

SEPTEMBER 10, 1976

1. PRESIDENT:

2. The hour of twelve having arrived, the Senate will come
3. to order. The prayer will be by Rabbi Meyer M. Abramowitz,
4. Temple B'rith Sholom, Springfield, Illinois.

5. RABBI ABRAMOWITZ:

6. Almighty God and Father of all, we pray that strength and
7. courage abundant be given to all who we the people have set in
8. authority, to all who work for a world of reason and understanding that
9. the good that lies in every man's heart may day by day be
10. magnified that men will come to see more clearly not that which
11. divides them but that which unites them, that each hour may
12. bring us closer to a final victory not of nation over nation,
13. but man over his own evils and weakness. The dividing face in
14. Thee O God may live among us. That the blessings of peace be
15. ours, the peace to build and grow, to live in harmony and
16. sympathy with others and to plan for the future of our State
17. and our Nation with confidence, Amen.

18. PRESIDENT:

19. Senator...Reading of the Journal, Senator Brady.

20. SENATOR BRADY:

21. Mr. President, I move that reading and approval of the
22. Journals of Wednesday, September 8th, 1976 and Thursday, September
23. 9th, 1976 be postponed pending arrival of the printed Journals.

24. PRESIDENT:

25. You heard the motion. All in favor say Aye. Opposed Nay.
26. The Ayes have it. The motion carries. Resolutions.

27. SECRETARY:

28. Senate Resolution No. 10 introduced by Senator Partee and
29. it's congratulatory.

30. PRESIDENT:

31. Senator Smith moves for the adoption of this resolution...
32. immediate consideration and adoption of this resolution. It's
33. congratulatory. All in favor say Aye. Opposed Nay. The Ayes

1. have it and all members will be added. Now, ... may I have
2. the members' attention. Mr. Schickel of Channel 9 has requested
3. permission during whatever debates there are on the bills today
4. to film and record. Is leave given? Schickel seems to be
5. very popular here. Leave is granted.

6. SECRETARY:

7. Senate Resolution No. 11 introduced by Senators Mitchler,
8. Nimrod and all Senators. It's congratulatory.

9. PRESIDENT:

10. Senator Mitchler moves the immediate consideration of this
11. resolution. All in favor say Aye. Opposed Nay. The motion
12. carries. Senator Mitchler now moves the immediate adoption of
13. this resolution. All in favor say Aye. Opposed Nay. The
14. resolution is adopted.

15. SECRETARY:

16. Senate Resolution No. 12 introduced by Senator Mitchler
17. and all Senators, and it's congratulatory.

18. PRESIDENT:

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President and members of the Senate, this is a congratu-
22. latory resolution for one of our colleagues, Senator James F.
23. Bell. Jim, as he's known to us, had a birthday on the 8th of
24. September and I think it's proper that we give him a little
25. congratulatory resolution with a...if Jim Donnewald would lead
26. in the Happy Birthday, it would be all right, but we wish Jim
27. Bell a happy birthday on September 8th and many more happy
28. returns of the day.

29. PRESIDENT:

30. You've heard the motion to suspend the rules. All in favor
31. will say Aye. Opposed Nay. The rules are suspended. Senator
32. Mitchler now moves the adoption...immediate adoption of this
33. resolution. All in favor say Aye. Opposed Nay. The Ayes have it.

1. The resolution is adopted and the campaign's on.

2. SECRETARY:

3. Senate Resolution No. 13 introduced by Senators Regner,
4. Palmer, Wooten and Graham. It's congratulatory.

5. PRESIDENT:

6. Senator Regner.

7. SENATOR REGNER:

8. Are we on? Yes, Mr. President and members of the Senate,
9. Dale Brown who's been our Executive Director of the Legislative
10. Information Systems Committee for the past five years is leaving
11. us in... next week on the 16th and this is a congratulatory
12. resolution congratulating him and thanking him for the very
13. fine service he's giving...given us over the years, and I would
14. ask for leave of the rules for the immediate adoption of Senate...

15. PRESIDENT:

16. Senator Regner...

17. SENATOR REGNER:

18. ...Resolution 13.

19. PRESIDENT:

20. ...moves for the immediate consideration for the adoption
21. of this resolution. All in favor will say Aye. Opposed Nay.
22. The rules are suspended. Senator Regner now moves the immediate
23. adoption of this resolution. All in favor, Aye. Opposed Nay.
24. The resolution is adopted.

25. SECRETARY:

26. Senate Resolution No. 14 introduced by Senator Mitchler.
27. It's congratulatory.

28. PRESIDENT:

29. Senator Mitchler, you have another? Senator Mitchler.
30. Yes, Senator Smith, for what purpose do you arise?

31. SENATOR SMITH:

32. Reference to these resolutions, the succession of resolutions.
33. I notice that the first resolution offered by Senator Mitchler,

1. it was stated that it, too, was in the same category as the
2. one he now...I think that we should be done the courtesy of telling
3. us in each instance briefly, congratulating whom or what. I
4. remember I stood here and I offered a resolution for which I
5. received mild criticism...

6. PRESIDENT:

7. Just a moment, please. May we have some order. That's
8. what we have is a little. We want a lot.

9. SENATOR SMITH:

10. ...and I do think that the rest of the membership should
11. be advised as to whom is congratulating and so forth or who,
12. at least to that extent, not in detail, and not read the entire
13. resolution.

14. PRESIDENT:

15. I think the point is well taken, Senator. Mr. Secretary,
16. will you tell us what this resolution is about.

17. SECRETARY:

18. Congratulates a Mrs. Tillie Wasco of Boulder Hill, Illinois
19. on her 100th birthday.

20. PRESIDENT:

21. Motion is to suspend the rules. All in favor will say
22. Aye. Opposed Nay. The rules are suspended. The motion now is
23. to immediately adopt the resolution. All in favor will say
24. Aye. Opposed Nay. The resolution is adopted, and she is not
25. a candidate for office. The Chair recognizes one of our members
26. who has returned from another land. A gentleman who is a very
27. ...one of our quiet members who is now the public relations man
28. for Henrotin Hospital. Incidentally, Senator, it was a beautiful
29. letter that you wrote on behalf of the employees there. We'd just
30. like to have word from our good friend, Senator Chew.

31. SENATOR CHEW:

32. Mr. President and colleagues, thank you very much for your
33. prayers and your letters, notes and flowers and the telephone

1. calls and all the other things that were nice during the time
2. that I was confined to the hospital. It's...it's really great
3. and I'm extremely proud to be a member of the Illinois Senate,
4. because most of my colleagues responded in all sincerity during
5. my confinement and subsequently to my discharge from the hospital.
6. I am still under strict supervision of doctors, but as I tried to
7. explain to the doctor on yesterday that being a member of this Body and
8. it does guide the way for people of the State of Illinois that
9. after conferring with the Senate Leader and members of my
10. family and a couple of other doctors, we did not reach a con-
11. clusion that I could come, but feeling that it was my responsibility
12. to be here on this important date, I must admit that I violated
13. his orders, and I...I talked to Senator Rock yesterday and
14. who suggesting that we fly down, but I am also wired with a tape-
15. recorder that records my every movement and I felt the...the
16. altitude would have registered on this tape and I didn't want
17. to have any long drawn out conversation with the doctor on
18. my return, so let me thank you, again, and thank the good Lord
19. for just having me here and back to say hello to, not only my
20. colleagues, but the people in Springfield and the State of
21. Illinois. Thank you again.

22. PRESIDENT:

23. May the good Lord bless and keep you. Senator Bruce on
24. the Floor? Would you please come to the Secretary's Desk a
25. moment, Sir. The Senate will be at ease until 12:30. The Senate
26. will come to order. Senate Bills on 3rd reading. Senator
27. Brady, with reference to Senate Bill 1.

28. SENATOR BRADY:

29. Senate Bill 1.

30. PRESIDENT:

31. As he indicated...the Secretary indicated to me you had a
32. statement you wanted to make with reference to the bill in terms
33. of amendments or otherwise.

1. SENATOR BRADY:

2. The Secretary has an amendment on his Desk. I did not
3. offer it, but I'm...

4. PRESIDENT:

5. It's...

6. SENATOR BRADY:

7. ...ready to proceed on the bill.

8. PRESIDENT:

9. ...Fine. So that we...in keeping with the understanding...
10. may I have the Senate's attention. In keeping with the under-
11. standing, the bills which are on 3rd reading, we had the under-
12. standing that any bill on that order which any member had an
13. amendment for would be moved back to the order of 2nd reading
14. for that purpose. Is there an amendment for Senate Bill 1?
15. Is there one?

16. SECRETARY:

17. Amendment...Amendment No. 1 offered by Senator Schaffer
18. and Glass.

19. PRESIDENT:

20. All right, Senator...Senator Brady is asking leave to
21. return the bill to the order of 2nd reading for the purpose
22. of amendment. Is leave granted? Leave is granted. Amend-
23. ment No. 1, Senator Schaffer.

24. SENATOR SCHAFFER:

25. This amendment is probably fairly controversial, so if there are
26. any Senators within the sound of my voice, you might want to
27. head for the Floor. This amendment postpones the reduction of
28. the penalty provisions for districts failing to provide a full
29. term for the 75-76 school year and any year thereafter. It just
30. starts it off at 76...76-77, in effect, deletes what is
31. come to be known as the Chicago Forgiveness. Sets the ground
32. rules up so that any school district from now on that chooses to
33. solve its financial problems, so to speak, by closing earlier will

1. have that option. I don't think we can change the game...the
2. rules in the middle of the game. I'm sure that the school
3. districts in my area, if they'd known that they were going
4. to be forgiven for this, probably would have not made budget
5. cuts but would have done exactly what the City of Chicago did
6. which is close earlier. Consequently, if it's good for the
7. goose, it's good for the gander.

8. PRESIDENT:

9. Senator Glass.

10. SENATOR GLASS:

11. Thank you, Mr. President, Ladies and Gentlemen. As a co-
12. sponsor of this amendment, I would like to add to what Senator
13. Schaffer said. There is a...a memorandum addressed to Senator
14. Netsch that's been circulated from Joseph Cronin and that
15. memorandum shows how much the Chicago School District will receive
16. if we leave this particular provision in, that is the...the
17. penalty forgiveness provision, and how much Chicago would receive
18. without this provision, but if the three years spread that
19. Superintendent Cronin administratively utilized is...is upheld,
20. and actually Chicago will receive more, that is 386.6 million
21. dollars this year if that three year spread is upheld. Now,
22. at ...then...then it will if...if we legislatively change the
23. penalty and make it retroactive and forgive Chicago about twenty
24. some million dollars this year. I think it would be really uncon-
25. scionable for us to do...do both. That is for that three year
26. spread to be upheld and also for us to reduce the...the Chicago
27. ...reduce the penalty retroactively and benefit Chicago
28. in...in both respects. Therefore, it seems to me this a very
29. fair amendment that we ought to pass it and then if the courts
30. reject what...what Cronin has done, take another look at the
31. ...at the problem at that time, but I think it would certainly
32. be wrong to...to allow both of these things to happen, and as
33. ...as of right now, the State Office of Education has reduced the

1. penalty, is spreading it over three years and therefore, this
2. amendment, Ladies and Gentlemen, should be adopted, and I
3. would urge your support.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. The sponsor of the amendment
8. will yield, I have a question?

