

THIRD SPECIAL SESSION
of the 78th General Assembly
November 16, 1973

1. PRESIDENT:

2. The Third Special Session will come to order. Reading
3. of the Journal, Senator Shapiro.

4. SENATOR SHAPIRO:

5. Mr. President and Members of the Senate, I move
6. that we postpone the reading and approval of the Journals
7. for Tuesday, November 13th, Wednesday, November 14th,
8. Thursday, November 15th, 1973 of the Third Special Session
9. until the arrival of the printed copy.

10. PRESIDENT:

11. Senator Shapiro moves that we postpone consideration
12. of the reading of the Journals of November 13, 14 and 15.
13. Is there discussion? All in favor signify by saying aye.
14. Contrary no. The motion carries, so ordered. ...Senator
15. Regner.

16. SENATOR REGNER:

17. Yes Mr. President, Members of the Senate I have a
18. motion to make. Having voted on the prevailing side I
19. move that the Senate reconsider the vote by which SB 27
20. was defeated.

21. PRESIDENT:

22. Senator Regner moves to reconsider the vote by
23. which SB 27 was defeated. Is there discussion? All
24. in favor signify by saying aye. Contrary no. The
25. motion carries. SB 27 is before the Senate on the order
26. of 3rd reading. Senator Schaffer. I'm sorry, Senator Conolly.
27. Do you wish to recall the bill...

28. SENATOR CONOLLY:

29. Back to 2nd for purposes of amendment.

30. PRESIDENT:

31. Yes. All right. Senator...Senator Conolly moves
32. to recall the bill to the order of 2nd reading. All
33. in favor signify by saying aye. Contrary no. The motion

1. carries. The bill is ordered to 2nd reading. Senator
2. Schaffer.

3. SENATOR SCHAFFER:

4. Mr. President, I'd like to move to reconsider the
5. vote by which Amendment No. 22 was adopted.

6. PRESIDENT:

7. Yes, Senator Schaffer, you were on the prevailing
8. side on that question.

9. SENATOR SCHAFFER:

10. Very definitely.

11. PRESIDENT:

12. Yes. All right, having voted on the prevailing side
13. Senator Schaffer moves to reconsider the vote by which
14. Amendment 22 was adopted. Senator Carroll.

15. SENATOR CARROLL:

16. Purposes of clarification, would Senator Schaffer
17. mind letting us know what kind of...what that amendment did.

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. To be totally honest, yes he would mind. Because
22. it did a little bit more than Senator Schaffer knew it
23. did. As presented it was my original understanding that
24. it simply provided a back door referendum. Unfortunately
25. there was a little verbage in there which was inadvertently
26. put in by somebody, perhaps on the other side that also
27. took the district wide referendum out and I consider that
28. a poor trade. I think that there will be a better solution
29. proposed later today.

30. PRESIDENT:

31. All right. Senator Schaffer moves to reconsider
32. the vote by which Senate resolution...Senate Amendment 22
33. was adopted. All in favor signify by saying aye. Contrary

1. no The motion carries. Roll call has been requested.
2. The motion is to reconsider the vote by which Amendment
3. 22 was adopted. Senator Graham.

4. SENATOR GRAHAM:

5. I was only going to suggest to the Gentlemen...I
6. was only going to suggest to the Gentlemen on the other
7. side that they can add and subtract if we want to continue
8. these roll calls, we can.

9. PRESIDENT:

10. A roll call has been requested. Do you persist
11. in the roll call? Yeah. All right. 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. PRESIDENT:

25. On that question the yeas are thirty, the nays are
26. twenty-five. The vote to reconsider Amendment 22 carries.
27. Senator Schaffer.

28. SENATOR SCHAFFER:

29. Mr. President I'd like to move to Table Amendment 22.

30. PRESIDENT:

31. Senator Schaffer moves to Table Amendment No. 22.
32. For what purpose does Senator Carroll arise?

33. SENATOR CARROLL:

1. As to...a question of the sponsor of that motion.

2. PRESIDENT:

3. The motion is not debatable, do you withhold your
4. motion, Senator Schaffer? For...he declines to respond
5. Senator Carroll. Senator Carroll.

6. SENATOR CARROLL:

7. We were merely trying to find out 'cause he mentioned
8. that inadvertent language was put in to change the
9. referendums up and back. What's going to be the final
10. status after this action as to front door and back
11. door or side door referendums?

12. PRESIDENT:

13. Well, as relates to Amendment 22 that would leave
14. the present referendum provision in the bill which is
15. a referendum in the single area of the northeast region.
16. That would be the affect of Tabling this amendment. There
17. may be additional action here today but as relates to our
18. action on this motion, it would be to provide for a
19. single area referendum within the region. ...for what
20. purpose...for what purpose does Senator Netsch arise?

21. SENATOR NETSCH:

22. Just to be sure, that my basic question was where
23. does that leave us because some of us never had a copy
24. of the amendment yesterday so we can't go back and
25. reconstruct. What it means then is that that whole
26. referendum section will be exactly as it was in the
27. Conolly bill as introduced. Is that correct?

28. PRESIDENT:

29. That's correct.

30. SENATOR NETSCH:

31. Thank you.

32. PRESIDENT:

33. Is there...are there further queries...the motion is

1. not debatable. Senator Schaffer moves to Table Amendment
2. No. 22. All in favor signify by saying aye. Contrary no.
3. The motion carries, 30 to 29. Amendment 22 is Tabled.
4. For what purpose does Senator Nimrod arise?

5. SENATOR NIMROD:

6. Mr. President just a point of personal privilege.
7. This..as for this particular Senator there was no mis-
8. understanding as to what the amendment pertained and...
9. and what was just mentioned, so there wasn't anything that
10. was involved in this. I just wanted the record to be so...
11. so stated.

12. PRESIDENT:

13. Are there further amendment?

14. SECRETARY:

15. Amendment No. 24 by Senator Conolly.

16. PRESIDENT:

17. Senator Conolly.

18. SENATOR CONOLLY:

19. Mr. President this amends the section concerning
20. the referendum. It causes a two part referendum which
21. has the vote in the metropolitan region, outside of the
22. City of Chicago. Both must...both areas must adopt the
23. referendum in a positive nature before RTA can be established.

24. PRESIDENT:

25. Senator Carroll.

26. SENATOR CARROLL:

27. Would the sponsor yield to a question please?

28. PRESIDENT:

29. He indicates he will yield. Senator Carroll.

30. SENATOR CARROLL:

31. Senator Conolly this then creates two packages of
32. areas that have to approve a referendum on RTA, the
33. City of Chicago and then an artificial line separating

1. the City from the suburban 30 townships and the other
2. five counties. All of that, those suburban 30 town-
3. ships and five counties comprising a second, distinct.
4. Those 30 townships and five other counties are separate
5. distinct entity, each one has to approve it. If either
6. one fails to approve it then RTA is dead.

7. PRESIDENT:

8. Senator Conolly.

9. SENATOR CONOLLY:

10. Correct.

11. PRESIDENT:

12. Senator Carroll.

13. SENATOR CARROLL:

14. And...I'm asking would it leave a separate transit
15. district, let's say the 30 townships and the other five
16. counties approve it and the City fails to, would that allow
17. a district to be formed among suburban Cook County and
18. the other five townships...the other five counties as one
19. district?

20. PRESIDENT:

21. Senator Conolly.

22. SENATOR CONOLLY:

23. No. No.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. Would the Gentleman yield to a question?

28. PRESIDENT:

29. He indicates that he will. Senator Partee.

30. SENATOR PARTEE:

31. Is it your concept that a Regional Transit Authority
32. embracing the five counties and all of Cook County is
33. indicated as being what is needed for that area, a Regional

1. Transit Authority.

2. PRESIDENT:

3. Senator Conolly.

4. SENATOR CONOLLY:

5. I have expressed many times on this Floor that there
6. is a need for mass transit in northeastern Illinois.

7. SENATOR PARTEE:

8. Well, then please, what is the rationale for the
9. division and the dichotomy between those two groups in
10. terms of deciding by referendum whether or not it shall
11. obtain.

12. PRESIDENT:

13. Senator Conolly.

14. SENATOR CONOLLY:

15. The rationale is that if the people outside the City
16. of Chicago do not want a RTA there would not be a RTA.

17. SENATOR PARTEE:

18. But you feel that it should be a total regional
19. concept nonetheless.

20. SENATOR CONOLLY:

21. I am not worried about the judgment of the electorate
22. in northeastern Illinois.

23. SENATOR PARTEE:

24. Well, then why have it?

25. SENATOR CONOLLY:

26. I think that as you see the day...goes on I think
27. you'll see the people on this side of the aisle are for
28. mass transit and are willing to vote for it as I think
29. the people of northeastern Illinois will be also.

30. SENATOR PARTEE:

31. But if you are sure that the people want it, desire
32. it and will support a referendum why do you subject the
33. ...those areas to the necessary expenses of a referendum?

1. SENATOR CONOLLY:

2. This would be held on a normal election day at little
3. or no additional costs and it would not be imposing a
4. new form of government on that area as well as...as
5. additional taxes without the voice of the people. This
6. is traditional in the State of Illinois.

7. PRESIDENT:

8. Senator Glass.

9. SENATOR GLASS:

10. Well, Mr. President I would like to comment on
11. Senator Partee's inquiries and also Senator Carroll which
12. I suspect, but I hope I'm wrong. I suspect they may be
13. advancing reasons for opposing these bills. I think they
14. well know the difficulty we have all had in reaching a
15. compromise bill. We have now reached one. Those in the
16. suburban areas in fact those in the...the outlying counties
17. hope to have a referendum in each county. This represents
18. a reasonable compromise. It separates if you will the
19. areas served by the CTA which has for years received
20. outright operating subsidies from the rest of the area.
21. I agree with Senator Conolly. I think it is going to
22. pass in both areas, but I don't feel it's unreasonable
23. to give those who will be paying the taxes to support
24. this RTA an opportunity to vote on whether they want
25. it or not before it is imposed. I think it is a very
26. reasonable amendment. I hope it will pass.

27. PRESIDENT:

28. Senator Bell.

29. SENATOR BELL:

30. Yes Mr. President. My area has probably been
31. one of the strongest areas opposed to an RTA. And
32. the basis of referenda county by county was one of
33. the most adamant things that the people of Will County

1. want. Now, we all know in the...everyday life of politics
2. in the give and take of trying to arrive at something
3. that's viable for the people, and trying to move forward
4. to address ourselves to the resolution of a serious problem
5. that there must be compromise. And I must admit that I've
6. been a hold out as one of the suburban Senators in reference
7. to RTA because of this referenda...position. And yet
8. I'm willing to bend, and I think I can explain it to the
9. people of Will County that by having a separate referendum
10. by area that we're still allowed a voice. That they can
11. see that we have done a job for them and that their voice
12. will be heard. And I think that this is what they want,
13. the ability to have their voice heard. And so thus, I'm
14. going to stand with the rest of the Republican Senators
15. and support the amendment and with these amendments tacked
16. on I will support the RTA concept.

17. PRESIDENT:

18. Senator Palmer.

19. SENATOR PALMER:

20. Mr. President is it proper for me to ask Senator
21. Glass a question?

22. PRESIDENT:

23. It is certainly proper if Senator Glass wishes to
24. yield by all means. He indicates the he will yield.

25. SENATOR PALMER:

26. Senator Glass there has been a reference made by
27. you as to a compromise. For my edification, can you please
28. ...and for the record can you please advise me who was
29. involved in this compromise? Ozinga and yourself, is that
30. correct?

31. PRESIDENT:

32. Senator Glass.

33. SENATOR GLASS:

1. Well, Senator Palmer I think you probably were
2. present and heard the debate on other amendments. Senator
3. Schaffer, Senator Bell, I think Senator Mitchler offered
4. amendments to try to have referenda in each of the counties.
5. There were some Senators, I think Senator Ozinga who felt
6. there ought to be referenda in some of the townships. So
7. what I'm saying to you when I talk about a compromise is
8. that those Senators have given up their positions and are
9. willing to accept this referenda within the City and...and
10. within the remaining part of the RTA district.

