13 offered by Senator Regner.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Senator Regner.
12. SENATOR REGNER:
13. Members of the Senate this is a very simple amendment.
14. All it does is incorporate the wordage from the Federal
15. Hatch Act into this bill creating the RTA. I'm sure...
16. if we do have a functioning RTA we certainly don't want
17. it to be a political patronage army, be it Republican or
18. Democrat patronage army, they're both just as bad and I
19. would ask for a favorable roll call on Amendment No....
20. PRESIDING OFFICER (SENATOR WEAVER):
21. 13.
22. SENATOR REGNER:
23. 13 to SB 27.
24. PRESIDING OFFICER(SENATOR WEAVER):
25. Is there any discussion? Question is shall Amendment
26. No. 13 be adopted, and upon that question the Secretary
27. will call the roll.
28. SECRETARY:
29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
2. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
3. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
5. Weaver, Welsh Wooten, Mr. President.
6. PRESIDING OFFICER (SENATOR WEAVER):
7. Sours, aye. Graham, aye. Swinarski, no. Scholl, aye.
8. Howard Mohr, aye. Clarke, aye. ...no. Senator Regner.
9. SENATOR REGNER:
10. Could we poll the absentees please?
11. PRESIDING OFFICER (SENATOR WEAVER):
12. The absentees will be called.
13. SECRETARY:
14. Buzbee, Harber Hall, McCarthy, Netsch, Ozinga, Scholl,
15. PRESIDING OFFICER (SENATOR WEAVER):
16. ...the yeas are twenty-nine, the nays are twenty-
17. seven. Amendment No. 13 is adopted. Further amendments?
18. SECRETARY:
19. ...by Senator Berning.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator Berning.
22. SENATOR BERNING:
23. Thank you Mr. President, Members of the Body. What
24. amendment is this? Amendment No. 14 to SB 27 is a very
25. simple bill. And let me remind the Members of the Body
26. that funding of the RTA is one of our big problems. So
27. anything that we can do to reduce the costs we ought to
28. do. Senate...Amendment No. 14 to SB 27 does only this,
29. on line 10, page 24, strikes the figure 200 and inserts
30. 100. I submit to you Ladies and Gentlemen of the Senate
31. that \$100 a day is adequate compensation for anyone
32. when you remember that they get their expenses paid as
33. well. This is not a full time activity. It is intended

1. to be part-time and \$100 a day ought to be plenty
2. for providing this public service, and I would urge
3. a favorable roll call on this simple amendment.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Conolly.

6. SENATOR CONOLLY:

7. If you would examine the bill, the RTA bill you
8. will see that the amount that its reference is made here-
9. to is up to 100...\$200 a day. I think that there's
10. no doubt about it that in passing an RTA bill and
11. implementing such a bill we want to provide the highest
12. competent...people with the highest competence and
13. I think in this day and age that the figure that is
14. in the bill is a adequate figure and does not need
15. to be changed by this amendment. So I would...would
16. like to urge the...defeat of this amendment.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Any further discussion? Senator Berning may close
19. debate.

20. SENATOR BERNING:

21. I call the attention of the Body to the fact
22. that the bill said, directors other than the chairman
23. shall be compensated at the rate of \$200 per day spent
24. in the service of the authority. But not more than \$25,000
25. a year. I'm not changing the maximum amount that can
26. be earned, but I say to you, Ladies and Gentlemen a \$100
27. a day is enough for anybody to be providing a service
28. of this kind. It's not a full time activity and one of
29. the major criticisms of many of the area residents
30. out where I come from has been unusually high compensations
31. in public service. Here we have an opportunity to justify
32. our concern for the people of this State, particularly
33. this area over the dissipation of public monies. I submit

1. that this is a worthwhile, justifiable, defensible
2. amendment and I urge a favorable roll vote.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator Berning moves the adoption of Amendment
5. No. 14 to SB 27. All in favor signify by saying aye.
6. Opposed nay. Roll call.
7. SECRETARY:
8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
11. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
12. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
13. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
14. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
15. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
16. Sommer, Soper, Sours, Swinarski, Vaalabene, Walker,
17. Weaver, Welsh Wooten, Mr. President.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Savickas, no. Buzbee, no. Hynes, no. Kenneth
20. Hall, no. Shapiro, aye. Scholl, aye. Senator Berning.
21. SENATOR BERNING:
22. Mr. President, I'd like to have the public know
23. where the big spenders. Please call the absentees.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. The absentees will be called.
26. SECRETARY:
27. Bell, Fawell, Glass, Harber Hall, Knuppel, Netsch,
28. Partee, Schaffer,
29. PRESIDING OFFICER (SENATOR WEAVER):
30. Bell, aye. ...question the ayes are twenty-eight, and
31. the nays are twenty-six. Amendment No. 14 is adopted.
32. Any further amendments?
33. SECRETARY:

1. Amendment No. 15 by Senator Berning.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Berning.

4. SENATOR BERNING:

5. I invite the attention of the Body to this amendment.
6. And I would not want to be guilty of telling you that it
7. is an innocuous amendment. Amendment No. 15 to SB 27
8. seeks to enlarge upon the authority of the Regional
9. Transportation Authority. It does seem to me now that
10. we are about to...establish such a body. Senate...or
11. Amendment No. 15 to SB 27 says, and I quote, and may
12. construct or participate with any other local, State
13. or Federal agency in the construction of any highway
14. as defined in Section 2-212 of the Illinois Highway
15. Code approved June 8th, 1959 as amended. My intention
16. with this amendment, and I'm sure you can read it for
17. yourself, is to provide the RTA with the authority to
18. construct or participate in the construction of a cross
19. town expressway. I move the adoption Mr. President.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Partee.

22. SENATOR PARTEE:

23. I didn't understand the gentleman's explanation.
24. Could I hear that again please? What the intention is?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Berning.

27. SENATOR BERNING:

28. To provide the RTA with the authority, to construct
29. or to participate in the construction of the cross...
30. cross town expressway.

31. SENATOR PARTEE:

32. Well, let me ask you Senator why is that necessary
33. from your point of view?

1. PRESIDING OFFICER (SENATOR MOHR):
2. Senator Berning.
3. SENATOR BERNING:
4. Why is the RTA necessary? To move people and eliminate
5. congestion.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Senator Partee.
8. SENATOR PARTEE:
9. So...I got nine people talking to me Senator and
10. I missed your dulcet tones, but I...I think I heard
11. you say that if there is construction of the highway
12. you alluded to the RTA should be able to participate in
13. whatever happens there, is that what you're saying?
14. To be a part of it, in terms of running lines or what-
15. ever is necessary. Is that what you're saying?
16. PRESIDING OFFICER (SENATOR MOHR):
17. Senator Berning.
18. SENATOR BERNING:
19. Yes.
20. SENATOR PARTEE:
21. I've never known you to be so laconic Senator.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Senator Berning.
24. SENATOR BERNING:
25. I think I answered the question. I don't gather
26. any additional inquiry from the comment.
27. PRESIDING OFFICER (SENATOR MOHR):
28. Senator Conolly.
29. SENATOR CONOLLY:
30. This would put this amendment...would put the RTA in
31. the highway construction business. This is not a sincere
32. effort to see Mass Transportation in Northeastern Illinois.
33. Therefore I would urge this amendment be defeated. We

1. have our agency, our Department of Transportation to
2. build highways, and the only place that this might be
3. appropriate would be to the other series of bills con-
4. cerning mass transit because there they used road fund
5. money to fund it. I move...I urge that we do not adopt
6. this amendment.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Further discussion? All those in favor of adoption
9. of Amendment No. 15 signify by saying aye. Opposed.
10. Amendment 15 fails. Further amendments?

11. SECRETARY:

12. Amendment No. 16 by Senator Schaffer.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Berning. Senator Berning, you have another
15. amendment?

16. SECRETARY:

17. Amendment No. 16 by Senator Berning.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Berning, explain Amendment No. 16.

20. SENATOR BERNING:

21. Yes, thank you Mr. President, you preempted me just
22. a little bit. I wanted a roll call on Amendment No. 15.

23. PRESIDING OFFICER (SENATOR MOHR):

24. I'm sorry. Did you think it was close Senator?

25. SENATOR BERNING:

26. I beg your pardon.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Did you figure it was close? I didn't from the voice...

29. SENATOR BERNING:

30. Yes, I felt it was very close and I wanted to know
31. where the support lay. May...may I request a roll call?

32. PRESIDING OFFICER (SENATOR MOHR):

33. I...I did say Amendment No. 15 failed and call

1. 16, Senator. We can go back to that if you like after
2. we have some intervening business. Now, do you want to
3. go with 16 and I'll give you roll call if that's what
4. you request before we ask for a division.

5. SENATOR BERNING:

6. Thank you Mr. President, I would very much like
7. a roll call on SB...or Amendment No. 15 and then, am
8. I to proceed now with Amendment No. 16.

9. PRESIDING OFFICER (SENATOR MOHR):

10. 16, Amendment No. 16 we're on.