9. PRESIDENT:

10. He indicates he'll yield.

11. SENATOR ROCK:

12. Does Amendment No. 1 in anyway address itself to the
13. question of spreading a penalty over three years?

14. PRESIDENT:

15. Senator Schaffer. Senator Schaffer, is the sponsor of the amendment.

16. SENATOR SCHAFFER:

17. I...I...I agree, but I think he was referring to comments
18. Senator Glass made.

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. No, the amendment does not deal with that. The amendment
23. merely deletes the effective date of the penalty change, Senator
24. Rock. The penalty change...that is changing from one percent
25. per day to one one hundred and seventy-six per day. The effective
26. date of that change would be next fiscal year rather this fiscal
27. year.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. The amendment then does...pardon me, does include and
32. should include as...as rightfully we have done and have discussed
33. in the past, a truer, quote-unquote, penalty in terms of percentage.

1. Is that not correct?

2. PRESIDENT:

3. Senator Glass.

4. SENATOR GLASS:

5. I'm sorry, I don't understand the question.

6. PRESIDENT:

7. Senator Rock.

8. SENATOR ROCK:

9. What is the monetary difference between a one percent
10. and one one seventy-six?

11. PRESIDENT:

12. Senator Glass.

13. SENATOR GLASS:

14. Well, it...it's...it's around between forty-five and
15. fifty percent I guess. It's fifty-six hundredths of one
16. percent, so.

17. PRESIDENT:

18. Senator Rock.

19. SENATOR ROCK:

20. My...my point is in fairness and equity, the figure
21. we have arrived at is, in fact, the more equitable figure and
22. more realistic figure. Is that not correct? Aside from the
23. effective date. Let's get away from the effective date for just
24. a moment. Just the actual...in the other words, the penalty
25. is based...predicated then upon money actually received as
26. opposed to a percentage of some other kind of arbitrary figure.
27. Is that not correct?

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Prospectively, yes. I think it is a fairer penalty than under
32. the present law.

33. PRESIDENT:

1 Senator Rock.

2 SENATOR ROCK:

3 All right. Well, I'm rising obviously in opposition to
4 Amendment No. 1, and I think in...and the reason I got up
5 so early is I think that to obfuscate the amendment with a question
6 concerning the action of the Superintendent and the State
7 Board in...in deferring, if you will, the full effect of the
8 penalty over a three year period just tends to confuse the
9 issue. The actual penalty provision is admittedly more fair
10 and more equitable and as such, I do not see the logic for delaying
11 it one fiscal year. And on that basis, I would hope that we
12 would resist Amendment No. 1.

13 PRESIDENT:

14 Senator Hynes.

15 SENATOR HYNES:

16 Mr. President and members of the Senate, I would join
17 Senator Rock in his opposition to this amendment, and I think
18 that anyone who has followed the course of the education
19 legislation over the past several months through this General
20 Assembly can see clearly what is behind us. This is not a
21 good faith, straight forward effort to work on a solution to
22 a very significant crisis. This is an attempt to take attention
23 away from what is really going on here and what we will see later.
24 One of the speakers in support of the amendment said that, well,
25 we can put this on and then if things don't work out, we'll take
26 another look. Anyone who's been down here for more than one
27 day, knows that that makes no sense at all. I think the...the
28 point that was made, and I believe it was Senator Glass that said,
29 that, in fact, the one one seventy-six is a fairer penalty. I
30 think that is the crutch of the issue here. It is unfair to
31 tax a school district more than it receives from the State
32 in State aid for every day it does not stay open up to the
33 minimum required. In fact, what has been the pre-existing law,

1. brings about a situation in which a school district by closing
2. its doors not only loses State aid for that day but suffers almost
3. ...a doubling of the loss. The penalty imposed is almost twice
4. what the State...what that school district receives on a daily
5. basis in State aid. Therefore, it is unfair and when a fiscal
6. crisis hits a district, there is really no alternative. By
7. closing school, you lose more money than by staying open, but
8. you yet...on the..on the other hand, you do not have enough
9. money to keep your doors open. This is a fair penalty. It
10. will prevent arbitrary closings. It should be left in the
11. bill as it is. There is no reason at all for this amendment,
12. and I think it ought to be rejected out of hand and then we
13. ought to get to the important business before us.

14. PRESIDENT:

15. Senator Shapiro.

16. SENATOR SHAPIRO:

17. Well, Mr. President and Ladies and Gentlemen of the Senate,
18. I just happen to believe that this amendment is a good amend-
19. ment and should be supported. And the argument raised as far
20. as the administrative action taken by the Office of Education
21. has nothing to do with this amendment. The Office of Education
22. has spread that penalty over a three year period, and it's up
23. to the courts to decide whether it should be spread one year
24. or three years or any period of time that the Office of Educa-
25. tion thinks is feasible. This particular amendment does nothing
26. more but treat one system just like every other system in this
27. State has been treated in the past and in the future. It is my under-
28. standing that the Mattoon School District and the Sycamore School
29. District are being assessed the one percent penalty this year
30. in a one year period and rightfully so. If the Office of
31. Education wanted to negotiate that over a three year period,
32. that...he may have that power and he may not have that power, but to
33. go ahead and change the penalty at this particular point in time

1 does nothing but prejudice the court case and to show you as
2 far as I am concerned what good faith that one particular
3 school district is putting up, it is my understanding that they
4 have gone into court and have asked the court to judge this school
5 closing of theirs as an act of God so that they will be totally
6 absolved of the penalty. This amendment is a good one. The
7 penalty should stand until some future date when it can be
8 changed to the benefit of every school district throughout the
9 State.

10 PRESIDENT:

11 Senator Brady.

12 SENATOR BRADY:

13 Yes, Mr. President and fellow members, as sponsor of
14 Senate Bill 1, I stand in opposition to the amendment as
15 offered this way at this time. If I might just remind my
16 colleagues here what brought about the resource equalizer and what
17 brought about the formulas of education as we fund them and go about
18 them and has brought about the long discussions we've held,
19 is the Constitution that we are now presently under. In that
20 Constitution under education, we say that we...it is the goal
21 of the State the educational development of all persons to the
22 limit of their capacities. Within the thinking of that, I hate
23 to see us fractionalize or regionalize or try to talk about the way
24 to fund education this year is to try and take it by way of
25 a penalty from one district to put in another district. I don't
26 think anybody here of good faith wants to say that we want a
27 child educated to a much better capacity in one region of the
28 State than the other. The penalty as being assessed on Chicago
29 in this total amount in this way would probably cause that to
30 happen. I stand in opposition to this amendment.

31 PRESIDENT:

32 Senator Schaffer may close the debate.

33 SENATOR SCHAFFER:

1 Well, we've...we've muddied this simple amendment up a
2 little and despite Senator Brady's reference to regions, I will not
3 mention the RTA. This amendment simply would put all the school
4 districts in the State on the same footing, allow them to operate under the
5 same rules and the same penalties. Let me suggest to you that if
6 it were just the Sycamore and Mattoon districts that had closed
7 earlier, that this bill would not be before us in its present
8 stage and...status and there would be no talk of forgiveness.
9 If this amendment prevails, there will be more money for the
10 schools throughout the State, schools in Rock Island and Waukegan
11 and Olney and a lot of other places that didn't know they could
12 have the option to close earlier and had they known they had the
13 option without severe penalty, they would have exercised that
14 option. I recognize the problems of the Chicago School District
15 and I recognize the importance of that major metropolitan area
16 in our State, but I don't think that metropolitan area of the
17 State is the only area of the State and I think it should be
18 treated as fairly as the rest of the State, and I think this
19 amendment accomplishes that fact, and I urge members on both
20 sides of the aisle to reaffirm that we are indeed one State
21 with one set of rules for everybody including the City of Chicago.

22 PRESIDENT:

23 Senator Glass, you are the co-sponsor. Now, if you feel
24 that his explanation was inadequate and you wanted to add to it,
25 you may.

26 SENATOR GLASS:

27 Mr. President, I feel it was an excellent explanation.
28 I felt it important to respond to comments of Senator Hynes
29 regarding the fairness of this penalty. I think all of the
30 changes proposed in House Bill 3518 are fair, and that's why we're
31 going to pass them. But we're not passing them retroactively,
32 we're passing them prospectively. Superintendent Cronin has
33 acted under what he believes to be the law to provide a three

1. year spread of this penalty to benefit Chicago. I think the
2. point I was trying to make is that it would be unconscionable
3. to allow him to do that and for us to further benefit Chicago
4. by changing this penalty provision. Thank you, Mr. President.

5. PRESIDENT:

6. Question is on the adoption of Amendment No. 1 to Senate
7. Bill 1. All those in favor will vote Aye. Opposed...pardon.
8. I'm saying would vote Aye. I didn't say say Aye. All those in
9. favor will vote Aye. Opposed will vote Nay. The voting is
10. open. Have all voted who wish? Pardon. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Okay.

13. PRESIDENT:

14. They unswitched...have all voted who wish? Take the
15. record. On that question, the Ayes are 25, the Nays are 26.
16. The...amendment fails. Any further amendments?

17. SECRETARY:

18. No further amendments?

19. PRESIDENT:

20. 3rd reading. Senate Bill 2. For what purpose does
21. Senator Netsch arise?

22. SENATOR NETSCH:

23. I do have a technical amendment to Senate Bill 5. I
24. could go ahead with it right now if it would be a simpler ...

25. PRESIDENT:

26. Take 2 out of the record. Call Senate Bill 5. Senator
27. Netsch seeks leave to move Senate Bill 5 to the order of 2nd
28. reading for the purpose of an amendment. Is leave granted?
29. Leave is granted. Amendment...Senate Bill 5 is on the order
30. of 2nd reading. Amendment No. 1. Senator Netsch.

31. SENATOR NETSCH:

32. Thank you. I gave a copy of this this morning to the
33. Republican staff and it has been seen I believe by someone over

1. here. It was suggested by Enrolling and Engrossing and the
2. Legislative Reference Bureau and to the best of anyone's
3. knowledge, all it does is to correct some incorrect references
4. in the original version of the bill. Several places they
5. referred to the used tax, when it in the basic text ... when it
6. should have referred to the retailer's occupation tax. Those
7. matters are corrected. We believe there are no problems. If
8. they are later discovered, Mr. Campbell, I will see that they
9. are righted, but as...as far as we know, it is absolutely and
10. purely technical. I would move adoption of Amendment No. 1.

