

77TH GENERAL ASSEMBLY  
SENATE FLOOR DEBATE  
MAY 24, 1972

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5-24-72

1. PRESIDENT:

2. Senate will come to order. Prayer by the Chaplain Reverend  
3. John H. Beiderwieden, Pastor of St. Paul's Lutheran Church of Havana.  
4. Pastor Beiderwieden.

5. PRAYER:

6. PRESIDENT:

7. Reading of the Journal moved by Senator Soper that the reading  
8. of the Journal be dispensed with. All in favor signify by saying  
9. aye. Contrary minded. Motion prevails. Senator Newhouse is rec-  
10. ognized for the introduction of some two special guests.

11. SENATOR NEWHOUSE:

12. Thank you Mr. President. Mr. President, members of the  
13. Senate...

14. PRESIDENT:

15. Just a moment, let's have some order. Senator Newhouse.

16. SENATOR NEWHOUSE:

17. As you know Mr. President, members of the Senate, we are  
18. quite interested from the Education Committee and other aspects  
19. of what is happening in our Junior Colleges. I'm bringing with  
20. me today, two young men I met a couple of weeks ago at Olive  
21. Harvey College which is just adjacent to my district. These  
22. two young men have won...I went, Mr. President, to an award ceremony  
23. and to my surprise I found that 44 of the awards that I was to  
24. give out went to the two young men who are seated behind you.  
25. They are thw two man forensic team from Olive Harvey. I'd just  
26. like you to know some of the things that they have done. Among the  
27. 44 awards that they have is a third in speech criticism, a fourth  
28. in impromptu and a fourth in oral interpretation of the Los Angeles  
29. Nationals. At Morton College, they were second in impromptu and  
30. third in informative. At the University of Wisconsin, they  
31. were first in oration, firat in oral interpretation. At Highland,  
32. they were first in extemporaneous, first in oration. At DuPage,  
33. they were first in speech criticism and first in oration.

1. It seems that these young men just sort of switched first and  
2. second awards around among them. It occurred to me when I met  
3. them there, Mr. President, that they ought to be introduced to the  
4. Legislative process and for that reason I brought them down and  
5. would like to introduce them to the Senate today. I would like  
6. to introduce Mr. T-Chulla Jaquri and Mr. Ronald Patterson from Olive  
7. Harvey College, in Senator Dougherty's district.

8. PRESIDENT:

9. Committee reports.

10. SECRETARY:

11. Senator Donnewald, Chairman of Assignment of Bills, assigns  
12. the following to Committee: Agriculture, House Bills 3796, 4591;  
13. Education, House Bills 1464, 3078, 4322 and 4603; Education, House  
14. Bill 4194; Judiciary, House Bill 4536; Labor and Commerce, House  
15. Bill 3784; Local Government, House Bills, 4167 and 4397; Appropriation  
16. Division on Committee on Public Finance, Senate Bills 1575, 1576, 1581;  
17. Revenue, Senate Bills 1577, 1578, 1579, 1580; Transportation, House  
18. Bills 3599 and 4557. Senator Neistein, Chairman of Judiciary Committee  
19. reports out the following House Bills; 2683, 2684, 2685, 3802, 4169  
20. and 4484 with the recommendation Do Pass. House Bills 3719 and 4136  
21. with the recommendation Do Not Pass. Senator Chew, Chairman of  
22. Transportation Committee reports out the following bills: Senate Bill  
23. 1435 with the recommendation Do Not Pass. House Bills 3781, 4108,  
24. 4243, 4278, 4428 with the recommendation Do Pass. House Bills, 3557,  
25. 4178, 4190 with the recommendation Do Pass As Amended.

26. PRESIDENT:

27. Resolutions. Any motions by members? Messages from the House.  
28. We have two messages from the House but they regard the bills that  
29. Senator Harris...we'll just hold on to those. House Bills on First  
30. Reading. If you will turn to page 2 of your Calendar. Members please  
31. will be in their seats and turn to page 2 of the Calendar. Let's,  
32. please gentlemen, Senator Course, Senator Carpentier. House Bill 14.  
33. Representative Juckett. 1488, Representative Duff. The next bills

1. 1531 through 1539 will be dropped from the Calendar if we do not  
2. have a....Senator Rosander, do you wish to take those? Senator  
3. Rosander will take that series. 1719, Representative Burditt.  
4. 22...Senator Mitchler 1719. 2228, 2228, Representative Katz. 3068,  
5. Representative Meyer. Who's the Senator from Representative Meyer's  
6. district? Senator Hynes, are you the Senator from Representative  
7. Meyer's district? Senator Ozinga is, Senator Clarke.

8. SENATOR CLARKE:

9. Mr. President, if you'll look at the description this is a  
10. nothing bill and I would like to suggest that this bill be moved to  
11. Second Reading. I understand Senator Harris is going to handle this  
12. bill.

13. PRESIDENT:

14. Senator Harris.

15. SENATOR CLARKE:

16. Yes.

17. PRESIDENT:

18. Alright. Is there... Senator Hynes indicates he will handle  
19. it. Is there objection to advancing it to Second Reading? It is  
20. advanced. 3554, Senator Rock. 3611, Representative...Senator  
21. Rosander is taking it. 3688, Representative Mann, 3688. Senator  
22. O'Brien 3688. 89 also. 3703, Representative McPartlin. 3741,  
23. Representative Schneider, Senator Fawell. 3746, Representative  
24. Tipsword, Senator McCarthy. 3747, Senator Barnes, Senator Newhouse.  
25. 3749, Representative Choate, 3749. 3766, just a moment, please  
26. gentlemen let's get some order so we can follow this. 3766, Re-  
27. presentative Burditt. 3785, Representative Burditt. 3795, J. J.  
28. Wolfe, Senator Rosander. 4075, Representative Katz, Senator  
29. Savickas. 4088, H. H. Hall, Senator McBroom. 4092, 4092, 4095,  
30. Representative Madigan. 4110, Representative Barry. 4126,  
31. Representative Wall. 4110 and 11, Senator O'Brien. 4130, Representativ  
32. Burditt. 4130, Senator Clarke, looks like an emergency. Senator Clarke.

33. SENATOR CLARKE:

1. I think that maybe this is a bill that we could move to Second Reading.  
2. House Bill 4130 is a supplemental appropriation of the Pollution  
3. Control Board.

4. PRESIDENT:

5. Leave is granted, who should be...Senator, there is objection.  
6. Senator Clarke, there is objection from Senator Latherow. Who is  
7. handling the bill, Senator Clarke? Well, we will just leave it on  
8. First Reading. 4142, Representative DiPrima. 4142 and 4143, Senator  
9. Mitchler. Do you want to advance those to Second Reading? Just a  
10. moment. Do you want to advance those to Second Reading without  
11. reference? No, all right. He is not advancing them. 4142 and 4143.  
12. Senator Partee.

13. SENATOR PARTEE:

14. Was the question whether it wanted to be advanced to Second Reading?

15. PRESIDENT:

16. Well, Senator Mitchler indicates he doesn't want it advanced  
17. to Second Reading.

18. SENATOR PARTEE:

19. Could I ask him why?

20. PRESIDENT:

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Senator Partee.

24. PRESIDENT:

25. Just a moment, just a moment. Let's get some order. Sergeant  
26. at Arms, let's clear that back aisle back there. Gentlemen, Pages  
27. please don't congregate...let's get some order here. Senator  
28. Mitchler.

29. SENATOR MITCHLER:

30. Yes, Senator Partee, Representative DiPrima asked me to handle  
31. these two for him and somebody just came up to me and said one of  
32. them is ineligible to receive this bonus and for that reason I will  
33. hold them until I clarify that, then we can advance them tomorrow

1. on Second Reading and that's the reason, Sir.

2. PRESIDENT:

3. Well, do you want to leave them on the Calendar then. Shall  
4. we just assign your name and leave them on the Calendar. Alright.  
5. 4149, Representative North. 4154, Representative McDevitt. Senator  
6. Cherry, 4154, is that your area? Senator Cherry. 4155, R. D.  
7. Cunningham. 4158, Representative Blair. Senator Baltz you handling  
8. that?

9. SENATOR BALTZ:

10. Ah, I haven't talked to Representative Blair about this. However,  
11. I understand the appropriation on this bill is \$300,000 and has been  
12. carefully gone over and found that the estimate is quite accurate.  
13. I might with the..if there's no objection move that to second without  
14. reference.

15. PRESIDENT:

16. Is there objection? Is there objection to moving that to  
17. Second Reading without reference? Leave is granted. Senator Clarke.

18. SENATOR CLARKE:

19. Are we going to have an Appropriation Committee meeting this  
20. week again? When is the next meeting?

21. PRESIDENT:

22. Senator Partee.

23. SENATOR PARTEE:

24. We expect to have one tomorrow, Senator.

25. PRESIDENT:

26. Senator Clarke.

27. SENATOR CLARKE:

28. I, I, I would suggest that this bill go to the Committee and  
29. be heard and that we waive the notice and have it heard tomorrow.

30. PRESIDENT:

31. Alright, Senator Baltz indicates that is acceptable. Senator  
32. Baltz will be indicated as the sponsor. 4175, Representative Telcser.  
33. Senator Clarke, you want to handle that one?

1. SENATOR CLARKE:

2. Mr. President, I understand that this is a bill that's  
3. necessary and it just so happened that this person failed to receive  
4. their compensation. I would suggest that this is one that we could  
5. possibly advance to Second Reading.

6. PRESIDENT:

7. Is there objection? Leave is granted. 4184, Representative  
8. Schlickman. 4199, Representative Madigan. It's a supplemental  
9. appropriation, Senator Clarke. Senator Harris. 4208, R. D. Cunningham.  
10. 4248, Representative Regner. Senator Carpentier. Senator Carpentier.

11. SENATOR CARPENTIER:

12. This has been discussed with the Chairman of the Senate  
13. Appropriations Committee and also Senator Rock and our leadership  
14. on both sides. We would like to move to advance this bill to Second  
15. Reading without reference to Committee. It's a deficiency appropriation  
16. for the Secretary of State's office to pay for the refund on licenses.

17. PRESIDENT:

18. Is there objection? Leave is granted. 4298, Representative  
19. Hyde, Senator Mohr. 4328, Representative Pierce. 4330, Senator  
20. McCarthy. 4355 and 56, Senator McCarthy. 4372, Senator Hall. 4388,  
21. Representative Matijevich. 4403, Representative Katz. 4388, Senator  
22. Knuppel. 4455, P. J. Miller. 4466, Senator Gilbert. 4491, Senator  
23. McCarthy. 4513, Senator Mitchler. 4523, Representative Juckett.  
24. Senator Carroll will take that. 4525, Senator McCarthy. 4531,  
25. Senator Dougherty. 4537, Representative Berman. 4549, Representative  
26. Berman. 4567, Senator McBroom. 4593, P. W. Collins. Senator Graham.  
27. 4595, Senator Baltz. Senate Bills on Second Reading. Senator Palmer.

28. SENATOR PALMER:

29. House Bill 4328. To Be assigned. 4328.

30. PRESIDENT:

31. House Bill 4328. Senator Palmer. House Bill on First.  
32. Senator Harris.

33. SENATOR HARRIS:

1. On House Bills First Reading, House Bills 44...no wait a minute  
2. let me get the number. 55... Representative Miller, I don't think  
3. that was assigned to anyone.