11. SENATOR BERNING:

12. Yes, he's going to give it to me after...Amendment
13. No.16 amends SB 27 on page 41, by inserting on line 2
14. immediately after the word authority, the following: And
15. agencies holding purchase of service agreement; and also
16. on that same page on line 5 again after the word authority,
17. and agencies holding purchase of service agreement. Now
18. ladies and gentlemen of the Body the rationale for this
19. is simply again question of cost. We know most of us
20. that taxes have been one of the most serious problems
21. confronting our Mass Transportation system. If we take
22. action to relieve the Mass Transportation system of
23. taxation, we will have gone a long way toward minimizing
24. the burden that must be born by you and I as taxpayers
25. in supporting grants to the RTA. In my opinion this is an
26. ...justifiable method of providing a degree of relief
27. to the ever escalating cost of operation of Mass Trans-
28. portation and I would invite your favorable roll
29. call.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Conolly.

32. SENATOR CONOLLY:

33. Mr. President I think we could use many adjectives

1. to describe this or many charges to describe this as uncon-
2. stitutional, or special interest or all sorts of things.
3. But really, I think it's another dilatory tactic and
4. actually something to attack this bill tack on to this bill
5. to make it a weaker bill and actually make it an obnoxious
6. bill. I therefore would urge that it not be...this amend-
7. ment be defeated.

8. PRESIDING OFFICER (SENATOR MOHR);

9. Further discussion? Senator Berning has asked for
10. a roll call. The question is shall Amendment No. 16
11. to SB 27 pass and on that question the Secretary will
12. call the roll.

13. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR MOHR):

25. Merritt, aye. On that question the yeas are thirteen,
26. the nays are thirty-two. Amendment 16 fails. Senator
27. Berning.

28. SECRETARY:

29. Amendment No. 17 by Senator Berning.

30. SENATOR BERNING:

31. Amendment No. 17 to the SB 27 is a very simple one.
32. Seeks to raise money for the funding of the RTA by
33. imposing a tax on advertising. I would solicity a

1. favorable roll call.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Any further...Senator Conolly.

4. SENATOR CONOLLY:

5. May I ask, does your...does the sponsor yield to a

6. question?

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning.

9. SENATOR CONOLLY:

10. I do not have a copy of your amendment but does this...

11. include newspaper advertising?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Berning.

14. SENATOR BERNING:

15. Yes sir. -

16. SENATOR CONOLLY:

17. Television advertising?

18. SENATOR BERNING:

19. Yes sir.

20. SENATOR CONOLLY:

21. Radio advertising?

22. SENATOR BERNING:

23. Yes sir.

24. SENATOR CONOLLY:

25. I've let everybody make up their own mind on this one.

26. PRESIDING OFFICER (SENATOR MOHR):

27. President Harris.

28. SENATOR HARRIS:

29. Will the sponsor of the amendment yield to a question?

30. How is the amendment drawn so that the affect of editorial

31. commentary might be included in the defintion of advertising

32. in your amendment?

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Berning.

2. SENATOR BERNING:

3. That was not the intent. This was intended only to

4. cover paid advertising.

5. SENATOR HARRIS:

6. Thank you.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Further discussion? Senator Rock.

9. SENATOR ROCK:

10. I have two questions, if the sponsor will yield. One,

11. why do we restrict it only to the City of Chicago?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Berning.

14. SENATOR BERNING:

15. Senator the primary purpose of any regional transportation

16. authority is to move people into the City of Chicago to

17. patronize the large institutions most of whom advertise

18. very heavily in the local media, and that in turn appeals

19. to the buyers from the surrounding area. It seems like

20. a very defensible position that those who benefit ought

21. to pay. That has long been the concept in taxation.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Rock, your second question.

24. SENATOR ROCK:

25. Yeah, how much...what is the estimated yield of this

26. particular tax?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Berning.

29. SENATOR BERNING:

30. Because of the very limited time that was available

31. to me I was not able to...develop the total amount of dollars

32. involved in advertising, but it is substantial and I refer

33. you to the charge that may have been made to you for any

1. kind of radio, television or newspaper advertising that
2. you may have used during your campaign.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Rock.
5. SENATOR ROCK:
6. But we have no...you have no idea. You are attempting
7. to fund the RTA with this proposal and we have no idea what
8. the yield is going to be.
9. SENATOR BERNING:
10. Merely that it would be substantial, if it was enough
11. to void any RTA vehicle tax, that would be fine.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Senator Soper.
14. SENATOR SOPER:
15. Senator Berning, would you answer a few questions
16. please?
17. PRESIDING OFFICER (SENATOR MOHR):
18. Senator Berning indicates he will.
19. SENATOR BERNING:
20. Yes sir.
21. SENATOR SOPER:
22. Now, the metropolitan papers take advertising and
23. they're delivered into the suburbs, they're delivered
24. into Peoria, they're delivered into St. Louis, they're
25. delivered into Harvard, Illinois. Now, would you eliminate
26. the tax from the amount of advertising in the papers that's
27. taken out of the City of Chicago?
28. PRESIDING OFFICER (SENATOR MOHR):
29. Senator Berning.
30. SENATOR BERNING:
31. I'll answer that by asking do we eliminate the sales
32. tax.
33. SENATOR SOPER:

1. Well, the sales tax is a different kind of tax
2. than the one you're talking about. Now you...you
3. don't want to answer the question, so I'll ask you
4. another question. Does this bear as to the place
5. where the contract was made for the advertising? Say
6. that this advertising was contracted to or for in the
7. City of Peoria through an agency that handles advertising in
8. say the Daily News or the Tribune, would that tax be
9. taxed because of the fact that the advertising went
10. in the paper that was in the City of Chicago or would
11. it be taxed because of the fact that or not taxed because
12. it was...contracted for in the City of Peoria?

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Berning.

15. SENATOR BERNING:

16. The amendment merely says engaged in the City
17. of Chicago in the business of making sales of news-
18. paper advertising space or radio and television air
19. time. It makes no difference where they sign the
20. contract. I submit to you and the members of this
21. Body that there is no more vocal...

22. SENATOR SOPER:

23. I got some more...

24. SENATOR BERNING:

25. ...support for the RTA than the Chicago media.

26. SENATOR SOPER:

27. ...question. You know, just answer the question.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Soper.

30. SENATOR BERNING:

31. Oh, I'm sorry. Proceed.

32. SENATOR SOPER:

33. I'd want to...

1. PRESIDING OFFICER (SENATOR MOHR):

2. We are on the air here gentlemen and this is taped
3. so if one of you would...at a time...

4. SENATOR SOPER:

5. I know it's taped. I...I want him to listen. Now,
6. that means that if the corporation is a corporation and
7. their site is in the City of Chicago then any advertising
8. that's made with that corporation because it's incorporated
9. and the situs or the...or the corporate...the corporate
10. board or whatever you...entity is in Chicago then there
11. would be a tax. Right?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Farning you may answer now.

14. SENATOR BERNING:

15. Yes if the situs is Chicago.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Soper.

18. SENATOR SOPER:

19. I would invite all the newspapers if this goes through
20. to come and...and open up your headquarters in the town
21. of Cicero you'll be right close by and there'll be no tax.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Any further discussion? Senator Berning.

24. SENATOR BERNING:

25. Let me just emphasize again that there is no more
26. vocal support for an RTA than our fine news media, of
27. all types. They want an RTA. I'm sure they would welcome
28. the opportunity to participate in the funding of it and
29. would be even more justified in assuming that posture than
30. the people out in Antioch in my county who might be
31. subjected to a half cent sales tax and might never in
32. their life time ride on a mass transportation unit.
33. I believe this is not a facetious amendment. It is

1. defensible, it could be productive of revenues that we
2. vastly need. The RTA is not going to come cheaply.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator McBroom.

5. SENATOR MCBROOM:

6. I move the previous question.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning just closed debate. Senator Knuppel.

9. SENATOR KNUPPEL:

10. I just think this would be a hell of good time to
11. move for adjournment sine die. We've horsed around here,
12. and fiddled around here, and I'm going to move it. I'm
13. going to move we adjourn sine die. I've about had it. I've
14. listened to all this garbage on ethics, and RTA and they
15. don't mean a damn thing to my people in west central Illinois.
16. Let's talk about some supplemental freeways. Let's talk
17. about funding some more teachers pensions and doing some
18. other things. And so I move that we adjourn now, sine die.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Your...your motion is out of order at the moment,
21. Senator. I...I asked...well, do you think we ought to
22. afford Senator Berning the opportunity to finish the vote
23. on Amendment 17? Well, he doesn't know that Senator.
24. The question is shall Amendment No. 17 pass and on that
25. question the Secretary will call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
28. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
29. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
30. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
31. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
32. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

1. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. Weaver, Welsh Wooten, Mr. President.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Conolly, no. ...question the yeas are five, the
6. nays are thirty-six. Amendment 17 fails. Senator
7. Berning, for what purpose do you rise.

