

5th Special Session
78th General Assembly
November 15, 1973

1. PRESIDENT:

2. The Fifth Special Session will come to order.

3. Reading of the Journal. Senator Soper.

4. SENATOR SOPER:

5. Mr. President, I move that we postpone the reading
6. of the Journal of November 13th and 14th pending the
7. arrival of the printed Journal. And...

8. PRESIDENT:

9. Senator...

10. SENATOR SOPER:

11. ...Mohr's going to get hit in the head if he does
12. that again.

13. PRESIDENT:

14. Senator Soper moves to postpone further reading of the
15. Journal of November 13th and 14th pending the arrival of the
16. printed Journal. All in favor signify by saying aye. Contrary
17. no. The motion carries. ...Partee.

18. SENATOR PARTEE:

19. I just hope Senator Soper will pay attention to this
20. Mr. President. He seemed a little upset a few moments ago
21. because I mentioned certain ethnic groups that came from
22. other counties and I didn't mention the Czecks. I think he
23. should be told that it's so implicit in our government and
24. our American lexicon that you're taken care of since you were
25. in the eight grade and realized and came to know that this
26. country was built and our government functions on a system
27. of Czecks and balances.

28. PRESIDENT:

29. Senator Balance.

30. SENATOR SOPER:

31. Well that's the nicest thing that's been said about the
32. Czecks, they're well balanced. But I'll tell you what. We
33. never write (Czecks) checks on a closed bank.

1. PRESIDENT:

2. Anybody that think Czecks aren't significant as
3. was the reference by Senator Balance just now think
4. again. Is there further business immediately to come
5. before the Fifth Special Session? ...Senator Scholl
6. on the order of Senate Bills on Third Reading. SB 6.
7. Senator Scholl seeks leave of the Senate to place the
8. bill to the order of Second Reading for the purpose
9. of amendment. Is there leave? So ordered. SB 6,
10. Senator Scholl.

11. SENATOR SCHOLL:

12. Mr. President, Members of the Senate. This amend-
13. ment to SB 6...excludes intercity services, charter sight-
14. seeing, yellow school buses or other specialized services
15. from one-half fare reimbursable rides and removes the
16. time of restriction of September 1st - June 30th for
17. half fare rides. And it restricts reimbursable rides to
18. school days and it provides for quarterly applications
19. for reimbursement. And also limits the reimbursement to
20. the...the lesser of one-half of an adult fare plus transfer
21. or 25¢. We also add an effective date to the...to the bill.

22. PRESIDENT:

23. Senator Fawell.

24. SENATOR FAWELL:

25. I...I'm sorry I don't...I have a little trouble under-
26. standing what the bill is supposed to do in the first place
27. and I do not comprehend what the amendment is designed to do.

28. PRESIDENT:

29. Senator Hynes.

30. SENATOR HYNES:

31. Well...Mr. President, there will be an amendment to
32. SB 6 and then a subsequent amendment to SB 7. And essentially
33. these bills as a package codify the existing practice of

1. reimbursing...local mass transit carriers for reduced
2. fare rides that are given to school children and elderly
3. persons. The money for this purpose was appropriated in
4. the Spring Session. Some question has been raised as
5. to the adequacy of the existing statutory language permit
6. the spending of it. This will clarify the purposes and
7. spell out the circumstances under which that reimbursement
8. can be made and I support both amendments.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Fawell.

11. SENATOR FAWELL:

12. ...Well either Senator...well Senator Hynes, there...
13. this question would be put to you then. As I understand
14. it...first of all I...I'm still not sure what this amend-
15. ment does, as I understand it the existing law in regard
16. to reimbursement for half fares of school children - as
17. the law now reads - pertains solely to private bus com-
18. panies and our existing law insofar as CTA is concerned
19. we have always had as I recall a lump sum subsidy that
20. ...that is directed to the CTA. Now as I understand the
21. bill in its introduced form it alters the language that
22. heretofore described private bus companies and inserts
23. mass transit entities or words to that effect. So that
24. it seems to me that it does...it does make a significant
25. departure from existing law. It seems to me that it's
26. dovetailed into and really is a part of the mass transit
27. package of bills. And I frankly don't have any great
28. objection to necessarily channeling the money for these
29. half fare reimbursements as long as it is clear that the
30. lump sum subsidy then is...is eliminated nor in some way
31. credited if you follow me. And...so I am confused as to
32. what is being done here and I still don't know what the
33. amendment does.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Hynes.