4. PRESIDENT:  
5. It was not.

6. SENATOR HARRIS:  
7. Okay, well, I'll take that Bill. The Department of Insurance  
8. just contacted me about that.

9. PRESIDENT:  
10. Alright. 4199 was assigned to you also incidentally, Senator  
11. Harris.

12. SENATOR HARRIS:  
13. Yes, okay and there is one other, I think 4130. Has that  
14. been picked up by anyone?

15. PRESIDENT:  
16. I think you have it.

17. SENATOR HARRIS:  
18. Okay, fine. Thank you.

19. PRESIDENT:  
20. Senate Bills on second....Senator Carroll.

21. SENATOR CARROLL:  
22. House Bill 3746 was assigned to Senator McCarthy and I just  
23. talked to him about I would like to take that if I could.

24. PRESIDENT:  
25. 3746 will be assigned to Senator Carroll. Senator Rock.  
26. What was that...3703, Senator Rock. 4184 Senator Fawell. Senate  
27. Bills on Second Reading. 1322, 1322.

28. SECRETARY:  
29. Second reading of the bill, one committee amendment from  
30. Appropriations.

31. PRESIDENT:  
32. Senator Weaver moves the adoption of the Committee amendment.  
33. All in favor signify by saying aye. Contrary minded. The amendment



1. is adopted. Any further amendments? Third Reading. 1324, Senator  
2. Mitchler. 1324.  
3. SECRETARY:  
4. Second Reading of, the bill, no committee amendments.  
5. PRESIDENT:  
6. Any amendments from the floor? Third Reading. 1325. 1325.  
7. SECRETARY:  
8. Second Reading of the bill, no committee amendments.  
9. PRESIDENT:  
10. Any amendments from the floor? Third Reading. 1327, Senator  
11. Merritt. 1327.  
12. SECRETARY:  
13. Second Reading of the bill, one committee amendment from  
14. Appropriations.  
15. PRESIDENT:  
16. Senator Merritt moves the adoption of the Committee amendment.  
17. All in favor signify by saying aye. Contrary minded. The amendment  
18. is adopted. Any further amendments? Third Reading. 1330, Senator  
19. Soper. Senator Soper.  
20. SENATOR SOPER:  
21. I think we may have an amendment, Mr. President. Let's move  
22. it to third, then we'll bring it back.  
23. PRESIDENT:  
24. 1330 is advanced with the understanding that it can be brought  
25. back to Second Reading for amendment.  
26. SECRETARY:  
27. Second reading of the bill, one Committee amendment from  
28. Appropriations.  
29. PRESIDENT:  
30. Senator Soper moves the adoption of the Committee amendment.  
31. All in favor signify by saying aye. Contrary minded. Amendment is  
32. adopted. Further amendments. Third Reading. 1351, 1351.  
33. SECRETARY:

1. Second reading of the bill, no committee amendments.

2. PRESIDENT:

3. Any amendments from the floor? Senator Coulson.

4. SENATOR COULSON:

5. I believe there was an amendment agreed upon in Committee  
6. which I now offer as amendment titled, Amendment No. 2. It reduces  
7. the appropriation in total by about \$5,000. It strikes out the  
8. appropriation for legal fees and adds a small amount for social  
9. security and retirement payments. I believe it's an agreeable  
10. amendment.

11. PRESIDENT:

12. This should be Amendment No. 1, right?

13. SENATOR COULSON:

14. Well Amendment No. 1 doesn't quite do that so I drafted it  
15. more carefully and it's now called Amendment No. 2 which is also on  
16. the Secretary's desk.

17. PRESIDENT:

18. Well, except that....

19. SENATOR COULSON:

20. Well, for parliamentary purposes call it No. 1. It is the  
21. first amendment to be offered.

22. PRESIDENT:

23. That is correct.

24. SENATOR COULSON:

25. I move the adoption then of that amendment.

26. PRESIDENT:

27. Is there any discussion? All in favor signify by saying aye.  
28. Contrary minded. The amendment is adopted. Any further amendments?  
29. Third reading. 1354, Senator Bruce on the floor? 1360, Senator  
30. Vadalabene. 1360.

31. SECRETARY:

32. Second reading of the bill, no committee amendments.

33. PRESIDENT:

1. Any amendments from the floor? Any amendments from the  
2. floor? Third Reading. Senator Partee. Senator Partee. Apparently  
3. something is wrong with your mike, Senator. Try Senator Cherry's.  
4. SENATOR PARTEE:  
5. Senator Bruce is not on the floor but on 1354 and 55, let's  
6. move them. If he has an amendment we can bring them back for him.  
7. PRESIDENT:  
8. We might as well do that on 6 and 7.  
9. SENATOR PARTEE:  
10. Yes.  
11. PRESIDENT:  
12. All right. 1354.  
13. SECRETARY:  
14. Second reading of the bill, one Committee amendment from  
15. Appropriations.  
16. PRESIDENT:  
17. Senator Partee moves the adoption of the Committee amendment.  
18. All in favor signify by saying aye. Contrary minded. The amendment  
19. is adopted. Any further amendments? Third Reading. 1355.  
20. SECRETARY:  
21. Second reading of the bill, no Committee amendments.  
22. PRESIDENT:  
23. Any amendments from the floor? Third Reading. 1356.  
24. SECRETARY:  
25. Second reading of the bill, no Committee amendments.  
26. PRESIDENT:  
27. Any amendments from the floor? Third Reading. 1357.  
28. SECRETARY:  
29. Second reading of the bill, no Committee amendments.  
30. PRESIDENT:  
31. Any amendments from the floor? Third Reading. 1355. Just  
32. a moment. Let's keep down the din a bit, please gentlemen, so that  
33. if there are amendments that we're going to hear them. Senator

1. Carpentier, you want to advance these? Senator Carpentier.

2. SENATOR CARPENTIER:

3. Mr. President, I've talked with the Pro Tem on these series  
4. of three bills and also 1582. We're going to hold them for one more  
5. day because they're considering whether or not they have an amendment.  
6. So I'll just hold them one more day but tomorrow I'm going to  
7. advance them.

8. PRESIDENT:

9. They will be held. 1369. 1369.

10. SECRETARY:

11. Second reading of the bill, one Committee amendment from  
12. Appropriations.

13. PRESIDENT:

14. Senator Baltz.

15. SENATOR BALTZ:

16. Mr. President, Senator Bruce has an amendment to this bill  
17. and we'd like a little time to discuss it. We'd like to return  
18. to this in a few minutes.

19. PRESIDENT:

20. It will be held and we will then return to it. 1371. Senator  
21. Rock. Senator Carpentier.

22. SENATOR CARPENTIER:

23. I forgot on Senate Bill 1367 we had an amendment bringing it  
24. down to the Secretary of State, er, the Secretary's desk and what it  
25. does is strike the appropriation because Senate Bill 1582 takes care  
26. of the appropriation in a separate bill so we would like to adopt  
27. that amendment.

28. PRESIDENT:

29. Well, you want to hold them on Second Reading. Is that correct?

30. SENATOR CARPENTIER:

31. But I want to adopt this amendment now as long as we're there.

32. PRESIDENT:

33. But you want it held on Second Reading. Alri

1. Senator Carpentier moves the adoption of...Senator Carpentier, we  
2. have a committee amendment on that also.

3. SECRETARY:

4. Second Reading of the bill, one Committee amendment from  
5. Appropriations. One floor amendment offered by Senator Carpentier.

6. PRESIDENT:

7. Now, do you move the adoption of the Committee amendment?

8. SENATOR CARPENTIER:

9. Yes.

10. PRESIDENT:

11. Gentlemen, please. Senator Partee.

12. SENATOR PARTEE:

13. What is the amendment about? I haven't seen it, I don't think.

14. PRESIDENT:

15. Senator Carpentier. Now we have two, one is a Committee  
16. amendment. The Committee amendment provides an effective date. Is  
17. that correct? Now this is just the Committee amendment. It is  
18. not Senator Carpentier's amendment now. All in favor of the adoption  
19. of the Committee amendment signify by saying aye. Contrary minded.  
20. The amendment is adopted. Senator Carpentier offers Amendment No. 2.  
21. Do you wish to explain the amendment, Senator?

22. SENATOR CARPENTIER:

23. The amendment ah, No. 2 takes out the appropriation of 3 million  
24. 700 thousand which is in Senate Bill 1582; so, we're just taking it out  
25. of House, or Senate Bill 1367. I move for the adoption of Amendment  
26. No. 2.

27. PRESIDENT:

28. Is there any discussion? All in favor signify by saying aye.  
29. Contrary minded. The amendment is adopted. The bill will be held  
30. on Second Reading. 1371.

31. SECRETARY:

32. Second Reading of the bill, no committee amendments.

33. PRESIDENT:

1. Any amendments from the floor? Third Reading. 1438, Senator  
2. Bidwill. 1438. You want to hold it? We'll hold it. 1438  
3. will be held. 1439. 1439.  
4. SECRETARY:  
5. Second reading of the bill, one Committee amendment from  
6. Appropriations.  
7. PRESIDENT:  
8. Senator Latherow moves the adoption of the committee amendment.  
9. All in favor signify by saying aye. Contrary minded. The amendment  
10. is adopted. Any further amendments? Third Reading. 1463, 1463.  
11. SECRETARY:  
12. Second Reading of the bill, no Committee amendments.  
13. PRESIDENT:  
14. Any amendments from the floor? Third Reading. 1464.  
15. Senator Gilbert. Hold. Senator Bidwill.  
16. SENATOR BIDWILL:  
17. I'd like to advance that bill that I said to hold, Mr. President.  
18. PRESIDENT:  
19. 1438.  
20. SECRETARY:  
21. Second Reading of the bill, no Committee amendments.  
22. PRESIDENT:  
23. Any amendments from the floor? Third Reading. 1466. Senator  
24. Merritt, hold. 1534, Senator Rosander. Senator Rosander.  
25. SENATOR ROSANDER:  
26. Mr. President, I would like to hold this bill on Second Reading,  
27. but in the Appropriations Committee the \$2,000 appropriation was  
28. amended out because of the Constitutional question and I, therefore,  
29. introduced Senate Bill 1575 which contained the modest appropriation  
30. of \$2,000. I discussed it with the Chairman of Appropriations  
31. Committee and he is in agreement that inasmuch as the bill has  
32. been heard and was passed out that Senate Bill 1575 be advanced  
33. to the order of Second Reading without reference to Committee.

1. PRESIDENT:

2. Now, just a moment. I'm not sure I understand your  
3. motion.

4. SENATOR ROSANDER:

5. On Senate Bill 1575 which contains the appropriation of \$2,000,  
6. advance to the order of Second Reading. The appropriation itself was  
7. originally a part of...

8. PRESIDENT:

9. 1575 is in Committee. Is that correct right now?

10. SENATOR ROSANDER:

11. No, it was introduced Monday as a separate bill, but the  
12. bill...it wasn't in time to put it on notice and have the bill ready  
13. for Committee; but in the Committee we amended the appropriation  
14. out...we deleted the appropriation.

15. PRESIDENT:

16. But the bill has been assigned to a Committee, is that  
17. correct?

18. SENATOR ROSANDER:

19. I don't believe so; but I've asked permission of the Chairman  
20. to discharge the Committee and he's in agreement, and I want to  
21. advance that bill to the order of Second Reading.

22. PRESIDENT:

23. All right. I understand it's been assigned to Appropriations.  
24. The motion by Senator Rosander is to discharge the Committee on  
25. 1575 and advance it to Second Reading without reference. Is there  
26. any objection? Leave is granted. 1534 will be left on Second  
27. Reading then. Is that correct? 1548, Senator Rock.