11. PRESIDENT:

12. Any further discussion? Question is on the adoption of
13. Amendment No. 1 to Senate Bill 5? Those in favor will say
14. Aye. Opposed Nay. The Ayes have it. The amendment's adopted.
15. Any further amendments?

16. SECRETARY:

17. No further amendments.

18. PRESIDENT:

19. 3rd reading. Senate Bills on 3rd reading, Senate Bill 1.
20. Read the bill.

21. SECRETARY:

22. Senate Bill 1

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Brady.

27. SENATOR BRADY:

28. Yes, Mr. President. We have discussed this bill now it
29. seems for months. What we have come down with is all the
30. provisions that were contained in House Bill 3518 with two
31. changes. We had two hours of testimony and questions and
32. answers yesterday on this bill. I would like to think that we
33. have answered all the questions that have come up and all the

1. problems negative and positive and we could have a favorable
2. roll call on this, but before I close with a few statements, I
3. would like to answer any questions that anybody might have.

4. PRESIDENT:

5. Any further discussion? Senator Shapiro.

6. SENATOR SHAPIRO:

7. Would the sponsor yield for some questions?

8. PRESIDENT:

9. He just indicated he would.

10. SENATOR SHAPIRO:

11. Senator Brady, what is the cost of these proposed changes
12. to the formula...total costs?

13. PRESIDENT:

14. Senator Brady.

15. SENATOR BRADY:

16. Well, Senator Shapiro, as I recall, that was the exact
17. question you asked yesterday of the witness who answered
18. it in full, the Director...the Superintendent of the Illinois
19. Office of Education. I would like to answering it by saying,
20. I'm not talking about formula costs here, I'm talking about
21. the passage of a formula revision bill which in effect changes the
22. access more equitably and allows more people to try to attain
23. the full funding that we seem to all be in favor of here.

24. PRESIDENT:

25. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Well, since the sponsor did not answer the question, I
28. would like to speak to the bill, Mr. President, if I may in
29. opposition to it. This...

30. PRESIDENT:

31. Senator Shapiro.

32. SENATOR SHAPIRO:

33. ...This bill as it is structured does allow more access

1. for some districts throughout the State, but I think everyone
2. should be well aware that the cost implications of this bill
3. are nowhere near...there's nowhere near the amount of money
4. available to fund these particular changes. The total cost
5. for this bill in this fiscal year if implemented will run
6. approximately a hundred and three million dollars with a
7. further fiscal implication in addition to that of thirty
8. million dollars for the next fiscal year. But in addition,
9. we're in the middle of the ballgame, it changes the one per-
10. cent penalty provision from one percent to one one seventy-sixth
11. or approximately fifty-sixth hundredths of one percent. I
12. think the members of the Senate ought to be well aware that that
13. reduces the so-called Chicago penalty from approximately fifty-three
14. million to thirty million dollars and with that amount of
15. money recycled into the formula of which approximately a third
16. will return to that district, that makes the net penalty for
17. the Chicago district of approximately twenty million, and I say
18. to you that that is a recycling and a saving of over thirty
19. million dollars and that one school district by far is the
20. largest benefactor of these changes regardless of the fact that
21. the other school districts do gain a little bit more money because of
22. the formula changes. But the most important thing and the most important
23. thing may be that the appropriation bill only provides fifty
24. million dollars for these formula changes and twenty-five million
25. of that goes to a so-called Whole Harmless provision, a pro-
26. vision that guarantees that school district who will get the same
27. amount of money this year that they received last year. It
28. also says in so many words that we are going to give back to you
29. what you would get ordinarily if we made no formula changes.
30. That leaves twenty-five million for the distributive formula,
31. approximately seventy-five million to eighty million short of
32. what is necessary to fund these formula changes. I think that
33. is just...misleading the school districts throughout the State.

1 We are already prorating at the rate of ninety-five percent.
2 These changes will reduce that proration to approximately
3 eighty-nine percent, and I say to you that that is wrong.
4 What we should be considering is full funding of the formula
5 under the existing law, and it could be done if we take
6 the ninety-five million that the tax acceleration bills will
7 provide. Short of that, we are far better off to postpone
8 formula changes until next year when the Office of Education's
9 task force comes in, we can see what changes they are recom-
10 mending and I'm sure that our school districts will be in far
11 better shape and know what is coming and not have the confusion
12 that is facing them this year.

13 PRESIDENT:

14 Senator Netsch.

15 SENATOR NETSCH:

16 Thank you, Mr. President. I would like to both respond and
17 make one or two points in part inspired by Senator Shapiro's com-
18 ments. One, he mentioned again the fact that the total cost of
19 the formula changes that are reflected in this bill and were re-
20 flected in the Jaffe bill passed during the Regular Session is,
21 I think his new figure is approximately a hundred and three million
22 dollars. My answer to that is be that as it may, the question
23 really is how whatever sum we make available is to be distributed.
24 I asked Mr. Cronin that question directly yesterday and he emphasized
25 again as I will now, the problem with the existing formula, and this
26 is not a problem so much for those of us who are from Chicago, it
27 really affects the rest of the State, is how the amount of money
28 made available for distribution under the formula is, in fact,
29 distributed. It is a matter of the fairness and the equity of
30 that distribution. We decide the total amount of money. This
31 formula will decide how it is to be spread around. There is no
32 question in my mind and in the minds of those who represent
33 other parts of the State that this formula is a fairer distribution.

1. It should be adopted, and then we still decide ourselves, which
2. we have the right to do, how much money will be made available
3. for that distribution. So, I think it's essential for that
4. reason alone. Secondly, the reference has been made to the
5. fact that Chicago is the primary beneficiary of this bill. I
6. would call attention to two things. One is the memo which
7. Superintendent...or which Mr. Cronin prepared for me and has
8. been distributed which shows exactly how much Chicago will
9. benefit from the package of bills that we are considering today, and
10. it is not the lion's share of the fifty million dollars. Given
11. Senate Bills 1 and 2 and a three year stretch of the penalty, we
12. would be getting...we, the Chicago School District, would realize
13. a total net benefit of only 8.1 million dollars. At a one year
14. penalty provision, it would be 15.9 million dollars. That is
15. not the lion's share of a total package of fifty million dollars.
16. That is simply not the case. It is true, however, that Chicago
17. does benefit from this, and I would like to speak one word in
18. support of that. I suppose as strongly as anyone I was totally
19. disapproving of how the Chicago settlement was reached last
20. year. I think it was complete irresponsibility on the part of
21. all...the public elected officials, the school board, the union
22. and virtually everyone else involved. Nevertheless, it happened.
23. We are now faced with that fact in Chicago. We are now at a
24. moment where the Chicago School District is in very serious
25. financial difficulty. What...however the reason, whatever the
26. reason that it got there, it is now the fact. And I think for
27. once, it is genuinely true that if we put it to Chicago, if we
28. do not offer some relief to that school district, we are, in
29. fact, now taking it out of the hides of the people who attend
30. those schools. I'm not particularly interested now
31. in protecting the union or the board or the mayor or anyone else
32. who was involved in that settlement, but what I see now is
33. an unconscionable burden placed on the people who attend schools

1. in Chicago if we do not offer some form of relief right now,
2. not November or January or next spring but right now. I personally,
3. whether or not I...I was from Chicago, could not carry that
4. burden on my conscious, and I would hope that some of you would
5. share that feeling also. Finally, the last reason and from your
6. prospective perhaps the most important one for supporting this
7. package of bills is that it does do what everyone complained
8. about when the Governor used his veto on these series of bills
9. and that is it helps to establish a certainty to the school
10. districts so that they can make plans about how much money
11. they have available and at what period of time. That is a very
12. large and important element and finally, I would call your
13. attention to...if I may borrow Senator Partee's expression in
14. a literal sense, what is the bottom line on the memo that Mr.
15. Cronin prepared for me and that is, that 40.5 million dollars
16. additional will be available for the non-Chicago school districts
17. of the State of Illinois if this package of bills is passed.
18. That is 40.5 million dollars that they do not have now and
19. that can help all of them who...most of whom need help also to
20. meet some of the problems facing them. It seems to me that that is
21. a very major reason for support of this package of bills. I
22. think the fact that this is become what is essentially now I
23. gather a political issue and a regional issue - Chicago against
24. the rest of the State - is extremely unfortunate. There is merit
25. in and of itself in these bills. Not just for Chicago, but for
26. everyone and we all have a responsibility to act accordingly.

27. PRESIDENT:

28. Senator Hynes.

29. SENATOR HYNES:

30. Mr. President and members of the Senate, I think that
31. Senator Netsch has summed up the situation very capably and at
32. the risk of possibly repeating one or two points, I'm...I'm
33. going to proceed, because I think they are important. The point

1. was made in debate in opposition to this bill that its cost
2. or the cost of the formula changes would exceed one hundred
3. million dollars. If those changes were to be fully financed this
4. year, that would be true, but everyone sitting in this Body
5. knows that at this stage and the development of school aid finance
6. in Illinois, it is the amount of the appropriation that controls.
7. These are changes that are being made to bring equity to the
8. school aid formula. When it was passed, it eliminated many,
9. many abuses that existed in the prior formula. It was a great
10. step forward. But as is often the case with a major change
11. of this kind, inequities that were not anticipated crept into
12. the formula, and in fact, this formula has penalized downstate
13. unit districts in particular. The major change in this bill
14. is to give additional aid to downstate unit districts, a need
15. that I think anyone who has studied the question of finance in
16. this State knows is a critical one. So that the principal
17. beneficiaries of this bill will be downstate districts and we
18. are able to control the State expenditure by the level of
19. appropriation which is done in Senate Bill 2 which will follow
20. this. Senator Netsch also mentioned that under the current
21. situation of a three year spread of the Chicago penalty that
22. forty million of the forty-nine million that would be expended
23. would go to districts outside the City of Chicago. So, this
24. is not a bill that is solely designed to aid and assist the
25. City of Chicago. It is primarily an attempt to bring equity to the
26. school aid formula and no one, no one disputes the fact that
27. some changes are needed and we think these are desirable changes.
28. Finally, I would suggest that we are at the eleventh hour. It
29. is time to act. We do not have time for further study. We
30. are already in...well into the fiscal year, and if anything is
31. going to be done, it has be done now. So, any attempt to say
32. that we can resolve this problem in the future or we can do things
33. in...in the next...at the end of the fiscal year, simply avoids

1 the issue. It is either now or we will not have the opportunity
2 over this fiscal year to do anything about these problems.