11. PRESIDENT:

12. Senator Palmer.

13. SENATOR PALMER:

14. For the record, Senator Ozinga has been compromised.

15. PRESIDENT:

16. Senator Nimrod.

17. SENATOR NIMROD:

18. Mr. President and fellow Senators I think it's very
19. obvious that we all were in agreement or at least it seemed
20. in general agreement when all the amendments were put on
21. that we agreed to the concept of an area-wide referendum.
22. And we're still having an area-wide referendum however
23. we're having it in two districts. And...you might know
24. that there are more people really involved in the second
25. district than there are in the City of Chicago. And I
26. too feel confident as Senator Conolly and Senator Glass
27. and the rest of you that this is a vehicle to be able to
28. provide an opportunity...if we're going to have a referendum
29. I do believe that this will be the vehicle that will allow
30. and provide for a district wide RTA.

31. PRESIDENT:

32. Senator Graham.

33. SENATOR GRAHAM:

1. Just...just very briefly and soon after this we're
2. going to try to get this thing going. Senator Partee and
3. you Gentlemen over there know what the art of compromise
4. is. I was part of that compromise. I'm one of the only
5. Senators here perhaps that represents...his district
6. represents 1/3 in Cook County and 2/3's in downstate
7. Illinois in fact. And I have been on record for an RTA.
8. I was part of that compromise and why don't we go on with
9. the roll call on this amendment.

10. PRESIDENT:

11. Is there further discussion? Senator Knuppel.

12. SENATOR KNUPPEL:

13. I very sincerely didn't understand the answers
14. which Senator Conolly gave to Senator Partee, and I'd
15. like to ask him a question if I may.

16. PRESIDENT:

17. Senator Conolly. Senator Knuppel wishes...

18. SENATOR KNUPPEL:

19. Now, I may have mis...I think I did misunderstand.
20. There are just two voting areas, the City of Chicago and
21. those people outside of. Is that true?

22. PRESIDENT:

23. Senator Conolly.

24. SENATOR CONOLLY:

25. Correct.

26.
27. SENATOR KNUPPEL:

28. And if it doesn't carry in the totality of the
29. area outside of Chicago there's no RTA.

30. SENATOR CONOLLY:

31. If it doesn't carry in either of the areas.

32. SENATOR KNUPPEL:

33. All right, but..I'll take it one at a time. If
it doesn't carry in the entirety of the outside there is

1. none and the same thing is true then if it doesn't carry
2. in the City of Chicago.

3. SENATOR CONOLLY:

4. Correct.

5. SENATOR KNUPPEL:

6. But...but what I'm trying to say is everything out-
7. side of the City of Chicago is cooked together. In other
8. words it doesn't matter if Lake County doesn't carry it ,
9. they're still in, if it carries in it's totality outside
10. the City and carries in the City. In other words one county
11. can't escape, they're locked in.

12. PRESIDENT:

13. Senator Conolly.

14. SENATOR CONOLLY:

15. As I said, I'm confident Lake County will vote for
16. it, but you are correct. The...it is all locked in into
17. the separate area . There's no disconnection.

18. PRESIDENT:

19. Senator Walker.

20. SENATOR WALKER:

21. I have no desire to preclude anyone or perhaps I do,
22. I'd like to move the previous question.

23. PRESIDENT:

24. Senator Walker has moved the previous question as
25. to debate on the adoption of Amendment 24. All in favor
26. of the motion to close debate, signify by saying aye.
27. Contrary no. The motion carries. The question is shall
28. the Senate adopt Amendment 24. All in favor signify by
29. saying aye. Contrary no. The motion carries, 30 to 29.
30. Are there further amendments?

31. SECRETARY:

32. Amendment No. 25 by Senator Conolly.

33. PRESIDENT:

1. Senator Conolly.

2. SENATOR CONOLLY:

3. This amendment will delay the effective date of
4. this Act until July 1st, and the referendum will be
5. held at the general election in November. At that time,
6. it also removes...or has a section causing the concurrent
7. exercise of powers which will eliminate the home rule
8. conflict. And...this bill can become law with 30 votes
9. in this Body.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. First, I would ask a parliamentary inquiry of the
14. Chair. I understand the call of this Special Session
15. was because of an emergency crisis that exists within
16. the northeastern region of Illinois. An emergency crisis
17. that involves the CTA, the other transit carriers and
18. yes, the railroads and everyone else who lives and works
19. within that six county region. If there is an emergency
20. crisis, if that is the purview of this call, if that's
21. why we are here, I would suggest to the Chair in light
22. of its permit...permissive, mandatory ruling that
23. this amendment which says in effect the same as Senator
24. Donnewald's word may have said in effect, that this is
25. not an emergency. We didn't have to be here at all.
26. That there's nothing emergency in nature and therefore
27. I would move Mr. President that this amendment is beyond
28. the purview of the call and should therefore be out of
29. order.

30. PRESIDENT:

31. The Chair rules that the amendment is in order, and
32. the question before the Senate, unless there is further
33. discussion is that...is whether Amendment 25 shall be

1. adopted. Senator Carroll.

2. SENATOR CARROLL:

3. Am I incorrect then that the call was not that
4. there was an emergency in the area? And that we needed
5. legislation now?

6. PRESIDENT:

7. There was verbage in the whereas clauses of the
8. proclamation relating to an emergency consideration.
9. The Chair recognizes that we are involved in a leg-
10. islative process in an attempt to respond to the directives
11. of the call. And the Chair rules that Amendment 25
12. comes within the scope of the call. Is there further
13. discussion? Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Would the sponsor yield to a question please?

16. PRESIDENT:

17. He indicates that he will yield.

18. SENATOR NEWHOUSE:

19. Senator as...as a practical matter will you
20. explain to me exactly what this does to the legislation?

21. PRESIDENT:

22. Senator Conolly.

23. SENATOR CONOLLY:

24. This will provide a RTA if the people of north-
25. eastern Illinois vote for it in the November general
26. election of 1974. It will provide as in the other
27. series of bills sponsored by Senator Partee will provide
28. for an enactment of a RTA. If you will check there's
29. no enactment date, no emergency clause in those bills
30. sponsored by Senator Partee that are commonly referred
31. to as the Walker bills.

32. PRESIDENT:

33. Senator Savickas. I'm sorry, I thought Senator Newhouse

1. had completed. Senator Newhouse.

2. SENATOR NEWHOUSE:

3. Thank you Mr. President. So for all practical purposes
4. then there will be no RTA from the time this bill is passed
5. if it does until 1975, is that correct?

6. PRESIDENT:

7. Senator Conolly.

8. SENATOR CONOLLY:

9. It would be effective upon the vote of the referendum
10. in 1974, November general election.

11. PRESIDENT:

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Senator there are some of us on this side of the
15. aisle and I certainly speak for one and not for anyone
16. else, who are under some compulsion to vote for almost
17. any bill that will provide for the continuance of the CTA
18. upon which many of our constituents rely for their liveli-
19. hood. And under that kind of compulsion I have some
20. willingness to vote for a bill that goes far from
21. satisfying all those things that I want to see in it,
22. and in fact I'm willing to give up a great number of
23. points. But I don't understand how that can be done
24. if you're going to amend your bill to say that whatever
25. you give up that two years will pass before such time
26. as action is taken. Now, let me ask your privilege on
27. a further question, what is supposed to happen in the
28. interim.

29. PRESIDENT:

30. Senator Conolly.

31. SENATOR CONOLLY:

32. Senator Newhouse if there were six or seven other
33. members on your side of the aisle so inspired to vote for

1. this measure, I will hold the amendment.

2. PRESIDENT:

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Senator, I cannot speak for six or seven members.
6. I can only speak for one and I'm very distressed. It...
7. I have nothing further to say.

8. PRESIDENT:

9. Senator Savickas.

10. SENATOR SAVICKAS:

11. Well, Senator Newhouse asked, on his continued question-
12. ing he's satisfied some of my questions but I do have one
13. remaining question and that is if we have to wait to 1975
14. why not into our January Session of 1975 prepare ourselves
15. for this whole year in advance with a proper plan that would
16. satisfy the majority of this Assembly. Here we're...
17. we're making legislation now for something that's going
18. to happen a year and a half away and calling of...telling
19. the people that we voted for you we're going to give you
20. a mass transportation but it's not good for a year and a
21. half. And when we come back in our other Sessions we
22. won't have to answer to you or do anything about it.
23. Why not if the Senator is serious about developing a
24. good plan, say well, all right let's go and wait and...
25. over the summer, over these next months develop some-
26. thing that can be passed.

27. PRESIDENT:

28. Senator Conolly.

29. SENATOR CONOLLY:

30. Senator Savickas, we have been waiting for both
31. individuals and for the...your side of the aisle to
32. make recommendations to us, offer amendments to this
33. bill and you people have...stood mute unless you're

1. saying now Senator Savickas that you're the second
2. vote on that side of the aisle for this bill without
3. this amendment.

4. PRESIDENT:

5. Senator Savickas.

6. SENATOR SAVICKAS:

7. That wasn't my question. My question is that
8. we need immediate consideration for mass transportation
9. not to fool the public, lullaby them to sleep that we've
10. passed a mass transportation bill, but it won't effect
11. you until 1975. July of 1975 when the 79th General
12. Assembly will be out of Session after the 79th General
13. Assembly is out of Session. This to me is ridiculous
14. we are...are only now in the 78th General Assembly.
15. We're trying to pass laws that will be enacted after
16. the next General Assembly is over.

17. PRESIDENT:

18. Senator Don Moore. Oh, I'm sorry. Senator Conolly.

19. SENATOR CONOLLY:

20. To answer his question, Senator we have been
21. working hard. We have been preparing it and we're
22. not trying to fool the people. The other series of
23. bills are the bills that are fooling the people, which
24. are raping the...the road funds, which are allowing
25. unlimited taxation in the City...or in the RTA region.
26. Unlimited taxation on motor related taxes. Come on,
27. I ask you a question that you did not respond to. Are
28. you the second vote without this amendment to this bill?

29. PRESIDENT:

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. On SB 27 in my opinion is just a rape on the
33. public, it solves no...no problem of the CTA or the

1. regional bus companies. What it does help is those
2. people that are concerned with the railroads, that are
3. concerned that those multi-million dollar industries can
4. get off the hook and sell their properties and be relieved
5. of their financial obligation. This all this bill does
6. it takes care of one group of people. A rich railroad
7. industry and not the common people, the people of Chicago,
8. the people of Waukegan, the urban people that need mass
9. transportation. This is my concern with this bill. When
10. we find a way to remove the special interest groups of
11. our railroad people and concern ourselves with mass
12. transportation for the common people than I could support
13. a bill for mass transportation.

14. PRESIDENT:

15. Senator Conolly.

16. SENATOR CONOLLY:

17. Obviously when you were not here two weeks of the
18. Session, you didn't..weren't reading the bill wherever
19. you were. This is a bill for the commuters, for the people
20. and for...all the area, as someone, to quote someone all
21. the people of the northeastern Illinois and this is a
22. bill for all the people.

23. PRESIDENT:

24. Senator Don Moore.

25. SENATOR DON MOORE:

26. Well, Mr. President there's nothing in the proclamation
27. reciting an emergency. I think everybody knows what this
28. amendment does, and therefore rather than to stall and procrastinate
29. unless there are someone else that would like to
30. have some more questions, I would move the previous question.

31. PRESIDENT:

32. There are...there are two persons who have sought
33. recognition...

1. SENATOR DON MOORE:

2. I'll hold that then Mr. President.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. My questions are purely technical and I assume
7. that the Chair...two of them the Chair has reviewed
8. this but it says in the concluding paragraph of the
9. amendment says provides that any restriction of such
10. units, referring to home rule units, are not effective
11. with regard to the Authority. This limits such concurrent
12. exercise by home rule units of such powers or functions.
13. Does that not under the Constitution if you're going to
14. limit home rule powers under Section 6 of Article 8
15. require a 3/5's vote?