3. SENATOR HYNES:

4. Well, as you can see from the Calendar, there's
5. another bill, SB 5, which I am the principle sponsor
6. which attempts to do the same thing. We have as you
7. indicate, have this program over a number of years.
8. This will be the...these will be the statutory guide-
9. lines for dispersal of that money but will no longer
10. be any other programs and the monies that have been
11. traditionally appropriated for reimbursement which we
12. have done all along will now be spent under the formula
13. spelled out in this bill. And what the amendment does
14. is to incorporate some of the features in SB 5 into
15. SB 6 and 7. SB 5 deals with the elderly, reduced fare^s
16. for the elderly, and with reduced fares for school
17. children in one bill. This...6 deals with school children,
18. 7 with the elderly and some of the features of SB 5 are
19. being incorporated in...SB 6 and 7. Specifically the
20. limitation to 25¢, it...it provides for reimbursement
21. of one-half up reduced fare to 1/2 of the fare of 25¢ maximum.
22. It provides for quarterly payments and it clarifies the
23. definition of...of a transfer and adds certain guidelines
24. as to reporting and so on that must be followed by the
25. Department. But I...I believe that the amendment makes
26. the...makes...these amendments will make the bill infinitely
27. more desirable and perhaps your question would be better
28. timed after having a chance to see the bill as amended.
29. It is substantially the same bill. It is tightened up in
30. many respects however.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Fawell.

33. SENATOR FAWELL:

1. Yes, I...I think probably...take a look at the bill
2. ...will be called very shortly I assume. The amendments
3. are going on and we're on third reading right now. I would like
4. to take a look at those amendments and perhaps Senator
5. Hynes and Senator Scholl we can just talk in private.
6. And...and certainly I can better understand it because as
7. I construe these bills we are...we are making some significant
8. changes that may be relatively costly and that is we are...
9. we are granting half a fare reimbursement now throughout
10. the State on the basis of mass transit rather than as it has
11. heretofore been on a very limited basis to private bus
12. companies plus the singular subsidy to the CTA. It's now
13. going to be on the basis and I don't know if it's mandatory,
14. discretionary or what statewide wherever there happens to
15. be that which is classified as mass transit. I...I suggest
16. that it could be a great deal of increased cost in terms
17. of reimbursement to our various schools. ...If we're now
18. including simply the nomenclature of...if it's a mass
19. transit now we're talking about the Chicago Northwestern
20. for instance having to give half-fare to school children
21. up and down that line, all of the...all of the entities. So
22. I think it could be...I venture to say twice as costly, three
23. times as costly as the subsidy program plus...the direct
24. subsidy program plus the private bus company program.
25. ...And then again we have to recognize that we're going on
26. to include the elderly in this too and I don't think they're
27. included at all right now under any substantive law. I gather
28. there's appropriation put through but no time did we substantively
29. change the law. But I'll be glad to discuss it too in private
30. before it comes up to third reading.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Hynes... Do you have a reply Senator?
33. Senator Hynes.

1. SENATOR HYNES:

2. If...If I might briefly because I think perhaps is
3. the way to handle it. ...First of all the bill's come
4. about as a result of request or demand, if you will, of
5. the of the Comptroller for a specific statutory guide-
6. lines on this subject. We have the appropriation already
7. and this simply clearly spells out how it is to be spent.
8. And secondly there is a proration clause within the appro-
9. priation so that if the claims exceed the amount available
10. they...they will be reduced prorata. Thirdly, as far as a
11. ...the railroad point is concerned...or the massive addition
12. of new subsidies...we're talking about a 25¢ limitation,
13. that's one of the things the amendment adds to Senate
14. Bills 6 and 7.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. The question is...No. 1? Senator Mitchler.

