

77TH GENERAL ASSEMBLY
SECOND SPECIAL SESSION
JANUARY 2, 1973

1. PRESIDENT:

2. This is a Special Session so there is no reading of the
3. Journal or...we have a message from the Governor.

4. SECRETARY:

5. To the Honorable Paul Simon, Lt. Governor and President of
6. the Senate and members of the Senate of the 77th General Assembly:
7. Gentlemen:

8. I am enclosing herewith a correct copy of a proclamation
9. issued by his Excellency Richard B. Ogilvie filed in my office
10. the 28th day of December 1972. Given under my hand and Great
11. Seal of the State this second day of January A. D. 1973.

12. John W. Lewis
13. Secretary of State
14. State of Illinois, Executive Department

15. Proclamation:

16. WHEREAS, I deem that an extraordinary occasion exists for
17. the convening of the 77th General Assembly in a Special Session.

18. Now, therefore, I, Richard B. Ogilvie, Governor of the State
19. of Illinois, by the power and authority vested in me by the
20. Constitution of the State of Illinois do hereby call and convene
21. a Special Session of the 77th General Assembly of the State of
22. Illinois to commence on the second day of January A. D. 1973 at
23. 4:00 o'clock P. M. Central Standard Time for the following
24. purposes: (1) To enact laws, amend or repeal existing laws or
25. parts thereof to authorize salaries for the elected officials of
26. the Executive Branch. (2) To enact laws and amend or repeal
27. existing laws or parts thereof, to authorize salaries for officers
28. of the Judiciary. (3) To enact laws and amend or repeal exist-
29. ing laws or parts thereof, to authorize allowances and expenses
30. for the members of the General Assembly. (4) To make appro-
31. priations for such purposes. In witness thereto, I have here-
32. unto set my hand and caused the Seal of the State of Illinois to
33. be affixed. Done at the Capitol in the City of Springfield this

1. 27th day of December in the Year of our Lord One Thousand Nine
2. Hundred and Seventy-two and of the State of Illinois, the one
3. hundred and fifty-fifth. Signed: Richard B. Ogilvie, Governor.

4. PRESIDENT:

5. Introduction of bills. For what purpose does Senator
6. Knuppel arise? Just a moment let's have some order please,
7. gentlemen.

8. SENATOR KNUPPEL:

9. I rise to make a motion and that motion is to adjourn
10. sine die. My reasons are these. Everyone who ran for an office
11. that's in existence knew what that salary was when they ran. We
12. spent a great deal of time here last month concentrating on pay
13. raises and were unable to accomplish that. True, there's no
14. salary set for the Comptroller at this time. But all the Consti-
15. tution does is forbid a pay increase. It doesn't forbid us
16. from creating a salary for a new office, and if we would go on
17. home and save the taxpayers the money that we'll spend in this
18. Session, we'd be far better off. So I move that we adjourn
19. sine die.

20. PRESIDENT:

21. The.. for what...Senator Partee.

22. SENATOR PARTEE:

23. Without, without going into diverse and sundry reasons why
24. this motion should fall on deaf ears, I simply move that this
25. motion be tabled.

26. PRESIDENT:

27. Motion to table that particular motion. All in favor of
28. the motion to table signify by saying aye. Contrary minded.
29. Motion to table prevails. Senator Chew, the Chair apologizes.
30. Did you want the Floor? All right. We have some Resolutions.

31. SECRETARY:

32. Senate Resolution No. 1 introduced by Senator Partee.

33. PRESIDENT:

1. Is there any discussion? Senator Partee moves the adoption
2. of the Resolution. All in favor signify by saying aye. Contrary
3. minded. Resolution is adopted.

4. SECRETARY:

5. Senate Resolution No. 2 introduced by Senator Partee.

6. PRESIDENT:

7. Senator Partee moves the adoption of the Resolution. All in
8. favor signify by saying aye. Contrary minded. Resolution is
9. adopted.

10. SECRETARY:

11. Senate Resolution No. 3 introduced by Senator Partee.

12. PRESIDENT:

13. Senator Partee moves the adoption of the Resolution. All in
14. favor signify by saying aye. Contrary minded. Resolution is
15. adopted.