16. PRESIDENT:

17. With this amendment, this bill...this amendment does
18. not require a 3/5's vote nor would the bill if the Amend-
19. ment 25 is adopted. That is the ruling of the Chair.
20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Do you not believe that...that there is a serious
23. question when you attempt to limit home rule powers under
24. this section and will this not create a great deal of...
25. of possibility of litigation?

26. PRESIDENT:

27. I would...recognize that the possibility of
28. litigation for any bill effecting home rule considerations
29. passed with a majority vote of the Sentors elected is an
30. invitation to litigation. No question about it. The
31. Chair rules that the verbage of Amendment 25 successfully
32. adverts the question as to the required number of votes
33. for passage. The rule is that a majority of the Senators

1. elected is sufficient for passage of the bill if
2. Amendment 25 is adopted. Senator Knuppel.

3. SENATOR KNUPPEL:

4. The other ones a very small item but I noticed
5. there is a spelling error that I think would want to be
6. corrected. I don't know if it has been corrected on the
7. original or not, concurrent is misspelled.

8. PRESIDENT:

9. Senator Hynes.

10. SENATOR HYNES:

11. Mr. President, I wonder if the...the sponsor would
12. yield to a couple of questions to clarify a point that
13. was brought up a little earlier and I don't think was
14. concluded.

15. PRESIDENT:

16. He indicates that he will yield.

17. SENATOR HYNES:

18. As I understand the bill, if it is amended as you
19. intend, it will take effect on July 1st but will not...
20. the Authority will not go into operation until after a
21. referendum is held in November, 1974. How long thereafter is
22. it your judgment that it will take for the Board to be
23. organized, for the sources of revenue to swing into
24. operation and so on so that we will actually have a function-
25. ing operation?

26. PRESIDENT:

27. Senator Conolly.

28. SENATOR CONOLLY:

29. This bill has been well drafted and this Authority
30. could go into action within just a few months.

31. SENATOR HYNES:

32. So that we will definitely will then be in 1975
33. before anything happens.

1. SENATOR CONOLLY:

2. Not definitely unless we amend this. But at this
3. time Mr. President...or is he...

4. SENATOR HYNES:

5. No, no I'm not finished. I...I'm trying to establish
6. what's going to happen in the interim. We're talking
7. about early 1975 at best, assuming this had a unanimous
8. roll call. What is going to happen with respect to mass
9. transit in that northeastern area in the interim. Is there
10. any provision in your set of bills for subsidy, for a
11. loan, for any other kind of assistance to mass transit
12. while we are awaiting the referendum?

13. PRESIDENT:

14. Senator Conolly.

15. SENATOR CONOLLY:

16. I think the best action that could happen in the
17. interim would be a few votes from your side of the aisle
18. to adopt this measure.

19. PRESIDENT:

20. Senator Hynes.

21. SENATOR HYNES:

22. Well, I...I...I think you really have answered the
23. question. There is no assistance in this package what-
24. soever and..and any effort to pass this today is annulity.
25. It is not going to solve any problem, it's something that
26. will not take effect until 1975. There is no provision
27. in any of these bills for emergency subsidies, for loans
28. or for any other kind of assistance to keep mass transit
29. operating. And I predict that by January or February
30. or March or whenever it is of 1975 that this thing is
31. operating that we will not have mass transit at all
32. in the northeastern area and we will have to start it
33. up all over again. Now the Partee series of bills, you

1. referred to that in your answer to Senator Carroll's question,
2. you said that the Partee or Walker bills did not take
3. effect until July 1, 1974, differ in two important respects.
4. One, there is no referendum and they would take effect
5. immediately so it would be July of 1974, and secondly
6. there is a companion bill which provides State loans
7. to the Authority so that mass transit can keep in
8. operation until the Authority is off the ground and
9. operating. In my judgment the amendment you are about
10. to affix here makes this...an exercise in futility. We're
11. not going to accomplish anything. We are not going to bring
12. about a rescue of the mass transit operations in northern...
13. northeastern Illinois, we're simply taking action to
14. wind up a Session. I think we've got to put together
15. a package here that's going to do something about the
16. problem right now and that is why we're here and this
17. does not do it.

18. PRESIDENT:

19. Senator Conolly.

20. SENATOR CONOLLY:

21. Senator Hynes is getting very convincing. So therefore
22. I would ask to hold this amendment and have this bill
23. advanced to 3rd reading.

24. PRESIDENT:

25. Take Amendment 25 out of the record. Senator Conolly
26. has withdrawn it. The bill is advanced to 3rd reading.
27. The bill...I'm sorry, I was not aware of that, the bill
28. has been advanced. Yeah, the bill has been advanced, I
29. advanced it to 3rd reading. I have advanced the bill, I'm
30. sure that the transcript will show that. I was not aware
31. that there was an amendment on the Secretary's desk and
32. the bill is on 3rd reading. Senator Carroll.

33. SENATOR CARROLL:

1. I believe it has been the prior orders of this
2. Chamber when a bill is on 2nd it is mandatory that it
3. be asked are there any further amendments. There being
4. none the bill is to be advanced. I believe the transcript
5. will show that was not asked. If obviously the other
6. side of the aisle is not interested in some type of
7. compromise, some type of legitimate program they will
8. not want to hear our amendments.

9. PRESIDENT:

10. Senator Carroll, I acknowledge that I did not call
11. for further amendments from the Floor. You are correct.
12. I did not, and I did not know that there was an amendment
13. on the Secretary's desk. I presumed and I failed in
14. that presumption The bill will be returned to 2nd reading
15. and I will inquire, are there further amendments. The
16. bill is ordered to 2nd reading. Are there further
17. amendments?

18. SECRETARY:

19. Amendment No. 25 by Senator Carroll.

20. PRESIDENT:

21. Senator Carroll.

22. SENATOR CARROLL:

23. Thank you Mr. President. This amendment deals with Section
24. 3-06 and creates the Local Transportation Councils. The
25. purpose of which I think is quite clear, rather than
26. have merely an elected official mandated this is per-
27. missive, the Chair seems to like that, and allows councils
28. to be formed so that we can have input from these areas.
29. So that each separately, the City of Chicago, the
30. suburban area outside the City of Chicago and each
31. of the other counties may have local transportation
32. councils, may be able to get the input they need and
33. report back to their people so that we can have input

1. to the problem.

2. PRESIDENT:

3. Senator Conolly.

4. SENATOR CONOLLY:

5. Senator Carroll, is that all it does?

6. PRESIDENT:

7. Senator Carroll.

8. SENATOR CARROLL:

9. Did you want more?

10. SENATOR CONOLLY:

11. ...explanation. A straight forward explanation, may

12. I have it please.

13. PRESIDENT:

14. Senator Carroll.

15. SENATOR CARROLL:

16. I'd ask the Secretary to read it.

17. PRESIDENT:

18. Senator Carroll, I'm sorry. Senator Conolly.

19. SENATOR CONOLLY:

20. Will the sponsor of this amendment answer a question?

21. PRESIDENT:

22. He indicates that he will yield.

23. SENATOR CONOLLY:

24. What does line 27 mean of the amendment?

25. PRESIDENT:

26. Senator Carroll.

27. SENATOR CARROLL:

28. It says strikes Section 1.04 and 1.05 which is the

29. Transportation Advisory Council, the mandatory one. I

30. believe by one of your amendment, if I'm not mistaken.

31. PRESIDENT:

32. Senator Conolly.

33. SENATOR CONOLLY:

1. What is Section 1.04?

2. SENATOR CARROLL:

3. I believe in the original bill which you introduced
4. it's..the establishment of the Authority...

5. PRESIDENT:

6. Senator Conolly.

7. SENATOR CONOLLY:

8. You've answered the question, it only strikes the
9. establishment of an RTA Authority. Very cute.

10. PRESIDENT:

11. Is there further discussion? Senator Howard Mohr.

12. SENATOR HOWARD MOHR:

13. Mr. President, I move to Table Amendment 25.

14. PRESIDENT:

15. The motion is not debatable. All those in favor
16. of the motion to Table Amendment 25...25 signify by saying
17. aye. Contrary no. The motion carries, 30 to 29. Are
18. there further amendments? 3rd reading. Messages from
19. the House.

20. SECRETARY:

21. (Secretary reads Message from the House)

22. PRESIDENT:

23. There having been intervening business... On the
24. order of Senate Bills on 3rd reading, for what purpose
25. does Senator Rock arise?

26. SENATOR ROCK:

27. I did not hear, and I'm sorry, there's a little
28. confusion out here. Has a sponsor been assigned to
29. those bills?

30. PRESIDENT:

31. None have identified themselves.

32. SENATOR ROCK:

33. May I be the sponsor and make a motion that those

1. bills be read a first time and advanced to the order of
2. 2nd reading without reference to committee.

3. PRESIDENT:

4. The Secretary informs me that...you just announce it
5. Mr. Secretary.

6. SECRETARY:

7. Senator Nimrod has asked for HB 2 and 3, I believe
8. it is. One and two.

9. PRESIDENT:

10. I wasn't aware of that when you directed your inquiry.
11. Just a minute now. Senate Bills...I'm sorry, House Bills
12. 1 and 2 have sponsors identified. HB 3 does not. HB 1...
13. Senator Nimrod which bills did you request to be sponsor of?
14. Well, what are the bill numbers? All right. Yes. All right.
15. This is the correct information, House Bills 2 and 3,
16. Senator Nimrod has requested to be the sponsor. Senator
17. Rock has requested to be shown as sponsor of HB 1.

18. SENATOR ROCK:

19. ...No, I...I said that I would pick... What is HB 1,
20. who is the House sponsor and then I can figure out where
21. we are here.

22. SECRETARY:

23. HB 1 is sponsored by Representative Juckett,
24. and it provides for transportation of school children
25. in certain metropolitan areas.

26. PRESIDENT:

27. Well, now Senator Scholl has indicated an interest
28. and Senator Rock has indicated an interest. Yeah, all
29. right. Senator Rock indicates that he will yield.
30. Senator Scholl will be shown as the Senate sponsor of
31. HB 1 of the Third Special Session. Senator Rock.

32. SENATOR ROCK:

33. Now, my question sir, ruling from the Chair is it

1. permissible for one, not the sponsor, to make a motion
2. to advance those bills to the order...have them read a
3. 1st time and advanced to the order of 2nd reading with-
4. out reference. I think the bills are...are well known,
5. much needed and I think that if we are in fact legitimately
6. attempting to get out of here according to some time table
7. we ought to move these bills to 2nd reading.

8. PRESIDENT:

9. ...what purpose does Senator Graham arise?

10. SENATOR GRAHAM:

11. I think regardless of the question just preponed
12. by Senator Rock there is substantial objections on this
13. side of the aisle for moving the bill.

14. PRESIDENT:

15. Well, Senator Rock has made a query of the Chair, and
16. I am looking up the rule number that is involved. There
17. is language that I will cite here in a minute to respond to
18. Sendor Rock's inquiry. Senator Rock I will rule on the
19. basis of tradition I am not able to put my finger on the
20. precise rule and that is there is language in our rules
21. that says nothing contained herein shall prohibit a Senator
22. from being in control...from the sponsor of being in control
23. of the bill. Now I would rule that unless a sponsor requests
24. that the bill be read a 1st time and advanced to 2nd reading
25. it would require a suspension of the rules for you to
26. make such a motion. Senator Rock.

27. SENATOR ROCK:

28. I wonder then if the two Senators who have indicated
29. they wish to be sponsors would yield and I should be shown
30. as the chief sponsor of House Bills 1, 2 and 3.

31. PRESIDENT:

32. Senator Scholl indicates that he will not yield.
33. Senator Nimrod... Senator Partee.

1. SENATOR PARTEE:

2. Well, the House sponsors have the right to chose the
3. persons who are going to handle their bills. I don't
4. have any problem with that. I would like to ask a question
5. to each of them as to whether or not they propose to advance
6. the bills to 2nd reading without reference and whether or
7. not they propose to vote for moving those bills to 2nd
8. reading. Or, whether or not they desire to be shown as
9. sponsors of bills and whether they desire to be imagized
10. as stalling them. Would the Gantlemen yield to a
11. question? Senator Scholl, would you yield?