8. SENATOR BERNING:

9. Thank you Mr. President. Just two things. If nothing
10. else that amendment and others emphasize the very complex
11. nature of the matter we have under consideration. And now
12. then Mr. President, may I remind you of your word that I
13. would have a roll call on Amendment No. 15.

14. PRESIDING OFFICER (SENATOR MOHR):

15. On that Senator, you would have to move...move to
16. reconsider.

17. SENATOR BERNING:

18. I so move.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Berning moves to reconsider the vote of Amendment
21. No... Senator Partee.

22. SENATOR PARTEE:

23. I think what the Secretary was about to tell you was
24. that he cannot make the motion not having voted on the
25. prevailing side of the question.

26. PRESIDING OFFICER (SENATOR MOHR):

27. I...yeah, I assumed that he did vote on the prevailing
28. side. It was a voice vote. Yeah, there's no record of how
29. anybody voted Senator Partee, it was a voice vote and...did
30. you...if Senator Berning voted on the prevailing side he may
31. make the motion. Did you vote on the prevailing side Senator?
32. Senator Berning, did you vote on the prevailing side? Senator
33. Mitchler.

1. SENATOR MITCHLER:

2. Having voted on the prevailing side of amendment, I be-
3. lieve is 15, I'd ask for a reconsider...move for to reconsider.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Wooten moves that that motion lie on the Table.
6. Well, gentlemen the hour is late and it's going to get later
7. before we're through here. Now if you persist in the motion,
8. why I suppose we'll go ahead with...with Senator Mitchler's
9. motion. Now, do you persist in the motion Senator Mitchler?
10. ...the motion by Senator Wooten is to Table that...that motion.
11. All those in favor of Senator Wooten's motion to Table say
12. aye. Opposed. I...I would suggest that we go through the
13. roll call and...call the roll.

14. SECRETARY:

15. Bartulis...

16. PRESIDING OFFICER (SENATOR MOHR):

17. On the motion to reconsider Amerdment No. 15...the motion
18. to Table.

19. SECRETARY:

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

30. PRESIDING OFFICER (SENATOR MOHR):

31. Swinarski, aye. Senator Don Moore no. On that question
32. the yeas are thirty-four. The nays are eighteen and one voting
33. present. The motion to Table prevails. Senator....

1. SECRETARY:

2. Amendment No. 18...

3. PRESIDING OFFICER (SENATOR MOHR):

4. Hold that for just a minute, I did say I'd recognize
5. Senator Knuppel.

6. SENATOR KNUPPPEL:

7. At the solicitation of Senator Roper I'll withdraw
8. my motion at this time. But I'm...Soper...but I'm telling
9. you that I...I'm getting very discouraged with...with the
10. prospects of what this Session is going to bring forth. And
11. I think we're just wasting everybody's time.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Thank you Senator Knuppel and Senator Soper...or Roper.
14. Amendment No. 18.

15. SECRETARY:

16. Senator Schaffer.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Schaffer.

19. SENATOR SCHAFFER:

20. Amendment No. 18 is in no way frivolous and is no way...
21. anything but a serious attempt on my behalf and on behalf
22. of the several people on this side of the aisle that have
23. thought it over. A serious attempt to put this bill in...
24. in a fashion that is supportable by those of us who represent
25. the suburban and outlying county areas. This amendment would
26. accomplish one thing. It would take the referendum procedure
27. now in the bill and change it to provide that the special
28. referendum would be held and would be held in two voting
29. areas in the district. One voting area would compose the
30. City of Chicago. The other voting area would compose the
31. rest of the district, meaning the suburban county townships
32. and the five outer counties. This amendment would require
33. that this referendum would have to carry in both areas

1. for the RTA to be created. What we're attempting to do is
2. to give both areas, and they are two separate areas, a chance
3. to vote on this issue and to voice their opinion without
4. being inundated by the other area. I think it's a reasonable
5. proposal. Quite frankly my first choice was obviously the
6. county by county referendum. This is a fall back position.
7. This is a compromise position for me. We tied on that.
8. I would hope that this RTA proposal would have enough merit
9. that it certainly could carry a referendum in the two areas.
10. I hope that there's some support on the other side of the
11. aisle for this proposal, because if there isn't I think it
12. ...forebodes very poorly for the suburban area and the type
13. of treatment that area can expect to receive in this proposed
14. district.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Partee.

17. SENATOR PARTEE:

18. Well, let me just say simply either we have a region
19. or we don't. Now you can divide it several kinds of ways
20. if you like, but if we have a region, we have one. And
21. consistently I must say to you that I have been one of
22. those who opposed dividing the State up on any issue. For
23. example we have the question of the election and appointment
24. of judges. And some persons wanted to have half of the
25. State doing it one way and the other half do it another.
26. There's even more reason here because these two...these
27. areas are bound within one authority and either the people
28. representing all of the people in this area ought to make
29. the decision or they shouldn't. To divide it seems to me
30. to start off on a divisive note and there'll be references
31. from now on as to what this county did and what that county
32. didn't do and so forth and...in determining whether or
33. not there ought to be. If there's going to be a referendum

1. the referendum ought to be a region-wide...referendum
2. which represents the thinking of all of the people that
3. will be serviced within all of the region and should not
4. in any way be divided by one section or another. There's
5. no more reason to divide it this way than I can think of
6. a half dozen ways which you could divide it. People
7. will say well, why don't you put it on a county basis,
8. why don't you put it on a township basis, why don't you
9. put it on this basis or that basis, why don't you put it
10. on the basis of those that are tall and those that are
11. short. If they're all in the same region they ought to
12. vote one vote, one man a vote in the region and that ought
13. to be the decision. I'm opposed to this amendment.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Graham.

16. SENATOR GRAHAM:

17. Mr. President and Members of the Senate. I think
18. Senator Partee, that we have to get one thing straight.
19. I don't think this is a split in the region. I'm harkening
20. back to what I have heard so many times for over a year
21. and I'm getting a little tired of it. This might be
22. considered as the people vote. All of you have heard
23. that. Now, we are getting down to what is about to become
24. the final judgement day with regard to an RTA, it seems
25. to me. Now the fellows from the downstate area of Illinois,
26. that's the area outside of Cook County, of which I am one,
27. 2/3's of my district being outside of Cook County, have
28. submitted to this Body this afternoon some amendments that
29. were caustically rejected by the members of the other side
30. of the aisle. Some of these amendments I rejected. Some
31. of them I thought could have been given more favorable
32. consideration. I think it might be common knowledge that
33. perhaps if this bill...if this bill passses, it will not

1. be as a result of cooperation from those who are more
2. interested in the CTA than others who are not. It will
3. be because there were some fellows had the guts to stand
4. up and be counted despite the fact that there has been
5. no cooperation from you gentlemen on that side of the aisle.
6. It almost makes me begin to wonder if we really in fact
7. do want an RTA. I'm beginning to wonder. And a total
8. rejection of this amendment, and this is no threat because
9. I don't make threats, might be the difference between
10. success and failure. I would say to you gentlemen that
11. those people in those outlying areas have not had any
12. consideration this afternoon by the adoption of any
13. amendments. I'm suggesting to you that if you have made a
14. strong and definite unified determination to oppose this
15. amendment, that perhaps you retreat, reconsider and give
16. Senator Schaffer some help.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Conolly.

19. SENATOR CONOLLY:

20. Mr. President, if one were completely supportive of
21. the referendum for an RTA, then one could certainly
22. accept the idea of the referendum in the two different
23. areas being adopted, both of those areas. So for that
24. reason I will accept this amendment to the bill.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Sours.

27. SENATOR SOURS:

28. Mr. President, Senators, I've said nothing this
29. afternoon which of course is quite an occasion...yanking
30. these districts in without the right to say no is pretty
31. much like attempting to annex to the city a certain
32. area that doesn't want to come, for any good reason, or
33. a park district or a sanitary district. Now, I think we're

1. ...we've had our...we've had our day of...of trying to
2. make people do things they don't want to do. I'm...I'm
3. glad to hear the Senator accept this amendment because I
4. think it makes it a lot more palatable for those of us
5. who can look at this legislation with total detachment,
6. because we're unaffected by it. And that's the reason I
7. think this amendments a good one, we can...we can finally
8. let people tell whether they want to come in or not come
9. in or stay out for any reason. I don't think we should be
10. the surveyors of the other person's souls and his rights
11. and his, and especially I don't think we should dig into
12. his purse. And that's what we are with this.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Bell.

15. SENATOR BELL:

16. Mr. Chairman, Members of the Senate, I want to reiterate
17. the importance to the outlying counties of this amendment.
18. Approximately 200 years ago in Boston Harbor there was a
19. tea party and it was in reference to a similar situation
20. as to this. It's been a great American concept to allow
21. the people to have representation in reference to a
22. governmental body. I think this amendment seeks to address
23. itself to this significant situation. And I would hope that
24. the outlying counties can have the ability to vote in mass
25. in reference to the RTA question.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Schaffer may close.