17. SENATOR MITCHLER:

18. Mr. President and members of the Senate, I've been
19. trying to listen to this and I'm trying to figure out just
20. what these two bills are going to do differently than what
21. we're doing now and what is the additional costs, Senator
22. Hynes or Senator Scholl, that...that SB 5 and SB 6 of the
23. Fifth Special Session will result in?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Hynes.

26. SENATOR HYNES:

27. There...as...as I tried to explain earlier there will
28. not be an additional cost. We have the appropriation now
29. but the Comptroller, Mr. Lindberg has indicated that we must
30. have the specific statutory authorization to spend it. That
31. is why it is necessary and while the...the authorization is
32. being drafted we are including guidelines and other limitations
33. so that there is a clearcut program. As I also mentioned

1. there is a specific sum that has been appropriated and
2. if the claims exceed that there will be a prorata reduction in
3. the amount that any...that any...claimant might receive. I
4. might also add that one of the...one of the...another item
5. in this amendment removes the limiting definition on
6. qualified claimants so that the Quincy and Galesburg areas
7. can qualify under the bill.

8. SENATOR MITCHLER:

9. Well, Mr. President and members of the Senate, asking
10. Senator Hynes, what is the...can you give me reference to
11. the appropriation bill or the legislation that evidently
12. I assume we passed earlier this year for the reimbursement
13. for the elderly?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Did you hear the question and understand it Senator?

16. SENATOR HYNES:

17. I think...I think I did...

18. SENATOR MITCHLER:

19. Is that HB 1979, the Department of Transportation?

20. SENATOR HYNES:

21. The Department of Transportation Appropriation Bill.

22. SENATOR MITCHLER:

23. Appropriation bill.

24. SENATOR MITCHLER:

25. That's correct and it...it is a lump sum appropriation
26. in that bill.

27. SENATOR MITCHLER:

28. And then do I understand that SB 5 and SB 6 are requested
29. by the Comptroller in order to have the authorization for him
30. to issue the warrants that we appropriated the money?

31. SENATOR HYNES:

32. That's right.

33. SENATOR MITCHLER:

I guess the Comptroller...

1. SENATOR HYNES:

2. Well, SB 6 and 7 I...I...SB 5 is the bill I introduced,
3. 6 and 7 accomplish the same purpose.

4. SENATOR MITCHLER:

5. Now which is identical?

6. SENATOR HYNES:

7. 6 and 7 taken together equal 5.

8. SENATOR MITCHLER:

9. 6 and 7 equal 5. I get it. Okay. Now that answers...

10. SENATOR HYNES:

11. I...I hope...I hope no one takes that on record...

12. SENATOR MITCHLER:

13. I wonder...I wonder how the Comptroller if he was
14. putting bills in and it's just a personal thing why he gives
15. you one and gives Senator Scholl one. I didn't know why...
16. why he'd do that. Why he wouldn't give them to one individual.
17. That's all. That's all I wanted to know.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. No wonder...no wonder we need a bill of 6 and 7 equal
20. 5. Any further discussion? Senator Scholl and Hynes move
21. the adoption of Amendment No. 1. Senator Scholl...Amendment
22. No. 1 to Senate Bill No. 6. All in favor will signify by
23. saying aye. Opposed? The ayes have it and the amendment
24. is adopted. Any further amendments? The bill will be returned
25. to the order of third reading. Senator Scholl.

26. SENATOR SCHOLL:

27. I have another amendment.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. For what Senator?

30. SECRETARY:

31. SB 7. Amendment No. 1 by Senator Scholl.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator will explain his amendment.

1. SENATOR SCHOLL:

2. Amendment No. 1 to SB 7 excludes intercity services,
3. charter sightseeing or other specialized services from
4. half fare reimbursable rides and it provides for quarterly
5. applications for reimbursements. It...it deletes in a
6. non-rush hour, non-peak period ride restriction, limits
7. the reimbursement to the lesser of one-half the adult fare
8. plus transfer or 25¢. It also adds provisions for prorata
9. reimbursement if necessary.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Discussion? Question? The question before the
12. Senate is then shall we adopt Amendment No. 1 to SB 7.
13. All in favor will signify by saying aye. Opposed? The
14. ayes have it, the amendment is adopted. Any further
15. amendments? The bill will be returned to the order of
16. third reading. So that the Enrolling and Engrossing will
17. have an opportunity to work on those amendments, Special
18. Session No. 5 will stand in recess until the call of the
19. Chair.