12. PRESIDENT:

13. He indicates that he will yield. Proceed Senator
14. Partee.

15. SENATOR PARTEE:

16. Now, let me, just so we have, I'll wait till the mini-
17. caucus is over.

18. PRESIDENT:

19. Senator Scholl.

20. SENATOR PARTEE:

21. He's in consultation right now. Senator Scholl.

22. PRESIDENT:

23. Senator Scholl.

24. SENATOR PARTEE:

25. Let me... Mr. President for the record let me make
26. sure that we are talking about the same thing. Senator
27. Scholl are you the sponsor of HB 1 is it? And that is a
28. bill that provides for...amends the act for transportation
29. of school children permitting public transit authorities
30. to apply for grants and by adding reimbursement for reduction
31. of fares charged to elderly persons for...to reimbursements.
32. That's the bill you're sponsoring?

33. PRESIDENT:

1. Senator Scholl.

2. SENATOR SCHOLL:

3. That is right Senator.

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. Now as the sponsor of that bill recognizing the lateness
8. of the hour of this Session, my question is do you propose
9. to move the bill to 2nd reading without reference to
10. committee?

11. PRESIDENT:

12. Senator Scholl.

13. SENATOR SCHOLL:

14. Senator... We don't have to...to rush this...this
15. hasn't...this meeting hasn't been adjourned. I'd like to
16. have a little bit of time to...to look over the bill and...
17. I don't see any reason why we have to rush through.

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. Your philosophy...your philosophy is very interesting.
22. I only ask a question that requires a yes or no answer.
23. Do you propose to move the bill to 2nd reading today with-
24. out reference to Committee?

25. PRESIDENT:

26. Senator Scholl.

27. SENATOR SCHOLL:

28. Senator Partee, while the RTA issue is being
29. taken up, I'll read the bill.

30. PRESIDENT:

31. Senator Shapiro. Oh, I'm sorry. Senator Partee.

32. SENATOR PARTEE:

33. At the risk of boring everybody here, I'll ask

1. the question a third time. Do you, yes or no , propose
2. to move this bill at this time to 2nd reading without
3. reference to a committee?

4. PRESIDENT:

5. Senator Scholl.

6. SENATOR SCHOLL:

7. Senator the only person I go to confession to is
8. a priest.

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. I'm sure he's a very busy priest.

13. PRESIDENT:

14. Senator Shapiro.

15. SENATOR PARTEE:

16. Now, ...

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Now, Mr. President. Now if I can get away from the
21. penitence, I'd like now to talk to Senator Nimrod. I...I'll
22. ask if he'll yield to a question.

23. PRESIDENT:

24. He indicates that... For what purpose does Senator
25. Shapiro arise?

26. SENATOR SHAPIRO:

27. Mr. President a point of order. Under the rules
28. of this Senate are very clear as to how that bill is
29. handled once a sponsor is named. Under what rule is
30. this questioning proceeding and I would like a ruling
31. from the Chair on that point.

32. PRESIDENT:

33. The... Senator Partee has requested whether the

1. Senate sponsor of House Bills 2 and 3 will yield to a
2. question. We are affording that courtesy. If the Senator
3. refuses to yield we will proceed to other business.
4. Does Senator Nimrod yield? Senator Partee, he indicates
5. that he will yield.
6. SENATOR PARTEE:
7. So that I can be absolutely certain, you are sponsor
8. or you are now the Senate sponsor of HB 2 and 3? Or just 2?
9. PRESIDENT:
10. Senator Nimrod.
11. SENATOR NIMROD:
12. I am the sponsor of SB...of House Bills 2 and 3.
13. PRESIDENT:
14. Senator Partee.
15. SENATOR PARTEE:
16. HB 2 and 3. Now, HB 2 is the one that exempts
17. prescriptions and nonprescription medicine drugs from
18. the Retail Occupational tax. Is that right? And 3 is
19. the one that increases the standard exemption to \$1300
20. from \$1000 under the State Income Tax Act. That...those
21. are the two bills. Is that correct?
22. PRESIDENT:
23. Senator Nimrod.
24. SENATOR NIMROD:
25. That is correct.
26. PRESIDENT:
27. Senator Partee.
28. SENATOR PARTEE:
29. Now I would ask you the question sir, yes or no,
30. do you propose to move these bills to 2nd reading with-
31. out reference to committee today?
32. PRESIDENT:
33. Senator Nimrod.

SB 27
11/14/72
3rd reading

1. SENATOR NIMROD:
2. I don't go to confession because Luther took care
3. of that. But as far as I'm concerned I will look at
4. these bills and before this Session, before this Third
5. Session, is that what we're in...is...is adjourned I
6. will certainly give you an answer. But I'm going to
7. look at the bills in the meantime.

8. PRESIDENT:
9. Senator Conolly.

10. SENATOR CONOLLY:
11. Well, I would like at this time to have...SB 27
12. called at third reading.

13. PRESIDENT:
14. On the order of Senate Bills on 3rd reading, SB 27.

15. SECRETARY:
16. SB 27 (Secretary reads title of bill)
17. 3rd reading of the bill.

18. PRESIDENT:
19. Senator Conolly.

20. SENATOR CONOLLY:
21. We all know what SB 27 is. We need no more dilatory
22. efforts. I've accused the opposition of many situations.
23. But I was shocked and disappointed at what we...in this
24. period of openness, this period of disclosure when some-
25. one just pulled,...attempted to pull a dirty trick on this
26. bill. We need no more debate. All we need is 36 or more
27. votes. Thirty six votes of faith to establish a RTa, a Re-
28. gional Transportation Authority for all the people of north-
29. eastern Illinois. And at this time I would like a favor-
30. able roll call.

31. PRESIDENT:
32. Senator Fawell.

33. SENATOR FAWELL:

1. Well, just a few words. I'm...I'm speaking as
2. simply a legislator, I am not a member of leadership.
3. And in the 11 years I have been here there are a few things
4. I have learned and one is that none of us get the choice
5. of the bill that we want. I also am speaking as a
6. suburban legislator and I can honestly say that inso-
7. far as my constituency is concerned I think that probably
8. 50% of them are in favor of the R...the RTA concept,
9. some type of legislation. And 50% are against and I
10. can certainly stand with my constituency probably either
11. way. I feel it's my obligation to try to make that
12. decision therefore based upon the peculiar facts of
13. which I have knowledge because I am here. And it's
14. an amazing thing to me to see those of you especially
15. from the City of Chicago and we certainly all play a
16. degree of politics down here, but I think the time has
17. come to stop doing that. I know that some of you over
18. there feel as though the Walker RTA bill is best or
19. somebody else's RTA bill and so forth and so on. And
20. we can have all kinds of defenses and allegations
21. as to why your particular favorite or my particular
22. favorite. And frankly I'd just as soon have the
23. rest of the State do some funding too insofar as
24. the good mass transit, public transportation is
25. concerned for the northeastern part of the State of
26. Illinois. I think it's something we have to...nowever
27. bring about and we certainly aren't going to do
28. it by putting it off any longer. It distresses
29. me a great deal when I..only enthusiasm that I have
30. seen from that side of the aisle lately in regard to
31. RTA, meaningfully now approaching it is when you
32. rather gleefully looked upon this last amendment
33. that Senator Conolly brought up because you could

1. see a possible defense in the idea of oh, we're ignoring
2. the emergency, and bringing up home rule ramifications,
3. etc. And so Senator Conolly I think has defused that
4. defensive argument too, by saying all right, we will give
5. you one more chance. But I think a lot of us who are not
6. necessarily in the position of feeling this emergency to
7. the degree that you in Chicago for instance are, and we
8. who are not in leadership I am simply a State Senator, I
9. have no special pull at all. I have been convinced by
10. a lot of people that we ought to meaningfully start
11. planning for public mass transportation. And I'm going
12. to have a lot of people in my area mad at me because I
13. am supporting the concept. But I think we ought to do
14. it. But it's darn perplexing to sit here day after day
15. after day while we try to maneuver around in regard to
16. who might be politically one up on the other. The old
17. game of again trying to decide who is the grandest tiger
18. in the jungle, and I...I'm getting a little sick and tired
19. of it. I know the press must be absolutely sick over
20. the subject. If the people could see what's going on
21. down here they certainly would begin to think seriously
22. of turning all of us out of office. Now we've got...
23. we've got the chance here now. Say it once more I know
24. that this isn't the favorite bill of a lot of us, but
25. I'm submitting to you that it's the only chance we have.
26. This is the last opportunity I think in this Session
27. that we are going to have to be able to start this RTA
28. concept. And I implore you on the other side of the
29. aisle or at least just six of you. I think Senator
30. Newhouse has indicated that he believes that it...the
31. time has come now to depart from any caucus arrangement
32. that you might have had. I know it isn't easy to depart
33. from caucus arrangements. All of us do it every once in

1. awhile because we simply believe that this must be done
2. and I call upon individuals over on that side of the
3. aisle to at this time take a stand and give us those
4. votes that we need. Because I repeat this is the last
5. opportunity. And if we fail now, and if we come back
6. then as we have to do and present it on a 30 vote basis
7. which means that it will be delayed; I certainly don't
8. want to hear anybody over there getting up and lamenting
9. the delay. Because the delay will be at the...the door-
10. step of you who are on that side of the aisle. Now...
11. now irregardless of all the political this and that that
12. might have occurred that brings it about, the facts of
13. life is, this is what the situation is. And this is
14. the only chance we have to do something meaningfully
15. about now planning for a good public mass transportation
16. Not just for Chicago but for DuPage County too and
17. the other areas and I implore you to...to rise at least
18. six of you, rise to the support of this issue. Thank
19. you.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Wooten.

22. SENATOR WOOTEN:

23. Mr. President and colleagues. As a downstate
24. legislator it would seem I have relatively little
25. interest in an immediate sense as to what happens.
26. with RTA. But actually we do have a great stake in
27. this particular bill. The problem with the bill,
28. beyond the fact that it's an incredible payoff
29. to the railroads, the fact that really disturbs me
30. is that it necessitates what we simply will not be
31. able to support in future Sessions. This guarantees
32. that the RTA will have to come back hat in hand,
33. year after year after year as they assume more and

1. more liabilities in the railroad payoff. And we simply
2. cannot vote for that and because of that this bill must
3. be opposed, regardless of the extraordinary pressures
4. which are placed on our colleagues from Chicago. In a
5. simple mineded, short handed headline game, I suppose
6. you might argue that any RTA bill must be advanced. That
7. simply is not the case. We have seen every reasonable
8. attempt at getting our program brought up into a bargaining
9. position stifled. I've had two good lessons in this
10. Session. One is how to be a partisan above all. It's
11. a lesson I'm not anxious to learn nor one I am willing
12. easily to absorb. Another lesson has merely been reinforced.
13. As some of you know I have had an active interest in
14. theater all my life, I've been quite active in it. And
15. I must say that drama, let's call it a farce really
16. which has been structured is really remarkable. It is
17. a script from Mission Impossible. This bill will self-
18. destruct. It has no chance, well, little chance of
19. passage. It can have no affect on the immediate problem.
20. It saves those of you on that side who...who are unalterably
21. opposed to the proposition from having to face the voters.
22. In other words it is designed to destroy itself. And yet
23. present a good image to...to the press. I'm from the
24. press, I'm from the theater. I appreciate the project,
25. I stand in some admiration of it. But I cannot join in
26. with it with any degree of emotion because I know what
27. we're going to be faced with in future Sessions. More
28. pay outs because of the irresponsible way this is drafted,
29. to pay off at a handsome profit some railroads rather
30. than centrally addressing the problem of mass transit
31. for people who need it.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Scholl.

1. SENATOR SCHOLL:

2. Mr. President, Senator I didn't realize that you
3. were an actor, but let me just say that the single
4. most important issue facing us is RTA. And this is what
5. the people of Chicago and the people of Cook County right
6. now want. Let me just say that this bill is an outstanding
7. bill. I would be very, very disappointed to be the only
8. one from the City of Chicago to go back and say that I
9. was the only one that voted for RTA. Because this is
10. what the people want. You know it. Are we going to kill
11. RTA? I'm sure you don't want to kill RTA. Well, let's...
12. let's get...let's get down to the brass tacks and let's
13. pass this bill. Let's give the people what they want.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Sours.