28. SENATOR ROCK:

29. Yes, Mr. President, members of the Senate, I have an amendment  
30. which is on the Secretary's desk. I'm sorry I do not have copies  
31. to distribute. The amendment very briefly does what we've been  
32. talking about for the past few days. This bill originally is an  
33. assessment bill from the Office of the Superintendent. It also

1. appropriated some \$500,000. My amendment deletes the appropriation.  
2. There will be a separate bill filed or else it will be part of  
3. the Superintendent's budget bill. So, all this amendment does is  
4. delete the appropriation section of this bill and I would move  
5. the adoption of that amendment.

6. PRESIDENT:

7. Is there any discussion? All in favor signify by saying  
8. aye. Contrary minded. The amendment is adopted. Any further  
9. amendments. Third reading. 1551. 1551.

10. SECRETARY:

11. Second Reading of the bill, no committee amendments.

12. PRESIDENT:

13. Any amendments from the floor? Third Reading. 1553.

14. SECRETARY:

15. Second reading of the bill, no committee amendments.

16. PRESIDENT:

17. Any amendments from the floor? Third Reading. 1554.

18. Senator Groen.

19. SENATOR GROEN:

20. Mr. President. I would call the attention of the Secretary  
21. to a printer's error on the Calendar. Apparently he didn't  
22. believe the appropriation could be that small after dealing  
23. with such astronomical figures above it and added three zeros  
24. which should not be there and I would like to have the next  
25. Calendar reflect the correct amount. I would like to have the bill  
26. moved.

27. PRESIDENT:

28. The Chair has to admit he was a bit amazed to see \$29 million  
29. for the City of Pekin on that. Calendar shall be corrected.  
30. 1554.

31. SECRETARY:

32. Second reading of the bill, no committee amendments.

33. PRESIDENT:



1. Any amendments from the Floor? Third reading. 1560.  
2. 1560.  
3. SECRETARY:  
4. Second reading of the bill, no committee amendments.  
5. PRESIDENT:  
6. Any amendments from the Floor? Third Reading. 1561.  
7. Senator Kosinski, do you wish to advance that? 1561.  
8. SECRETARY:  
9. Second Reading of the bill, one committee amendment offered  
10. by Education, one floor amendment offered by Senator  
11. Kosinski.  
12. PRESIDENT:  
13. Senator Kosinski, do you wish to move the adoption of the  
14. Committee amendment?  
15. SENATOR KOSINSKI:  
16. Ah, yes. I have another amendment.  
17. PRESIDENT:  
18. We had better take them one at a time.  
19. SENATOR KOSINSKI:  
20. Yes, yes.  
21. PRESIDENT:  
22. Senator Kosinski moves the adoption of the committee  
23. amendment. Senator Horsley.  
24. SENATOR HORSLEY:  
25. I have an interest in this bill and I'd like to know what  
26. the committee amendment does.  
27. PRESIDENT:  
28. Senator Kosinski.  
29. SENATOR KOSINSKI:  
30. Amends Senate Bill 1561 on page 1 by deleting lines 9 and  
31. 10 and inserting in lieu of thereof the following: Section 30-5,  
32. scholarships to veterans, certain members of the armed forces and  
33. certain dependents. Any person who served in the

1. Armed on page 2 by deleting line 34 and 35 and inserting in the  
2. lieu thereof the following: means the wife if not legally  
3. separated whose husband was a prisoner of war, or a person  
4. missing in action after the marriage and number 2, born before  
5. or during the period of time its' father was a prisoner of war  
6. or a person. This is including the wife of the veteran who  
7. is in...either missing in action or a prisoner of war.

8. PRESIDENT:

9. Senator Horsley.

10. SENATOR HORSLEY:

11. Well, Mr. President...

12. PRESIDENT:

13. Just a moment. Let's...please. Senator Horsley.

14. SENATOR HORSLEY:

15. I think the good Senator and myself were in absolute  
16. agreement as to intention, but if I heard that amendment read  
17. correctly, on the last sentence it has the same error in it  
18. that his bill has in it. And the amendment does not correct  
19. it; and to carry this to the ultimate extreme, this would  
20. provide scholarships for every illegitimate child of any man  
21. who has served or been a prisoner. Now we don't want to fight  
22. this battle for the next 18 years with determining paternity and  
23. I certainly agree that the children of any man who has been a  
24. prisoner of war or who has served in Viet Nam should have scholarships  
25. for his children. I'm not opposed to that, but I am opposed to  
26. broadening this out to include illegitimate children by merely  
27. stating all he has to do is be the father of a child who is  
28. going to receive a scholarship, and I ask that that be corrected  
29. before this thing gets out of here. And the amendment, as I heard  
30. read, does not cure the objection that I talked to you about  
31. yesterday, Senator.

32. PRESIDENT:

33. Senator Kosinski.

1. Senator, I would like to move this bill to Third Reading  
2. and if you have any amendment to offer I would be very happy to  
3. pull it back to Second Reading.

4. PRESIDENT:

5. Senator Horsley. Senator Kosinski moves the adoption of  
6. the committee amendment. All in favor signify by saying aye.  
7. Contrary minded. Amendments adopted. Senator Kosinski offers  
8. Amendment No. 2. Can you explain the amendments?

9. SENATOR KOSINSKI:

10. Yes, Mr. President and Senators. Amendment No. 2 allows  
11. the funding of the scholarship appropriations to be done by the  
12. State Scholarship Commission. That's all the wording. I didn't  
13. have it to whom. It says: Amends Senate Bill 1561, page 3 line  
14. 24 by inserting immediately after appropriated the following:  
15. To the State Scholarship Commission.

16. PRESIDENT:

17. Senator Partee. Senator Horsley.

18. SENATOR HORSLEY:

19. Well again, Sir, I would point out that when we award a  
20. scholarship here it means tuition and yet when you talk to the  
21. Scholarship Commission, they award a scholarship only on the basis  
22. of need. Now, if you're going to have these people with a mother  
23. who has a \$10,000 policy that she got because her husband was killed  
24. or because she is working and earning, they're not going to award  
25. that boy a scholarship and you're defeating your own purpose by  
26. putting this in the Scholarship Commission rather than putting it  
27. on the same basis that we give Legislative scholarships that cover  
28. that boy's tuition because, if that boy is eligible for the Scholar-  
29. ship Commission, he'll get it anyhow based on his grades and  
30. scholastic achievements; and if I were you, sir, I wouldn't want  
31. to do that because you're going to defeat your purpose. What you  
32. want to do is give them free tuition regardless of what the mother  
33. might have.

1. PRESIDENT:  
2. The...Senator Kosinski offers Amendment No. 2. All in  
3. favor of the adoption of the amendment indicate by saying aye.  
4. Contrary minded. All those in favor of the adoption of the  
5. amendment please rise. All those opposed to the adoption of  
6. the amendment please rise. The amendment is adopted. Any  
7. further amendments. Third Reading. 1562 Senator Partee.  
8. 1562.  
9. SECRETARY:  
10. Second Reading of the bill, no Committee amendments.  
11. PRESIDENT:  
12. Any amendments from the floor? Third Reading. 1565.  
13. 1565.  
14. SECRETARY:  
15. Second Reading of the bill, one Committee amendment  
16. from Appropriations.  
17. PRESIDENT:  
18. Senator Ozinga moves the adoption of the Committee amend-  
19. ment. All in favor signify by saying aye. Contrary minded.  
20. The amendment is adopted. Any further amendments? Third reading.  
21. 1566. 1566.  
22. SECRETARY:  
23. Second reading of the bill, no Committee amendments.  
24. PRESIDENT:  
25. Any amendments from the floor? Third Reading. 1570.  
26. 1570.  
27. SECRETARY:  
28. Second Reading of the bill, no Committee amendments.  
29. PRESIDENT:  
30. Any amendments from the floor? Third reading. 1572.  
31. Senator Rock. Senator Rock.  
32. SENATOR ROCK:  
33. Yes, Mr. President. It was agreed in the Committee

1. on Appropriations that there would be an amendment offered by  
2. Senator Partee to this bill.

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. This amendment would reduce the amount from \$100,000 to  
7. \$40,000. This was a consensus of the Committee and I move its  
8. adoption. It's on the Secretary's desk.

9. PRESIDENT:

10. Motion is for the adoption. There's no committee amend-  
11. ment, is there? That's all right. Motion is for the  
12. adoption of the amendment. All in favor signify by saying  
13. aye. Contrary minded. The amendment is adopted. Third Reading.  
14. 1573. 1573.

15. SECRETARY:

16. Second Reading of the bill, no Committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor? Senator Harris.

19. SENATOR HARRIS:

20. I believe you have one down there. It has the effect  
21. of breaking...the bill when it was prepared, it just had a  
22. single line item for F.I.C.A. contributions and this amend-  
23. ment changes it to split that figure into allocations for  
24. the retirement system and State employees social securities  
25. amounts and also has the effect of a \$900 reduction in the  
26. total. It does not affect the line item for personal services.  
27. It has been discussed with Senator McCarthy. I move the adoption  
28. of the amendment.

29. PRESIDENT:

30. All in favor signify by saying aye. Contrary minded.  
31. The amendment is adopted. Any further amendments. Third  
32. Reading. Senator Saperstein wished to call up a Resolution  
33. earlier...Senator Baltz.

1. SENATOR BALTZ:

2. Is ah, Mr. President, is Senator Bruce on the floor?

3. We have an agreed amendment on 1369 and we ask that, that  
4. be called.

5. PRESIDENT:

6. Senator Bruce is not on the Floor right now.

7. SENATOR BALTZ:

8. Could this bill be moved to the order of Third Reading  
9. and called back?

10. PRESIDENT:

11. Alright. We have the amendment and we will adopt the  
12. amendment with the understanding that it can be brought back  
13. by Senator Bruce or someone if...

14. SENATOR BALTZ:

15. Alright, if this is Senator Bruce's amendment, it's  
16. an agreed amendment.

17. PRESIDENT:

18. Alright. 1369. Second reading.

19. SECRETARY:

20. Second reading of the bill, one committee amendment offered  
21. by Appropriations, one floor amendment also by Senator Bruce.

22. PRESIDENT:

23. Senator Baltz moves the adoption of the Committee amend-  
24. ment. First of all, is that correct Senator Baltz?

25. SENATOR BALTZ:

26. I think, Mr. President that the proper motion would be to  
27. table the Committee amendment and substitute this amendment for  
28. it.

29. PRESIDENT:

30. Alright. Senator Baltz moves to table the Committee amend-  
31. ment. All in favor signify by saying aye. Contrary minded. The  
32. amendment is tabled. Senator Baltz moves for the adoption of  
33. Amendment No. 2. All in favor signify by saying aye. Contrary

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1. minded. The amendment is adopted. Any further amendments?  
2. Third Reading. Senator Saperstein, do you wish to proceed  
3. on your resolution? Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. Mr. President...

6. PRESIDENT:

7. What is the number of that again?

8. SENATOR SAPERSTEIN:

9. Pardon me.

10. PRESIDENT:

11. What is the number of it again?

12. SENATOR SAPERSTEIN:

13. Senate Joint Resolution 62.

14. PRESIDENT:

15. Senate Joint Resolution 62. Senator Saperstein is  
16. recognized.

17. SENATOR SAPERSTEIN:

18. Mr. President and gentlemen of the Senate. Before we start,  
19. Mr. President, I note that there was an opinion from the Attorney  
20. General which invalidated that portion of the new State Con-  
21. stitution which proports to acquire a 3/5th vote to ratify amend-  
22. ments to the U.S. Constitution...proposed amendments. Further,  
23. there is both a United States Supreme Court case and a 1919  
24. opinion from the Illinois Attorney General which held that, if a  
25. quorum is present, a majority of those voting is sufficient to pass  
26. the Resolution. This Senate has passed three Constitutional amend-  
27. ments in the past years only with a majority of those voting. I  
28. would like thus to ask what vote is necessary to pass this  
29. Resolution?