28. SENATOR SCHAFFER:

29. Very briefly. You've heard a lot from me today,
30. probably more today than you've heard all Spring Session,
31. so I'll take a little bit more of your time. It's
32. an important issue. I want to be able to support an RTA.
33. I recognize the need and if there is one ounce of merit,

1. one ounce of merit in this proposal, one bit of decency
2. in this proposal; it should be and put to a referendum and
3. those people who advocate it including these gentlemen
4. over here should not be afraid to put it on the ballots
5. to the people, to the people of the two areas, the two
6. affected areas. If you believe in this concept and if
7. you believe in justice you'll give us one vote over
8. there.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator schaffer moves the adoption of Amendment No.
11. 18. And on that question the Secretary will call the roll.

12. SECRETARY:

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

23. PRESIDING OFFICER (SENATOR MOHR):

24. ...aye. Request to call the absentees. The absentees
25. will be called.

26. SECRETARY:

27. Harber Hall, Keegan, McCarthy, Netsch,

28. PRESIDING OFFICER (SENATOR MOHR):

29. Keegan, no. On that question the yeas are twenty-nine
30. the nays are twenty-nine. Request verification of the no voter,
31. of those voting in the negative.

32. SECRETARY:

33. The following voted in the negative: Bruce, Buzbee,

1. Carroll, Chew, Course,...

2. PRESIDING OFFICER (SENATOR MOHR):

3. Little slower is the request, please.

4. SECRETARY:

5. Daley, Donnewald, Dougherty, Kenneth Hall, Hynes,

6. Johns, Keegan, Knuppel, Kosinski, McCarthy, Netsch,

7. Newhouse, Nudelman, Palmer, Partee, Rock, Romano,

8. Saperstein, Savickas, Smith, Swinarski, Vadalabene,

9. Welsh, Wooten.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Hynes on the Floor? Senator Hynes is on

12. the Floor. Senator...Senator Johns recorded aye or

13. no. Johns is on the Floor. The verification has...

14. been made. Amendment fails. Further amendments.

15. SECRETARY:

16. Amendment No. 19 by Senator Nimrod.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Nimrod. The amendment failed. Senator Partee.

19. SENATOR PARTEE:

20. Senator 19...Amendment 19 which Senator Nimrod has

21. just entered seems to me to be the exact same amendment

22. that Senator Regner had a few moments ago. Is it?

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Nimrod.

25. SENATOR NIMROD:

26. I haven't given it yet Senator Partee and I was just

27. going to explain it...

28. SENATOR PARTEE:

29. Well, I...

30. SENATOR NIMROD:

31. It...it

32. SENATOR PARTEE:

33. ...only question I'm asking is it the same.

1. SENATOR NIMROD:

2. It's a similar amendment. The only thing that's
3. different about it is that it pertains to legislature
4. rather than to the board.

5. SENATOR PARTEE:

6. All right.

7. SENATOR NIMROD:

8. So...so it makes it entirely...it makes it entirely
9. different...

10. SENATOR PARTEE:

11. The concept is the same just a different body.

12. SENATOR NIMROD:

13. The concept is the same that...we should have a
14. look at this on the basis of a one man, one vote basis.
15. Certainly that's the law of the land. There should be
16. nothing wrong with the concept of having a look at this
17. every ten years, and all it's asking the legislature
18. to do is to look at this and adjust the board accordingly.
19. I would call for a favorable roll call.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Partee.

22. SENATOR PARTEE:

23. I think the amendment is all right. I'll support it.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Any further discussion? All those in favor of the
26. adoption of Amendment No. 19 signify by saying aye.
27. Opposed. Amendment No. 19 is adopted. Further amendments?
28. ...amendments to SB 27? 3rd...3rd reading.

29. SENATOR CONOLLY:

30. At this time I'd like to have leave to call SB 37
31. back to 2nd reading for the purpose of amendment.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Conolly moves to recall SB 37...back to the

1. order of 2nd reading for the purpose of an amendment. Is
2. there leave? Leave is granted. Senator will you explain
3. your amendment.

4. SENATOR CONOLLY:

5. Yes, these are companion amendments to the amendments...
6. Amendment No. 1 of SB 27 concerning the definition of the
7. ...calling upon the Commerce Commission to determine the
8. terms of purchase of service agreements in certain situations where
9. the RTA authority and non-public transportation agencies
10. were unable to agree upon all the necessary terms. It
11. allows third party situation and as I say brings it up
12. to date with the... This also has the time in it in
13. which the RTA would have to take over...make purchase-
14. service arrangements before the carriers could eliminate
15. service.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Partee.

18. SENATOR PARTEE:

19. I don't doubt that what he says is so but it's just
20. a little involved. If we could just take a minute to
21. look at it, we probably could save a lot of time and start
22. asking a lot of questions.

23. PRESIDING OFFICER (SENATOR MOHR):

24. We'll hold that for a few minutes. Do you have any
25. other amendments to this bill? All right, we'll hold that
26. for a few minutes. Senator Walker.,

27. SENATOR WALKER:

28. Thank you Mr. President, we have one amendment in this
29. back row between the four of us, and I'm under the impression
30. that maybe an erroneous impression that we're supposed
31. to have these amendments distributed so my suggestion
32. would be that we withdraw this bill until the amendments
33. have been...further consideration until the amendments have

1. been distributed. I don't mind the Minority Leader having
2. one, but we four can read back here too. Maybe not as fast
3. or as well as he can, but I think we're entitled to some
4. amendments in this back row. I don't know about the row
5. in front of me or the row in front of that, no one seems to
6. be making an issue of it.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Four amendments to the back row. Bell.

9. SENATOR BELL:

10. Mr. Chairman in reference to, I think it's Amendment
11. No. 1 to SB 37, is that the amendment that's being passed
12. out? Amendment No. 1? Is this Amendment in the proper
13. form? I don't see Reference Bureau stamp on it. I don't
14. think it's in the proper form Mr. Chairman...Mr. President...

15. PRESIDING OFFICER (SENATOR MOHR):

16. Well, it...it doesn't have to have the Reference
17. Bureau stamp on it if that's your only objection. Is
18. that the only objection?

19. SENATOR BELL:

20. What constitutes an amendment in the proper form
21. Mr. President?

22. PRESIDING OFFICER (SENATOR MOHR):

23. The Secretary states that it is in proper form. What is
24. your objection to the amendment Senator?

25. SENATOR BELL:

26. Well, if the Secretary states it's in the proper
27. form, I have no objection.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Knuppel

30. SENATOR KNUPPEL:

31. Personal privilege. I...supposed to eat as some other
32. people here who are diabetic in this Body at a certain time.
33. How long are we going to continue...with this dialogue and

1. so forth before adjournment?

2. PRESIDING OFFICER (SENATOR MOHR):

3. Well, I think that would be determined by the leader-
4. ship of both sides.

5. SENATOR KNUPPEL:

6. You don't have any concept at all. Maybe...maybe...

7. PRESIDING OFFICER (SENATOR MOHR):

8. President Harris.

9. SENATOR KNUPPEL:

10. ...President could tell us.

11. SENATOR HARRIS:

12. Well, I would just say for the benefit of those who
13. are concerned that we have a great deal of work to do.
14. We have Senator Partee's two motions regarding the Walker
15. package to take from the Table. That needs to be addressed.
16. We need to respond to all of the amendments on the Conolly
17. transportation commission series of bills. I think this
18. is the last one under consideration and at that point
19. when we have disposed with all of the bills in the Conolly
20. package and Senator Partee's two motions. I understand
21. Senator Partee wishes to have a Democrat caucus, the
22. Republicans would also caucus at the same time, and then
23. we would get back to a consideration of these bills that
24. are before us now, the RTA package of bills. I think every
25. one of us know how long that can take, and it would just
26. be...that period of time that will be required to meet
27. those eventualities. We also have to today respond to
28. the bills in the Fifth Special Session and there is some
29. further action required in the First to discharge a bill
30. that's in the Committee on Assignment of Bills. We've got
31. a great deal of work left to do and I would say there's
32. probably a minimum of two hours work all together and it could
33. run longer.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, you know, it never ceases to amaze me how we get
5. here supposedly at 10:00 o'clock and start at 3:00. and what
6. we do to ourselves. We'll be here tomorrow. I see no reason
7. at all that we shouldn't adjourn at this time and come back
8. here in the morning and take this work up. I'm sure that
9. we'll be here tomorrow and the next day and I did withdraw
10. my motion to adjourn sine die, but I will make a motion at
11. this time that we adjourn until 10:00 o'clock tomorrow morning.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator...Senator Chew.