20. AFTER THE RECESS

21. PRESIDENT:

22. ...Fifth Special Session will reconvene and come to
23. order. Is there any further business to come before the
24. Fifth Special Session? Senator Mohr.

25. SENATOR MOHR:

26. Mr. President, I move the Fifth Special Session ad-
27. journ until 11:15 tomorrow, November 16th.

28. PRESIDENT:

29. Senator Mohr has moved that the Fifth Special Session
30. ...for what purpose does Senator Fawell arise?

31. SENATOR FAWELL:

32. Well, I...I don't want to prolong matters but there are
33. some bills in the House if it's possible to move them to

1. second reading fine, DuPage County bills but...

2. PRESIDENT:

3. In the House.

4. SENATOR FAWELL:

5. No...reported from the House I believe aren't there
6. Mr. Secretary, on your desk?

7. PRESIDENT:

8. They can be reported in...yes...yes. ...Senator Mohr
9. will withhold his motion. All right. Messages from the
10. House.

11. SECRETARY:

12. Message from the House by Mr. Selcke, Clerk.

13. (Secretary reads Message from the House

14. HB 4 and HB 5)

15. PRESIDENT:

16. Senator Fawell.

17. SENATOR FAWELL:

18. Yes. I would merely ask that they be read a first
19. time and advanced to the order of second reading without
20. reference to Committee.

21. PRESIDENT:

22. Senator Fawell moves to have the bills read a first
23. time and advanced to the order of second reading without
24. reference. These are the DuPage County county board of
25. elections validating bills. Is there leave? Leave is
26. granted. So ordered. Proceed. First reading.

27. SECRETARY:

28. HB 4. (Secretary reads title of the bill).
29. 1st reading of the bill.

30. HB 5. (Secretary reads title of the bill).
31. 1st reading of the bill.

32. PRESIDENT:

33. They then will appear on tomorrow's Calendar on the

1. order of second reading. Yes. ...Both bills will appear
2. on the Calendar by leave of the Senate, they will appear on
3. tomorrow's Calendar on the order of second reading without
4. having been referred to Committee. ...Just stand at ease
5. a minute, there's been an inquiry that the Secretary has to
6. check on in the office itself, he'll be right back. On the
7. order of Messages from the House.

8. SECRETARY:

9. Message from the House by Mr. Selcke, Clerk.

10. (Secretary reads Message from the

11. House on HB 1).

12. PRESIDENT:

13. Senator Davidson.

14. SENATOR DAVIDSON:

15. Mr. President, I'd like leave of the House...of the
16. Senate for this bill to be read the first time and advanced
17. to second reading without reference. This is the circuit
18. breaker bill.

19. PRESIDENT:

20. Is there leave? Senator Rock.

21. SENATOR ROCK:

22. ...This is the one that merely extends the deadline?

23. PRESIDENT:

24. Yes. Leave is granted. The bill will be read a first
25. time and advanced to the order of second reading without
26. reference to Committee. Senate...

27. SECRETARY:

28. HB 1 (Secretary reads title of the bill).

29. 1st reading of the bill.

30. PRESIDENT:

31. Second reading. ...and I'm often prompted to say that
32. the Fifth is a nice sized bottle. Is there further business
33. to come before the Fifth Special Session? Senator Mohr.

1. SENATOR MOHR:

2. Mr. President, I move the Fifth Session...Special
3. Session adjourn until 11:15 tomorrow morning, November 16th.

4. PRESIDENT:

5. Senator Mohr moves that the Fifth Special Session
6. adjourn until 11:15 a.m. Friday, November 16th. All in
7. favor signify by saying aye. Contrary no. Motion carries
8. and the Senate stands adjourned until 11:15 a.m. Friday,
9. November 16th. Senator Mitchler, do you have any resolutions?

10. SENATOR MITCHLER:

11. I think on the Secretary's desk there were several
12. resolutions but I'm saving them until tomorrow.

13. PRESIDENT:

14. Good night. ...Regular Session convenes at 10 a.m.
15. tomorrow morning.