16. SECRETARY:

17. Senate Resolution No. 4 introduced by Senator Partee.

18. PRESIDENT:

19. Is there any discussion? Senator Partee moves the adoption
20. of the Resolution. All in favor signify by saying aye. Contrary
21. minded. Resolution is adopted.

22. SECRETARY:

23. Senate Resolution No. 5 introduced by Senator Partee.

24. PRESIDENT:

25. Senator Partee moves the adoption of the Resolution. Is
26. there any discussion? All in favor signify by saying aye.
27. Contrary minded. Resolution is adopted.

28. SECRETARY:

29. Senate Resolution No. 6 introduced by Senator Partee.

30. PRESIDENT:

31. Is there any discussion? Senator Partee moves the adoption
32. of the Resolution. All in favor signify by saying aye. Contrary
33. minded. Resolution is adopted. Introduction of bills. Senator

1. Partee.

2. SENATOR PARTEE:

3. All of the bills that are to be introduced are ready except
4. one or two. It's indicated that leadership on both sides would
5. like a short conference, possibly not more than 30 minutes in
6. which time we may edify our members as to the exact bills and
7. their component parts. I think it would help us to move with
8. some dispatch here and in that vein, I am calling for a Democratic
9. Caucus to be followed by a suggestion on the other side for a
10. Caucus for the next 30 minutes which would mean that we would be
11. back by say 20 minutes past five.

12. PRESIDENT:

13. Senator Clarke.

14. SENATOR CLARKE:

15. Likewise, we'll have a Republican Caucus...419. Oh, in M-1.

16. PRESIDENT:

17. Motion is that the Senate stand in recess for 25 minutes. All
18. in favor signify by saying aye. Contrary minded. Senator Graham.

19. SENATOR GRAHAM:

20. Ah, before we break up I have the pleasure of introducing the
21. Baltz family who are sitting in the Gallery to your left up behind.
22. We have Cela Baltz and husband, James and Joe Baltz. Will you,
23. the Baltz family...the pride of Senator Baltz, stand and be recognized
24. by the Senate. Jim, Joe and Cela. Thank you.

25. PRESIDENT:

26. Senate stands in recess until twenty after five.

27.

28. RECESS

29. PRESIDENT:

30. Senate will come to order. Introduction of bills.

31. SECRETARY:

32. Senate Bill No. 1 introduced by Senator...

33. PRESIDENT:

1. Just a moment. Please let's have some order. Proceed.

2. SECRETARY:

3. Senate Bill No. 1 introduced by Senators Harris, Clarke,
4. Partee, Donnewald and Chery. A Bill for an Act to amend
5. Section 1 of an Act concerning fees and salaries and to classify
6. several counties of this State with reference thereto. First
7. Reading of the Bill.

8. Senate Bill No. 2 introduced by the same sponsors: A Bill
9. for an Act making supplemental appropriations for the pay of
10. certain officers of State Government. First Reading of the Bill.

11. Senate Bill No. 3 introduced by the same sponsors. A Bill
12. for an Act to amend Section 1 and 2 and the title of and to add
13. Section 1 to an Act to provide for and fix the compensation of
14. members of the General Assembly of the State of Illinois. First
15. Reading of the Bill.

16. Senate Bill No. 4 introduced by the same sponsors. A Bill
17. for an Act to make a supplemental appropriation for expenses of
18. the General Assembly. First Reading of the Bill.

19. Senate Bill No. 5 introduced by the same sponsors. A Bill
20. for an Act to amend Section 1 and 2 of an Act making appropriation:
21. for the furnishing of legislative staff, secretary, clerical, research
22. technical, telephone and other utility services, officers equipment,
23. office equipment and office rental caused to members of the General
24. Assembly. First Reading of the Bill.

25. Senate Bill No. 6 introduced by the same sponsors. A Bill
26. for an Act to amend Section 3, 3.1, 3.2 and 3.3 of an Act con-
27. cerning fees and salaries to classify the several counties of
28. this State with reference thereto. First Reading of the Bill.

29. Senate Bill No. 7 introduced by the same sponsors. A Bill
30. for an Act making supplemental appropriations for the pay of
31. certain offices of the Judicial systems of State Government and
32. authorizing therefor from specified funds in the State Treasury.
33. First Reading of the Bill.

