

FOURTH SPECIAL SESSION
of the 78th GENERAL ASSEMBLY
December 1, 1973

1. PRESIDENT:

2. The Fourth Special Session will come to order.

3. Reading of the Journal.

4. SECRETARY:

5. Tuesday, November 27, 1973.

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. Mr. President, I move that we dispense with the
10. further reading of the Journal of November 27th and
11. unless there are some corrections or additions to be
12. made that the Journal stand approved.

13. PRESIDENT:

14. Senator Soper moves to dispense with further
15. reading of the Journal of November 27. Is there dis-
16. cussion? All in favor signify by saying aye. Contrary
17. no. The motion carries and the Journal of November 27th
18. of the Fourth Special Session is approved. Senator Soper.

19. SENATOR SOPER:

20. Now Mr. President I move that we postpone the reading
21. and the approval of the Journals of November 29th and
22. November 30th pending the arrival of the printed Journals.
23. Amen.

24. PRESIDENT:

25. Senator Soper moves that we postpone reading of the
26. Journals of the 29th and 30th pending the arrival of the
27. printed Journals. All in favor...is there discussion?
28. All in favor signify by saying aye. Contrary no. The
29. motion carries. So ordered. Is there further business
30. to come before the Fourth Special Session? Right on.
31. Is there further business to come before the Fourth Special
32. Session? Until 1:30. Senator Weaver moves that the
33. Fourth Special Session stand in recess until 1:55 p.m.

1. this afternoon. All in favor signify by saying aye.
2. Contrary no. The motion carries and the Fourth Special
3. Session will stand in recess until 1:55 p.m. this afternoon.
4. Now for the edification of those who were not here at the
5. beginning of the Session, the Regular Session will reconvene
6. at 1:30 this afternoon. The subsequent ones will have five
7. minute intervals thereafter. The House is still acting on
8. the Legislation and the Messages will not reach us for another
9. hour or so. So we'll see you all at 1:30.

10. AFTER THE RECESS

11. PRESIDENT:

12. The Fourth Special Session will come to order.
13. Messages from the House.

14. SECRETARY:

15. A Message from the House by Mr. Selcke, Clerk.

16. (Secretary reads Message from the House

17. SB 1).

18. PRESIDENT:

19. Senator Schaffer.

20. SENATOR SCHAFFER:

21. The amendment to SB No. 1, Fourth Special Session
22. accomplishes two things. One, it provides that the caucus
23. counties, now let me define what a caucus county is.
24. Several of the counties around the State trying to save
25. money and avoiding a primary had opted to hold caucuses
26. in lieu of a primary. What we've done, we've put an amendment
27. on that will allow them to continue to have the caucus but to
28. consolidate the April election with the November election and
29. thereby save a great deal of money. The second part of this
30. amendment provides that if a county board is going to con-
31. solidate the elections they must do it by December 31st.
32. In other words it gives the county boards a month to meet and
33. to pass the resolution to consolidate. Now obviously the

1. county clerks are preparing at this point for a February
2. 12th election...the county boards are going to have to let
3. the clerks know when the elections are as quickly as possible
4. so that December 31st date is just for this year. In future
5. years the amendment goes on that this would...the board shall
6. have to act before October 15th. The reason for that is that
7. the...if a county board should decide not to consolidate filing
8. would open up on the 3rd, 4th 5th or 6th of November and that
9. would...basically give a candidate 20 days notice as to when
10. he has to file. Now I find both of these amendments totally
11. acceptable. They do not in any way, shape or form make this
12. bill a mandatory bill. This is still very much a permissive
13. bill and I would move to concur in the House amendment.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Mr. President and colleagues I would heartily concur
18. in Senator Schaffer's motion. We've discussed this on this
19. side at some length. My county is one of those most directly
20. affected. The county board is literally standing by to take
21. action as soon as they are able to join in consolidation of
22. elections. They are presently a caucus county. They under-
23. stand the consolidation of elections will bring about a
24. primary in subsequent years. We're very much in favor of
25. this bill and I would like to urge support on this side.

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. Mr. President, Senators, this is an amendment that they
30. put on in the House that I can't tolerate. I'm going to have
31. to oppose it. I think the bill was in perfect form when it
32. left here. I think we're digging up a snake in these...either
33. one of these two changes. Outside of language it still isn't

1. a good amendment, either one.