14. SENATOR CHEW:

15. I would ask the gentleman to hold his motion till I make
16. a suggestion insomuch as we were asked to be here at 10:00
17. o'clock sharp. Of course as every day it never starts at
18. the time that you asked, but I have no hangups about that.
19. But we were here and we have not had any break for food.
20. I would suggest at this point that we relieve ourselves
21. of an hour and return back here at a quarter past seven
22. and then we'd be...all be in better shape to carry through
23. on it. I don't intend to attend any caucus till I've
24. had some food in my stomach. You may call it, but you
25. will not get my attendance, so just give us an hour and
26. let's all come back here and get down to work. I don't
27. mind working until 10 or 11 o'clock but I don't want to...
28. you know, just go right straight through. So I'm making
29. that suggestion Mr. President and Mr. Minority Leader.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. We've wasted so much time with so little production

1. in the last four weeks that I still contend that there's no
2. reason that we should abuse ourselves. If we work from
3. 10 till 6, I think that's a day and I don't mind working
4. a day anytime but I don't intend to abuse myself any
5. Longer in this Body by not feeding myself at appropriate
6. times and taking the rest that I'm entitled to and I'm going
7. to...to...persist in my motion to adjourn until 10:00 a.m.
8. in the morning.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Knuppel's motion is in order. All those in
11. favor of adjourning until 10:00 o'clock tomorrow morning
12. say aye. Opposed. The...the. Secretary call the roll.

13. SECRETARY:

14. Bartulis, Bell...

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Partee.

17. SENATOR PARTEE:

18. Just before the roll call I'd just like to say that there's
19. a great deal of levity here tonight, unnecessary levity
20. it occurs to me. If you would really consider and analyze
21. the posture of this legislation and the posture of this
22. Legislature as it is looked at by the people of this State
23. a lot of buffoonery that is transpiring here falls on rather
24. deaf ears of the taxpayers. Now I understand Senator
25. Knuppel's problem, he has a health problem, I understand
26. it, but by the same token, we've said that we were going to
27. come and finish this and if we keep prolonging it - keep ad-
28. journing - keep coming back later, we're not going to get this
29. done. I've had a lot of calls today from people in my com-
30. munity, people from all walks of life, bankers and insurance
31. people and people from railroads and people who ride the CTA.
32. I've been visited by two committees of people who came
33. here today and I would suggest that people want something

1. done. And I think we'd make a tremendous mistake to
2. not finish this roll call and finish the matters that
3. are scheduled for handling this evening. I am not
4. unaware of the suggestion about going out for an hour,
5. but I know what that means. It means we go out for
6. an hour and we see some people an hour later or two
7. hours later and some people in the intervening period enjoy
8. themselves a little and we have longer and longer and
9. longer speeches. So now if we're going to get out,
10. I think we'd get out a lot faster if we could move
11. along and get the work done.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Continue with the roll call. Continue with the roll
14. call. We are on roll call.

15. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. McBroom, no. Clarke, aye. Bartulis, aye. Savickas,
28. no. Request to call the absentees. The absentees will be
29. called.

30. SECRETARY:

31. Bell, Berning, Bruce, Buzbee, Daley, Harber Hall,
32. Kenneth Hall, Johns, Keegan, Knuepfer, McCarthy, Merritt,
33. Newhouse, Roe, Romano, Schaffer, Shapiro, Sommer, Welsh,
Wooten.

1. PRESIDING OFFICER (SENATOR MOHR):

2. On that question the yeas are seventeen, the nays are
3. twenty-eight, one voting present. The Motion fails. Senator
4. Conolly on Amendment No. 1 to SB 37.

5. SENATOR CONOLLY:

6. We have been holding that for the...

7. PRESIDING OFFICER (SENATOR MOHR):

8. For what purpose does Senator Buzbee arise?

9. SENATOR BUZBEE:

10. Mr. President, I rise on a point of personal privilege.
11. I apologize to Senator Conolly. I won't take but just a
12. second. Mr. President, I have voted no on every one of
13. Senator Knuppel's motions so far to adjourn sine die. I
14. refrained from voting on this adjournment motion just now
15. because my leader obviously was opposed to it. But Mr.
16. President, I fail to see how after being here for five or
17. six weeks why suddenly we have decided to try to do all
18. of the important work of this Session right now. And I'm
19. not in the leadership, I don't know what's been going on
20. between the leaders and so forth. But I think that the sense
21. of the Senate has been expressed here this evening when
22. we saw that there's some people getting pretty disgusted
23. with the way we've been acting for the past several weeks. And
24. if we don't hurry up and get...get to work and get some of
25. this legislation dealt with, the next time I'm going to
26. vote aye on that sine die resolution.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Conolly. That's on a point of personal privilege.
29. Now, if you...Senator Chew.

30. SENATOR CHEW:

31. Would I be in order to make a motion to recess for one
32. hour?

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Conolly. We are on SB 37, Amendment No. 1,
2. which we finally got back to...

3. SENATOR CHEW:

4. Well, he hasn't begun to discuss that Mr. President,
5. and I asked you a question, so answer yes or no.

6. PRESIDING OFFICER (SENATOR MOHR):

7. I recognized Senator Conolly to call SB 37 and discuss
8. Amendment No. 1.

9. SENATOR CHEW:

10. You'll get back to me.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Why certainly Senator.

13. SENATOR CHEW:

14. Thank you.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Sooner or later.

17. SENATOR CONOLLY:

18. As I mentioned earlier Mr. President that this was a
19. companion to basically a companion to the Amendment No. 1,
20. SB 27. I hope the Minority Leader has had the opportunity to ex-
21. amine this and as far as I know now there's no opposition to this.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Partee.

24. SENATOR PARTEE:

25. Well, I've had a chance to look at it and although
26. it...the explanation which accompanies the amendment
27. suggests that it's a minor sort of thing like picking a
28. pimple or something, it seems to me it's a major operation.
29. Under the proposal, under Section 2.02 the authority is
30. authorized to purchase services from transportation agencies
31. by agreement and to make grants for capital and operating
32. expenses, development or planning for acquisition or
33. construction of facilities by grant contracts. And

1. the standards and guidelines are to be developed by the
2. board. Now, as I read your amendment, it takes that
3. authority away from the board and in fact vests that in
4. the Commerce Commission because it says, you delete the
5. word of a commission and insert of the commission provided,
6. however, that the commission referring to the commission
7. shall determine the terms of these contracts. And as
8. I understand it, as I understand the amendment, it means
9. that the authority has not the power any more to do what
10. is set forth originally in the bill, but that now the
11. Commerce Commission has something in the nature of a
12. veto power over it and if the Commerce Commission makes
13. the final decision and determination. Now that is the
14. part that I do not understand and if that is so, then I'm...
15. my question is why.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Conolly.

18. SENATOR CONOLLY:

19. This only pertains to railroads and it was this...
20. enables the act we had of Amendment 1 as I mentioned
21. of the 27, this would provide that...Amendment No. 1
22. of 27 provided that when the railroad and the authority
23. could not agree, a third party would be brought in and
24. this is the enabling legislation on the third party
25. giving the duties to the commission on those occasions
26. when the RTA and the commuter railroads do not agree.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Partee.

29. SENATOR PARTEE:

30. As I read it, what you are doing is not one single
31. thing but two separate distinct mutually exclusive things.
32. One relates to what the commission...what the commission
33. can do, that is the Commerce Commission, I mean the...yes,

1. the Commission can do with reference to exercising approval
2. over the purchase of service agreements. The second part
3. of the amendment relates I think, as you say, to railroads.
4. Now I think really that you may not intend to do what the
5. amendment purports to do by its language.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Conolly.

8. SENATOR CONOLLY:

9. ...On the third...on line nine it says...agreement as
10. provided in the Regional Transportation Authority Act which
11. is bill 27. So...

12. SENATOR PARTEE:

13. Yeah, that's one item.

14. SENATOR CONOLLY:

15. Then...

16. SENATOR PARTEE:

17. Then it says on line 10 and shall continue to exercise
18. approval powers as provided in that act. But it doesn't
19. provide in that act when it should have those...the...any
20. approval powers. So you're saying that...they should
21. continue to have some approval powers which they do not in
22. the first instance have, as I read it.

23. SENATOR CONOLLY:

24. It is...

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Conolly.

27. SENATOR CONOLLY:

28. The, it's my understanding on this and there's a
29. competent attorney here which...Hobert...try to...
30. explain it to you instead of using the microphone, it
31. is the...we...the Commerce Commission has the history
32. of regulating railroads and utilities. And with their
33. background obviously this would provide the expertise

1. that the ...RTA may not have.

2. SENATOR PARTEE:

3. I have not any thought that you're not well motivated,
4. but I just think that there's a problem here. To get
5. back to SB 37 on line 28...you have...you have the bill
6. before you?

7. SENATOR CONOLLY:

8. Yes, but I'd rather have my counsel - either talk to
9. you...

10. SENATOR PARTEE:

11. There's no contract between any transportation agency
12. and the authority or acquisition by the authority of any
13. property including property of a transportation agency
14. pursuant to and as defined in the Regional Transportation
15. Authority Act shall be subject to the supervision, regulation
16. or approval of the commission. OK. That's final language,
17. but then the amendment says that it shall be subject
18. to the approval of the Commerce Commission. So it
19. really negates the impact and strength of the matters
20. alluded to in the first instance. It changes it.
21. I think the gentlemen from the rairoads have indicated
22. somewhat here that they will redraft it so it would be
23. clarified.