30. PRESIDENT:

31. If I may have the attention of the body and particularly of  
32. Senators Clarke and Partee. Senator Saperstein has posed the question  
33. about the number votes required for ratification. The Attorney General's

1. opinion is that the provision of the Constitution requiring 35  
2. votes is invalid and the Chair will abide by that decision. The  
3. Rules of the Senate are silent on ratification of a Constitutional  
4. amendment though by implication you might infer that it requires  
5. 30 votes since it requires 30 votes to propose an amendment to  
6. the Federal Constitution. The Chair will rule that since it takes  
7. 30 votes to, for example, to have a road easement it should also  
8. take 30 votes to ratify an amendment to the U.S. Constitution.

9. SENATOR SAPERSTEIN:

10. Thank you Mr. President, I'm glad to have that clarified.  
11. Mr. President and gentlemen of the Senate, this is indeed a  
12. historic day in/<sup>the</sup>history of the State of Illinois. And I want to  
13. tell you why I believe it is so. On March the 22nd, 1972 the  
14. Senate voted 84 to 8, more than the two-thirds majority required  
15. to adopt a proposed constitutional amendment. The House had  
16. approved it by a 354 to 23 vote on October the 12th...102 more  
17. than was necessary. This was the constitutional amendment which  
18. guarantees equal rights for both men and women. The amendment  
19. states, "Equality of Rights under the law shall not be denied  
20. or abridged by the United States or by any State on account of  
21. sex." If ratified by three-fourths, 38 of the states, the measure  
22. would become the 27th Amendment to the Constitution. The President  
23. of the United States has stated that he supports House Joint  
24. Resolution 208, this United States Joint Resolution 208, along with  
25. 60 or more nationwide, statewide women's groups, men's groups,  
26. labor unions and civil liberty organizations. I totally support  
27. the report made by the Congressional Senate Judiciary Committee  
28. which stated, sex would not be a factor, should not be a factor  
29. in determining the legal rights of men or of women. The amendment  
30. thus recognizes the fundamental dignity and individuality of each  
31. human being. There is, there certainly is, overwhelming evidence  
32. that persistent patterns of sex discrimination permeate our social,  
33. cultural and economic life. The nation has waited too long already.



1. It has been, gentlemen, 49 years since the Equal Rights Amendment  
2. was first introduced. Only a Constitutional amendment can provide  
3. the "legal and practical basis for the necessary change," of the  
4. Senate Judiciary Committee. As a human being, as a woman, a  
5. fellow colleague and a citizen of these United States of America, I  
6. urge you to ratify the proposed 27th Amendment to the U.S.  
7. Constitution by adopting Senate Joint Resolution 62. I would also  
8. state that, as of today and the number changes constantly, 18 states  
9. have ratified the amendment, last week the State of New York, yester-  
10. day, just yesterday, the State of Michigan. I respect the  
11. questions that some have raised concerning the effects of the bills.  
12. These same questions could have been raised concerning our own  
13. Constitution which we have adopted and accepted. I am sure that some  
14. of the same people who have been pressing their plans to you and  
15. their opposition concerning the equal rights amendment have done so  
16. before but, in spite of that opposition, we have ratified the new  
17. 1970 Constitution. Men and women of the State of Illinois agree  
18. that equal rights must be counter-balanced by equal responsibilities  
19. and no one denies it and we are not shirking, we shall not shirk  
20. from accepting equal responsibilities. I pray that the Illinois  
21. Senate will permit Illinois to be the 19th State to ratify House  
22. Joint Resolution 62 and I know that we will all go out of this  
23. Chamber very proud that we have taken this master stroke in  
24. statesmanship. I know that it is difficult sometimes in face of some  
25. opposition, but this is the time for leadership. This is the time  
26. for us to rise to the occasion and accept this fundamental basic  
27. principle of American democracy that there cannot be any second  
28. class citizens in our great nation. I want...I would like to read  
29. the impressive list of those who are supporting the amendment. It  
30. is incredible and certainly most satisfying that so many people...  
31. PRESIDENT:

32. Just a moment, Senator, let's give Senator Saperstein our  
33. attention, please. Proceed, Senator.

1. SENATOR SAPERSTEIN:

2.           These are the lists of organizations who have, in one way  
3. or another, either by personal presentation in Washington,  
4. personal presentation in the 18 States that have adopted it and  
5. their personal presentation in, with their appearance when the  
6. Bill was presented to the Senate Executive Committee: Sponsored  
7. by the President and the three preceding Presidents of the United  
8. States, supported by Governor Ogilvie and Lieutenant Governor Paul  
9. Simon, supported by both Democratic and Republican National Com-  
10. mittees, Independent Voters of Illinois, Federation of Republican  
11. Women, Democratic Women's Caucus, Women's Political Caucus,  
12. National Women's Party Common Cause, Unions and professional  
13. groups, United Union Women, United Automobile Workers, International  
14. Brotherhood of Teamsters, International Brotherhood of Painters and  
15. Allied Trades, United Steel Workers, Omalgamated Meat Cutter and  
16. Butcher Workmen, Illinois Waitresses Union, Airline Stewards and  
17. Stewards's Association, Illinois Federation of Business and Profes-  
18. sional Women...excuse me, please...American Home Economic Association,  
19. American National Women's Association, Illinois Nurses Association,  
20. Newspaper Guild, Federally Employed Women, League of American Working  
21. Women, National Education Association, Women's Representative Bureau  
22. U.S. Department of Labor, American Bar Association, American  
23. Association of College Deans, and I have just received word that the  
24. Young Lawyers section of the Chicago Bar Association. We have  
25. just received an urgent telephone call from the Black Labor Leaders  
26. Conference that they had just taken a vote in support of Senate  
27. Joint Resolution 62. B'nai Brith Women, Church...

28. PRESIDENT:

29.           To our guests in the gallery, we are pleased to have them  
30. here, but the rules of the Senate require that there will be no  
31. demonstrations, no applause or anything else.

32. SENATOR SAPERSTEIN:

33.           ...B'nai Brith Women, Church Women United Executive

1. Committee, Catholic Caucus of Ecumenical Task Force on Women and  
2. Religion, Catholic Interracial Council, National Coalition of  
3. American Nuns, Women's Organizations, American Association of  
4. University Women, League of Women Voters...pardon me, Citizens  
5. Advisory Council on the Status of Women, General Federation of  
6. Women's Club which are so very active in the State of Illinois,  
7. and the Intercollegiate Association of Women Students, on the  
8. campuses of the Universities of the State of Illinois, Ladies  
9. Auxiliary of Veterans of Foreign Wars, National Association of  
10. Colored Women, National Organization for Women, The Presidents  
11. Task Force on Women's Rights and Responsibilities, Women's  
12. Christian Temperance Union, Women's...and the Board of Directors  
13. of the Y.W.C.A. National, the Metropolitan Chicago and of the City of  
14. Peoria. You know, I just don't know how we can deny the earnest  
15. request of hundreds of thousands of women in the State of Illinois  
16. and, of course, with the millions of women in the United States.  
17. As I said in the beginning, this is a historic moment. It seems to  
18. me, and I believe, that it is the vote of the century. And I  
19. know that your vote will be heard not only all over the United  
20. States, but in the world that Illinois is joining the other States  
21. of the United States to protect and to provide for equal rights  
22. for both men and women. I cannot see how anyone can deny this to  
23. the citizens of the State of Illinois and to the United States of  
24. glorious America. I urge your support of Senate Joint Resolution  
25. 62. Thank you very much.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Yes, Mr. President, members of the Senate. I rise in support  
30. of Senate Joint Resolution 62 for one reason. If you'll turn to the  
31. Journal of April 10 which incorporates the amendment of which...  
32. concerning which we are seeking ratification, it says very simply,  
33. in section one, that equality of rights under law shall not

1. be denied or abridged by the United States or any State on account  
2. of sex. If you will then turn to the Illinois Constitution which  
3. the people of this State adopted, the 1970 Illinois Constitution,  
4. in article one, section 18 says, "The equal protection of the laws  
5. shall not be denied or abridged on account of sex by the State or  
6. its units of local government and school districts." Illinois has  
7. once again led the fight and I think by ratification of this  
8. amendment we will just tell all the rest of the States, "You better  
9. fall in line, Illinois did this already in 1970." I urge everybody's  
10. support.

11. PRESIDENT:

12. Senator Egan.

13. SENATOR EGAN:

14. Senator Saperstein, would you answer a question or two, please?

15. PRESIDENT:

16. She indicates she will.

17. SENATOR EGAN:

18. Would you tell us, Senator, what impact this has, if it passes,  
19. on the Selective Service Act?

20. PRESIDENT:

21. Senator Saperstein.

22. SENATOR SAPERSTEIN:

23. Senator Egan and gentlemen. This has been perhaps one of the most  
24. vexing problems, both in Washington and Illinois, and I would say  
25. that, in Washington I am told on good authority, this was debated  
26. for at least a good day and the threats of drafting women and  
27. the dire circumstances involved around this were completely demolished  
28. because there is nothing per se in this amendment that provides the  
29. drafting of women. And may I also remind the good Senator that  
30. women could be drafted tomorrow by an Act of Congress by adding one  
31. word to the conscription, um, law, the word female. But we have not  
32. done it. Does that answer your questions?

33. SENATOR EGAN:

1. No, Senator Saperstein, it does not. But, Mr. President, am  
2. I charged with the Senator's answer to my question on my time?

3. PRESIDENT:

4. You are.

5. SENATOR EGAN:

6. All right. Let me ask you this, Senator Saperstein, if I  
7. may. Have you read the Congressional Record regarding the debates  
8. in the Senate and in the House on the impact of this Amendment on  
9. the Selective Service Act?

10. SENATOR SAPERSTEIN:

11. I've read some of them.

12. PRESIDENT:

13. Senator Egan.

14. SENATOR EGAN:

15. The reason I asked is because on the 20th of March the Con-  
16. gressional Record has attended to several exhibits, and I would  
17. like to bring the attention of these exhibits to the Body today.  
18. I am very deeply concerned about the impact of this Amendment on  
19. the Selective Service Act because I have at home three beautiful  
20. little girls who in five years will be draft eligible at age 18.  
21. Now, the reason that I'm concerned, Senator Saperstein, is because  
22. of the exhibits in the Congressional Record, one of which is a  
23. scholarly, legal article from the Yale Law Journal, and I'm going  
24. to quote from that because I think that this will raise some  
25. question in the minds, at least, of some of us about the impact  
26. of this Amendment upon the Selective Service Act. I'll read just  
27. a few quotes, if I may. "The Equal Rights Amendment," according  
28. the Yale Law Journal, "will have a substantial and pervasive  
29. impact upon military practices and institutions. As now formu-  
30. lated, the Amendment permits no exception for the military." Now  
31. that means, Senator Saperstein, that if the Selective Service Act  
32. as we know it today is tested in the Courts after this Amendment  
33. is adopted and becomes the 26th Amendment to the Federal Constitution,

1. it will be held unconstitutional by its very terms. This means  
2. that the United States will be without a Selective Service Act,  
3. or they will have to...or Congress can...Congress will have to  
4. pass a law which will provide for the Selective Service of both  
5. men and women. If the Act is held unconstitutional and replaced  
6. by one that is constitutional, that will require boys and girls  
7. to be drafted into the Army. I don't see any way out of the  
8. situation other than to protect the Country, we're going to have  
9. to draft women and we're going to have to draft men. And, there's  
10. no way that we can distinguish between men and women after this  
11. Amendment is passed. Ah, this Law Journal is replete with examples  
12. and I'm not going to quote extensively on the Journal, but it has  
13. raised a great perplexity in my mind, Senator, as to whether or  
14. not my daughters are going to have to be drafted into the Army.  
15. And if they are, Senator Saperstein, I can't support your Resolu-  
16. tion. If they are not, I can. We already have Section 18 of  
17. Article I of the Illinois Constitution which provides for equal  
18. rights among women in Illinois. This does not apply to the  
19. Selective Service Act because that's a Federal Law. Senator  
20. Saperstein, if you can, if you can abolish my doubts, I can support  
21. your Resolution. If you cannot, I cannot support your Resolution.