16. SENATOR SOURS:

17. Every now and then Mr. President, Ladies and Gentlemen
18. of the Senate, I'm offended by misrepresentation, lack of
19. candor, lack of openness and attempting to put the old con
20. that was a now news yesterday by some Senator here. When
21. the good Senator from Rock Island County gets up and
22. states for example, I have little interest incredible
23. pay-off to the railroads. Senator Wooten we have been
24. granting up to our ears in past years, I don't mean
25. appropriating, I mean handing over millions to the Chicago
26. bus line. Now, maybe you would rather have it taken
27. from your road fund so we don't repair route 78, Inter-
28. state 78 from Peoria up to Rock Island. Maybe you
29. wouldn't care to have your auxiliary roads repaired.
30. The executive plan is to loot the road fund, in a very
31. private way, not for the entire State, but for a little
32. segment, certainly densely populated but a little segment
33. of highway. How to be a partisan after all. I have

1. watched some of you gentlemen on the other side vote
2. for the most miserable, pernicious, vicious legislation
3. and kill that which is almost a beatitude. My interest
4. in this is a little like yours academic. Because I
5. live 160 miles south of the City of Exquisite Torture
6. and I leave...when on my trips up there I leave by
7. 3:00 o'clock to avoid the rush on Dan Ryan. But here's
8. what...here's what cobs some of us, that's a verb, cobs,
9. this was from a saffron-hued gazette of 1970, in which
10. it says two Republican Senators G. William Horsley of
11. Springfield and Hudson Sours of Peoria badgered CTA
12. Board Chairman George Dement on the legal expenditures,
13. and so forth. What we were doing was talking about
14. these lawyers on the extra list. Others on the list
15. included Normal J. Barry, now these are lawyers do part-
16. time work for the CTA then, and I'm constrained to believe
17. that a condition once existing continues until there's
18. affirmative information to the contrary, to show that
19. it's no longer existing. And they name about 40 lawyers
20. who apparently go to the CTA somewhere and breathe like
21. we've been doing since October 15th. We've been breathing
22. here. Drawing \$32.00 a day for breathing, breathing. And
23. I'm in dead earnest on that because this hocus-pocus
24. dominocus has been pretty much politics. Now, I'm not
25. going to read the list of these worthy, deserving, probably
26. broken down Democrat lawyers who do not have a private
27. practice. It would offend them. There it is. There
28. were 40 of them. Among the list was one lone Republican,
29. in the catalogue of politics he was a Republican. But
30. I bet I know how he voted. Now when you sit back there
31. and you tell us acquiescently and supinely that this isn't
32. a good bill Senator that is partisanship at its most
33. mediocre ebb. If you worthies on the other side want

1. a CTA program, here it is. And how...an RTA. How our
2. leader ever tolerated this foolishness as long as he
3. has would almost give him the description of the patient
4. Griselda, Senator. You remember her in literature. Now,
5. if you want this...we're available, and I...I'm sure
6. that you want to furnish six or seven or eight on your
7. side to insure a good system. We have a good system
8. in Peoria. We pay for it on our real estate tax bills.
9. You...you folks don't want that because... You want
10. the grant. That's like working beats...I mean supervision
11. beats working. If you can get this in a grant, why...
12. why ever tax your people. You are now at the stomping
13. post and you'll get this only if you want it. If you
14. want it to start sooner, I want to see about ten of
15. you or fifteen get up on your feet with the greatest
16. alacrity and say you've...you've convinced us. We
17. really do want a bus line.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. For what purpose does Senator Wooten arise?

20. SENATOR WOOTEN:

21. On a point of personal privilege, to respond directly
22. to Senator Sours. I wholeheartedly agree with his conten-
23. tion which I thought was the burden of what I said. I
24. must apologize if I was not able to express myself clearly
25. that I am offended by these continuing grants to the CTA
26. and I do not want to see them go to the RTA either. Which
27. I believe this bill insures and therefore I oppose it. I
28. am not pleased with the Governor's plan. The only virtue
29. I can see in it is that it will I think once and for all
30. get this burden off our backs. But my objection, I am
31. absolutely in accord with you Senator. I don't want any
32. further appropriations and I'm convinced this bill guarantees
33. them.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Howard Mohr.

3. SENATOR HOWARD MOHR:

4. Yes Mr. President and Members of the Senate. Senator
5. Sours pointed out that we've been here five weeks, we've
6. been here since October 15th. And we are in our fourteenth
7. legislative day. If my figures are correct it costs us
8. \$7900 a day at the \$32 per diem, multiply that by four-
9. teen and you come up with \$110,600 for Legislators, just
10. for this period. Now we've been worried about how we're
11. going to fund this. It's very simple, I think if we
12. pass the bill and get out of here we're going to save
13. that money and we'll be able to put it right into RTA.
14. Senator Wooten, I know that you've had some experience
15. with actors and plays but I don't think you've ever seen
16. the likes of which you've witnessed in the last five
17. weeks down here. You've seen some of the best actors
18. and truly great actors. One of them is out getting a
19. refresher course I understand in California. Incidentally
20. California I think is pretty well run. They don't need
21. anybody to disrupt that operation. But I would just say
22. that if you people on the other side of the aisle and
23. the man on the second floor were truly interested in RTA
24. we'd of all sat down together and talked. You know we
25. hear so much about talking to the people. Let...you
26. know, this is a people's bill. People this, people
27. that. I wish the Governor would be kind enough to
28. sit down with the people that are responsible for
29. putting this legislation together. Talking to the
30. people of the General Assembly, extend that courtesy
31. to us. As I said here the other day he'll pit...he'll
32. attempt to pick off one member of this side of the aisle.
33. He's done that for five weeks, of course he's done that

1. ever since he's occupied the throne. The...hit the...
2. Chair. So we're...we're used to that. But we...we've
3. told you that we're not going to be picked off. And
4. the offers have been good. I commend the members on
5. our side of the aisle for not succumbing to all of
6. the pressures and all of the wonderful deals of this
7. nonpartisan, independent Governor that we have. And
8. I have said to people from time to time when they ask
9. about the situation in Springfield, I have never seen
10. so much politics played in all of my days here... Granted
11. they aren't too long, I've only been here seven years.
12. But I served under Governor Kerner, Governor Shapiro,
13. Governor Ogilvie and now Governor Walker and there's
14. been more deals presented under Governor Walker than
15. any and all Governors for probably the last thirty
16. years. It's unreal. And it's sickening. Very,
17. very distasteful and the Governor tries to pick off
18. not only the members. He tries to pick off and work
19. one leader of the Senate against another leader of the
20. House. This I find very distasteful. Now, I...I think
21. that we might have 36 votes. I think we may get a few
22. on the other side of the aisle because I know my very
23. good friend Senator Rock and Senator Welsh on the other
24. side of the aisle share the same concern that I do
25. with the West Town bus company which is in our district
26. We all represent Oak Park. And around December 1st
27. the West Town bus company is going to close its doors,
28. I'm told. So Gentlemen you represent that district and
29. I would urge you to be considerate to people of suburbia.
30. You do represent them and we were told that regardless
31. of whether you were from the City of Chicago you knew
32. the peoples needs in the suburbs and you would represent
33. them. This is an opportunity for you to do just that.

1. I have said for months and months, long before we got
2. into the Special Session that an RTA really wasn't what
3. the Governor wanted, really wasn't what Mayor Daley
4. wanted. They wanted another subsidy for the CTA. And
5. we'll give that one and then we'll give another one
6. and another one and it goes on and on and on. The time
7. is here, the stage has been set Senator Wooten. Now
8. is the time to do your thing. I would strongly suggest
9. that you get on the...the bandwagon and...and be a part
10. of this program. But I...again would really like my
11. counterparts in Oak Park, Senators Rock and...and Welsh
12. to get on this because our people out there want it
13. Senators. It's...it's most important. But I just have
14. the feeling that I've had for months that we don't want
15. it. The people on the second floor don't want it. They
16. say they do, but all indications are that...they'd be
17. very content to go out of here, study this program for
18. another five years. There've been people that have
19. spent years and years and years putting the program
20. together. We're at the point now where we can do
21. something about it if we want to. It's perfectly
22. clear that the line down the middle of the aisle, those
23. on our side of the aisle want and will support an RTA.
24. Those on the other side certainly don't want any part
25. of it. Now we've been stalled and caucuses and...and
26. come out of one caucus, you go into another one. And
27. strictly stalling tactics waiting for the Garmisa bills
28. to come over here. And Gentlemen we told you several
29. weeks ago, this...SB 27 has been on the Calendar for
30. quite some time. This is the vehicle to work with.
31. Now if you're sincere, you can work with SB 27. The
32. members of this side, the leadership on this side would
33. be only too happy to be afforded the opportunity to sit

1. down with the...the two Governors of the State of Illinois
2. and the leaders of both Houses. Now, when the other
3. Governor comes back which, we don't know whether, you know
4. what his speaking engagements are...how they're set, but
5. we're available. We'll be here over the week-end, not all
6. of the members, but some of us will be here. And...it
7. wouldn't necessarily mean a...a cocktail party at the mansion
8. as been done many, many times. You know, we'll just do
9. it over a cup of coffee. So extend us that courtesy.
10. Let's do something for the people. That's what it's
11. all about. Thank you.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you Mr. President. I would first like to
16. rise on a point of personal privilege, and explain a
17. situation that had happened. I for one and I'm sure
18. many of the other people here were not totally aware
19. that this particular bill would be brought back to
20. the order of 2nd reading. I did ask for several
21. amendments, many more of which are on my desk now.
22. When the President at first attempted to move it and then
23. brought it back so that we could place it on it. There
24. was an error in there. There is another amendment, which
25. is not important other than by way of explaining what
26. had happened. It was to take out the referendum which
27. is what that amendment started to do also. It created
28. these councils and it was to take out the front door
29. referendum, not to destroy in any way, shape or form
30. the creation of a Regional Transportation Authority.
31. Now, Mr. President if I may I'd like to ask some questions
32. of the sponsor.

33. PRESIDING OFFICER (SENATOR WEAVER);

1. The sponsor indicates he will yield.

2. SENATOR CARROLL:

3. Senator Conolly, you know, quite often here it has
4. been the fact that there hasn't really been a mention of
5. what this bill contains. It has a nice title and a few
6. nice features, but there's a lot of proposals in there
7. that I'm troubled with. I'm troubled with as a member
8. of the region, as a person who's been active in regional
9. planning in that area, let me just get into a few of
10. the points. What arrangements have you provided for
11. between the RTA and the private carriers, especially the
12. railroads?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Conolly.

15. SENATOR CONOLLY:

16. We have worked out with the railroads and the other
17. carriers, bus companies and so forth a purchase of service
18. arrangement that would be worked out between the RTA and
19. the carrier. If there fails to be agreement among...between
20. the two parties, the Illinois Commerce Commissioner...
21. Commission would act as an arbitrator.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Carroll.

24. SENATOR CARROLL:

25. This is a mandatory purchase of service for the
26. railroads. Further, isn't it true that those purchase
27. of service agreements with the railroads guarantee those
28. carriers a profit. And isn't it further true that
29. 5 out of those 6 commuter carriers now are not operating
30. at a profit, but rather operating at a loss. The net
31. effect would be to bail them out of a losing situation.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Conolly.

1. SENATOR CONOLLY:

2. You are correct in one fact, that we...under the
3. purchase of service agreement have allowed for a profit
4. which is normal under a free enterprise system. If the
5. RTA choses not to pay a profit, they have the right to
6. condemn these lines and therefore take them over and run
7. them themselves. If they do not work out a...agreement
8. of the commuter lines then therefore the commuter lines
9. will therefore go out of business. And for we in the
10. suburbs and we in suburban counties we definitely feel
11. that our people should be taken care of. They should
12. be able...the commuters should be able to get to the
13. Chicago and get home again. If you just want something
14. to take care only CTA which many of us felt in the very
15. beginning is the reason we're down here, you may do it
16. that way. But we want a good viable commuter system in
17. the northeastern Illinois. And may I say this is basically
18. patterned as such contracts exist under the MTA in New
19. York where there they have service...purchase of service
20. contracts with the New Haven and Hartford Railroad that
21. serves both the suburbs of New York and the suburbs of
22. Connecticut.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Carroll.