1. Senate Bill No. 8 introduced by the same sponsors. A Bill
2. for an Act to amend Section 12.1 of an Act concerning fees and
3. salaries and to classify the several counties of this State with
4. reference thereto. First Reading of the Bill.

5. Senate Bill No. 9 introduced by the same sponsors. A Bill
6. for an Act to amend Section 3 of an Act to establish appellate
7. courts approved April 2, 1870, as amended. First Reading of the
8. Bill.

9. PRESIDENT:

10. We have a motion. Senator Partee.

11. SENATOR PARTEE:

12. I was looking for Senator Harris and Clarke. They have the
13. first of the bills in the series.

14. PRESIDENT:

15. Senator Harris.

16. SENATOR HARRIS:

17. Well, Mr. President, I would like to seek unanimous consent
18. of the Senate to have Senate Bill 1 and 2 read a first time and
19. advanced to Second Reading without reference to committee.

20. PRESIDENT:

21. Is there objection? Leave is granted. Senator Clarke.

22. SENATOR CLARKE:

23. Mr. President, Senate Bills 3, 4 and 5 are a package of
24. bills that deal with the legislative remuneration in terms of
25. increase in allowance and per diem. They are the same bills that I
26. introduced during the Regular Session, and I would move that
27. these be read a first time and advanced to Second Reading.

28. PRESIDENT:

29. Is there objection? Leave is granted. Senator Partee.

30. SENATOR PARTEE:

31. Now, Mr. President, in that same series are Bills 6, 7, 8
32. and 9 which relate to various salary levels both of judges and
33. of clerks of courts, and on the same basis, I'd like to have those

1. read a first time and advanced to Second Reading without reference
2. to committee.

3. PRESIDENT:

4. Is there objection? Leave is granted. We have a Resolution.
5. Senator Neistein.

6. SENATOR NEISTEIN:

7. I rise on a point of personal privilege, Mr. President,
8. and since you're the official ombudsman I want to ask you if you
9. can resolve my problem. The Legislature, I won't say in its
10. wisdom because I don't think it was, passed the Endangered Species
11. Act, and it went into effect this Monday. Today is Tuesday, it
12. went into effect yesterday. Under the Act a person can be fined
13. \$1,000 and/or receive a year in jail. Now in order to comply with
14. the law I called the Department of Conservation and the Governor's
15. office. They don't know anything about this Act. The Department
16. of Conservation said that the Act calls for a nine-member board
17. to administer the Act. Among other things it provides that the
18. police have the right to search and seizure in everyone's home,
19. also. And the Board has not been appointed. I've been told
20. there's no fiscal note and a fiscal note was required on that Bill.
21. My query is this. What do I do about a beat up old lighter case
22. that I've got for my lighter. It's a piece of alligator and it's
23. broken and all, but it's still a piece of alligator. I'm in vio-
24. lation of the law if I can't register it, and my own State Govern-
25. ment has no facility to register these items. I have a pair of
26. old shoes. My daughter may have a fun coat, and under the Act,
27. leopard skin, turtle skin, polar bear rugs, among a host of other
28. things must be registered. And I'm informed that Russia and
29. Germany are the other two countries that have these laws. Hitler
30. instituted that, and Russia in the present day has that law where
31. you must register personal property. My query to you as ombudsman
32. is this.- What do I do about registering these things? I don't
33. want to be in violation of the law. I don't want police to search

1. my home because this still isn't Germany or Russia in my estimation,
2. although we are in a police state. What do I do about registering
3. these articles?

4. PRESIDENT:

5. Well, Senator, I think you need a good attorney.

6. SENATOR NEISTEIN:

7. Well, Mr. President, you can make light of this, but it can be a
8. violation of the law and a year in prison. I called the Department
9. of Conservation. They don't know anything about this Act. They
10. never heard of it and finally, after going two hours on the telephone,
11. I called the newspaper that editorialized the benefits of this Act.
12. On the date that I called, I think it was last Thursday, and they
13. said they know nothing about how to go about this Act although
14. it's a wonderful Act. There's no Board and there's no way to ad-
15. minister this Act. Now what do I do? I think this is a serious
16. matter. How do you register these items? I have a belt, also, by
17. the way, and I want to register the belt. It's made out of turtle
18. skin.