3 PRESIDENT:

4 Senator Mitchler.

5 SENATOR MITCHLER:

6 Thank you, Mr. President and members of the Senate. Senate
7 Bill 1 really does what Senator Netsch pointed out that it
8 alters the formula. Now, in my twelve years down here, I've
9 attempted in my limited ability to figure out that formula for
10 distributing money on State aid, and I'm going to say that I
11 ...and I believe many of you other colleagues will admit it's
12 a most confusing and frustrating type of thing to explain to
13 your variety of school districts when you return to your
14 legislative district. And every since I've been here, I've
15 heard each Session that we have to have amendments and changes
16 because of the fast growing areas, because of the areas that
17 are losing school districts, or because of the unit and the...the
18 combining of school districts and now Senator Hynes, you point
19 out that we are now amending the formula to provide equity in
20 school aid formula. And I don't think that we're going to
21 really achieve anything outside of addressing ourselves to the
22 immediate problem and that is the fact that the Chicago school
23 system did have an early closing and was penalized a...ex-
24 tremely large sum of money in the fifty-four million dollars
25 or more, and it's a very serious thing. I don't think that this
26 formula that we're getting into is going to solve problems in
27 the future, and I look at it with just another one of those
28 scapegoat type of attempts of the General Assembly to use the
29 word, we're going to provide a better equity in the school aid
30 formula to help out some area, and it's been used before to
31 help out certain areas, unit school districts, or that school
32 district and in the overall picture, its been more harmful. Now,
33 overall looking at this, if I may make these remarks, we are

1 not down here increasing State taxes to produce more revenue, and
2 therefore, we cannot have more money to give, but what we are
3 attempting to do is to speed up and get money quicker from the
4 available tax sources. Now, that means that if you get it now,
5 you don't have it later, and school districts basically might
6 know they get more money now, but if there's money not available
7 later on, it's not going to help them in the future. And I
8 think what we're doing, we're really putting the cart before
9 the horse in attempting to do this in this Special Session
10 that we're in now. We should wait until we come back in November
11 when we have the Amendatory Veto Session. We don't know if
12 we're going to sustain Governor Walker's amendatory veto
13 reduction on the numerous appropriation bills. Some of them
14 are in very small amounts, but little amounts add up, or are
15 we going to override and cause a greater expenditure and less
16 money available for the new...80th Illinois General Assembly
17 when they convene in 1977. I think that we're looking at one
18 portion, education, and education always is talked about and
19 you talk about it back in your districts as number one priority,
20 but really is education number one priority in funding? You
21 may say yes, but really which one slipped through with the
22 supplemental appropriations and you find many of our social
23 and welfare programs, Public Aid. They really gobble up the
24 priority dollars that should be held and diverted to education
25 if education is to be the number one priority. Now, I say that
26 if we have a problem...and I feel sorry for the school districts
27 that are hurt. Now, as I pointed yesterday out in Will County, the
28 Superintendent of Education of that county pointed out that the
29 twenty-eight districts in Will County will get 1.5 million
30 dollars more in this fiscal year than they did last year. Now,
31 there may be one or two of those twenty-eight school districts that
32 get less, but overall, we have been responsible in providing
33 additional money to school districts. Now, I use that as an

1. example. Now, those school districts that don't know exactly
2. what they're going to get, I apologize if I may use that word,
3. and feel sorry for them, but it's best to wait and do with
4. what they have and hold the line on the budget, and if we give
5. education number one priority, then in 1977 maybe we can give
6. a supplemental appropriation to the State Aid Distributive
7. Formula and give the school districts in need in some manner
8. that prove that they are holding the line but they need a little
9. additional money as we do for Public Aid. I saw three hundred
10. millions, ninety million dollars sail through here on with
11. maybe with only six dissenting votes...

12. PRESIDENT:

13. Time, Senator.

14. SENATOR MITCHLER:

15. ...in the early part of the...the Session. Now, that
16. is my theory on this. I don't want to avoid the issue, but we
17. are not increasing taxes to have more money so we can give more
18. money to the schools. We're merely trying to shuffle it around,
19. and if we spend it now, we won't have it later.

20. PRESIDENT:

21. Senator Wooten.

22. SENATOR WOOTEN:

23. Thank you, Mr. President and colleagues. I think Senator
24. Netsch and Senator Hynes did a very good job of blowing holes
25. in the phony figures that were listed as implications of the
26. formula changes. Those figures exist in a vacuum and mean
27. nothing. The amount that has meaning is the amount we
28. appropriate and the amount that goes to the schools is determined
29. what we do in the formula. I stood with the Republican side
30. in this Chamber in sustaining the Governor's veto for a very
31. simple reason. We did not have the money to spend for the schools
32. and no one could show us where to get it. Now, we have been
33. shown a way to get some money for the schools and even more

1. importantly we have taken the opportunity of all the conflicting
2. pressures all through this year to come up with an equitable
3. formula. To me that is a paramount consideration. There's been
4. a heavy injection of politics into this which is not surprising.
5. The election is very close. I realize a press release is going
6. out to my district highlighting my No vote on that first amend-
7. ment, and I welcome it. I'll help provide the forum. The
8. people in my district are not stupid. They understand what it
9. took to put this package together because I've tried to keep
10. them current with it at every step, and I'm fully aware of the
11. attempt to undo the package. I'm aware of the sentiment that's
12. alive in a part of this Chamber that we don't have to give the
13. schools anything. The voters will be very happy if just stop
14. right now. Well, I get off the train at this juncture, gentlemen.
15. We can give the schools more this year. We can give it to them
16. in a more equitable fashion. My district will certainly benefit
17. from this. No question about it. I have very little good to
18. say about what happened in Chicago. No question about it. An
19. accommodation to Chicago's problem was an important element in
20. the compromise. You don't get compromises handed to you will-
21. ingly. You have to hammer them out. We have a package here
22. now that will do the job, that will give us the best results
23. all the way around, and I want it known in my district and all
24. over, I'm absolutely for the package as it now stands and urge
25. everyone's support for the complete package.

26. PRESIDENT:

27. Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President and members, I am not surprised to hear the
30. advocates of the administration admit that some politics have entered
31. into this conflict...politics were entered into these conflicts
32. many times before Dan Walker walked the State before he learned
33. how to run it. He hasn't learned it yet. And they were politics

1 of a different nature. Never in the State of Illinois until
2 currently have we attempted to operate our State by crisis
3 and confusion, concentration. Its become the hallmark of the
4 Walker administration. Equitability has been talked about.
5 Great. The spurs of the...administration are talking about
6 equity. Where was the Governor last June when we were talking
7 about equity. I'll tell you where he was. He was licking
8 his wounds from the March primary and didn't participate. Now,
9 he's had an opportunity to give us what should be rightfully
10 termed as a Walker a last for all. I think if he would of read
11 the article that appeared in the Springfield paper attributed
12 to the President of the Senate, when Senator Partee said this
13 was an exercise in futility and we should wait until November
14 and find out what the score was, no we couldn't do that because
15 we could have a Special Session, get out a crowd for the Governor
16 from Georgia and highlight once again the inability of the
17 Walker Administration to face the responsibilities of this
18 State. And yesterday in a testimony before this committee as
19 a whole, no one, no one performance of these measures were
20 willing or could or would attempt to indicate to us what would
21 happen to the additional forty-five million dollars if that
22 was the amount. Sure they won't. The real secret of this is
23 to try to bail this guy out so he looks good. What happens in
24 the future of this State be damned as far as he is concerned,
25 and we're going to mortgage our future and destroy the possibility
26 of implementing a formula...implementing the money to pay for
27 the cost involved in our formula distribution of the funds in the
28 State of Illinois. He didn't...there's no tax Governor of this
29 State didn't have the guts to get up and say we've got to have
30 money. We got to raise taxes because he's already running in
31 1978 on a no tax platform. Sure it's political. Political
32 in the finest sense, if fine is the right word, started and
33 promulgated by the man on the second floor who has been a failure

1. in the State of Illinois. I submit to you, Ladies and Gentlemen,
2. this is one of the phoniest Sessions that I've attended in
3. eighteen years in the Illinois Senate and it should be dealt as
4. such.

5. PRESIDENT:

6. Senator Rock.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of
9. the Senate. I tend frankly to disagree with a couple of the
10. observations made by the distinguished Senator from Barrington.
11. The fact of the matter is, we are here and we have an opportunity
12. it seems to me by approval of Senate Bill 1 to effect some
13. admittedly necessary changes and changes that will admittedly
14. render the distribution formula for the amount of money we
15. appropriate more equitable across the State. So as long as
16. we are here, let's do it. The Administration has said to us
17. that if we can enact Senate Bills 3, 4 and 5, there will be
18. fifty million dollars available for distribution under this
19. formula Senator Shapiro indicated certain percentages which
20. frankly, according to the information I have, were not quite
21. correct. Currently we are funding at about a ninety-three
22. percent, the estimated under the provisions of Senate Bills 1
23. and 2, would bring the funding to about ninety-one percent.
24. But let me hasten to add as Senator Netsch so happily pointed
25. out, that we are talking about, and I hope everybody has a
26. printout as much as we had printouts floating around here all
27. through May and June, a printout which will distribute 40.5 million
28. dollars throughout the downstate school districts. And if, in
29. fact, you wish to go back home and explain to your school districts
30. why you could not make forty million dollars available to them,
31. I don't envy you. I urge an Aye vote on Senate Bill 1.

32. PRESIDENT:

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Thank you, Mr. President. I would like to ask Senator
3. Netsch a question if I may.

4. PRESIDENT:

5. She indicates she will yield.

6. SENATOR NIMROD:

7. Senator, you commented...first of all, I don't have a
8. copy of that paper you referred that has the...distribution,
9. neither do my seatmates here, so I don't think it got on our side
10. the aisle. But what I wanted to ask you is this, is that...that
11. formula basis distribution that you refer to, the 40.5 and
12. the 8½, what is that based on? Is that based on the fact that
13. the courts will make a particular decision in a particular way?

14. PRESIDENT:

15. Senator Netsch.

16. SENATOR NETSCH:

17. I'm sorry if you don't find it on your desk, the paper,
18. Senator Nimrod, because my request was specifically that it
19. be distributed on that side of the aisle and I think that it
20. has been. There may be one just by...

21. PRESIDENT:

22. They have been distributed throughout the entire Senate.

23. SENATOR NETSCH:

24. Fine, thank you. Now, I will try to answer your
25. question. There are two figures that are the two first lines
26. based on two different premises. One is that the penalty will
27. be...have to be paid back within one year's time. The second
28. premise is that it would be distributed over a period of three
29. years. The pay back that is would be distributed over of a
30. period of three years. If you'll see, that produces two
31. different figures in terms of the amount of benefit that
32. Chicago gets from the entire package of bills, and this is the
33. benefit that includes both its indirect benefit from forgiveness of

1 the penalty and the direct amount that it gets out of the fact
2 that it receives a proportionate share of any distribution.

3 PRESIDENT:

4 Senator Nimrod.

5 SENATOR NIMROD:

6 Yes, you referred only to the figure of 8.1 million,
7 however, that Chicago would get. What we're really saying is
8 that they...they could get sixteen million or approximately sixteen
9 million. Is that correct?