25. SENATOR CARROLL:

26. Then I take it Senator Conolly that your answer
27. was yes, we will give these five who are operating at
28. a loss a profit. And is it not true that further that
29. we would by this act mandate the new RTA to take on
30. services through these commuter railroads that they
31. would now consider undesirable. That they would have
32. to continue to operate run-down equipment and inefficient
33. enterprises because its mandated that they are required

1. to take over the entire of that system and not have
2. the choice as to which they want and which they don't.
3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Conolly.

5. SENATOR CONOLLY:

6. You are absolutely wrong on that matter. There
7. are no provisions for mandatory take over of service
8. that...that they consider unreasonable. That service
9. would therefore be abandoned. And may I say that the
10. definition of fair rate of return is the standard
11. terminology used under the Illinois Commerce Commission
12. at the present time.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Carroll.

15. SENATOR CARROLL:

16. I will shortly get into the Commerce Commission
17. aspects of it. Are there public hearings on those
18. abandonment like there are now?

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Your time is waning Senator Carroll. ...purpose
21. does Senator Berning arise?

22. SENATOR BERNING:

23. Point of order Mr. President. How much time does
24. this witness...or this interrogator have?

25. PRESIDING OFFICER (SENATOR WEAVER):

26. His time is up.

27. SENATOR BERNING:

28. Thank you.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. ...remarks to a conclusion Senator Carroll.

31. SENATOR CARROLL:

32. I believe people on this side will yield time
33. to me if necessary to go through some of these questions.

1. All right. I understand that there is not the necessity
2. of public hearings as there would be under other types
3. of extinguishment of services and I would ask also what
4. standards will the ICC use to resolve the differences
5. between the private carriers and the RTA?

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Conolly.

8. SENATOR CONOLLY:

9. You are incorrect as far as public hearings. Any
10. purchase of service, any...would have to be covered in
11. the budget of the RTA and therefore, we...there...this
12. bill provides for hearings when the budget is adopted.
13. And...

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Conolly. Senator...

16. SENATOR CARROLL:

17. I think the question was more aimed at the extinguish-
18. ment of service rather than the budget itself, but it...
19. the railroads and the purchase of service agreements,
20. you've talked about the ICC. And I understand by your
21. act that the ICC could exempt them without hearing, but
22. more importantly that if there's any purchase of service
23. agreement the entire road system is out of ICC regulations
24. as oposed to the Governor's system that says only as to
25. those areas upon which there was a purchase of service
26. agreement. This takes them out entirely from the regulations
27. of the ICC.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Conolly.

30. SENATOR CONOLLY:

31. It is very normal that you would not have dual
32. regulations of one carrier, and I might point out that
33. at the present time the Illinois Commerce Commission is

1. ...been...the majority members have been appointed by
2. Governor Walker.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. You will conclude your remarks. No, you have no
5. time left. There's no provision for yielding time to
6. another Senator until we've reached...gone through the
7. roll call of those who wish recognition.

8. SENATOR CARROLL:

9. I would merely state then if that's the ruling of
10. the Chair. You know we've gone through this bill fine.
11. It's never been explained by your side of the aisle
12. about the abhorrent ways in which the railroads are to
13. be bailed out at the taxpayer's expense and yet the
14. funding is insufficient. The funding is insufficient
15. to create an authority to serve the needs of the people.
16. It's great to say that, I want to vote for an RTA, just
17. like it's great to say sometimes you want to vote for
18. quote, ethics, without carrying what's in the bill. We're
19. attempting here and now to go through this bill point
20. by point, to explain to not only that side of the aisle,
21. not only this side of the aisle, but the people of the
22. State of Illinois what type of a rip-off this particular
23. piece of legislation is. How it is aimed solely and
24. exclusively to benefit those carriers, those private
25. carriers, give them a profit where they've never had
26. any before. And do it at the expense of the entire system.
27. If this Chair and this Body does not want to allow us
28. to go into these questions, to bring them out into the
29. open, so be it. You've got the gavel, you've got the
30. 30 votes. I would appreciate the time to go through
31. the rest of these problems in this bill.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator McBroom.

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

SENATOR MCBROOM:

Mr. President, I move the previous question.

PRESIDING OFFICER (SENATOR WEAVER):

Senator McBroom moved the previous question, all in favor signify by saying aye. Opposed nay. The motion carries. Secretary will call the roll. What's your inquiry Senator? Senator Wooten what is your...

SENATOR WOOTEN:

Parliamentary inquiry, Mr. President.

PRESIDING OFFICER (SENATOR WEAVER):

State your...

SENATOR WOOTEN:

On the assumption of the change of the rules in this Body, it was not set forth in writing, we merely had the word of the President that this would not occur. That we would be afforded ample time for debate and that that change in the rule was not designed to do what we're attempting to do right now. As I say we only have the word of the President, but I would appeal to him.

PRESIDING OFFICER (SENATOR WEAVER):

There's no change in the rule, Senator McBroom moved the previous question. Call the roll.

SECRETARY:

Bartulis...

PRESIDING OFFICER (SENATOR WEAVER):

For what purpose does Senator Partee arise?

SENATOR PARTEE:

Mr. President, just one moment please. One moment please. Mr. President, I was off the Floor.. Senator Rock told me he placed my name with you. I didn't start to waving and shouting to be able to be heard on this question. And I assume you have a list there with my

1. name on it. And I'd certainly like to be heard. I
2. ...that's why I didn't say anything when he moved the
3. previous question. I just assumed you'd say there are
4. six other people or two other people who indicate they
5. want to talk on this question.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator McBroom.

8. SENATOR MCBROOM:

9. Mr. President, Members of the Senate you recall
10. that I requested this some time ago Senator Weaver. I
11. will withdraw for...my motion for Senator Partee with
12. the clear understanding that I can make it as soon as he
13. sits down.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Partee.

16. SENATOR PARTEE:

17. Well, this is of course as it has been described
18. the single most important issue this Session. And for
19. me whether I live in Chicago or not questions affecting
20. your areas are not academic for me. I am as concerned
21. about the legislation which is offered for your area as
22. I am for mine, and give my devotion and attention to
23. your problems as much as I do to those that emanate
24. from the place where I live. I've always thought of
25. the Senate as being a deliberative Body. This is one
26. of the things we claim to be. But when I look back on
27. what has happened in connection with all regional transpor-
28. tation authority bills, I realize that there has been a
29. studied attempt made to prevent this from being a
30. deliberative Body. We had some bills on this same
31. subject, which were killed in committee. We made an
32. attempt to take those bills from the Table, so that
33. this Body could deliberate on and be edified concerning

1. every bill on this subject so that when we came to a
2. final vote it would come from a vantage point of
3. knowledge and comparison of the various issues. It
4. was absolutely your game plan it occurs to me now, from
5. the very beginning to not permit our bills to be heard.
6. That became very obvious and even more so this morning
7. when those three bills came over from the House with
8. Republican sponsors, which were passed by bipartisanly
9. over there by overwhelming votes to permit grants to
10. transit authorities for carrying the elderly and the
11. school children, to exempt drugs and medicines from
12. the sales tax, which is tax relief, and to increase
13. the exemption of the income tax from a thousand to
14. \$1300. Now you have the thirty votes to either defeat
15. those bills or not, but it came with a little ill grace
16. to grab those bills, pretend to be friends of people
17. who want to save money on their medicines, pretend to
18. be friends who want tax relief and then studiously
19. kill those bills. It's obvious to me now that you do
20. not want this Body to be deliberative. You're saying
21. to us really that we have decided and decreed with
22. our one vote margin that there can be only one version
23. of regional transportation authority. Take it or leave
24. it. It is our version which shall preponderate. Your
25. version shall fade into nothingness. You are going to
26. take what we give you and we aren't even going to permit
27. you to run your proposition by this vote...by this electorate
28. for vote. That is what you're saying. And it's...it
29. is Gentlemen I tell you, perhaps a victory for you today.
30. But it's a pyrrhic victory. You have no interim financing
31. here, and no care or concern seems to emanate from
32. you as to what is going to happen in the intervening
33.

1. period between now and the effectiveness of this bill if
2. it ever becomes effective. I think it is wrong to not be
3. given the opportunity to every Member of this Senate to
4. vote on this very crucial subject in whatever form it
5. comes. And those of you who are voting for this bill
6. who have espoused tax relief do remember that this bill
7. mandates a one-half cents tax increase, taking the taxes
8. from 5¢ to 5 and one-half cents in a year, yes just before
9. the election. I suppose that will of course bring about
10. some popularity in some quarters. I would suggest to you
11. Mr. President and Members that if we do not vote for
12. this bill it is not because we have no interest, but
13. we are simply not going to be bludgeoned into taking
14. something which is not the best bill available, which
15. is not in the best interest of the people, which is
16. structured and geared to care for a particular industry.
17. We are not going to be bludgeoned in to accepting it,
18. and the take it or leave it threat is going to leave
19. us cold.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator McBroom.

22. SENATOR MCBROOM:

23. I...I move the previous question Mr. President.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator McBroom moves the previous question.

26. SENATOR HARRIS:

27. Mr. President. Mr. President.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator, what purpose Senator Harris arise?

30. SENATOR HARRIS:

31. I want to respond to what I think are some legitimate
32. concerns of members of this Body that revert back to the
33. time that we adopted the rule that was in effect during

1. June that limited debate to five minutes. I indicated
2. at the time that rule was under discussion that the
3. thought of limiting debate to five minutes was not to
4. cut off thorough and serious discussion of the important
5. issues that are before us. This issue certainly meets
6. that criteria. There is a serious question in the mind
7. of the Membership of this side of the aisle, don't react
8. too quickly to what I'm going to say, that a potential
9. filibuster is in the making. I don't think so. The
10. Presiding Officer does not know when a member who seeks
11. recognition is going to put the question to close debate.
12. But we have what I think is a genuine concern for people
13. who have indicated a prior desire to speak on a question
14. that when that list and there's no requirement that we
15. keep a list, we do this thing on the basis of what makes
16. sense in a practical way to make certain that those of
17. you who rise or catch the attention of the Presiding
18. Officer that you want to be heard, and when the question
19. has been posed, the motion to close debate, it seems
20. reasonable to me that those people who are on the
21. President's list and although a member under our rules
22. who has moved the previous question could probably insist
23. that the question be put. But in this 59 member Body,
24. of reasonable, understanding people who want to recognize
25. those who sincerely want to contribute to the debate on
26. these major questions, it does seem reasonable to me
27. that the names on the list of the Presiding Officer
28. ought to be afforded the opportunity to make their
29. presentation before the motion to close debate is
30. put. And if it's the determination of this Body to
31. close debate after that reasonable consideration,
32. ... of those who have legitimately sought recognition
33. and who are not engaging in filibuster tactics at some

1. point a majority of this Body will make that determination
2. Then the privilege of membership and the privilege of
3. expression has in fact not unduly been thwarted. Senator
4. McBroom is completely within his right under our rules
5. to press his motion. Senator Partee was off the Floor
6. at the time he put it. He afforded the leadership an
7. opportunity to make its expression. I do not know whether
8. Senator Weaver has a Presiding Officer's list of people
9. who sought recognition prior to Senator McBroom's order
10. in that list. I would assume that he does. Might I
11. direct a question to you Mr. President? Do you have
12. some additional names that sought recognition prior to
13. Senator McBroom's motion?

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Harris, Senator Netsch and Senator Knuppel are the
16. only two left on this list.

17. SENATOR HARRIS:

18. The names are whom?

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Netsch and Senator Knuppel.

21. SENATOR HARRIS:

22. It seems to me that it would be an orderly procedure
23. for Senator McBroom to withhold his motion, if he would
24. until those two Senators have been recognized. Then the
25. will of this Body can be determined whether it wants to
26. close debate. If it elects not to, other Senators can be
27. recognized. There's no question but what a thorough
28. airing of this piece of legislation and this subject has
29. been had and if it is the will of this Body to close debate,
30. that will determine. I don't know what reaction Senator
31. McBroom wants to take.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator McBroom.