19. PRESIDENT:

20. Well, the Chair doesn't have the answer for you right now,
21. Senator, but we'll do some checking.

22. SENATOR NEISTEIN:

23. Well, Mr. President, as the ombudsman, and I'm not saying this
24. to be facetious or to put anybody in the middle, but I want to know
25. what to do about registering these items. There's a law on the
26. books. The papers have extolled the virtues of this Act and how
27. it's going to help humanity and how the world's going to be saved.
28. The bombing will end in Viet Nam if we pass this Bill. Senator
29. Bruce was the Senate sponsor, by the way. I don't see him here
30. today, and I don't blame him for hiding out after handling such a
31. beautiful bill. But what is the solution to this problem?

32. PRESIDENT:

33. Well, the Chair doesn't have one for you right now, and I'm

1. not suggesting that it isn't a serious problem. It's one that
2. we'll be happy to do some checking on. Senator Neistein.

3. SENATOR NEISTEIN:

4. It says that the State's Attorney in each County can indict
5. and prosecute and it carries a year in jail. Now, this is something
6. serious. Now, how do you go about it. I called the newspapers
7. because they say it's a good bill, and I called the Department of
8. Conservation which says they're supposed to administer this Act,
9. and nobody knows what to do with it. Now my query is, if we
10. thought enough of a Bill like this, how do I comply with the law?

11. PRESIDENT:

12. Well, the Chair doesn't have an answer for you right now.
13. Senator Soper.

14. SENATOR SOPER:

15. With your help, Mr. President, I think I can help Senator
16. Neistein. If you'll boil the belt, you'll have a belt with a
17. little turtle soup, and a little turtle soup with a little belt is
18. always very good they tell me.

19. PRESIDENT:

20. Senator Baltz.

21. SENATOR BALTZ:

22. Well, Mr. President, and members of the Senate, if Senator
23. Neistein wants to know what to do I have a suggestion for him. He
24. can give me all those items that he described, and I'll have my
25. fence take the heat for him if he gets caught.

26. PRESIDENT:

27. Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President, I have a suggestion, too. After Senator Soper
30. gets through helping him, I think he ought to tell us what kind of
31. cigars he smokes so that we, as his colleagues and we love him so
32. much, can be sure that he has a year's supply.

33. PRESIDENT:

1. Senator Neistein.

2. SENATOR NEISTEIN:

3. Well, for the benefit of my esteemed colleagues, you're
4. worried about me. But I think some of you better be worried
5. about yourselves because the Act applies to everyone. It even
6. applies to the editors of the newspapers who might have a polar
7. bear rug in their room and the police can break in and search
8. their home, or apply that one year in jail. So, I'm not talking
9. for me individually, although it happens to me and I made all
10. these inquiries. But I think this is serious. And I've questioned
11. many times the fact that a bill didn't have a fiscal note and
12. about the applicability of the law. And I fought this law just
13. on the same basis and I think there's tapes of what the arguments
14. and the discussions were on bills. And while everyone's making
15. light of this I think this is a very serious problem, and it's
16. something that should be resolved and be resolved officially
17. because a year in jail and a \$1,000 fine is facing everyone who
18. hasn't registered a multitude of items.

19. PRESIDENT:

20. Well, this Body can't do anything tonight. Either the
21. Courts or the next Legislature will have to do something. Senator
22. Latherow.

23. SENATOR LATHEROW:

24. Mr. President and Senator, I just happened to think that just
25. possibly in such a predicament that we're in you should consult your
26. legal advisor over here, Senator Sours.

27. PRESIDENT:

28. We have...Senator Sours.

29. SENATOR SOURS:

30. Well, I'll have to resign before I start because after that
31. law was signed by the Governor, I sold my under and over full-choke
32. Lafever 14-gauge and I've now retired to my living room.

33. PRESIDENT:

1. We have a Resolution.

2. SECRETARY:

3. Senate Joint Resolution No. 1 introduced by Senators Partee,
4. Clarke, Donnewald, Harris and Cherry.

5. PRESIDENT:

6. Senator Partee.

7. SENATOR PARTEE:

8. This is sort of a mine run Resolution which is necessary,
9. and we ask that the rules be suspended and it be immediately
10. adopted.