10 PRESIDENT:

11 Senator Netsch.

12 SENATOR NETSCH:

13 You are not correct that I referred to only the 8.1 million.
14 I specifically pointed out that if it is a one year pay back,
15 Chicago's total benefit would be 15.9 million. If it is a three
16 year pay back as Mr. Cronin, Superintendent Cronin, has requested
17 and the Board...the State Board of Education, it would be an
18 8.1 million benefit. I think you might be correct that I did
19 not mention the smaller figure down at the bottom. I mentioned
20 the forty million dollar figure and did not mention the thirty-two
21 million dollar figure.

22 PRESIDENT:

23 Senator Nimrod.

24 SENATOR NIMROD:

25 Yeah, the...the bottom line of this figure is that it could
26 be thirty-four million, approximately thirty-four million,
27 rather than the forty that's being suggested or being discussed,
28 that...that could go for distribution on to downstate. Thank
29 you, Senator, and I...I just wanted to make one further comment.
30 And that is that if, in fact, we were to fund the present law
31 with the fifty million dollars, the City of Chicago for the
32 schools would receive some nineteen million out of approximately
33 nineteen million dollars of that money. So it seems to me that the

1 questions that I asked the Superintendent yesterday were just
2 not really addressed directly and that is if he had a choice of
3 what...whether to fund the formula fully or to take these
4 corrective measures. It seems that these corrective measures
5 were something that the Superintendent felt were of the utmost
6 importance and yet I hear members of the other side of the aisle
7 saying that we don't have to fund them, we just ought to get
8 them on the books. Well, the issue is what do we do with the
9 fifty million dollars? I would suggest that the wiser course
10 of action, and I'm going to present an amendment on a later
11 bill would be to fund fully the present law, put the fifty million
12 dollars into the...into the present law and that would certainly
13 take care of the problems that we have if we have this kind of
14 money that's available that would take care of keeping a prior
15 commitment before we involve ourselves with another hundred
16 plus million dollar obligations. The schools will never know
17 where there are when we start adding more goodies for them and more
18 complications as to where the money is going to go and yet not
19 provide the money for it.

20 PRESIDENT:

21 Time, Senator.

22 SENATOR NIMROD:

23 The wise course of action is to provide that money...I'll
24 be through in a minute, Mr. President. The wise course of action
25 would be to provide the fifty million dollars on the present
26 law and that would be keeping our commitment and...and I have
27 been informed that if we did that, under the present conditions
28 that exist right now, that we would then be funding the current
29 law, ninety-nine and ninety-nine one hundredths percent. That
30 is the course...

31 PRESIDENT:

32 Time, Senator. Now, you have gone five...three minutes over
33 the three...over the allotted time. Please confine your remarks, please.

1. SENATOR NIMROD:
2. I didn't...Mr. President, I don't believe anyone was
3. called on time up to this point, but I'll be happy to...
4. PRESIDENT:
5. Nobody has overdone it up to this point.
6. SENATOR NIMROD:
7. I...my watch indicates that I've talked less than most
8. people that have been up but...
9. PRESIDENT:
10. I'd be delighted to...be delighted to refer you to a
11. jeweler where you could get a new watch that works.
12. SENATOR NIMROD:
13. Longine will not like the comments, but at any rate,...
14. PRESIDENT:
15. I have a Rolex dealer...
16. SENATOR NIMROD:
17. At any rate I will close...
18. PRESIDENT:
19. ...who would be interested in you.
20. SENATOR NIMROD:
21. ...I will close with saying that I do think that the wisest
22. course of action is not to pursue this bill, but to certainly
23. consider fully funding the existing formula and law which I would
24. totally support and I do believe we have the funds to do it with
25. the present status and our present program.
26. PRESIDENT:
27. Senator Glass.
28. SENATOR GLASS:
29. Thank you, Mr. President, Ladies and Gentlemen, as has been
30. brought out in connection with the debate on the amendment which
31. failed by one vote, I think it would be unfair to pass this
32. bill the way it is. I fully intend to support Senate Bill 6
33. which is a bill that would implement these changes prospectively

1. effective next fiscal year and I would certainly hope the
2. membership who feel that way would join in withholding
3. votes on this bill so that we might not give one school district
4. which has already received the benefit of the...the penalty
5. reduction through Superintendent Cronin's action, yet another
6. reduction in that penalty. Those are my only comments, Mr.
7. President, but I would like to make a Parliamentary inquiry
8. as to the number of votes that are required for passage of this
9. bill.

10. PRESIDENT:

11. Thirty-six for immediate effect.

12. SENATOR GLASS:

13. Mr. President, in the event the bill receives less than
14. thirty-six but thirty or more votes, it's my understanding
15. that under Rule twenty there would be an automatic reconsideration
16. of the...the bill for an effective date as of next July 1st
17. and I...I'd like to inquire whether that's correct.

18. PRESIDENT:

19. I think the rule you referred to refers to emergency
20. clauses, which are no longer used. Senator Knuppel.

21. SENATOR KNUPPEL:

22. I'd...I'd like to ask a couple of questions here if I
23. may of Senator Brady. I think he's the sponsor of the bill.

24. PRESIDENT:

25. Indicates he'll yield.

26. SENATOR KNUPPEL:

27. I know, Senator Brady, you're not the sponsor of
28. 3...I guess of 3...2 and 3 but can you explain to me why
29. these...Senate Bill 2 makes use of only fifty thousand of the
30. supposed ninety-five thousand that can be raised by accelerating
31. the tax, why don't we use the ninety-five thousand and more
32. closely approach full funding?

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator...Senator Glass.

2. SENATOR GLASS:

3. No, no, no.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Brady, I'm sorry.

6. SENATOR BRADY:

7. Senator Knuppel, as I understand the package as placed

8. in, we have reached some sense of agreement and if the Legislative

9. Body enacts this type of legislation that we can look for-

10. ward to it being signed and effected into law. I'm not so sure

11. that ninety-five million shouldn't be spent in education

12. if ninety-five million is available, but I am suggesting to you

13. that I am going along with the proposed package as it was

14. put before us because to make effective the changes in Senate

15. Bill 1, we need to have at least that bill, but I...I understand

16. your point.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. All right. How long will it take to collect that ninety-

21. five million dollars? Isn't that a one shot proposition, don't

22. we collect it all at the...at the outset? In other words,

23. ...we don't collect so much of it per month over the next

24. year. It's a one shot proposition. We collect it all at once,

25. do we not, Senator Brady?

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Brady.

28. SENATOR BRADY:

29. As I understand it, we collect it all at once. I don't

30. know how fast that is, but maybe it's a four week period

31. that it all comes in at once, yes.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator Knuppel.

1. SENATOR KNUPPEL:

2. So it would be within a one month period. Now is there
3. any reason, Senator Brady, that we couldn't pass Senate Bill
4. No. 1 and...and the schools go ahead and operate on that and
5. when we come back in November, pass...pass No. 3 and see whether
6. if...if we wanted to, we could...we could approach the thing
7. at that time since it's all collectable in one...one period?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Brady.

10. SENATOR BRADY:

11. Senator, I'm sure a yes or no answer is a lot easier for
12. you, but let me just say again that because of the importance
13. I feel of Senate Bill 1, I have gone publically on record
14. saying I will support this package of five bills to accomplish
15. what I think are the necessary means of one. I understand
16. what you are saying. I think it can be done either way.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Well, it seems to me from Senator Brady's answers that
21. we're operating here under some measure of duress that...that
22. not only was he elected to the Gubernatorial chair, but he
23. apparently was also elected a member of the General Assembly
24. here under the new Constitution. All I can say is, is I'm...
25. I'm greatly impressed by his vetoes. I just received three of
26. them recently, none of which makes sense to me. He's like
27. that prehistoric bird which flies backward bumping into everything.
28. All I can say is I've been to a lot of county fairs lately
29. campaigning and he would make one hell of a collision derby
30. driver because they always run in reverse and hit everything
31. in sight and that's what it looks like to me here. Now, I'm
32. going to support Senate Bill 1 because I think it makes sense
33. on the changes of formula. I'm not so certain, I'm not so certain

1 that the rest of the bills make good sense and I'm going to have
2 to do some thinking about them and looking at some of the
3 amendments.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Senator Partee.

6 SENATOR PARTEE:

7 Thank you, Mr. President and members of the Senate.

8 I have been listening very patiently and very carefully to
9 the very statements made on these questions and it just sort
10 of bothers me that we keep talking about the same things, both
11 in our questions and in our comments. It occurs to me that most
12 of us have made up our minds whether we're going to be
13 supportive of the school children or whether we're going
14 to play games about it. There's a bill pending here which is
15 the one Senator Glass just referred to that would have application
16 to the situation in July of 1977. I think that in of itself
17 is a tipoff on what the whole game plan is. The Legislature
18 meets in Regular Session commencing in January of 1977.
19 It's absolutely foolhardy, almost maniacal to sit here now and
20 start to plan and make preparations for a bill to come...
21 to become effective in July of 1977 when you're going to
22 have a six month Session just prior to July 1st, 1977.
23 Now, it either means that you think that everybody is nuts
24 or that you think everybody can be fooled. People want action
25 today, not July '77. They're going to vote in November to
26 determine even who's going to be here between January in '70...
27 January and July of 1977 and the people in the Legislature in that
28 General Assembly will decide what the law to be in July of 1977
29 and for us to sit here and waste time talking about what the law
30 ought to be in July of 1977 without any knowledge of first of all,
31 who's going to be sitting on the second floor without knowing
32 what the posture of the tax situation is going to be, without
33 knowing how many dollars is going to be in the treasury is a horrible,

1. horrible waste of time as far as I'm concerned. It just occurs
2. to me we ought to get on with the voting on these bills. Let
3. your records be put before the public, if you believe one way,
4. stand up like a man and say, I vote Aye, I vote No and let's
5. get it on and let's get it done and let's get out of here.
6. And that's just my judgement and I think we ought to get to
7. a roll call.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Fawell.