22. PRESIDENT:

23. Senator Cherry apparently wants to speak on this point.

24. SENATOR CHERRY:

25. I'd like to just briefly respond to Senator Egan's comments.  
26. I regret that he's so much concerned about his family. That's  
27. understandable. I'm concerned about every person's family who  
28. has women, females, who in the opinion of Senator Egan and in the  
29. opinion of the Yale Law Professors and others, ah, that the adoption  
30. of this Amendment would, ah, have in substance the right to take  
31. women into military service. I didn't go to Yale, Senator Egan,  
32. nor did I go to Harvard. I went to night school, law night school,  
33. because I couldn't afford to go to these very expensive schools.

1. I think I read enough books on the subject, of ah, on the basis  
2. of Constitutional Amendment and on the very Constitution  
3. that we are referring to at this time, which has for its purpose  
4. the adoption by Congress through the ratification of the various  
5. States. We need have no fears whatsoever that women will be  
6. drafted into the Army. If the United States Government, in the  
7. event of a "war," and I quote that word, deems it necessary to  
8. take women into the Army, draft them, make them a part of our  
9. Army, they would need to pass specific legislation, precise  
10. legislation in order to have that authority. Now with or with-  
11. out this Amendment, with or without the ratification of this  
12. Constitutional Amendment by Congress, Congress would still have  
13. the right, if in their opinion and judgment they saw fit to take  
14. women, draft women into the Army. And so I say that it is a  
15. needless fear, and I think it is a spurious argument to the people  
16. who are opposed to this amendment are making. Because the intent  
17. and purpose of the ratification of this Amendment does not have  
18. for its purpose, one of its purposes, the idea of taking women  
19. into the Army. And, so I say, let's get on with the business.  
20. I know that there is some opposition to this. This is a very  
21. simple bill, to eliminate discrimination against women, and I  
22. think it's good, and I don't think those that have those fears  
23. have proper fears.

24. PRESIDENT:

25. Senator Egan still has the Floor.

26. SENATOR EGAN:

27. Well, thank you, Senator Cherry. I, I happen to...you have  
28. not allayed my fears, mainly because I still don't have the  
29. answer to the question. How do you provide for a Constitutional  
30. Act of Congress that would not discriminate on the basis of sex  
31. as far as the Selective Service Act is concerned. There is no  
32. way that you can do it. Either you provide for a Selective  
33. Service Act which will not discriminate on the basis of sex

1. or it will be unconstitutional, that's what the amendment is  
2. all about and that's what my fears are about.

3. PRESIDENT:

4. Senator Chew.

5. SENATOR CHEW:

6. Thank you, Mr. President. I'm regretting the position that  
7. my esteemed colleague has taken on this issue. I was taught that  
8. no State law would supercede a Federal law and basing that on  
9. the teachings, I would say that your argument, Senator Egan, is  
10. just rhetoric. You know, Senator, no man can keep his ear to  
11. the ground and, at the same time, be in a position to stand up  
12. and be counted because he's on the ground. And Senator  
13. Saperstein, I want to congratulate you for having worked on this  
14. so hard and so long and having made a beautiful, beautiful  
15. presentation this morning. I found on my desk a list of  
16. Professors, Law Professors more or less from Eastern Universities,  
17. the egg head type and they don't come from Illinois and their  
18. opinions should not have any bearings on what we do here in the  
19. Senate. I respect the profession of...

20. PRESIDENT:

21. Just a moment. Senator Chew is entitled to be heard. Let's  
22. have some order. Proceed, Senator.

23. SENATOR CHEW:

24. I respect the law profession, but I don't think it is  
25. germane to what we are trying to do here today for someone  
26. to flood our desks with some man out in California has a  
27. law professors at Hastings University. He doesn't vote in  
28. the Senate and his opinion is void as far as I'm concerned.  
29. And as a matter of fact I think it was unhumanly lack to have  
30. attempt to put this kind of objections in the faces of this  
31. Senate on the morning this bill is to be called. Now when  
32. you look in the gallery you see a group of women that are  
33. here for the sole purpose of giving moral support to Senate



1. Joint Resolution 62.

2. PRESIDENT:

3. Our guests in the gallery please...will refrain from...

4. SENATOR CHEW:

5. If the gallery were empty my position would be the same.

6. I think it was Senator Dirksen who said so statesman's a

7. fact that it's an idea with the time has come. And I

8. don't think we can any longer play with this issue. I

9. think the people of the United States, the Legislatures

10. throughout the United States are going to continue to ratify

11. this amendment until we get the necessary numbers for it to

12. become a part of the U.S. Constitution and for that reason, I

13. proudly voice my support and will vote aye on roll call.

14. PRESIDENT:

15. Is there further discussion? Senator Saperstein may...

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you, Mr. President. Senator Saperstein is very

19. persuasive and I compliment her on her presentation. I do

20. want to point out, however, that this Resolution was heard in

21. Executive and there was not one witness to my recollection

22. either for or against. In other words, as far as I was able

23. to determine, there was no or insufficient public advance to allow

24. those people who supported or opposed to present their views

25. in an orderly fashion where they ought to have been presented

26. rather than in a snow storm of telegrams, petitions, form letters

27. of one nature or another, many of them mailed in exactly the

28. same fashion, same envelope and obviously from the same place.

29. I, too, have looked at the Constitution of the State of Illinois

30. for 1970 and I find that it says, as has been pointed out I think,

31. Section 18 under Article 1 the equal protection of the laws shall

32. not be denied or abridged on account of sex by the State, meaning

33. the State of Illinois or its units of local government and school

1. districts. So I ask you who can criticize then the objectives  
2. of Senate Joint Resolution 62? No one can really oppose equal  
3. rights but my position it seems is predicated upon on what we  
4. have here in Illinois and so as I view it in spite of all the  
5. broad area, and I mean very broad, area of potential ramifications  
6. as I view it, it comes down to two things really that concern  
7. me and I speak only for myself. Senate Joint Resolution 62  
8. would further erode the State's rights and I am a strong supporter  
9. of State's rights. It would again concentrate additional prerog-  
10. atives in Washington and as evidenced by our Constitution, we are  
11. in a position to control our own activities and the second item  
12. then is as has been pointed out by others, conscription and I  
13. emphasize that can only be done under a National Constitutional  
14. Amendment not under our State Constitution. Seems to me then  
15. that a vote for Senate Joint Resolution 62 would necessarily  
16. be a vote for the conscription of women placing them in jeopardy  
17. over and against what has been essentially given to me as  
18. one of the primary justification, the right of a credit card.  
19. I submit to the members of this body that American women are  
20. the envy of the world and they enjoy a very special place in  
21. the minds and the hearts of most, if not all, of us. In fact,  
22. they control the vast majority of the wealth in this nation.  
23. So, in weighing the pros and cons and keeping these two points  
24. in mind further concentration in Washington and conscription,  
25. I am faced with the dilemma of attempting to evaluate who would  
26. be hurt the most by passage or who would be helped the most.  
27. Laudable as these objectives seem to be which Senator Saperstein  
28. has outlined, there is no denying that passage would violate the  
29. present rights and protections of those who do oppose and I  
30. have been contacted by many, many people opposing this. My  
31. vote if I should vote for this would be in direct violation of  
32. the positions and protections that my constituents now enjoy and  
33. I can see little if any benefit that can accrue to my constituents

1. by passage. I regret that I cannot vote to place girls in  
2. position of jeopardy insofar as the draft is concerned.

3. Thank you.

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. Mr. President and members of the Senate. This is perhaps  
8. more emotional an issue than it has a right to be, but I'm  
9. reminded that Beauvoir said that next to God, we are in-  
10. debted to women. First for life itself and then for making  
11. life worth living. Belzac said a woman has this quality in  
12. common with the Angels, that those who suffer belong to  
13. her. The speeches I've heard here this morning are dis-  
14. criminatory against a minority group. American women all right  
15. in their place is what you said, Senator Berning, that they  
16. are beautiful distinguished persons, but they're all right in  
17. their place. What is their place? Is their place an inferior  
18. place to mankind? You know I'm not so sure. You know, they  
19. tell a story that one day God made man and he looked at him  
20. and he said, "Oh, I think I can do better than this," and he  
21. made a woman. Now the Constitutional basis for this is  
22. absolutely clear as Senator Rock has pointed out. This is  
23. not an arguable subject. It doesn't really lend itself to  
24. any discussion. It's clear, crystal clear, if you please, that  
25. there shall not be discrimination against women. Some of  
26. the arguments that were made here this morning may well have  
27. been made in 1915, 16, 17, 18 before 1919 when the women were  
28. given the vote. There were those who said women could not  
29. have the vote. There were those who said women couldn't serve  
30. on juries, ignoring and forgetting, of course, that it was  
31. Queen Isabella and not her husband, King Ferdinand, who gave  
32. the money to Columbus in the first place to come over here and  
33. discover this country. Had we been depending on men to finance

1. Columbus's journey, it might not have taken place. It was  
2. Queen Isabella who had the vision to feel that perhaps the world  
3. was not flat, that it was round as Columbus suggested and  
4. sent him here. Now what this started out I think to be is  
5. the request for women really for equal pay for equal work  
6. and to not be discriminated in terms of advancement and  
7. promotion on jobs. As long ago as 1945, the War Labor Board  
8. of the United States established the principle of equal pay  
9. for equal work for men and for women. The course of history  
10. shows that women have stood side by side and shoulder to men  
11. and during the French Revolution, women walked in the streets  
12. with guns and helped to protect what they had there. During  
13. the Colonial Days, women picked up muskets and guns and helped  
14. to fend off the Indians. So they have no place unless it's  
15. along beside a man. Now I know that we have received letters.  
16. I've gotten some of them from people who say, from ladies if  
17. you please, who say that this would in some way deny great  
18. womanhood, it would in some way make them lesser beings, it would  
19. some way deprive them of some of their prerogatives. Some of the  
20. letters contained things that were shocking and appalling to me.  
21. One of the letters contained this sentence: "I have a little girl,  
22. 10 years old and I don't want my little 10 year old girl to have  
23. to go into a wash room or a bathroom with boys." Nothing could  
24. be further from the truth. This amendment does not in anyway  
25. relate to any kind of amalgamation of that sort. All of the  
26. niceties that distinguish men from women will still be enjoyed.  
27. But women will under this amendment have their equal rights and I  
28. know what it is to be denied rights and I know that no person in  
29. this country be it man, woman or of any description to be denied any  
30. rights and this is what we are trying to do here which several  
31. other enlightened States have already done, is to bring about that  
32. climate of opportunity where a woman would have the same rights  
33. to equal pay, the same rights for advancement on their job as

1. does a man. That's all it really amounts to. We're talking  
2. about people going into war. No women are going to be going  
3. into combat. As a matter of fact, only 1% of men who were  
4. drafted are in combat. The Army or the Navy or whatever  
5. branch of service makes a determination on the basis of  
6. competence and ability to withstand a particular area of  
7. military activity and on that basis persons are assigned to  
8. various jobs. 9 out of 10 jobs in the Army were non-combatant  
9. so we are talking about women going to war and that just isn't  
10. going to happen and certainly not as a result of the passage of  
11. this bill, of this Resolution. I suggest to you, Mr. President, and  
12. members of the Senate, that if we are to come out of the Neanderthal  
13. age and if we are to come into modernity, Illinois should join.  
14. Let me point out to you that it was Illinois and Wisconsin in 1919  
15. which were the first two States that ratified the vote for women.  
16. Let's not go backward. Let's go forward.