11. PRESIDENT:

12. Is there any discussion? All in favor signify by saying aye.
13. Contrary minded. Resolution is adopted. Is there further business
14. to be brought before the Session? Senator Partee.

15. SENATOR PARTEE:

16. Now, Mr. President and to the members, let me say that we
17. appreciated your patience today. We've tried as diligently as
18. possible both on this and the other side of the aisle to first
19. inform you in Caucus what the nine bills were about so that we
20. could avoid what might have been a needless discussion and
21. argument on the Floor. We have now passed those Bills into viable
22. Bills in terms of being introduced and given numbers. We are
23. now going to...we have now moved those bills to Second Reading
24. without reference to committee. I would like the members to know
25. and understand that tomorrow there will be a Perfunctory Session
26. at which time these Bills will be moved to Third Reading. This
27. would not, I repeat, would not forclose any member of this Body
28. on Thursday, when these Bills are back on Third Reading in Regular
29. Session from requesting that such Bills, or Bill or Bills be
30. moved back to the order of Second Reading for the purpose of an
31. Amendment or Amendments. We could then debate those Amendments,
32. move the Bill back to Third Reading and then finalize our action
33. here. This would mean, of course, that those Bills would go to the

1. House on Thursday, at which time they would be given the same
2. kind of process in terms of solarity as we have involved ourselves
3. in here. Those Bills would then be, under that aqiston the call
4. for hearing on Saturday at which time we would, of course, be
5. back here for final action as indicated. Now, Mr. President, if
6. there are no other questions, I'm going to make another motion
7. toward recessing until tomorrow.

8. PRESIDENT:

9. And I understand that the procedure you have outlined applies
10. not only to the bills you introduced but to all bills that have
11. been introduced.

12. SENATOR PARTEE:

13. All bills, yes Sir. All nine of them.

14. PRESIDENT:

15. Senator Clarke.

16. SENATOR CLARKE:

17. Mr. President, I presume you're going to speak, then, to
18. the time on Thursday that we would reconvene if tomorrow is going
19. to be a Perfunctory.

20. PRESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. I was going to suggest that the Perfunctory tomorrow be at
24. 10:30 and that the Session on Thursday also be at 10:30. That
25. would give everybody a chance to get here if someone happened to
26. go home. 10:30 on both days. A Perfunctory tomorrow and a
27. Regular Session on Thursday.

28. PRESIDENT:

29. Senator Berning.

30. SENATOR BERNING:

31. Mr. President, I have a question, rather really two. It's
32. starting out as a bad year. Already things are dropping. Will
33. we have copies of these Bills on Thursday?

1. PRESIDENT:

2. We will.

3. SENATOR BERNING:

4. My next question has to do with procedure, and I'm not really
5. challenging, I'm merely wanting to be sure that we don't violate
6. our own rules and I'm referring to Rule 5 - Introduction of Bills -
7. on page 81 in the Rule Book. - With your permission I will read
8. "All Bills introduced in the Senate shall be read at large the
9. first time, ordered printed and automatically referred on the same
10. day to the Committee of Assignment of Bills unless otherwise ordered
11. by the Senate to be referred to a standing committee. Now I, the
12. next question is the next line: is the one that puzzles me. "No
13. bill shall be advanced without reference to a standing committee
14. without the approval of the Committee of Assignment of Bills."
15. My question is, does our motion here, which advanced these bills
16. to Second Reading need the concurrence of the Committee on
17. Assignment of Bills. That would seem to be the case according
18. to this Rule.

19. PRESIDENT:

20. No, it does not. What the motion or the request was that
21. the Rules be suspended and that the Bills be advanced to Second
22. Reading. This particular Rule has been suspended.

23. SENATOR BERNING:

24. We can suspend the whole body of the rule?

25. PRESIDENT:

26. We can suspend, as Senator Neistein can tell you, we can
27. suspend the whole rule.

28. SENATOR BERNING:

29. We took the pages out again.

30. PRESIDENT:

31. Is there further discussion? Motion is that the Senate
32. adjourn. There will be a Perfunctory Session tomorrow at 10:30
33. and then come back into Regular Session Thursday at 10:30.

1. All in favor of the motion to adjourn indicate by saying aye.

2. Contrary minded. Senate stands adjourned.

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