24. PRESIDING OFFICER (SENATOR MOHR):

25. ...Conolly.

26. SENATOR CONOLLY:

27. There may be some confusion in the writing of this
28. amendment. We'd be more than glad to clarify this. I
29. could be...could say all we could do it over...make the
30. amendment over in the House. But we will clarify it for
31. you and we will take this out of the record now.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Take Amendment No. 1 out of the record, to SB 37.

1. ...other amendments on SB 37? That's the end of amendments
2. that 37, it'll be taken out of the record and remain on
3. 3rd reading. ...Partee.

4. SENATOR PARTEE:

5. Mr. President, and Members of the Senate this will
6. only take a minute. I'm not going to go into this with
7. any great deal of difficulty and with any long, long
8. tirade. These are bills which have been the principal
9. subject matter of this Session. They are Senate Bills
10. 1, 2, and 11 of the Third Special Session. And these
11. are the bills that have been referred to as the Walker
12. bills or the Democratic bills, depending on who said it.
13. Now, these bills as you know did not receive the requisite
14. vote in the committee to be placed on the Calendar and
15. they are now on the Secretary's desk. This is a motion
16. to take those bills from the Secretary's desk and place
17. them on the Calendar on the order of 2nd reading. There
18. are three principal points. Now, you heard the discussion
19. of these bills in connection with the bills as has
20. been presented here by others representing a different
21. viewpoint. I think there are three basic and fundamental
22. reasons why these bills should not die in the committee
23. and why these bills should be removed from the Table and
24. put on the Calendar. It occurs to me that the Legislature
25. has its function in structuring and in placing the language
26. into the bill that will finally reach the Governor's desk.
27. But it seems to me that at that point the Governor
28. is a person who is primarily responsible for making an
29. RTA viable and it seems to me that he ought to have an
30. option available to him in setting up that system. And
31. that is he ought to be presented with both the Republican
32. version of RTA and the version modified and embodied in
33. these bills. Then no one can be heard to say that we

1. didn't get here, the bill we wanted. Let's put both the
2. bills there, then we can get a signature. Now, the
3. demonstrated need for an RTA can be shown by the reliance
4. which of course is placed on public transportation by
5. the poor and the elderly, people who can't afford automobiles
6. or hire cabs. And unless public transportation is aided
7. by a continuing source of continuously publically generated
8. funds there is great danger that the entire Metropolitan
9. Transportation System will not only be greatly curtailed,
10. but that...could be eliminated. Now the plan embodied
11. in Senate Bills 1, 2 and 11 is the fairest plan in my
12. judgment for financing public transportation on a continuing
13. basis. And it places the primary burden for financing
14. on the residents of the Regional Transportation Authority
15. District to provide that solution, to their most urgent
16. problem, cheap and dependable public transportation. And
17. at the same time these bills enable the residents of the
18. remainder of the State to obtain a means for financing
19. the solution of one of their most urgent problems, namely,
20. ...inadequate highway systems. I think Mr. President that
21. more than that I should not say. More than that I certainly
22. could say. But I think for the reasons which I've stated
23. that these bills should be taken from the Table and both
24. sets perhaps of bills ought to be passed and sent to the
25. Governor's desk so that there can be an option, a choice,
26. because it is he primarily who has to have a viable,
27. responsibility for making an RTA possible.

28. PRESIDING OFFICER (SENATOR MOHR):

29. President Harris.

30. SENATOR HARRIS:

31. Well, Mr. President, Members of the Senate. The Transpor-
32. tation and Public Utilities Committee hear this series
33. of bills at great length, was testimony both pro and con.

1. And ultimately that highly competent and hard working
2. committee voted this series of bills Do Not Pass, and
3. I think for excellent reason. This series of bills sets
4. up the machinery for an annual commitment of State funds of
5. 60 million dollars, and an annual commitment of State
6. highway funds of 45 million dollars. And further it
7. authorizes the Regional Transportation Authority to
8. impose a Walker tax on auto related utility of automobiles
9. that will be required to raise some 45 million dollars.
10. Now we've had a lot of talk about imposing this added
11. new responsibility without an increase in taxes. And
12. I just suggest that that's folly to believe that 130 some
13. million dollars of public responsibility can be imposed
14. without the involvement of a corresponding amount of
15. taxation. The Governor's been very successful so far
16. in avoiding public awareness of the auto related tax
17. privilege without limit contained in these bills. And
18. if this legislature grants that authority to the RTA,
19. it'll be abandoning its responsibility to the people
20. served with the area. And the concept of using 60
21. million dollars of general revenue fund money does
22. violence to the agreement that was had here in the
23. passage of HB 89, that there would be no more State
24. dollars involved until there was formed an RTA, and
25. that the people involved in the area would have the
26. burden to fund the RTA. Now, that's whats at issue here,
27. the Transportation Committee was entirely right when
28. it rejected these thoroughly unacceptable bills. Mr.
29. President I would urge not only the Members of this
30. side of the aisle but those of you who know that we
31. have unmet needs for State resources particularly in
32. the field of education, mental health, welfare con-
33. siderations that to open up this mandate of annual 60

1. million dollars of general revenue commitment is wrong.
2. I urge you all to reject this motion to take from the
3. Table. One further point, a vote to take from the
4. Table is to make the greatest raid on the road fund
5. user tax principals since I've been in the General
6. Assembly. I would hope that there would be no support
7. to take these thoroughly unacceptable bills from the
8. Table.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Partee.

11. SENATOR PARTEE:

12. Just since the record is clear I think I should
13. say again, that this motion applies to Senate Bills
14. numbers 1, 2, 9 10 and 11 in the Third Special
15. Session. So that the record is clear. I think you'll
16. find that the motion so shows that. Is that correct?
17. Well, I'm looking at the Journal and it shows that the
18. motion was filed on November 7th relating to Senate
19. Bills 1, 2, 9, 10 and 11 and that's what this motion
20. covers. All right. Just a minute. Now, I heard the
21. President's rather calm, dispassionate speech on this
22. subject. And you heard what we've had to say - this
23. matter has been debated up and down, back and forth.
24. Roll Call.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Take them all in one roll call. On Senate Bills
27. 1, 2, 9, 10 and 11. Motion by Senator Partee to take
28. this series of bills from the Table. This would
29. require 30 votes. On that question the Secretary will
30. call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
33. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

1. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
2. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
3. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
4. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
5. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
6. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
7. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
8. Weaver, Welsh, Wooten, Mr. President.

9. PRESIDING OFFICER (SENATOR MOHR):

10. On that question the yeas are twenty-eight, the nays
11. are sixteen. The motion to take from the Table fails on
12. Senate Bills 1, 2, 9, 10 and 11. Senator Partee, you
13. have another motion?

14. SENATOR PARTEE:

15. Yes, Mr. President, on Senate Bill number 7 in the
16. Third Special Session. This is a bill that has been
17. referred to generally as the Governor's tax relief bill.
18. It relates to giving to each taxpayer the sum of \$10.00.
19. Number one, this method provides the easiest method of
20. administration. Secondly, if the financial impact on
21. State revenue is most easily determinable. Third, the
22. plan does not have the defect inherent in the sales tax
23. out-plan advocated by others because that plan would
24. place the heaviest burden of taxation on the poor and
25. benefit those who have the most disposable income. It
26. also occurs to me that the plan advocated by others
27. cutting the sales tax would have a rather devastating
28. affect on the State revenue and it might indeed cause
29. a need for increasing other taxes to make up this
30. revenue loss. The plan for tax relief as set forth
31. in this bill, Mr. President, is one which can be implemented
32. without endangering the State's financial structure.
33. In short, the State can afford this type of tax relief,

1. it cannot in my opinion afford the other tax relief as
2. set forth in the other opposite bills. I say to you
3. Mr. President that we are not unmindful of the fact
4. that a great deal has been said about the concept
5. involved here. But people it seems to me are anxious
6. I think to have their government say to them from day
7. to day to day you pay all kinds of innumerable taxes.
8. The State finds itself in a position where we can show
9. the people of this State that you're not forgotten,
10. that you're not shredded upon, that you can have a
11. basset of tax relief, that the State owes you tax relief
12. and by the easiest method available to you on an equality
13. basis. It shall be returned to you. I think that's a
14. good concept, it's one that I certainly support and ask
15. you to support also and ask you to vote to take this
16. bill from the committee and put it on the Calendar so
17. that it may too be voted on and sent along to the Governor.