10. SENATOR FAWELL:

11. Well, there are a lot of thoughts running around in my head
12. here, the...I guess until the Governor called this Special
13. Session, nobody thought it was important enough on either
14. side of the aisle to make a lot of effort about coming down
15. here and it seems to me that the reason a lot of us didn't
16. support this legislation before it was...because we did not
17. believe the funds were there. Senator Wooten, I know, brought
18. this point out and it really seems to me that what we have to
19. ask ourselves is are we going to stand up in the next Session,
20. I can't because I'm not going to be here, but most of you will
21. be to come up with some new taxes to take the place of the
22. ninety-five million that we're getting twice during this fiscal
23. year and with all the juggling in the world, we can't get twice
24. in the next fiscal year. I would support the suggestion
25. that has recently been made that if we're going to do this
26. the full ninety-five million, I think ought to go in the public
27. education because I think with all of the belt tightening
28. we have done during this year, that to a great degree, we have
29. cut public education. We have cut special ed, for instance, so
30. that in regard to the extraordinarily handicapped child who is
31. obligated to find a private school that can meet his or her
32. needs because of the handicap we're now funding at the rate of
33. forty-seven percent of what we promised our public educators

1. we would reimburse them for. And all along the line we have
2. been renegeing on our promises to such an extent that we have
3. lawsuits now being filed in Peoria and elsewhere that in effect
4. has a number of school districts and parents pointing to the
5. Legislature and saying, you're simply not living up to your
6. promises. I tend to agree that there are a lot of good points
7. to this legislation, I think most of us do, because there's
8. been indications on both sides of the aisle that we support the
9. principals. It's only a question of when and I guess what we
10. are saying over here is that to a degree it's a little bit of a
11. premature issue, I suppose, for all of us because I repeat,
12. nobody was clanging the bell to get down here and do this, it's
13. only the Governor who more or less forced us to get down here
14. and do this and now we've got to really ask ourself the question
15. if we're going to suddenly say because there is a ninety-
16. five million dollar windfall that cannot be repeated next fiscal
17. year, it must mean that we're going to stand up and vote for
18. some new taxes if we're going to not go back on our word again
19. to the educators and have to cut again next year, because unless
20. I think we're willing to say we're going to find another hundred
21. million that can take the place of this one hundred million
22. or ninety-five million, that's what we are saying. I'm not even
23. saying that I won't support this legislation or that I won't support
24. the idea of the accelerated taxes. I'm not going to have to be
25. here to vote for any new taxes, Ladies and Gentlemen but you
26. will be. And I think we have to admit to one and all that that's
27. what we're talking about. To my way of thinking, public education
28. is important enough for us, perhaps, to take this extraordinary
29. step, but I think we ought to recognize what it is and not try
30. to make it appear as though all we're doing is talking about
31. accelcrating and that we're not talking about any new taxes
32. because we are talking about new taxes, I believe, when we
33. embrace fully this concept.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Senator Morris.

3. SENATOR MORRIS:

4. Thank you, Mr. President. I think that some of the people
5. on the other side of the aisle, especially my friend from
6. McHenry County, ought to take a long, hard look at this bill
7. because we have a reputation of not being real pleased with
8. the way that Chicago seems to always come out on top in the
9. State of Illinois. And if you'll examine this bill carefully,
10. at least in Lake County's case, if this bill is, in fact,
11. passed and does become law, rather than three to five districts
12. in Lake County having full access to State aid funds, we will now
13. have twenty-five to thirty and as one who is rather tired of
14. Chicago getting a little better deal on State aid than we have
15. in the past, this is the best thing that has happened educationally
16. for the schools in Lake County in quite some time. It gives
17. an opportunity for the schools in my area to get a slice of the
18. pie equal to that slice that has been going to Chicago. So
19. I would hope that those of you who continually kick Chicago
20. around and I happen to be one of them, would take a look at this
21. bill and see that for a change we are getting something instead
22. of having to give away the State in order to get some crumbs
23. and I think that it's important that we get into law as quickly
24. as possible these formula changes so that whoever might be the
25. new Governor and whoever might be the new Senators or those
26. that return to this Chamber next year, would have to take away
27. from the collar counties in downstate something that we have for
28. a change. So, I would hope that we'd look at it in that
29. light because it is an opportunity for us to come out of the
30. situation in a better shape and in Lake County's case for example,
31. we will have full access available to about one-third of the school
32. districts where in the past we didn't have that. The other thing
33. that I would like to point out in some of the suburban districts

1. is this does provide for the elimination of the rollback,
2. which is something that the suburban districts and some of those
3. on the fringes of my district have been clamoring for. So,
4. all in all, I think it is a very good package and I would hope
5. that people would take a look at it in that light. I think it is
6. the time that we have to stand up and make a decision that is
7. not the best of all possible worlds for everyone but I think
8. this represents a good form of compromise and for the first
9. time in a long time the downstate and collar count and
10. suburban schools have a chance to walk away with more from the
11. table than they put on.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Brady may close the debate.

14. SENATOR BRADY:

15. Thank you, Mr. President and fellow members. As I stood
16. here and listened to the many who have suggested their ideas before
17. me, it seems that we do have a sense about us, at least to
18. the majority viewpoint of those I listened to, that the proposals
19. in this bill are good that but maybe the timing is the thing
20. of question. Somebody said that they're all good, but they
21. shouldn't be retroactive, they should be prospective. That's
22. talking about next year. I remind you that a majority of us
23. passed this compromise legislation or something very similar
24. to it in the Spring Session. There was a deletion of one clause
25. and there was also a question under penalty of whether make it
26. specific for one year or one school or make it allowable for
27. all time in the Statute for all schools, should they run into
28. the same circumstances. I think that those provisions have made
29. this a better bill. That's what we're addressing ourselves here to
30. today. I think we have the bill in front of us that can do a lot
31. and I don't mean to be perpetuating, I guess, what seems to be
32. a cliché word that was kicked around today and that is more
33. equity. I've heard a lot of talk of percentages, prorations, a

1. lot of people say full funding is the goal. I'm for full
2. funding and full funding is still the goal, but if full
3. funding is not obtainable or readily accessible by some districts,
4. then is it equitable? And if we are able to enact these changes
5. it will be more equitable, more districts will get to that
6. full funding level. I think it's important to remember
7. that we have the opportunity now to take this entire compromise
8. and vote it into law. We have, I think, a sense of commitment
9. that it will be affected. One of the important things that has
10. not been talked about too much in the entire debate as I've seen it
11. today, is the provision of Whole Harmless. There is no other
12. bill before us that contains it. What we suggest here, if there
13. is such a thing called equity of one district has more access
14. than another, that, in fact, under this bill, if a district
15. does not appear to get as much as they would get this year,
16. not get as much as they'd get last year as was stated, but
17. get as much as they had projected that they were entitled
18. to this year, they would be held harmless and money would be
19. distributed to them. That's about the most sensible approach
20. we've ever taken to helping schools do their budgeting and keep
21. to the budgeting because none of them have a chance to lose
22. under the amount that they thought they'd receive. That
23. completes the package, I think, the Whole Harmless provision.
24. If I might, just for a minute, we talk about the elimination of the
25. rollback, we spent months on it. We had certain bills on just roll-
26. back alone and we could not get a majority of people to say,
27. yes, that's an inequity in some districts, but have inequities
28. in ours. That's the reason that and many other things have been
29. incorporated in this legislation. It is always the eleventh
30. hour, the timing is always a thing of question, but Ladies and
31. Gentlemen, if we're ever going to achieve the passage of this
32. kind of legislation, the time is now. I urge your support.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Question is, shall Senate Bill 1 pass? Those in favor
2. vote Aye. Those opposed Nay. The voting is open. Just...just
3. a moment. I...I believe...just a moment. Just a moment.
4. As an...as an elected representative to the Senate, he has
5. an absolute right to vote and his vote will be so recorded.
6. Senator Morris will be recorded Aye. Have all voted who wish?
7. Have all voted who wish? Senator Brady requests postponed
8. consideration. Consideration will be postponed. Senate Bill 2.
9. On the order of 3rd reading. Read the bill. Just a moment.
10. For what purpose do you arise, Senator Hynes?

11. SENATOR HYNES:

12. Mr. President, in view of the vote on the preceding bill,
13. I would take this bill...ask that this bill be taken out of the
14. record and that we move to the next bill in the series.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Davidson, for what purpose do you arise?

17. SENATOR DAVIDSON:

18. Since he's taking it out of the record, the question is
19. moot. Could it...need it to come back to 2nd for attempt for an amendment.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senate Bill 3. Read the bill. Senator Bruce requests that
22. this bill be returned to the order of 2nd reading. Do we have
23. leave? Leave is granted. The bill is now on 2nd reading. Senator
24. Bruce.

25. SECRETARY:

26. Amendment No. 1 offered by Senator Bruce.

27. SENATOR BRUCE:

28. Thank you, Mr. President. The amendment, as offered,
29. makes a technical change and adds the word "banking". It was
30. supposed to be three banking days and a misprint, the word
31. "banking" was left out.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Question is shall Amendment No.

1. 1 to Senate Bill 3 be adopted? Those in favor indicate by saying
2. Aye. Those opposed Nay. The Ayes have it. Amendment No. 1
3. is adopted. Are there further amendments?

4. SECRETARY:

5. No further amendments.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. 3rd reading. Senate Bill 4. Read the bill.

8. SECRETARY:

9. Senate Bill 4.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR DONNEWALD)

13. Senator Bruce.

14. SENATOR BRUCE:

15. Well, Mr. President, I...if we could find intervening
16. business it make...it might make a great deal more sense
17. if we could take Senate Bill 3 then 4 since 4 relates to the
18. penalties as said in 3. If the Secretary might have some
19. intervening business.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Take it out of the record. We do have...may we...go to
22. the order of resolutions. Do we have leave? Leave is granted.
23. Resolutions.

24. SECRETARY:

25. Senate Resolution No. 15, introduced by Senators Lemke,
26. Daley, Savickas, Lane and Hynes. It's congratulatory.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Lemke moves to suspend the rules for the immediate
29. adoption of the resolution. All those in favor indicate by saying.
30. Aye. Those opposed Nay. The Ayes have it. Senator Lemke
31. now moves that the resolution be adopted. Those in favor vote
32. Aye. Those opposed Nay. The Ayes have it. The resolution is
33. adopted.

1. SECRETARY:

2. Senate Resolution No. 16, introduced by the same sponsors,
3. it's congratulatory.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Lemke moves to suspend the rules for the immediate
6. adoption of the resolution. Those in favor indicate by saying
7. Aye. Those opposed Nay. The Ayes have it. Senator Lemke
8. now moves that the resolution be adopted. Those in favor vote
9. Aye. Those opposed Nay. The resolution is adopted. Senate
10. Bills, 3rd reading. Senate Bill 3. Read the bill.

11. SECRETARY:

12. Senate Bill No. 3.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Bruce.

17. SENATOR BRUCE:

18. Thank you, Mr. President and members of the Senate.

19. Senate Bill 3 is a bill which will require employers who have
20. withholding tax liabilities exceeding five hundred dollars to make
21. weekly withholding payments. For example, they would make a
22. withholding payment on the third banking day after the seventh,
23. the fifteenth, twenty-second, and last day of each month.

24. Currently, employers who have a tax liability for withholding
25. exceeding one hundred dollars, pay on a monthly basis.

26. This would make those with liabilities exceeding five hundred
27. dollars to make them on a...on a weekly or four times a month
28. basis. The bill also requires that corporations file their
29. income tax forms a month earlier than is currently required
30. which would make it on the fifteenth day of the third month
31. of the close of the taxable year, rather than the fourth month
32. and if they're on the calendar year basis, this would be March
33. the 15th, rather than April 15th.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion?