17. PRESIDENT:

18. Senator Saperstein will close the debate.

19. SENATOR SAPERSTEIN:

20. Mr. President, gentlemen of the Senate. This is due...is not  
21. confined to race, color or creed nor any age group. I can say  
22. without equivocation the majority of women want to share the  
23. right and responsibilities of citizenship in Illinois and America.  
24. Women consider this the single most important issue to come  
25. before Legislatures in this century. I started out to tell you  
26. that I believe that this is the vote of the century and women  
27. will consider this and they will remember this day in the  
28. Illinois history. This amendment does not take any rights  
29. away from women. It does not take any rights away from men but  
30. what it does, it adds to human rights both men and women. And when  
31. I listened to the storied debates in the State of New York...I  
32. was in New York the last weekend and talked to several of the  
33. Assemblymen as they are called there and the State Senators.

1. Would you like to know what happened in New York? The Senate  
2. voted 56 to 1 in favor of the amendment. The Assembly voted  
3. 133 to 17 in favor. Now, if there...now if the fears...some of the  
4. fears expressed here this afternoon were realistic, don't you think  
5. that the people of the State of Illinois are just as concerned as  
6. we are about these imaginary fears? Of course they are. Don't  
7. you think that the Congress of the United States overwhelmingly  
8. expressing their approval of an amendment that women have been  
9. working for 49 years would have padded it overwhelmingly if  
10. there was one iota of question about the future lives of its  
11. citizens and so I ask you today in all sincerity and all  
12. humility to put Illinois in the ranks of states that have  
13. accepted and I am sure as I can be that this will become the  
14. law of the land. You know, gentlemen, we cannot stop the clock.  
15. No nation, no person, no one has yet to discover the way to stop  
16. progress and to stop the clock. Today is the day that we go  
17. forward in America and Illinois in joining the other States, the  
18. family of States of ratifying the 27th amendment of the United  
19. States Constitution. I urge your support.

20. PRESIDENT:

21. Secretary will call the roll.

22. SECRETARY:

23. Arrington, Baltz...

24. PRESIDENT:

25. Senator Baltz.

26. SENATOR BALTZ:

27. Mr. President, members of the Senate. When this matter first  
28. came to my attention through the mails I was not greatly impressed  
29. with its importance. I felt that it was an amendment...a Resolution  
30. that should be passed and probably not be of any great future  
31. concern to me. But as the correspondence, mail and discussions  
32. developed, I more and more came to the feeling that I had to  
33. be impressed by the fine women...back in my district who

1. have written me individual letters setting forth their  
2. opposition to this amendment. I think that the general  
3. consensus of that mail was deemed to indicate that they felt  
4. that the roll of the woman in the United States of America has  
5. traditionally been one of being a family leader, a mother  
6. and principle guidance to children in our family life, that  
7. they had achieved standards that indicated that they  
8. felt that the chivalry of men left nothing to be desired in  
9. its present state and they were more concerned that tampering  
10. with this position would, in effect, lower the standards of  
11. women rather than improve them. So, therefore, I, after a con-  
12. siderable amount of soul searching, trying to be as objective  
13. as possible in my conclusions have made my decision and I  
14. am going to vote no on the Resolution.

15. SECRETARY:

16. Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,  
17. Clarke, Collins...

18. PRESIDENT:

19. Senator Clarke.

20. SENATOR CLARKE:

21. Mr. President, I would like to say a few words about the  
22. atmosphere in which we are voting because I think that this  
23. body is to be commended to this point on the debate on this  
24. issue. The restraint that has been used and the judgments  
25. that have been shown. I do feel, however, that there is a  
26. trend abroad in the land, that everybody is well aware of and  
27. we had speeches last week about in relation to an attempted  
28. assassination, of extremism if you want to call it and of  
29. tremendous pressures and emotions and the people of this  
30. country are awakening in a way that is very frankly hard  
31. for many people to interpret. Now I would like to just  
32. get a little specific because I am deeply disturbed by some  
33. of these things. When you believe in our representative

1. form of our Government, you believe that issues should be  
2. debated. The assumption is that there are two sides and  
3. yet when I read in a Chicago paper an editorial that they hoped  
4. that there were 30 principled Senators, you've got to assume  
5. the implication that anybody that's against this is un-  
6. principled. And that is the kind of bigotry and narrow-  
7. mindedness that leads to the types of things that happen  
8. in this country by extremists. I think that it's unfortunate  
9. that the Pro Tem used such words as enlighten and Neanderthal  
10. because the assumption is that anybody that is against this  
11. is unenlightened or that there is only one side. This type of  
12. pressure has been brought about on various issues. We felt  
13. as strongly on parochial a couple of years ago. It was present  
14. on the adoption of the Constitutional Convention vote where people  
15. were almost afraid of their political life to speak out and, on this  
16. particular issue, my stand has been stated previously by  
17. the paper. Bob Egan, Senator Egan, enunciated it and; it is  
18. obviously clear that women will be drafted, they will be  
19. subject to draft, just as men with the same exemptions and,  
20. Senator Partee, you can speak for yourself, but I don't want  
21. my daughter to be in that position. I vote no.

22. SECRETARY:

23. Coulson, Course, Davidson, Donnewald, Dougherty, Egan...

24. PRESIDENT:

25. Senator Egan.

26. SENATOR EGAN:

27. Thank you, Mr. President, members of the Senate. When the  
28. Illinois Constitutional Convention passed section 18 of Article  
29. I, Illinois led the nation, I'm sure, in taking its position on  
30. equal rights for women out of the Neanderthal age and into the  
31. age of modernity. We have already done that. That is of record.  
32. That is where we stand in Illinois and I herald that decision and  
33. I agree with that decision and I'll stand behind that decision



1. but I do ask sincerely that if we have to have this amendment then  
2. we have to do away with the Selective Service Act that will draft  
3. women into our army. I cannot support a resolution which will  
4. allow for a Selective Service Act that will draft women. I am  
5. totally against that and because of that reason I am going to  
6. vote no.

7. SECRETARY:

8. Fawell.

9. PRESIDENT:

10. Senator Fawell.

11. SENATOR FAWELL:

12. I've listened very carefully to the pros and cons. I tried  
13. to study very carefully the materials which have been sent to me,  
14. and to listen carefully to constituents that have expressed their  
15. position both pro and con in regard to this matter and it appears  
16. to me, if we come right down to the wire, the debate is in regard  
17. to whether or not there will be a mandatory draft. I happen to  
18. have an 18 year old boy at home who is planning to go to the  
19. University of Illinois very shortly if the draft doesn't get him.  
20. I have a 16 year old daughter and I have a 13 year old son. I think  
21. all three of these bright little lights are quite something and it  
22. seems to me a bit irrational for us to continue to assume that a  
23. young man can have his guts ripped out in battle or go into the  
24. Armed Forces or things of that sort, but we take a different attitude  
25. totally in regard to the bright little lives of our daughters. I  
26. think war is just plain hell and I think that the draft is some-  
27. thing we ought not to even have except in something other than what  
28. we call the emergency, for instance, that exists today. Maybe this  
29. might prompt us to take a more rational look at killing and wars and  
30. the draft, etcetera, when we recognize that all people regardless  
31. whether they are male or female will face this monstrosity we call  
32. the draft which, of course, is based upon incalculable problems  
33. that evidently mankind isn't about ready to be able to solve. I'm  
simply saying that I think that what we should be talking about

1. is whether sex should be the sole determining factor in deter-  
2. mining the legal rights of people. I think that the entire  
3. future is based upon the putting into effect what the wording  
4. of this amendment actually says that's for it. I think it's  
5. a practical matter. We have it, as Senator Rock has pointed out,  
6. in our Illinois Constitution. I think the courts are very close  
7. to coming to the point of saying that the equal rights portion of  
8. the 14th Amendment actually will bring this about and as I look  
9. at other areas of the law, such as labor laws for instance...  
10. we have been trying on this side of the aisle for a number of  
11. years to remove limits on working hours so women can enjoy some  
12. of the executive positions and not be under the limitations  
13. they are laboring under. I think it's all part of the future.  
14. I don't think we should get hung up in talking about whether you  
15. are for or against the draft. I happen to be against the draft  
16. for boys and girls both and maybe this will simply allow us all to  
17. be more rational on the subject. I vote aye.

18. SECRETARY:

19. Gilbert, Graham, Groen...

20. PRESIDENT:

21. Senator Graham.

22. SENATOR GRAHAM:

23. Mr. President and members of the Senate. I, too, have been  
24. besieged with mail and correspondence which I have welcomed  
25. even though it takes some night oil to read it. It might be  
26. surprising that 87% of my correspondence has been in opposition  
27. to the adoption of this amendment. I called a lady's home who  
28. is in charge of secretarial service that does my work back in  
29. my district. I said to her very bluntly, "Jane, how do you feel  
30. about the equal rights amendment?" She said, "Senator, I don't  
31. want ever to have the women lowered to the equal of men." Now,  
32. I think that some of the basic problems that have been discussed  
33. and the thing that bothers me a lot is the fact that first of  
all that in Illinois, I think the case law is pretty clear with

1. regards to the equal rights for women. Now, I think the people  
2. that are so strongly in support of this...God knows they have a  
3. right to be...have forgotten perhaps what the passing and rati-  
4. fication of this might do for the future. I think it is important  
5. for us to know we are today considering an amendment to the  
6. United States Constitution regarding our laws handling of  
7. cases which may be committed by women or against them. I  
8. think the thing that many, many supporters of this have not been  
9. told, and they only get told what the people want them to be told,  
10. but I think we have to remember this. This amendment could and  
11. would, in my opinion, annul every existing Federal and State  
12. law making any distinction between men and women, however  
13. reasonable. Thus, distinction might be, in particular cases  
14. that would forever rob the Congress and the Legislature of the 50  
15. States to enact such laws as they see fit other than by an additional  
16. Constitutional Amendment and I don't believe we want to go that  
17. route and I vote no.

18. SECRETARY:

19. Groen.

20. PRESIDENT:

21. Senator Groen.

22. SENATOR GROEN:

23. Well, Mr. President and members of the Senate, I, too, along  
24. with each of you have received numerous communications regarding  
25. this proposal. For three reasons I will vote in the negative.  
26. 1. I have kept a careful tabulation of communications received,  
27. letters, cards, telegrams and telephone calls and I suppose there  
28. is somewhat of a difference between a large metropolitan urban  
29. area which is Chicago, Rockford and so on as compared to my  
30. district where the largest single city is some 30,000 in population.  
31. I suppose there is a difference in the problems of women and their  
32. viewpoints on this subject. However, the tabulation reveals that 4 to  
33. 1 the people who have contacted me from my district have registered

1. opposition to this proposal. A second reason, I question whether  
2. or not the General Assembly has the authority under the 1970  
3. Constitution in spite of the opinion of the Attorney General with  
4. which opinion I do not concur. Constitution clearly states that  
5. the General Assembly shall not take action on any proposed  
6. amendment to the Constitution of the United States submitted for  
7. ratification by Legislators unless the majority of the members of  
8. the General Assembly shall have been elected after the proposed  
9. amendment has been submitted for ratification. I submit to you  
10. that has not been the case and I question whether or not we have  
11. the power and have the authority under that Constitution to take  
12. the action we may take here today. The provision goes on and says  
13. the requirements of this section shall govern to the extent that  
14. they are not inconsistent with requirements established with the  
15. United States and, in my judgment, this constitutional provision  
16. in our Constitution is not inconsistent with the action as  
17. established by the United States. The third and final reason why  
18. I am in opposition to this...I see the light has gone on and I will  
19. not have time to explain it. I do not want to violate the rule.  
20. However, for these two reasons and a third which I would be glad  
21. to discuss privately, I will vote in the negative.