1. SENATOR MCBROOM:

2. Well, Mr. President, Members of the Senate, in spite
3. of the fact that there's been a dearth of conversation on
4. this...measure I'm willing to withhold...withhold my motion
5. if I have the understanding of this Body that I can renew
6. it after Senator Knuppel and after Senator Netsch and
7. there won't be some more names up there. I think some
8. of us would like to get out of here before midnight tonight.
9. PRESIDING OFFICER (SENATOR WEAVER):

10. Thank you Senator. Senator Netsch is recognized.
11. For what purpose does Senator Dougherty arise?

12. SENATOR DOUGHERTY:

13. I did not know that you were going to establish a
14. list of those who would be permitted to speak on this,
15. and I am and I have been the Senator for many, many years
16. here and I do...I do not think I should be denied...
17. denied the right to make...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator...

20. SENATOR DOUGHERTY:

21. ...a statement regarding this piece of legislation.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Dougherty I have put down every name that
24. has been given me to speak on this. And the only two
25. left on this list is Senator...You will be down after
26. Senator McBroom. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. President, thank you first of all Senator Harris
29. for recognizing what I think is a very important...over-
30. ride of the rule that we adopted. It was done with the
31. understanding that it would not be precipitously used
32. in terms of cutting off debate and I appreciate your
33. recognition of that. First of all, what I would like to

1. really address myself to is something that Senator Harris
2. alluded to and that is games playing. It has been said
3. by a lot of people that we have been playing games for the
4. last two days, the last forty-eight hours. I would be
5. the first to concede that I think there has been a lot
6. of games playing going on on the RTA issue for a long
7. period of time. And I guess it's been no secret that I
8. have been bitterly critical of the Governor and of the
9. leadership in both House and on both sides of the aisle
10. from time to time for what I think to be that. But I
11. would like to explain to you also why what has been going
12. on in the last couple of days has not been just games
13. playing but has represented at least for me and I think
14. this is a view shared at...at the very least by all the
15. Chicago members on this side of aisle, a very agonizing
16. period. We recognize that this is except for the fact
17. that we have voted on our own package and have been
18. denied, or we attempted to vote on our own package
19. and were denied the opportunity to bring that package
20. on to the Floor for full debate which incidently Senator
21. Scholl, was a vote for an RTA. We recognize that this
22. is apart from that the only RTA issue that we...immediately
23. have before us for a vote. Please do not question the
24. sincerity of the people from Chicago about getting an
25. RTA. This is the lifeblood of that City. It is the
26. lifeblood of the people we represent and of ourselves
27. and we want it. But it has got to be an RTA that is
28. going to work. The...the principal problem and this
29. has been the agony of the last few days is that the
30. bill that we are now being asked to vote on, the Conolly
31. bill is a completely unacceptable RTA. It is for some
32. of the reasons that Senator Carroll was alluding to, it
33. is heavily stacked in favor of the railroads, it is going

1. to cause severe financial problems to the Regional
2. Transit Authority in the future. Those reasons are
3. there and there are some other defects. But the
4. principal problem is that which has been the hangup
5. on RTA from the beginning and that is that the funding
6. isn't going to do anything. We might simply...we might
7. as well not even have an Act as have this form of
8. funding. And let me explain to you why. This bill
9. provides for only two methods of raising funds other
10. than bond issuance. A half cent sales tax to be imposed
11. on the six county area and a parking tax. The parking
12. tax, best estimate about 15 million dollars a year. A
13. half cent sales tax, about 96.5 million dollars a year.
14. But, it has the imposition of the half cent sales tax
15. in this bill and in the Blair bill in the House has
16. always been premised on the adoption at the same time of
17. a half cent reduction State wide in the sales tax. I
18. concede to you that ... bill has passed this House. I
19. absolutely guarantee to you it is never going to become
20. law. It probably will not pass the House. But if it
21. passes the House I am sure in my own mind and I hasten
22. to add this is not with the authority of the Governor
23. that I am saying this, but I know him, I know how he
24. feels about that half cent sales tax, and it is never
25. going to become law in this State. Therefore, the only
26. funding that you have provided that means anything at
27. all that provides any funds at all is a...an additional
28. half cent sales tax in the six county area and I know
29. perfectly well that knowing you're never to get the half
30. cent reduction State wide, if you were given the choice
31. of increasing the sales tax by a half cent in the six
32. county area which is what this bill does, you would see
33. that your own bill went down to defeat. My guess is you

1. will still somehow see that that happens if it ever gets
2. out of this House and into the other one. So, what we are
3. left with is this, at best this bill provided only about
4. 111.5 million dollars of revenue for the RTA. By every-
5. ones estimate including Mr. Blair's estimate absolutely
6. and totally inadequate. If you take away the only really
7. lucrative source of revenue, the half cent sales tax, it's
8. nothing, it's a shell and it's a sham. Now, there we
9. are. I...I will wind up immediately, thank you for
10. reminding me Gentlemen. So we have a bill that has
11. totally inadequate funding. If we pass this bill out
12. of here, we are deceiving people into thinking they
13. are getting an RTA and they are not. At the same time
14. knowing that...that it may be one of the few things
15. that we get to vote on today or tomorrow I think you
16. may understand something of the difficulty we have
17. had in the last few days in trying to figure out what
18. to do on this issue. There's only one reason...

19. PRESIDING OFFICER (SENATOR WEAVER):

20. The Senator will conclude her remarks.

21. SENATOR NETSCH:

22. I will conclude with one sentence. There is only
23. one reason to vote for this bill now and that is that it
24. is still a bill that's alive and it might serve as a
25. vehicle for some compromise. If this bill should become
26. law, God forbid, it would be a disaster for the people of
27. the City of Chicago. And the entire six county area.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Romano.

30. SENATOR ROMANO:

31. On a point of personal privilege Mr. President and
32. Members of the Senate, I'd like to present a group of
33. children led by their teacher Miss Cintelli from the

1. William King School from my district on the great side...
2. great west side of Chicago. Will they please rise?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Mr. Chairman and Members of this Body, first of
7. all I'd like to reply to Senator Fawell a couple of
8. comments which he made, if Senator Fawell is listening.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. He's listening.

11. SENATOR KNUPPEL:

12. Is Senator Fawell listening?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Yes, he's shaking his head no.

15. SENATOR KNUPPEL:

16. I think he mentioned that somebody had raised the
17. question of home rule. I think that somebody was me.
18. I did it in good conscience, I'm not picking at the bill.
19. I don't even know that much about these two bills because
20. these bills don't mean that much to downstate, but I think
21. technically we've passed so many bills out of here that
22. have been held unconstitutional or that have failed that
23. it behoves us always to compare the bill with the Con-
24. stitutional mandates, and...somebody who does so should
25. not be criticized. Secondly I'll say this. The first
26. day I came here it was apparent to me that this was a
27. political Session and that RTA was the largest issue
28. here. Now from downstate Illinois I could care less, I
29. don't think it's going to hurt me which one of these bills
30. I vote for or against and I could see that there was no
31. accommodation between the parties. I think I moved to
32. adjourn sine die. And I hear all this wailing and moaning
33. on the other side of the aisle about the waste of time

1. that we've had. Why didn't you Gentlemen then join with
2. me or reach some kind of an accord that would have allowed
3. those people...those people who are going to have to make
4. the compromises that have to be made before we can leg-
5. islate to get together and do it. It was apparent then
6. it required no great clairvoyance to see that the...that
7. the people who had to make these decisions were worlds
8. apart. And there has been no accommodation from that
9. side of the aisle or this side of the aisle from that
10. time to this. All the people in downstate care about
11. is that you people get an RTA, you solve your problem
12. that we don't have to finance it any more. That is not
13. what...where we stand. And it's obvious both with
14. respect to ethics legislation, with respect to the RTA
15. and everything else that there's been a game here to
16. secure political advantage to go forth to the people
17. with next year. You admit it. You know it. But there's
18. no body who's compromised and I submit that we will
19. reach no accord here, passage of the bill or failure
20. will not end the problem and by the time the elections
21. come next fall we will have rehashed it several times.
22. So what little bit is gained here don't amount to a
23. tinkers. I really wish that the effected parties
24. instead of playing games to go forth with a little
25. badge on his arm that says I voted for RTA or I didn't
26. would get together... Yeah Napoleon, the real tiger
27. over there. Would get together and solve this problem.
28. We on this Floor are not going to be able to solve it,
29. it's got to be solved by the...by the larger interest
30. of the people in the suburban and the City of Chicago
31. and the Governor. And we just even haven't got close
32. to that point and we're just going to waste some more
33. time if we don't just try to sit down and do it. And

1. nobody yet has tried to do that.
2. PRESIDING OFFICER (SENATOR WEAVER):
3. Senator McBroom.
4. SENATOR MCBROOM:
5. Motion Mr...

6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

1. SENATOR MCBROOM:

2. ...Mr. President.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator McBroom move...renews his motion the...
5. gave the opportunity to all the people on the list...
6. the right to speak...now he renews his motion of the
7. previous question. All those in favor signify by
8. saying aye. Opposed? Motion carries. For what pur-
9. pose Senator Conolly arise?

10. SENATOR CONOLLY:

11. Close debate.

12. PRESIDING OFFICER (SENATOR MOHR):

13. There's been a request for a roll call. The
14. Secretary will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
17. Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
18. PRESIDING OFFICER (SENATOR MOHR):

19. We are on roll call, Senator. Well, Senator...
20. Senator McBroom followed Senator Knuppel on...on the list
21. and it started out...it started out where Senator Partee
22. was to be the only speaker and then the urging of Senator
23. Harris these other people were on list got to speak on the
24. subject so I'll have to rule and I don't like to do that
25. to my good friend Senator Dougherty...have to rule that
26. we are on roll call.

27. SECRETARY:

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,
33. PRESIDING OFFICER (SENATOR MOHR):

1. We are on roll call. Senator Rock.

2. SENATOR ROCK:

3. Parliamentary inquiry, Mr. President. In order

4. that I might vote intelligently the motion before the

5. Floor is for the previous question. Is that correct?

6. PRESIDING OFFICER (SENATOR MOHR):

7. That is correct.

8. SENATOR ROCK:

9. How many votes does it take to prevail Mr. President?

10. PRESIDING OFFICER (SENATOR MOHR):

11. 30 votes.

12. SENATOR ROCK:

13. Is that...could you quote me the rule, Robert's says

14. two-thirds.

15. PRESIDING OFFICER (SENATOR MOHR):

16. ...I think you and Senator Carroll refer to Robert's

17. Rules quite often but they don't necessarily apply here.

18. We have Senate rules that we do abide by. We're still on

19. roll call. We'll...we'll give you the ruling at the end

20. of the roll call.

21. SECRETARY:

22. Rock, Roe, Romano, Saperstein, Savickas, Schaffer,

23. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,

24. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Newhouse. Senator Newhouse.

27. SENATOR NEWHOUSE:

28. How am I recorded? Mr. President, how am I recorded?

29. PRESIDING OFFICER (SENATOR MOHR):

30. How is Senator Newhouse recorded? You are not re-

31. corded.

32. SENATOR NEWHOUSE:

33. On the motion to move the previous question I vote no.

1. PRESIDING OFFICER (SENATOR MOHR):

2. On that question the yeas are 30. The nays are 28.
3. Motion carries. The rule, Senator Rock, is Rule 52 which
4. reads the previous question shall be stated in the form
5. this...shall the main question now be put and until the
6. previous question is decided by the majority of the
7. Senators elected all amendments and debate shall be pre-
8. cluded. When it is decided that the main question shall
9. not be put the main question shall be considered as still
10. remaining under debate. Motion carries. Senator Conolly.