3. SENATOR BRUCE:

4. Well, if I may just...

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Just a moment. Continue. I couldn't hear you, Senator, that's
7. why I interrupted.

8. SENATOR BRUCE:

9. It applies only to corporate returns and does not return...
10. affect individuals, partnerships, or fiduciary returns.
11. It is estimated by the Department of Revenue that this will
12. bring in and add to the State Treasury in this fiscal year,
13. an additional thirty million dollars. It will not affect
14. revenue income in years after this one. It will improve
15. our cash flow and will make available thirty million dollars
16. additional money for funding the school aid formulas proposed
17. in Senate Bills...in Senate Bill 1. With that, Mr. President,
18. I would conclude.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. Mr. President and members of the Body, I don't understand,
23. maybe I'm not very bright, but I don't understand what sense
24. this bill makes at all without no. 1. I've heard about the
25. chicken and the egg, but I think this is one case you've got
26. the cart ahead of the horse. I think we ought to resolve
27. proposition number 1...or Senate Bill number 1 before we
28. advance the collection dates on taxes. I just want to say that
29. I'm on this side of the aisle. I want to see something in the
30. way of...of some give and take here. Maybe I'm not...I'm not running
31. this show, but it seems to me it's time to sit down and do
32. some talking. We didn't have the votes to pass...by one to pass
33. Senate Bill 1, but it seems to me that I could support irrevocably

1. here a proposition, if it's possible to draft it, where
2. I supported the acceleration of tax where forty-seven million
3. five hundred thousand dollars went to fund this year and forty-
4. seven thousand five hundred thousand...or forty-seven million
5. five hundred thousand was put aside in some manner to fund
6. next year so we won't be talking about where is this money
7. we're going to have to get next year as Senator Fawell was talking
8. about. We know it won't be dawdled away on some useless
9. project or bureaucratic scheme or some...somebody who...would
10. like to act like a drunken sailor going to town on Saturday
11. night. Now, I think we're just right at that point where we
12. ought to sit down and make these basic decisions and if we
13. make those basic decisions, I think we've got the votes to get
14. out of here to do the job, to meet the financing situation, not
15. only for this year under the new formula that would be under
16. ...under Senate Bill 1, but also for next year and I think this
17. is where we are. I'm not going to be able to vote for 3 and
18. 4. I don't even think they should be called until we resolve
19. 1. I think if we reach that kind of a compromise, I think we
20. can pass these bills out of here and I'm calling on the leadership
21. here and now to look at this thing to see if there isn't
22. some way that we can put forty-seven million five hundred thousand
23. into funding Senate Bill number 1 and earmark the other half
24. of the ninety-five million we're going to raise by accelerating
25. the collection date for next year so that we aren't confronted
26. with that problem. That's what I suggest we do.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Just a moment. Senator Morris, for what purpose do you
29. arise?

30. SENATOR MORRIS:

31. On...on a point of order.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. State your point.

1. SENATOR MORRIS:

2. As a...as a Senator who represents a district that has
3. forty thousand sailors in it at the Great Lakes Naval Base,
4. I resent the inference to sailors as drunks and I would hope
5. that in the future that would not be done on my constituents.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. We'll make a note of that. Senator Graham.

8. SENATOR GRAHAM:

9. I...I...I'm kind of amazed...

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. May we have order. Senator Graham.

12. SENATOR GRAHAM:

13. I'm a little bit amazed and I'm always pleased to hear
14. Senator Knuppel's acclamations over there. I like that bird
15. flying backwards thing. I just wonder how many birds we've
16. got flying backwards around this country right now. Yesterday
17. and for the past few months we've been hearing a lot of
18. conversation about further imposition...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Just...just a moment, Senator. It seems to me like
21. we have a lack of attention. And too many press conferences,
22. too many caucuses. Would the members please be in their seats.
23. Would the members please be in their seats. We'll have to resort
24. to the Sergeant-at-Arms to restore order.

25. SENATOR GRAHAM:

26. It will never work. While...while we're getting quiet...

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Continue, Senator.

29. SENATOR GRAHAM:

30. And while we're getting quiet, I just wondered in conformity
31. with Senator Partee's admonition awhile ago how Senator Netsch
32. is going to stand up like a man and vote, but nevertheless, we've...
33. we've heard...we've heard a lot of discussions since this big

1. meeting in New York last year about the further imposition of
2. big government in business. We want to get them out of business
3. because it not only affects the oil business, and not only...
4. affects the retailers, it affects the peanut business, and by
5. golly we want them out of there. And we hear something about
6. unity and now we get all de-unified because we're saying that
7. we want to get a further imposition of government into the every-
8. day operation of our business and have these guys up to their
9. armpits in paper. I think we ought to get together and find
10. out what we're really talking about and if you want to really
11. get some people really aggravated at the further imposition of
12. government in their everyday lives, just give these people
13. that are struggling for a...a way and a means to show a profit
14. in their corporations, just get them up to their armpits
15. or a little more up to their ears in paper and you've accomplished
16. your purpose and I don't want any part of that.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator Fawell.

19. SENATOR FAWELL:

20. Well, my only point is to join with Senator Knuppel.
21. I don't see any reason for proceeding at this point. Most of
22. us would agree that if there's any basis for accelerating revenues
23. here, it is because of the crisis in education and we've already
24. resolved, apparently, that we're not going to do anything about
25. the crisis. So, I think we are spinning our wheels here about
26. just certainly turning over a hundred million now to the...to the
27. Governor and without any direction whatsoever how it is spent, I think
28. is really a waste of time here and I would suggest to the sponsor
29. that perhaps he would just hold these bills back and...and
30. until or if and when there is something done in regard to the
31. educational crisis.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Senator...is there further debate? Senator Bell.

1. SENATOR BELL:

2. Yes, thank you, Mr. President. Seeing as how I haven't heard
3. any word from the leadership here in the Senate in accordance
4. to Senator Knuppel and Senator Fawell's admonition about holding
5. things until we see what we're going to do in reference to Senate
6. Bill 1 or Senate Bill 6, I presume we're going to continue
7. with the debate in reference here to Senate Bill 3 and that
8. is the tax acceleration. You know, it comes to my mind having
9. served here in the General Assembly in the Senate of Illinois
10. for the past four years that there's probably no more complicated
11. field than that of the resource equalizer, how we spend our funds,
12. how we break it down, it's going into education. And I submit
13. to you that you almost have to be a CPA, be a Senator or a
14. House member of this Legislature to figure out what's going
15. on. You have facts and figures laid before you constantly but
16. you have to juggle in your own mind and I say that I think
17. maybe I can do it, but the people back home, they don't understand
18. all these facts and figures. I would submit that the majority
19. of the faculties back home don't understand most of these facts
20. and figures either, but what they do understand is the fact
21. that if, in fact, we do bring about this acceleration, approximately
22. a hundred million dollars this year, that our Governor-elect
23. when he comes into office, is going to find himself in a
24. tremendously serious position, whether it's Thompson or whether
25. it's Howlett, he's going to have to deal with the fact that he
26. is with less...or he has less a hundred million dollars out of
27. the potentiality to run this State financially. It's a two
28. year term. It leaves us no where to go in the General Assembly
29. or the Executive in my opinion other than to lay it on for
30. a tax increase in the 80th General Assembly. And I say to you
31. that while education is an important, yes maybe one of the prime
32. important things here in the State of Illinois, that the people
33. of Illinois and this Senator do not want to bring about any action

1. that's going to bring about a State income tax increase. This
2. tax acceleration is passed, we are, in fact, going to bring
3. that about in my humble opinion. I am not going to be a
4. hypocrite in the 80th General Assembly. I'm going to lay my
5. voting record out as it has been during these past four
6. years and as it will be today and it represents that I'm
7. with the people of Illinois that say, we're spending beyond
8. our means no more. No more, and we better learn to say no
9. to education, we better start removing some of the mandates
10. in education, we better start looking at how we're using
11. finances for higher education, right on down the line and lay
12. out our priorities. It hasn't been done yet, it's going to
13. take some time, but that's the answer, colleagues. Thank
14. you very much.

15. PRESIDING OFFICER: (SENATOR DONNEWALD)

16. Senator Nimrod.

17. SENATOR NIMROD:

18. Yes, Mr. President and fellow Senators. I could
19. support this basic concept of these bills, but we...we do not
20. have the substantive bills that where the money is going as we
21. mentioned before. Now, under these present circumstances
22. there seems to be no reason to proceed. We presently have
23. a lame duck Governor who could commit this State to expenditures
24. way beyond our means. I think the General Assembly should wait
25. and see what Dan Walker does with respect to medicaid and
26. collective bargaining. If...if the present Governor has not
27. unbalanced the budget by giving away the money in the next
28. three months, then we can certainly, reasonably respond around
29. the first of the year. I certainly fear it's very quietly
30. but very effectively, the Governor is presently leaving us,
31. leaving his successor no choice but to raise taxes. Remember
32. we can do this in January with no harm to our State's budget
33. and very little disruption to our schools provided we do not waste
34. the windfall on other items before that term. I think that this

1 year as a result, we have seen a hundred and eighty million
2 dollar deficit that's spent more money than we took in and
3 a great deal of that deficit having to come out of the '77
4 revenues, which otherwise could be used for school purposes.
5 I think that the schools are open, the financial crunch will
6 not come until later this year as we've seen from the reports
7 of the comptrollers and our charts that are available and with
8 the committment from the Governor Walker they will not raise
9 these medicaid fees or welfare benefits or...accept other lucrative
10 employee contracts, we should in good conscience, wait until
11 the new Governor is inaugurated and can assess our financial
12 condition at the time.

13 PRESIDING OFFICER: (SENATOR DONNEWALD)

14 Is there further debate? Senator Bruce may close the
15 debate. Just a moment. Just a moment. Senator...Senator
16 Rock, in Senator Kenneth Hall's chair.

17 SENATOR ROCK:

18 Thank you, Mr. President and Ladies and Gentlemen of the
19 Senate. I rise in support of Senate Bill 3 and I would call
20 to the attention of the membership, if it needs be called to
21 their attention, that Senate Bills 3, 4, and 5 represent the
22 administration's mechanism for doing what we propose to do in
23 Senate Bills 1 and 2. In that respect, at least, it seems to
24 me we have a duty to address ourselves to Senate Bill 3. And
25 I think to raise the old canard about this will require at
26 some future date a tax increase, is simply nonsense. I don't
27 think that's what the Comptroller of this State has said on
28 numerous occasions, it's certainly not what the candidate..our
29 candidate for Governor has said, and it's certainly not what
30 the incumbent Governor has said. The proclamation issued which
31 brought us here made it pretty clear that this is a two part, two
32 pronged solution to the dilemma facing the school districts in Illi-
33 nois. The administration has said yes, those changes in the formula

1. equitable and are necessary, and I will, in fact, make
2. available fifty million dollars, if the fifty million dollars
3. is made available to the State and only the General Assembly
4. can do that by virtues of Senate Bills 3, 4, and 5.
5. This is a necessary part of the program and as such deserves
6. our support. I would solicit a favorable vote on Senate Bill
7. 3.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Is there further debate? Senator Bruce may close the
10. debate.