22. SECRETARY:

23. Hall, Harris, Horsley...

24. PRESIDENT:

25. Senator Horsley.

26. SENATOR HORSLEY:

27. Mr. President and ladies and gentlemen, this has been a very  
28. difficult decision for me. But I'd only have all the folks here  
29. that's for this...even got a cousin of mine in the Gallery that's for  
30. it looking down my throat and I have to consider, of course, my  
31. relatives, but I also have not made up my mind on this matter until  
32. today and until as a matter of fact in the last few moments. I am con-  
33. vinced that there is more to be lost by women in the adopting of this

1. amendment than is to be gained. I have a document handed to me just  
2. a moment ago which made up my mind more than anything else. Women  
3. would be subject to military service and jury service under the  
4. same conditions as men. Well, of course, they're under jury  
5. service now in Illinois. Women with children in their personal care  
6. could be excused from either obligation. It goes on to say that  
7. women could be given other assignments the same as men. I have  
8. seen the courts of the United States usurp the Legislative power  
9. to the point where I can envision an army with a hundred men being  
10. ordered to take their guns and go down to the trenches and to go  
11. forward and they retreat because there is not a single woman among  
12. them. And they rush into court and get an order and say our  
13. constitutional rights are being violated because no women are  
14. digging ditches, no women are down here fighting, they're all  
15. punching typewriters and we're doing all the fighting and there-  
16. fore, it's unequal and unconstitutional. I say we're dealing with  
17. a dangerous ground. We've made great headway to protect women,  
18. to protect them in their jobs, in their pay as every Session goes  
19. by their rights are being upgraded, but let's do it in an orderly  
20. fashion and let's don't gamble with the fate of this nation by  
21. getting into a military situation where we could have havoc reached  
22. by the courts at a time that might destroy this very nation and I  
23. am compelled to vote no.

24. SECRETARY:

25. Hynes, Johns, Knuepfer, Knuppel...

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPTEL:

29. I have a problem here. Would I be in a conflict of interest  
30. position voting on this in view of the fact that I have a wife  
31. and daughters and I am a man?

32. PRESIDENT:

33. Every member of the Senate has conflicts of interest on this

1. issue, Senator Knuppel.

2. SENATOR KNUPPEL:

3. Well, with that admonition, I would like to say that I have  
4. recently been identified in the press as a chauvinist. Let  
5. me say here and now that be that as it may, I am nevertheless  
6. an American and in this land I love there should be no second  
7. class citizens either in fact or imagined. No country owes  
8. more to its women than America and I, like each of you, will be  
9. forever in your debt. I don't think that any person is equal  
10. to any other person, but no person should be discriminated against  
11. or imagine they have been discriminated against, and we should  
12. provide every person in this country the opportunity to fulfill  
13. that potential to the fullest extent possible. Passage or the  
14. adoption of this amendment should not of necessity change the  
15. relationship which exists between any two people. If a woman  
16. wants to voluntarily assume a subsidiary roll as that of a man  
17. that would then be her privilege under this amendment. If she  
18. did not that would also be her privilege. She would have the  
19. opportunity to fulfill to the fullest extent her potential. Now,  
20. let my explanation serve as evidence of whether or not I am  
21. a chauvinist. I vote aye.

22. SECRETARY:

23. Kosinski.

24. PRESIDENT:

25. Senator Kosinski.

26. SENATOR KOSINSKI:

27. Mr. Chairman, honorable Senators. I state today to accede  
28. my support to the Equal rights amendment. So long as American  
29. women are treated separately under the law and so long as we  
30. try to restrain and shelter them from full participation in our  
31. society, you'll never retain the complete equality with men.  
32. This amendment if ratified will allow women to fully achieve  
33. and realize those opportunities and responsibilities that they

1. are entitled to under the Constitution. I firmly believe that  
2. equality under the law is inconsistent with any exceptions  
3. which are provided solely upon sex. Legislation which  
4. generalizes on the relative average capabilities of women without  
5. regard for their particular abilities are unfair. These laws  
6. ignore individual talent and potential that should be unconstitutional.  
7. Many of my fellow Senators have expressed a reservation about this  
8. amendment. They fear that if this amendment is ratified, women  
9. will be denied certain rights to which they have always been  
10. entitled. They site maternity as the clearest example of how some  
11. legislation are particularly denied to benefit women. I am con-  
12. vinced, however, that problem like this could be avoided by simply  
13. saying that any individuals who qualifies for sex leave would be  
14. eligible for it. This would, I believe, solve this problem with-  
15. out opening up such a leave to those of us who could not qualify.  
16. This measure is not unnecessarily a novel idea. It has received  
17. widespread bi-partisan support in the past. It was endorsed by  
18. President Eisenhower, by President Kennedy, by President Johnson  
19. and now the President, Nixon. For too long women have been restrained  
20. from participation in the most vital area of our government economy  
21. and society and generally representing over half of our total pop-  
22. ulation can still afford to deny their contribution. Those restric-  
23. tions of women from the main stream of America life are a waste of  
24. human potential. This amendment will serve to rectify an inequity  
25. which has justly plagued women and I, therefore, respectively urge  
26. your ratification, and I vote aye.

27. SECRETARY:

28. Kusibab, Latherow, Laughlin, Lyons...

29. PRESIDENT:

30. Let's have some order.

31. SECRETARY:

32. McBroom, McCarthy, Merritt...

33. PRESIDENT:

1. SENATOR MERRITT:

2. Mr. President, and members of the Senate, in explaining my  
3. vote I would say the mail from my district and I'm not saying in  
4. the entire State of Illinois because I must reflect the feelings  
5. of the people in my district,...this is from young people, from  
6. their parents, a fairly young middle-aged group strongly oppose this  
7. Resolution. In the first place, I feel that a woman, felt it very  
8. strongly...in fact, I do so within my own organization in employment...  
9. make certain that they receive equal pay for equal work along with  
10. a man doing the same things. That part I would buy in this Resolu-  
11. tion. Then as we go on from that I believe we begin to see some  
12. abuses. I think they could be deprived of alimony, child support  
13. and even the preferred rights of custody of their children. I  
14. think there is some question about the validity of property rights...  
15. could be gravely questioned. There's no question about them being  
16. able to be drafted into the military, as is evidenced by the  
17. position of the Justice Department and the Defense Department.  
18. That concerns me, not that these women shouldn't be able to serve  
19. as they so desire which they've done in the part honorably and  
20. well, but they should be able to do it voluntarily. I think  
21. that to some extent our current...I mean to a great extent, our  
22. current protective laws for the benefit of women could not only  
23. be threatened but maybe in some instances almost completely  
24. obliterated...eliminated. I just happen to be one Senator, thank  
25. God my family brought me up felling that way, that has a great  
26. respect, reverence and a high regard for womanhood. And I'll hope  
27. that I can always have that deep feeling and hold them on a little  
28. higher plane than a man. I think this will do nothing in Illinois  
29. but eventually create untold confusion, litigation in our courts for  
30. many years and many severe hardships upon our women. I vote no.

31. SECRETARY:

32. Mitchler...

33. PRESIDENT:



1. Senator Mitchler.

2. SENATOR MITCHLER:

3. A...Mr. President and members of the Senate. Many things have  
4. been said about Senate Resolution, Senate Joint Resolution No.  
5. 62. I think we have to take into consideration that this is 1972  
6. and this is an election year. And I'll point out some things. This  
7. is a year when Congress that passed, to be ratified by a possible  
8. two-thirds of the States, a proposed amendment to the United States  
9. Constitution. Now this is known as the 27th Amendment, I believe,  
10. or the women's Equal Rights Amendment. I might point out to you  
11. that this proposed amendment has been considered in Congress for  
12. many years, 49 years to be exact. And it has been the subject of  
13. debate and has been voted on by Congress on, I believe, at least  
14. four other occasions, but this is 1972 and this is an election year  
15. and Congress has responded to a movement called women's liberation  
16. and the mark of equality, nondiscrimination including the women's  
17. Equal Rights Amendment to the Constitution. Now, I want to point  
18. out several things which I consider important when you consider the  
19. facts...the facts relating to women's equal right amendment. First  
20. of all I would refer you to the Illinois Constitution, Section 4,  
21. Article 14 on the Constitutional Revision. Now, it says in Section  
22. 4, "Amendments to the Constitution of the United States and the  
23. affirmative vote of three-fifths of the members elected to each  
24. House of the General Assembly shall be required to request Congress  
25. to call a Federal Constitutional Convention to ratify a proposed  
26. amendment to the Constitution of the United States, to call a  
27. State Convention to ratify a proposed amendment to the Constitution  
28. of the United States. The General Assembly shall not take action  
29. on any proposed amendment to the Constitution of the United States  
30. submitted for ratification by legislatures unless a majority of the  
31. members of the General Assembly shall have been elected after the  
32. proposed amendment has been submitted for ratification." Now, it's  
33. clear to me that the 1970 Illinois Constitution prohibits the 1972

1. Session of the 77th Illinois General Assembly from acting on the  
2. Women's Equal Rights Amendment submitted to it by Congress in 1972.

3. PRESIDENT:

4. For what purpose does Senator Partee arise?

5. SENATOR PARTEE:

6. A point of order. The matter which the gentleman is discussing  
7. is a matter which has been decided by the Attorney General com-  
8. pletely antipathetical to what he says, if the Attorney General  
9. says that what he says isn't so.

10. PRESIDENT:

11. Senator Mitchler may proceed in explaining his vote.

12. SENATOR MITCHLER:

13. I do not believe that an opinion of the Attorney General  
14. is a matter that is adjudicated by the courts. And the  
15. courts has in many instances overruled an opinion of the Attorney  
16. General whether he be Attorney General Scott or a previous  
17. Attorney General. Now, I would point out that a second point...

18. PRESIDENT:

19. The Senator will conclude his remarks.

20. SENATOR MITCHLER:

21. I'll conclude by saying in this clear statement certainly the  
22. desire to open opportunities to some need not be bought at the price  
23. of removal of legal protection from others. I vote no.