2. PRESIDENT:

3. Senator McBroom.

4. SENATOR MCBROOM:

5. Well, Mr. President, I...I know how interested Senator
6. Schaffer is in this particular piece of legislation and I
7. regretfully arise to oppose it also. And I hope some of
8. the colleagues on this...my colleagues on this side of the
9. aisle would join me. We have spent hours and hours and
10. hours on this particular subject. I think the bill left here
11. in good form. I think the amendment should be rejected. I'd
12. like to repeat what I have said before I have heard the pious
13. pronouncements years on end about home rule. This is a
14. violation of it to begin with and I...I think this is a
15. poor amendment and I think it ought to be rejected.

16. PRESIDENT:

17. Senator Donnewald.

18. SENATOR DONNEWALD:

19. Mr...Mr. President and Members of this Body. I know
20. that we're in a hurry to get back home and we have many
21. other matters to dispose of at this time but my goodness
22. we've talked...I know that you're fully aware and the
23. members of this Body were aware that we fought for a mandatory
24. provision. We made a concession, made it up to the counties.
25. We conceded on that. Now we're here and we don't want the
26. provision or...or the may clause. And...and all I can say
27. is that you're depriving many, many counties downstate of
28. saving a healthy sum of money. And I...I certainly would urge
29. that we...support this legislation in its amended form.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Sours.

32. SENATOR SOURS:

33. I know I've spoken once so I'm going to confine this
to a matter of personal privilege. You may remember Mr. President

1. and Senators on this side that we discussed this bill in
2. caucus in extenso. That's a Latin phrase meaning at great
3. length. We did it on two or three different occasions
4. in extenso. Now here we have it thrust on us the last hour
5. of the last day and we're supposed to go for it. I just want
6. to remind this side that this legislation has been in our caucus
7. going back a whole year and we've talked about it at least a
8. half a dozen times. There was nothing wrong with the bill
9. when it left here.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. President Harris.

12. SENATOR HARRIS:

13. Well, Mr. President, I want to add my voice. I've
14. looked at this amendment. I've been in consultation with
15. Senator Schaffer whose been tracking this amendment ever since
16. ..it came into consideration. He's satisfied with it.
17. Very simply it does this. It directs the county boards if
18. they are going to consolidate must do so by January 1st.
19. The reason for this is to avoid the problem of where you have
20. the 90 day run in relation to the primary on the 19th of March
21. that if the board were to adopt this later than that you get
22. in serious problems about other sections of the election code
23. not operating effectively and having conflict within the code.
24. The other question is addressed in this amendment in that it states
25. that in the future boards shall have to take action by resolution
26. to consolidate by October 15th. But this year they are permitted
27. to do so not later than January 1st. And then the other
28. question addressed here is that matter that Senator Schaffer
29. addressed himself to and that is that counties that participate
30. in the county board elections by caucus can consolidate their
31. April election with the November election and not get into the
32. problem of the operation of this amendment. The...that is
33. the amendment to the election code. The total bill being in

1. conflict with caucus timetable procedure. It is acceptable
2. to the Senate sponsor and we may really want greater opportunity
3. to assess this kind of consideration in greater detail but
4. we've got this decision to face this afternoon. We concur
5. in this amendment which has the enthusiastic support of the
6. sponsor of the bill and it's his amendment. He's participated
7. in the drafting of it all the way or there will be no con-
8. solidation of elections in...for county board elections in
9. '74. We will then direct by our inaction in concurring in
10. this amendment we will direct that there shall be separate
11. elections in '74. I would urge us all to think very carefully.
12. I intend to support and concur in the House amendments and I
13. just urge you not to take precipitous action to reject be-
14. cause the House did not proceed on this matter on its own.
15. It developed this amendment because it was determined to be
16. essential. Some of the county official persons very interested
17. in this called upon the sponsor to make provision for the
18. January 1st deadline for the resolution by the county board.
19. And also several counties that proceed through the caucus
20. machinery wanted to have relief from the problem of being in
21. limbo on the question of whether their caucus activity would
22. be valid. I would urge concurrence in the House amendment.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Is there further discussion? Senator McBroom.

25. SENATOR MCBROOM:

26. Well, Mr. President, Members of the Senate, I rise on a
27. point of personal privilege since I've spoken on this once.
28. I reluctantly supported this bill when it left the Senate
29. Chambers with the clear, clear understanding in my mind that
30. it would be taken in toto by the House of Representatives and
31. it wouldn't be tampered with, that it wouldn't be changed. It was
32. my understanding that it would be left alone. I simply say to
33. the members if there's no consolidation of elections so what?