18. PRESIDING OFFICER (SENATOR MOHR):

19. President Harris.

20. SENATOR HARRIS:

21. Mr. President, again this issue has had plenty of
22. debate. I would acknowledge that it was not a lengthy
23. hearing in the Executive Committee. But those persons
24. who wanted to testify in favor of this concept had all
25. the opportunity they require. I want to point out the
26. fact that this Body has already taken action on tax relief.
27. This Body two weeks ago passed SB 1 of the Second Special
28. Session providing.... tax relief for taxpayers by reducing
29. the State's share of the sales tax by 1/2 percent. I
30. want to point out a communication that we received in
31. connection with the consideration of SB 95, a bill
32. introduced by Senator Weaver. The Department of Revenue
33. in their negative recommendation on that bill suggested

1. that the administrative cost of that bill which is far
2. less involved and would involve far fewer persons,
3. estimated the administrative cost at a \$1,238,000 in
4. connection with SB 95. The administrative costs of
5. SB 7 of the Third Special Session is vastly greater.
6. I think it would be perfectly fair to suggest that at
7. least twice the administration will be involved. And
8. the administration costs are not necessarily increased
9. on a straight line basis. So I'm suggesting that there
10. is well over 2 million dollars of administrative costs
11. and perhaps more in this gimmick plan of the Governor's
12. in giving away our resources rather than reducing a
13. tax. Ladies and Gentlemen of the Senate if ever there
14. was a goofy idea it's this suggestion of our gadfly
15. Governor who proposes to absent himself from this State
16. for two days during this difficult, decision making period
17. in these special sessions. It's this one embodied in
18. SB 7. This legislative Body has addressed itself
19. responsibly to tax relief without a single dollar of
20. increase administrative cost. SB 7 appropriately should
21. have been recommended Do Not Pass by the Executive
22. Committee and I would urge this Body to sustain the
23. action of the committee and dispose of this goofy
24. plan once and for all.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator McBroom.

27. SENATOR McBROOM:

28. Mr. President, I wonder if Senator Harris would yield
29. for a question.

30. PRESIDING OFFICER (SENATOR MOHR):

31. He indicates he will.

32. SENATOR McBROOM:

33. Senator Harris I was listening quite closely to what

1. you had to say and I concur with you, but based on what
2. you had to say if we would raise the sales tax perhaps
3. 6% then the Governor could refund twenty dollars instead
4. of ten. Is that what you were saying?

5. SENATOR HARRIS:

6. Well, I'm not quite sure at all what the Governor
7. might do.

8. SENATOR MCBROOM:

9. Thank you.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Knuppel.

12. SENATOR KNUPPEL:

13. I just got one thing to say. I think if I were the
14. Governor and I could get out of the State for two days,
15. I'd sure as hell do it too. I think that's a commendation
16. right now. And...and I just...I just feel...I'm honest
17. about this.... last comment, the first one was facetious.
18. But I feel very strongly about the strength of the General
19. Assembly as a full partner in the tripartisan form of
20. government. And I don't care if the Governor goes to
21. China while we're here discussing these things. I think
22. this is our responsibility and not his and I want...I
23. want to assume it one way or the other. I may not agree
24. with the bill or agree with it, that will all come out
25. in the vote. But...but thank goodness he's letting us
26. do the legislating. That's what I want to do. I want
27. the Legislature to be a powerful unit in State government.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator McCarthy.

30. SENATOR MCCARTHY:

31. Yes Mr. President. The...question of the sales tax
32. reduction of 10% or one-half percent is been interjected
33. in this motion and when that matter was up for consideration

1. some...two weeks ago, we compiled some figures from the...
2. the sales tax relief from the Internal Revenue Service
3. tables, page 27 of the 1972 deductions. These figures
4. I think perhaps show where...the relief would go as
5. between the two plans. On that instruction sheet which
6. allows the deduction, not taking into consideration extra-
7. ordinary items of purchase. A family income of \$10,000
8. having five in the family size is entitled to a sales
9. tax deduction of \$228, a reduction of 10% or the one-half
10. percent reduction for the family of five is 22.80 or for
11. each individual \$4.56. So, on the family income of \$10,000
12. under this bill that family would get \$50.00, under using
13. this figures on SB 1 they'd get 22.80. ...\$20,000 under
14. this bill where the family income is \$20,000 that same family
15. of five would get 40...\$50.00. Under the SB 1, they'd get
16. 33.90. So for the people under \$20,000 this is a better
17. deal. For \$30,000 income the family of five, under SB 1
18. would get \$40.68 for the five people of \$8.13 apiece.
19. So for the people under \$30,000 this is a better bill, so
20. it goes to people making \$40,000 a family of five, they would
21. get a \$47.46 under SB 1, or \$9.49 where under this plan
22. that Senator Partee moves on they would get \$50.00. pr
23. \$10.00 a person. So it becomes, Mr. President, not until
24. they reach the level of about \$43,000 gross income does
25. the break to the taxpayer using these tables become more
26. beneficial to the people under SB 1 that it does
27. under the plan that's ahead of you. That's not discounting
28. the arguments that have been made against administrative
29. costs inherent in this proposal. But I submit these
30. figures to you just for whatever they're worth because
31. they are basis of comparison. I support the one that
32. would benefit the people under the average income of
33. \$42,500 per year.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Partee.

3. SENATOR PARTEE:

4. Was Senator Knuepfer up to speak? Were you sir? I'll...
5. I'll wait. Just going to be sure...

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. It will be very short. I am simply tempted to say
10. a plague on both of your houses in this respect. Just
11. the other day we didn't have enough money to properly
12. fund the pension plan for the teachers of this State
13. and for the poor State employees of this State. Today
14. we suddenly have enough money to provide tax relief.
15. Now if that isn't financial wizardry, I haven't seen
16. it.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Partee.

19. SENATOR PARTEE:

20. Just got a lesson in why courtesy doesn't pay. Now,
21. let me say to you...that I hate to see this thing degenerated
22. into personalities. I have listened to Senator Harris
23. discuss matters for many years and he's probably one
24. of the most articulate Senators in the country, not
25. just Illinois. And it sort of disturbed and distressed
26. me to have him talk about the Governor as being a gadfly
27. and a goofy idea and things of that sort because I know
28. that's probably on one of the last pages of his very
29. large book of debate techniques. But it is said, however,
30. that when you are short on the facts you attack the people
31. involved. But I would just say to you that history tells
32. us that many an idea which has been germinated in the
33. mind of mankind and which has later become law in this

1. country was first looked at as a goofy idea. Let me
2. suggest to you that when they came along and talked
3. about social security a lot of people said that's the
4. goofiest, socialistic thing I ever heard of. A man
5. supposed to take care of himself for his old age, they
6. don't need any social security. And now by golly if
7. a lot of people didn't have social security they
8. wouldn't be able to survive. But it was a goofy idea
9. when it started. The Workmen's Compensation Laws,
10. they were goofy they said. You didn't need any Work-
11. men's Compensation Laws. You didn't need unemployment
12. compensation. And when you talked about a thing called
13. OSHA for example they said oh, that's really a goofy
14. idea. Medicare they said was absolutely goofy. They
15. said you didn't need to have any medicare and a lot of
16. people couldn't survive without the kind of governmental
17. help that comes now from Medicare. It was a goofy idea,
18. at that time. Consumer economics, many, many things which
19. are now a mind-run, fundamental part of the American
20. ethic, where goofy ideas are described as being goofy
21. at their inception. I suggest to you that this is not
22. a goofy idea and one that merits your support.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Partee moves to take from the Table SB
25. number 7 and on that question the Secretary will call
26. the roll. This takes 30 votes.

27. SECRETARY:

28. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
29. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
30. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
31. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
32. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
33. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

1. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
2. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
3. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
4. Weaver, Welsh, Wooten, Mr. President.
5. PRESIDING OFFICER (SENATOR MOHR):

6. ...question the yeas are twenty-nine, the nays are
7. sixteen. SB 7...the motion to take SB 7 from the Table
8. fails. Senator Knuepfer, SB...Senator Fawell, I'm sorry.
9. SB 40. Senator Partee.

10. SENATOR PARTEE:

11. I'm going to be off the Floor for a minute but I
12. wanted to report to you and the members that the matter
13. under discussion on SB 37, the amendment of Senator
14. Conolly's that we had the discussion about. That matter
15. now has been resolved and there is an amendment which
16. has acceptability to me and if it's called in my absence
17. I want my people to know here that we have no objection
18. to the amendment in its present form.

19. PRESIDING OFFICER (SENATOR MOHR):

20. All right, we'll go with SB 40, Senate Bill...Fawell,
21. or Senator Fawell. Where's Senator Knuppel?

22. SENATOR FAWELL:

23. Mr...Mr. President I would like leave of the Senate
24. to return to the order of 2nd reading for the purpose
25. of affixing an amendment to this bill.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Fawell asks leave to return SB 40 to the
28. order of 2nd reading for the purpose of an amendment.
29. Is there leave? Leave is granted. Senator will you
30. explain your amendment.

31. SENATOR FAWELL:

32. Yes, the amendment makes no substantive change but
33. for some reason the Reference Bureau simply didn't put

1. the underlining and the crossing out of the old language,
2. and thus I move the adoption of Amendment No. 1 to SB 40.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Fawell moves the adoption of Amendment No. 1
5. to SB 40. All those in favor signify by saying aye. Opposed.
6. Amendment No. 1 is adopted. Any further amendments? 3rd
7. reading. Senator Conolly, SB 37.