11. SENATOR BRUCE:

12. Thank you, Mr. President. I would just point out to
13. those who are worried about failure of 1 that we now no...have
14. no way of spending this...this money could be spent on the
15. formula which is in effect which would give additional money
16. of thirty million dollars to schools even if the failure of
17. 1 continued passed today. Secondly, there is a lot of discussion
18. this morning with members of the Body whether or not we ought
19. not to call 3, 4, and 5 first to raise the money before we spent
20. it. That's makes logical sense to me somewhat too, that
21. we ought to have the money before we spend it in 1 and 2.
22. So, whichever way we go, it makes sense, if you support additional
23. money to schools, I think you can vote for Senate Bill 3.

24. Thank you, Mr. President.

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. ...just a moment. For what purpose do you arise, Senator
27. Fawell?

28. SENATOR FAWELL:

29. As a point of personal privilege, I don't mean to try to
30. usurp this microphone twice, but...but this simply is not so.
31. If we aren't going increase appropriations in education, it can't
32. do us any good and it's...I think it's important to...well, I
33. know we certainly should before you'd start saying what you're
34. saying.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Just...just a moment. The question is shall Senate Bill 3
3. pass? Those in favor vote Aye. Those opposed Nay. The
4. voting is open. Have all those voted who wish? Have all
5. those voted who wish? Have all those voted who wish?
6. Take the record. Senator Bruce. Senator Bruce.

7. SENATOR BRUCE:

8. I would move that we postpone further consideration
9. of Senate Bill 3.

10. PRESIDING OFFICER: (SENATOR DONNEWALD)

11. Senator Bruce moves that postponed...consideration
12. be postponed on Senate Bill 3. Those...the bill is now
13. on postponed consideration. Senate Bill 4. Just a moment.
14. Senator Partee.

15. SENATOR PARTEE:

16. Well, sometimes you can predict the future by the
17. present and the past, and looking at the mood, attitudes,
18. recorded votes of the members, it occurs to me that it is an
19. exercise in futility to keep proceeding today on these measures.
20. This is not to suggest that there is not percolating in the
21. air, some possible compromise, some possible finalization,
22. affirmatively, of the programs under consideration. It is
23. obvious and apparent to me that that will not get underway
24. by continuing to call the bills. The House is not in Session
25. and will return Tuesday. Much of which...what happens here will
26. depend on what happens there. In that vein, Mr. President,
27. I propose to make a motion that the Senate stay...stand in recess
28. until Tuesday of next week which meeting...which meeting would
29. be a Perfunctory Session and after the House had met on both
30. Tuesday and Wednesday, our then next day of attendance would be
31. Thursday. Given what happens in the House as a consideration
32. to Thursday's Session. Now, it just occurs to me that that's
33. the only intelligent thing to do under the circumstances. Two

1. of the major bills have been called. The...the...both have
2. been put on consideration for lack of enough votes to pass
3. them... pardon? No, I'm saying adjourn until Tuesday for
4. a Perfunctory Session. If I used the word recess, I'm
5. in error, to adjourn till Tuesday for a Perfunctory Session
6. at noon at, of course...the members would not have to be present
7. and then to return on Thursday at noon for a Regular Session.
8. There's a House Joint Resolution there which I think conforms
9. with those dates and those hours. Is that correct, Mr. Secretary?

10. SECRETARY:

11. Yes. I have a Message from the House in that regard, yes.

12. SENATOR PARTEE:

13. Fine.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Message from the House.

16. SENATOR PARTEE:

17. Well, I'm going to withhold this motion until you shall
18. have completed the Message from the House and so forth, but I
19. wanted the Body to know what is on my mind.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Messages from the House.

22. SECRETARY:

23. A Message from the House by Mr. O'Brien, Clerk.

24. Mr. President -I am directed to inform the Senate
25. that the House of Representatives has adopted the following
26. Joint Resolution in the adoption of which I am instructed to
27. ask the concurrence of the Senate, to-wit:

28. House Joint Resolution No. 1.

29. (Secretary reads HJR No. 1)

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Rock moves that Senate...House Joint Resolution 1 be
32. adopted. Those in favor indicate by saying...just a moment.
33. Senator Harris, for what purpose do you arise?

1. SENATOR HARRIS:
2. Well, there, of course, we haven't really had all that kind
3. of attention, but there are some on this side that are
4. wondering about the times involved. As I understand it, it's
5. Tuesday at noon, which will be Perfunct here, and then the
6. question that's being asked of me is what time we will come in
7. on Thursday for the working Session.
8. PRESIDING OFFICER: (SENATOR DONNEWALD)
9. Senator... Noon.
10. SENATOR HARRIS:
11. Okay. Fine.
12. PRESIDING OFFICER: (SENATOR DONNEWALD)
13. Senator Partee indicates that it would be noon, Thursday.
14. SENATOR HARRIS:
15. Fine. Thank you.
16. PRESIDING OFFICER: (SENATOR DONNEWALD)
17. Senator Nimrod, for what purpose do you arise?
18. SENATOR NIMROD:
19. Mr. President, I was just going to suggest that possibly
20. there are some amendments on some of the other bills that
21. might provide a compromise that we may be able to reach an
22. answer. And in Senate Bill 2, where that was not called up
23. for any amendments, there is an amendment that I had that might
24. be an answer and I think there's another amendment there, but
25. is it possible that we might be able to consider that in order
26. maybe to go ahead and solve this problem today?
27. PRESIDING OFFICER: (SENATOR DONNEWALD)
28. Well, that...that can be considered when the bill is called,
29. Senator, which would be probably Thursday.
30. SENATOR NIMROD:
31. Well,...
32. PRESIDING OFFICER: (SENATOR DONNEWALD)
33. There is a pending motion. Senator Rock moves that the Senate

1. adopt the House Joint Resolution No. 1. All those in...all
2. those in favor indicate by saying Aye. Those opposed Nay.
3. The Ayes have it. The resolution is adopted. Senator
4. Partee now moves that the Senate...just a moment.
5. Just a moment. On the order of resolutions and it would be a...an
6. ...Senator Partee. Senator Partee.
7. SENATOR PARTEE:
8. Yes.
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. You do have a...
11. SENATOR PARTEE:
12. A death resolution.
13. PRESIDING OFFICER: (SENATOR DONNEWALD)
14. Yes, would the members please be in their seats?
15. This is a death resolution. Would the members please be in their
16. seats? Senate Resolution 17.
17. SECRETARY:
18. Senate Resolution No. 17, introduced by Senator Partee.
19. PRESIDING OFFICER: (SENATOR DONNEWALD)
20. Senator Partee.
21. SENATOR PARTEE:
22. ...is that, please?
23. SECRETARY:
24. That is on Judge William J. Lynch.
25. SENATOR PARTEE:
26. Yes. I'd just like to make this remark. One day a man
27. stood in this Chamber who was the Democratic leader, was a lawyer
28. from Chicago, elected to the State Senate and became the leader and
29. later went back to Chicago as attorney for a large governmental
30. activity and then became a Federal judge. He was a fine and decent
31. man, a bright and intelligent man, a giving and a serving man.
32. His name was William Lynch. Just a few days ago, he departed this
33. life and we offer this resolution for his family. I would like to

1 ask, Mr. President, that all members of the Senate be shown as
2 cosponsors, that the rules be suspended for the immediate con-
3 sideration and again that it be immediately adopted.

4 PRESIDING OFFICER: (SENATOR DONNEWALD)

5 Is there leave? Leave is granted. Senator Partee moves
6 that the rules be suspended for the immediate consideration of
7 this resolution. All those in favor indicate by saying Aye.
8 Those opposed. The Ayes have it. The rules are suspended and
9 Senator Partee now moves for the immediate adoption of the reso-
10 lution. All in favor please rise. Resolution is adopted.

11 SECRETARY:

12 Senate...Senate Resolution No. 18, introduced by Senators
13 McCarthy, Knuppel, Demuzio, and Merritt.

14 PRESIDING OFFICER: (SENATOR DONNEWALD)

15 Senator McCarthy.

16 SECRETARY:

17 It's on...relative to Dan Teefey.

18 SENATOR McCARTHY:

19 Yes. Mr. President, preparatory to making a motion to sus-
20 pend the rules, I would like to ask that the Senate...all members
21 be included in this resolution. It concerns itself with former
22 Representative Dan Teefey, who departed this world just a short
23 time ago. Those of us that served in the General Assembly with
24 him knew him as a friend and he didn't leave the General Assembly.
25 He was a legislative consultant with the Illinois Bankers
26 Association, Senator Knuppel represents the district that he
27 lived in and any...Senator Knuppel or anyone had any comments
28 they would want to make, that would...I would defer to them.
29 Ultimately, I would hope that the rules be suspended, all members of
30 the Senate be shown as the sponsors of this resolution and be adopted.

31 PRESIDING OFFICER: (SENATOR DONNEWALD)

32 Senator Knuppel.

33 SENATOR KNUPPEL:

1. Well, I would like to say this, that Dan Teeefey was may
2. friend, he was a second generation legislator. As most of you
3. know, I do not sponsor nor even vote for resolutions in this
4. Body unless they are directly affected with the membership
5. of the General Assembly. I voted for the one just before this
6. because it represented a man who had served here. I think this
7. is...I think these type of resolutions are appropriate. This
8. is the first such resolution that I've appeared as a sponsor
9. of, I think, in quite some time. This man was a distinguished
10. member of this group, of this Body, in the General Assembly
11. as well as having been a lobbyist here for the Banking Association.
12. He comported himself at all times in a manner befitting those
13. who serve here and I think it's a just tribute to him, to members
14. of his family, to his father before him who also served in the
15. General Assembly and I would like to join in requesting those
16. members of this Body to vote for this resolution.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator McCarthy moves that all members join as cosponsors
19. of this resolution. Those in favor indicate by saying Aye.
20. Do we have leave? We have leave. The...Senator McCarthy
21. now moves that the rules be suspended for the immediate consideration
22. of this resolution. Those in favor say Aye. Those opposed Nay.
23. The Ayes have it. The rules are suspended. Senator McCarthy
24. now moves that the resolution be adopted. All those in favor
25. indicate by rising. Resolution's adopted. Senate stands
26. adjourned...just a moment. Is there leave to show that Senator
27. Savickas and Senator Dougherty are absent because of illness? Leave
28. is granted. Senator Partee moves that the Senate stand adjourned
29. until Tuesday at noon. Senate does stand adjourned.
30.
31.
32.
33.