11. SENATOR CONOLLY:

12. Mr. President, I'm hoping that I'm not going to be
13. disappointed again this week. I've been disappointed many
14. times and especially today when the opposition to this bill
15. used dirty tricks to try to kill the bill. I was disappointed
16. when they started using half...truths and demagoguery to try
17. to defeat this bill when the people...hide...under the guise
18. of concerned citizens for the RTA are passing out leaflets
19. full of untruths, patently full of untruths. Is that the
20. kind of tactics that we want when we're trying to be in this
21. deliberative Body? We need no more debate. We need no more
22. clowning. We need serious action by this Body. The issues
23. are well known. I hope that I won't be disappointed again
24. and will the...Secretary of the Senate please call the roll?

25. PRESIDING OFFICER (SENATOR MOHR):

26. The question is shall ... SB 27 pass? Senator Rock.

27. SENATOR ROCK:

28. ...Seeking a ruling of the Chair, Mr. President. How
29. many votes are required for passage?

30. PRESIDING OFFICER (SENATOR MOHR):

31. 36 votes.

32. SENATOR ROCK:

33. Thank you.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Secretary will call the roll.
3. SECRETARY:
4. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
5. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
6. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
7. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
8. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
9. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
10. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
11. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
12. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
13. Weaver, Welsh Wooten, Mr. President.
14. PRESIDING OFFICER (SENATOR MOHR):
15. Senator Partee.
16. SENATOR PARTEE:
17. How am I recorded?
18. PRESIDING OFFICER (SENATOR MOHR):
19. How is Senator Partee recorded?
20. SECRETARY:
21. Present.
22. SENATOR PARTEE:
23. Change the present to no, please.
24. PRESIDING OFFICER (SENATOR MOHR):
25. Senator Keegan, no. Senator Hall...Kenneth Hall, no.
26. Senator Tom Hynes, no. Buzbee, no. Daley, no. Nudelman,
27. no. ...Palmer, no. Senator Buzbee, you're recorded no
28. twice. Senator Netsch, present. Knuppel, no. Senator
29. Sours.
30. SENATOR SOURS:
31. Am I recorded?
32. PRESIDING OFFICER (SENATOR MOHR):
33. How is Senator Sours...you're not recorded.

1. SENATOR SOURS:

2. I'm going to vote aye because this is very important
3. legislation and is so regrettable that it takes just the
4. mere 30...

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Hours...Senator Sours votes aye. Senator...
7. Senator Conolly.

8. SENATOR CONOLLY:

9. Poll...May I have a poll of the absentees?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Request to call the absentees. The absentees will
12. be called.

13. SECRETARY:

14. Knuppel, McCarthy, Newhouse,...that's all of them.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Newhouse.

17. SENATOR NEWHOUSE:

18. How am I recorded, Mr. President?

19. PRESIDING OFFICER (SENATOR MOHR):

20. How is Senator Newhouse recorded?

21. SECRETARY:

22. Not recorded.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Not recorded.

25. SENATOR NEWHOUSE:

26. Mr. President, record me present.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Newhouse present. On that question the yeas
29. are 30. The nays are 26. 3 voting present. ...The bill
30. having failed to receive the required three-fifth's vote
31. is declared lost. President Harris.

32. SENATOR HARRIS:

33. Mr. President, it's perfectly clear there is no

accommodation between the two points of view on the question of an RTA and I'm disappointed. I don't think that anyone has spent more time on a subject - and there have been others who have spent an equal amount of time on the subject of RTA - than I but it's a real deep personal disappointment. Now I'm going to move in a few minutes that the Third Special Session adjourn until Sunday at 4 p.m. We have reason to be here in some...at some future time to accept Messages in the other Special Sessions. The Senate will be required to act on one amendment in the Fourth Special Session of an important bill transferring responsibilities from the Department of Labor to the Department of Public Aid. It was learned after that bill left here that a House amendment has to go on it. We also will be required to receive Messages in some of the other Sessions of passage of Senate Bills by the House between now and Sunday. My last information indicated that the House would work straight through this weekend on bills that it might...Senate Bills that are important and essential. Really at this point I would be inclined to initiate a joint resolution on Special Session Three for sine die adjournment. But we are going to be required to be here for some of the other Special Sessions so it's my judgment that the Senate adjourn until Sunday afternoon to receive Messages, clean up business that there has been accommodation on and recognize I'm certain with mutual disappointment the fact that there was not affirmative result on this tremendously important question of a Regional Transportational Authority for northeastern Illinois. And in these remarks I'm not going to engage in any partisan oratory or accusation. I think the record here will do that. I'll say no more. Certainly I want to give Senator Partee an opportunity to make any comments or observations. And when he has had an opportunity to address himself to any matters he

1. wants to raise I would then like for the Chair to recognize
2. me for the motion to adjourn the Third Special Session.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Partee.

5. SENATOR PARTEE:

6. Well this is more, Senator Harris, in the nature of
7. a question so the members on this side who have been asking
8. me would know this is more like a question. We're adjourning
9. the Third Special Session until Sunday at 4. Is that correct?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Harris.

12. SENATOR HARRIS:

13. Yes, I have figured out as we have been doing, a schedule
14. of other adjournments for the others...

15. SENATOR PARTEE:

16. I understand.

17. SENATOR HARRIS:

18. Yes.

19. SENATOR PARTEE:

20. All right. Now. In...in the intervening period will
21. the Senate be in perfunctory session, on the intervening days
22. until Sunday?

23. SENATOR HARRIS:

24. Well, we...we have...

25. SENATOR PARTEE:

26. ...for receipt of Messages.

27. SENATOR HARRIS:

28. ...not been doing that...since the adoption of our
29. per diem...we have not been having any per diems. It raises
30. the question of how we should respond to that. My judgment
31. would be that we would adjourn...from today until Sunday. That...
32. Messages that might come from the House in the meantime would
33. be read into our record on Sunday.

1. SENATOR PARTEE:

2. Well, I...I'm just thinking about saving time in...
3. in terms of Messages coming over from the House...suppose
4. one came over today for example after we had left it would
5. ...there'd be no opportunity to read it.

6. SENATOR HARRIS:

7. Well, I would say that we can hold our...adjournment
8. motion to some point. I would acknowledge that games
9. playing really is over and that we might just as well adjourn
10. now as sometime a little later on this afternoon. I don't
11. anticipate any Messages in connection with the Third...
12. the point is that those areas in which there has in fact
13. been accommodation has been accomplished within this 14 day
14. period. We do need a couple more days in the House to...
15. finalize action on some of those kinds of measures. We can
16. receive those Messages on Sunday and wind things up.

17. SENATOR PARTEE:

18. Well, it's just a question of time saving I guess we've
19. expended a lot of time up to this point and I just thought if
20. we did have a perfunctory session extrinsic to the question
21. of per diem, I don't think anybody would necessarily desire
22. per diem, but if there were Messages coming over from the
23. House since they're going to be here all the week we could at
24. least read them a first time on the day they came over and
25. thereby save a day.

26. SENATOR HARRIS:

27. Well...yeah...yeah...you would be talking in terms of
28. House Bills that would pass. I'm more concerned about Messages
29. relating to Senate Bills. The time has run, Senator it seems
30. to me and we do need to be here to receive Messages in connection
31. with House action on Senate Bills and really I think at this
32. point in time that's...that's where we are. I believe that
33. House Bills reaching us from today on are in real, real, serious

throes of fatal illness.

SENATOR PARTEE:

Well,...well you know I...I don't make the judgment as to what would happen to any House Bills or things of that sort but I just thought we ought to have perfunctory sessions to receive whatever Messages come over on a day by day basis and thereby save a day. That's all I'm suggesting.

SENATOR HARRIS:

...I am advised by Senator Fawell that in this Special Session we do have remaining on the Calendar one issue of...urgent nature. Is it a House Bill, Senator Fawell? Yes. It is the one curing the problem relating to I believe bonding in the fire safety code question and it is a House Bill. We could take final action on that and then I would put the motion to adjourn.

PRESIDING OFFICER (SENATOR MOHR):

Senator Fawell.

SECRETARY:

...Bill 38. (Secretary reads title of the bill).
3rd reading of the bill.

PRESIDING OFFICER (SENATOR MOHR):

Senator Fawell.

SENATOR FAWELL:

Yes...Mr. President, this is the same as SB 40. A number of our school districts have sold bonds and until such time as this act passes they cannot even deliver those bonds. So I would ask for another favorable roll call. We can be assured of this bill passing by so doing.

PRESIDING OFFICER (SENATOR MOHR):

Further discussion? Senator Rock.

SENATOR ROCK:

...What is the current status of SB...or your Senate

1. Bill was it not...what is...what is the current status
2. of that Senate Bill?

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Fawell.

5. SENATOR FAWELL:

6. Frankly, Senator, I am not sure at just what stage
7. it is over in the House. I felt that this bill being as
8. important as it is to many school districts, none of which
9. happen to be in my district by the way, that we would be wise
10. to make sure that it passes by by passing it out today and
11. then regardless of what may happen over there we would know
12. that the bill has...has been passed.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Rock.

15. SENATOR ROCK:

16. Well, I...I'm not questioning the importance, I know we
17. all voted for SB 40 when it left here. My question is, Senator
18. Partee has left the Floor, I would like to ask Senator Harris.
19. I, too, am probably an optimist but there is a great possibility
20. that the Garmisa bill will be coming over here today. And I
21. think to peremptorily adjourn...is...is not the thing to do.
22. All right, we'll stay on 38. How many votes are required?

23. PRESIDING OFFICER (SENATOR MOHR):

24. 30 votes required for passage. Senator Harris.

25. SENATOR HARRIS:

26. ...It requires 36 votes from...an...there isn't an
27. immediate effective date on this bill isn't there, Senator Fawell?

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Fawell.

30. SENATOR FAWELL:

31. Yes, I...I assume there is. I frankly didn't...I think
32. you're correct. There would have to be an immediate effective
33. date. Now the feeling is that we're not going to have the

1. votes over there. We'll just let the bill die then.
2. This...is...not my bill. It does affect a number of the
3. districts of the downstate Senators on the other side of the
4. aisle...I was just handling it for Representative Tuerk.
5. SENATOR HARRIS:

6. Mr. President...Mr. President, the point that I
7. wanted to make was Senator Rock's question is legitimate.
8. I'll be glad to try and work something out on it. I thought
9. we ought to stay on the order of HB 38, get it taken care of,
10. we'll...we'll parlay a little bit before we get to the end
11. of the roll call on 38. I...I hope that this wouldn't be-
12. come some kind of a bargaining issue.

13. PRESIDING OFFICER (SENATOR MOHR);

14. It would require 30 votes for passage and 36 to become
15. effective immediately. Senator Rock.

16. SENATOR ROCK:

17. Well, I...I frankly rise in support of HB 38 and do
18. intend to vote for it. Okay? Let's have a roll call.

19. PRESIDING OFFICER (SENATOR MOHR):

20. The question is shall HB 38 pass? And on that question
21. the Secretary will 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.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Soper, aye. Regner, aye. McBroom, aye. Keegan,
3. aye. Bartulis, aye. On that question the yeas are 47.
4. The nays are none. HB 38 having received the constitutional
5. majority is declared passed. Senate will stand at ease for
6. a few minutes. The Senate will come to order. Senator Rock.

7. SENATOR ROCK:

8. Yes. Thank you Mr. President. Before President Harris
9. puts his motion to adjourn I would like to announce that there
10. will be a Democratic caucus immediately prior to anybody leaving.
11. Immediately...right after the motion to adjourn is sustained
12. in the...in Senator Partee's office.

13. PRESIDING OFFICER (SENATOR MOHR):

14. We...we do have other Sessions to go to. You are aware
15. of that? Okay.

16. SENATOR HARRIS:

17. Well, Mr. President, now in my remarks preparatory to
18. putting the motion to adjourn I know I made reference to
19. 4 o'clock Sunday. It would...that hour would relate to
20. the Regular Session. It would be my suggestion then that
21. we adjourn the Third Special Session, the one that we're in
22. to 5:15 Sunday, November 18. 5:15 p.m. Sunday, November 18.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Harris...

25. SENATOR HARRIS:

26. I so move.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Harris moves to adjourn the Third Special Sunday
29. until...Session until Sunday, 5:15. All those in favor signify
30. by saying aye. Opposed. Third Session will stand adjourned
31. until 5:15 Sunday. Senator Partee.

32.

33.