8. SENATOR CONOLLY:

9. You just heard the gracious Senator, the Minority
10. Leader say that he has studied the amendment of...Senate
11. amendment, the revised amendment on SB 37 and I would now
12. move its adoption.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Conolly moves...asks leave to move SB 37
15. back to the order of 2nd reading for the purposes of an
16. amendment. Is there Leave? Leave is granted...Opposed?
17. Leave is granted. Senator Conolly moves the adoption of
18. Amendment No. 1 to SB 37. Senator Knuepfer.

19. SENATOR KNUEPFER:

20. Can you just explain me...to explain to me how it
21. interposes the Commerce Commission...at the present time. In
22. the bill as I read it the Commerce Commission was specifically
23. excluded in the amendment. They were reincluded. Now, where
24. do they stand as the amendment finally is...is come out?

25. SENATOR CONOLLY:

26. As the...

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Conolly.

29. SENATOR CONOLLY:

30. ...as the wording of the final amendment, the...
31. Commission acts as the third party on those cases where
32. the RTA and the railroad cannot agree upon purchase of
33. service contracts. And this puts them as a third party

1. their expertise to arbitrate the problems.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Is there other discussion? Senator Berning.

4. SENATOR BERNING:

5. Do I understand that this is a new amendment? This
6. is not the one I have?

7. SENATOR CONOLLY:

8. They're being passed out right now, it's just a very
9. slight change in it from before.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. ...Question? Is there any further discussion?

12. Senator Conolly moves the adoption of Amendment No. 1
13. to SB 37. All in favor signify by saying aye. Opposed
14. nay. The amendments adopted. Any further amendments?
15. 3rd reading. - We're in the order of Senate Bills, 2nd
16. reading. Senator Saperstein, did you wish to move SB 41?

17. SECRETARY:

18. SB 41 (Secretary reads title of bill)

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Are there any amendments from the Floor? 3rd reading.

22. ...3rd reading, Senator Fawell, do you wish to call SB 40?

23. Senator Fawell that bill is still upstairs, rather

24. extensive amendment. Can we pick that up a little

25. later? Excuse me for calling it. ...Scholl did you

26. have something that you wished to... in the...

27. SENATOR SCHOLL:

28. Yes Mr. President, I move to discharge...

29. PRESIDING OFFICER (SENATOR WEAVER):

30. On the Third Session? ...Harris has asked that this
31. announcement be read. The Illinois Heart Association will
32. be screening for high blood pressure tomorrow, beginning
33. at 9:00 a.m. outside Senator Partee's office. The

1. screening results are confidential and will be made known only
2. to you. You're urged to participate in this free service
3. of the Illinois Heart Association. If you think you have
4. high blood pressure, right outside of Senator Partee's
5. office in the morning at 9:30 you can have a screening.
6. ...40.

7. SENATOR FAWELL:

8. Yes, Mr. President and Members of the Senate. I
9. previously have explained this bill. It really makes
10. no substantive changes whatsoever. What was done during
11. this year in the drafting of the bill that previously
12. passed this Legislature a paragraph was left out inasmuch
13. as the Reference Bureau made reference to the Revised
14. Statutes rather than going to a...to the new legislation
15. that had amended the particular portion of the School
16. Code to which we refer. So, that portion of the School
17. Code pertaining to the Life Safety Code is simply put
18. back into the same condition it was prior to the
19. particular bill that was passed during this last summer.
20. And therefore, I ask for a favorable roll call.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Is there any discussion?

23. SECRETARY:

24. SB 40 (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Is there any discussion? The question is, shall SB 40
28. pass? Upon that question, the Secretary will call the roll.

29. SECRETARY:

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

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

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Buzbee, aye. Johns, aye. Course, aye. Bruce, aye.
9. Palmer, aye. Swinarski, aye. Carroll, aye. Scholl,
10. aye. ..., aye. ...question the ayes are forty-seven, the
11. nays are one. SB having received the constitutional
12. majority is declared passed.

13. SENATOR WALKER:

14. Mr. President, I'll be brief. I've contacted Senator
15. Knuppel and Senator Chew and talked to myself. I now move
16. that we adjourn, and the motion is in order and I respect-
17. fully request a roll call. Until 10:00 a. m. in the morning,
18. or 9, whatever time, 7 whatever time the leadership decides
19. on. I...the motion is in order and I respectfully ...I re-
20. quest a roll call.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. The motion is to adjourn until 10:00 a.m. in the morning.
23. Secretary will call the roll.

24. SECRETARY:

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

1. Weaver, Welsh, Wooten, Mr. President.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. ...aye...no. Vadalabene, no. On that question the
4. ayes are sixteen. The nays are twenty-six. The motion fails.
5. Senator Harris.

6. SENATOR HARRIS:

7. Mr. President, I now request a Republican caucus in
8. my office and if the Members will gather quickly, I am
9. confident we can get it over with in seven or eight
10. minutes. I think Senator Partee also wants to caucus..

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Partee.

13. SENATOR PARTEE:

14. I'd like to call a caucus in my office of the Democratic
15. Members. It is very small, it is discommodious. So the
16. thing shouldn't last more than five minutes. I don't
17. think you could stay there...that much longer...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senate will stand...

20. SENATOR PARTEE:

21. Immediately.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senate will stand at recess.

24. ...Walker.

25. SENATOR WALKER:

26. A point of parliamentary inquiry, Mr. President.
27. A point of parliamentary inquiry. I would like to know
28. and it's under rule 17 in the old book, and I suppose
29. it's somewhere in there in this so-called rule book that's
30. been floating around here for a year and a half. Are we
31. going to vote on the RTA proposal tonight? If so, I...no
32.
33.

1. I won't. I'm sorry Mr. President. Rule 15, amendments to
2. bills except amendments strike out emergency provisions
3. may be offered at the conclusion of 2nd reading and shall
4. be printed when adopted and shall be filed in their proper
5. order immediately following the printed... copy of the
6. bill on each Senator's desk, one day before such amended
7. bill shall be read a 3rd time. Now, my question is this,
8. are we going to revert to 3rd reading without these
9. or call these bills which as I understand it are now on
10. 3rd reading without the printed amendment being on our
11. books and on our desk? I think it's...

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Rock.

14. SENATOR WALKER:

15. ...fair question and I think I'm entitled to an answer.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator, we can always suspend the rules. Senator Rock.

18. SENATOR ROCK:

19. A point of order. We...we have respectively called
20. respective caucuses and I would suggest we get at it.
21. That motion or whatever, suggestion or inquiry that
22. Senator Walker has is untimely.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. I had announced that the Senate stands in recess.

25. (RECESS):

26. PRESIDENT:

27. Senate will come to order. We are in the Third
28. Special Session. Chair wishes to announce that it will
29. be our procedure for the remainder of this evening's effort
30. and I think it can be brief that we will adjourn the 3rd
31. Special Session with no further action on anything involved
32. in that Session tonight until the schedule that we've
33. adopted here, and we'll enunciate that... in a minute.
We will convene the First for the housekeeping and procedural

1. action and convene the Fifth and advance those bills.
2. And then adjourn everything in the other Sessions. The
3. only one that we've adjourned specifically till tomorrow
4. is the Second, so that we will have to adopt and convene
5. because we have recessed each of the other Sessions.
6. We will reconvene and adjourn until our schedule of...
7. that we have set for tomorrow. Senator Rock.

8. SENATOR ROCK:

9. Just a question Mr. President. In the Regular Session,
10. Senator Johns did have a bill and he put it on postponed
11. consideration. I understand this may be the last Legislative
12. day...

13. PRESIDENT:

14. This...this is the last day for action. He will
15. have an opportunity to call that bill again. Correct.
16. Senator Donnewald.

17. SENATOR DONNEWALD:

18. Mr. President am I to understand that on Session one,
19. that it's merely...that...that none of the Ethics Bills
20. will be considered?

21. PRESIDENT:

22. If...unless you want to call. My understanding was
23. that we would deal with passage of those bills tomorrow.
24. But, you're the sponsor of a series of bills there and
25. if you want them called, that will be up to you.

26. SENATOR DONNEWALD:

27. And as to Session Four, ...

28. PRESIDENT:

29. The question of consolidation, I know there are three
30. bills dealing with that. It's my understanding in the
31. communication I had with Senator Partee that those bills
32. would be called tomorrow. But if you want to...

33. SENATOR DONNEWALD:

1. Well, I want...Let's make a deal. I'll postpone
2. the ethics bills and I'd like to call SB 4 in the Fourth
3. Session.

4. PRESIDENT:

5. Well, we are not in the Fourth Session yet. When
6. we get there we'll deal with that matter. Is there any
7. further business to come before the Third Special Session?
8. Senator Bell moves that the Third Special Session adjourn
9. until 11:00 a.m., Wednesday the 14th of November. All
10. in favor signify by saying aye. Contrary no. The motion
11. carries. The Third Special Session is adjourned until
12. 11:00 tomorrow morning.

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