1. We've heard that for years that the judges ought to run
2. in August so that they weren't...weren't involved in
3. presidential or gubernatorial elections and I would hope
4. that some members on this side of the aisle would join me
5. in rejecting this amendment.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Any further discussion? Senator Keegan.

8. SENATOR KEEGAN:

9. ...I...I think there is an answer Mr. President and
10. Members of the Senate to the question...if we don't have
11. consolidation so what. I think there's going to be dismay
12. and discouragement on the part of not only our county officials
13. but people interested in county government and people who
14. want to participate in every election. We have too many
15. elections. They cost too much money and we are discouraging
16. people by having them trot to the polls too often. ...This
17. is going to cost my county a \$140,000 if we do not pass this
18. bill that Senator Schaffer has approved and which in no
19. jeopardizes the...principle...which we first utilized.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Any further discussion? Senator Schaffer may close
22. debate.

23. SENATOR SCHAFFER:

24. Mr. President. I have eyes and I can count. When I
25. left the House the House members were streaming out of there
26. and loading their suitcases into the car. There's barely 89
27. bodies left over there gentlemen and ladies. If we don't
28. concur the votes aren't there to take the amendment off and
29. make it effective immediately. I'm confident I have support
30. on the Democratic side of the aisle. I hope that I have support
31. on the Republican side of the aisle. This bill will save seven
32. million dollars. I care about seven million dollars. I need
33. everyone of you gentlemen and ladies. There are some empty

1. chairs here. I'd appreciate a favorable roll call.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. The question is shall the Senate concur in House
4. Amendment No. 1 to SB 1. This motion takes 36 votes
5. to become effective immediately. Secretary will call
6. the roll.

7. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Don Moore, aye. Davidson, aye. On that question
20. the ayes are 43 and the nays are 1. The Senate concurs
21. in House Amendment No. 1 to SB 1. ...Message from the
22. House.

23. SECRETARY:

24. A Message from the House by Mr. Selcke, Clerk.

25. (Secretary reads Message from the House

26. SB 6). Senator Fawell is the Senate sponsor.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Glass.

29. SENATOR GLASS:

30. Well, thank you Mr. President, in Senator Fawell's
31. absence I will explain this amendment. I did sponsor the
32. original bill that advanced the delinquency date for real
33. estate tax collections in Cook County making it optional

1. throughout the rest of the State. In the original draft
2. of the bill we recognized that there will be certain parcels
3. of property that were subdivided therefore did not have tax
4. bills the previous year. And therefore there could not be
5. an estimated tax bill based on the previous year so we ex-
6. cluded those from the...the early tax bill. Likewise we
7. excluded areas which...in which newly created units of govern-
8. ment were established. That however was unnecessary because
9. estimated bills can and should be prepared on parcels based
10. on the previous year but not including the newly created unit of
11. government and so this amendment cures that defect and is
12. very important because the tax bills are about to go out in
13. Cook County. So I would hope we could concur in this amendment
14. and would so move.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion? The question is shall the
17. Senate concur in House Amendment No. 1 to SB 6. This motion
18. takes 36 votes in order to be effective immediately. The
19. Secretary will call the roll.

20. SECRETARY:

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

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Hynes, aye. On that question the ayes are 44 and the
33. nays are none. The House...The Senate concurs in House

1. Amendment No. 1 to SB 6. Resolutions.
2. SECRETARY:
3. Senate Resolution No. 6 by Senator Graham.
4. (Secretary reads Resolution).
5. PRESIDING OFFICER (SENATOR WEAVER):
6. Senator Graham. Senator Graham moves the adoption.
7. All in favor signify by saying aye. Opposed nay. Motion
8. carries. Is there further business...Message from the House.
9. SECRETARY:
10. A Message from the House by Mr. Selcke, Clerk.
11. (Secretary reads Message from the House)
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Senator Graham moves the adoption of House Joint
14. Resolution No. 3. All in favor signify by saying aye.
15. Opposed nay. We are adjourned sine die on the Fourth
16. Special Session of the 78th General Assembly. Senator
17. Graham moves that we adjourn sine die. All in favor
18. signify by saying aye. Opposed nay. Motion carries.
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