24. SECRETARY:

25. Neistein, Newhouse...

26. PRESIDENT:

27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President and Senators. I have a very uncomfort-  
30. able feeling today gentlemen. This is an equal rights bill and I  
31. think on all equal rights bills in this Body I have been one of the  
32. foremost proponents and am happy to see that we have a lot of  
33. support down here on this particular one. And I hope that presages a

1. new day in which on all equal rights bills we have that kind of  
2. support. The problem with this bill as far as I am concerned,  
3. I think three weeks ago it would have sailed right through this  
4. assembly with very few descending votes. Some information has  
5. been brought to mind in the last couple of weeks that have changed  
6. things a bit it seems to me. Equal Rights Amendment, what con-  
7. sequences does it have? Equal pay, I'm all for that, equal job  
8. opportunity, I'm all for that. Equality of availability for  
9. selective service I oppose unequivocally. A distant family relation-  
10. ships it seems to me which is a key point in this bill ought to be  
11. discussed pretty thoroughly and it hasn't. I would not discount  
12. at all the opinions of such as Roscoe Pound and Paul Froen who are  
13. eminent jurists who say to us that there are an awful lot of  
14. consequences to this innocuous amendment that we ought to study.  
15. And it seems to me that those ought to be thoroughly discussed  
16. before we are asked to vote on this bill and they have not. Had  
17. I been the proponent of this bill I would have held it until such  
18. time as such things were made clear. I think the little ole house-  
19. wives do deserve a full and clearer understanding. On both sides  
20. of this bill I think that there are reasonable rational people with  
21. reasonable rational positions. I do not think they have talked to  
22. each other. I regret that, at this point then I must vote no on  
23. this bill.

24. SECRETARY:

25. Nihill, O'Brien, Ozinga,

26. PRESIDENT:

27. Senator Ozinga.

28. SENATOR OZINGA:

29. Mr. President and members of this body. This is a tough decision  
30. to make. I've got friends that have been for this bill, friends that  
31. have been against it and I'm with my friends. But, I think when  
32. one rationalizes all of the consequences that this bill will really  
33. have, we in the State of Illinois are so far ahead of so many other

1. states when it comes to womens equal rights or whatever you want to  
2. call them, I feel that we would be doing more damage to the  
3. position that women now hold in society in every respect if we voted  
4. for this. Consequently I feel it my duty after careful considera-  
5. tion to vote no.

6. SECRETARY:

7. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,  
8. Smith,

9. PRESIDENT:

10. Senator Smith.

11. SENATOR SMITH:

12. Mr. President and members of the Senate, in explaining my  
13. vote permit me to say that I realize full well that since the days  
14. of the Christ honest men have had honest differences of opinion.  
15. Today we have heard men stand here upon the floor of this Senate  
16. and some have expressed themselves by their vote as being in favor  
17. of the good Senator's Resolution and others with equal fervency;  
18. and I am willing to concede honesty have voted in opposition. We  
19. have heard able men stand here and present one side of the argu-  
20. ment. We have heard others stand here and present their side  
21. of the argument. Listening to it all, like Senator Horsley, I've  
22. tried to make up and succeeded in my mind which way I should vote  
23. here today. I'm going to ask, Mr. President, for a little order  
24. just for the few minutes...

25. PRESIDENT:

26. You are correct. Senator Smith's entitled to order.

27. SENATOR SMITH:

28. Listening to the debate helped decide which way I would vote.  
29. The debate reminded me of a something that's a fact in life. Mem-  
30. bers have said how difficult it was and is for them to decide which  
31. way to vote. You could ask the youngest child at least a three or  
32. four year old child in Springfield, how much is two and two and that  
33. child would tell you in one word, answer one word four. We have

1. learned here today that if you ask a lawmaker in the State of  
2. Illinois such a hard, such an intricate, such a difficult, such a  
3. world shaking question as that, how much is two and two that  
4. he'd give you an answer something like this, perhaps. That when  
5. in the course of human events it becomes necessary to add to the  
6. numeral of the second denomination the figure two, then I say  
7. unto you and you notice here today that each man is honest and  
8. certain that he is right but the good member of the Senate would  
9. say then I say unto you and I say it without fear of successful  
10. contradiction, that the answer is four. We have known for  
11. the last several minutes each of us just how we would vote here  
12. today...

13. PRESIDENT:

14. The Senator will conclude his remarks.

15. SENATOR SMITH:

16. A...the gentleman yielded me just two more minutes...

17. PRESIDENT:

18. The Chair can't...

19. SENATOR SMITH:

20. You are most kind, Mr. President...

21. PRESIDENT:

22. The Chair can't permit yielding of time, the Senator will  
23. conclude.

24. SENATOR SMITH:

25. That's why we all respect and honor you so. But in this  
26. instance, Mr. Speaker, I call, Mr. President, I call your attention  
27. to the fact that the light was on when I arose to explain my vote.  
28. That's right, it was I say to you...it was on Mr. President when I  
29. arose to cast my vote.

30. PRESIDENT:

31. The Chair is not in a position to dispute Senator Smith.

32. SENATOR SMITH:

33. The Senator referred to poetry. I remember a poem that I learned

1. when I was a child. Here's to woman's rights. When she's right,  
2. she's right right, when she's wrong she's right and if she had all  
3. of her rights right well we know right well, the men folks all  
4. would go. I think that those who are here espousing the cause  
5. of the adoption of the Senator's resolution are on the right side  
6. and without any hesitation or equivocation while watching the fact  
7. that we only have a few more yet on roll call and we need them  
8. badly, I vote aye.

9. SECRETARY:

10. Soper,

11. PRESIDENT:

12. Senator Soper.

13. SENATOR SOPER:

14. Mr. President and members of the Senate, I received many,  
15. many letters on this proposition and letters I received were from  
16. all over the State, but letters from my district...I received  
17. exactly four letters on this proposition and the women that took  
18. time to write from my constituency were on the positive side of this  
19. amendment. Now, when I receive letters from all over the State  
20. and they are about equal there were, as it has been said here, form  
21. letters that were sent on both sides of this proposition, that the  
22. four letters that I received were not form letters and I have to  
23. vote with my constituency. I vote aye.

24. SECRETARY:

25. Sours,

26. SENATOR SOURS:

27. Mr. President and Senators, I don't believe it takes any real  
28. great courage to support this resolution. I think it takes more  
29. to vote against it...

30. PRESIDENT:

31. Just a moment. Let's...proceed, Senator.

32. SENATOR SOURS:

33. We're talking about equal rights. I should like to suggest

1. also that there is a correlative duty to every right. There is no  
2. such thing as a right in the abstraction. And these vacuous  
3. phenomena called abstract rights don't make any sense unless we  
4. make a concrete situation...for example, the right of free speech.  
5. There's also the correlative duty, Mr. President and Senators,  
6. not to shout fire in a crowded theater. Now, any of the women who  
7. believe they will have rights conferred upon them by the enactment  
8. of this resolution with no correlative duties that person is being  
9. seduced by illogic. Whenever we have a right, there has to be a  
10. correlative legal duty. Now, I hear today in the debate that prob-  
11. ably women would not be drafted. It's not a matter of probability,  
12. it's could they be drafted? Not will they be drafted. And over the  
13. waste the worldly fortune it is not what government might do but  
14. what government could do. And that's always the test. Now, I've  
15. been impressed by what Senator Egan had to say. I too have a  
16. daughter. I think we're going to change social patterns to a point  
17. where we're going to disrupt the ordinary life in this country.  
18. I don't have time to see by the light there to read from what Dr.  
19. Jonathan H. Pinkus of the Yale Medical School had to say. Maybe  
20. I do have time, it's very short. I would predict that the equal  
21. rights amendment and many of the other goals of its proponents will  
22. bring social disruption, unhappiness and increasing rates of  
23. divorce and desertion. Weakening of the family ties may also lead  
24. to increased rates of alcoholism, suicide, and possibly sexual  
25. deviation.

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. Whether or not one agrees, ladies, with the prediction to Dr.  
30. Pinkus, he is asking genuine questions which certainly ought to be  
31. discussed before the Supreme Federal Constitution is amended. Before  
32. we begin tinkering with the very subtle mechanism of family relation-  
33. ships and social responsibilities, we should consider what we might in

1. fact be passing up and complicating. I have to vote no on this.  
2. My constituents, two to one, three to one, by personal letters,  
3. not form letters or telegrams, have requested that I do that  
4. and to coincide is my thinking on the subject too. Accordingly,  
5. I vote no.

6. SECRETARY:

7. Swinarski, Vadalabene, Walker,

8. PRESIDENT:

9. Senator Walker.

10. SENATOR WALKER:

11. Mr. President and members of the Senate, I, too, have received  
12. considerable amount of mail. There's a group of letters one day for  
13. it and another group for it. The third day even my secretary made a  
14. note here...a...equal rights for, sorry Senator, not one against.  
15. These are the letters from my district, against this bill. But I  
16. will say this in all sincerity that these letters and what's con-  
17. tained therein is contained in this what I used to call when I was  
18. a kid, "penny postcard." It says, "Senator Walker, men and women were  
19. meant to compliment each other not to be equal to each other.  
20. American women are now the most liberated in the world." And here's  
21. a little punch line that I enjoyed: "Don't lower us to equality.  
22. Vote against the women's equal rights amendment." That little card,  
23. for singular brevity, I think, embodies everything that has been  
24. said in these letters. I, too, have done some soul searching on  
25. this. I don't know what kind of reception I will get when I go  
26. home this weekend from my wife and my two daughters. I think I've  
27. been lobbied more on this bill as the rest of you have than any  
28. other legislation we have under consideration. But in all fair-  
29. ness to myself, I can't do anything else than to vote no on this  
30. piece of legislation. Thank you.

31. SECRETARY:

32. Weaver,

33. PRESIDENT:

Senator Weaver.



1. SENATOR WEAVER:

2. Mr. President and members of the Senate, I, too, have  
3. received a great deal of mail pro and con on this resolution.  
4. I've tried to read our new Constitution and it seems strange to  
5. me that as a layman legislator I can't read this new document and  
6. have any reasonable hope of interpreting property the written words  
7. therein as related in Section 4, Article 14. I am now being asked  
8. to vote on a resolution which if ratified by the proper number of  
9. States of this union, I feel that it would open up a whole new  
10. can of worms if the judiciary begins to interpret legislation  
11. already enacted by the legislation legislatures of the United  
12. States. I vote no.

13. PRESIDENT:

14. Saperstein, aye. Senator Neistein.

15. SENATOR NEISTEIN:

16. I'll be the 30th, aye.

17. PRESIDENT:

18. On that question the yeas are 30, the nays are 21. The  
19. resolution having received the Constitutional majority...our  
20. guests in the gallery will be removed if they do not conduct them-  
21. selves according to the rules of the Senate. On that question,  
22. the yeas are 30, the nays are 21. The Resolution having received  
23. the Constitutional majority is declared passed. Senator Smith  
24. moves to reconsider. Senator Johns moves to table. All in favor  
25. of the motion to table signify by saying aye. Contrary minded.  
26. The motion prevails. Senate bills on Third Reading. 82, let's  
27. have some order. We ask our guests in the gallery to help us  
28. maintain order. 1062, Senator O'Brien. 1154, Senator Kosinski.  
29. 1154, do you want to...1353, Senator Bruce.

30. SENATOR BRUCE:

31. Yea, why not.

32. PRESIDENT:

33. 1353, Senator Bruce.

1. SENATOR BRUCE:

2. Senate Bill 1353 is a bill put in at the request of the  
3. State Treasurer on the basis of a study done of his office by  
4. outside auditors. The State Treasurer submitted two bills,  
5. 1352 which I have tabled at this point...1352 would have moved  
6. the function to another office. At present the State Treasurer,  
7. at a great deal of expense prepared a yearly report on State  
8. revenue bond indebtedness. 1353 would remove the requirement that  
9. he publish that yearly report. He will continue to keep the data.  
10. It is available to any citizen who so desires. Last year after the  
11. work that went into preparation of the annual report only 13 copies  
12. were requested. He would like to have that removed. I know of no  
13. opposition.

14. PRESIDENT:

15. Is there any discussion? The Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwell, Bruce, Carpentier, Carroll,  
18. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
19. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,  
20. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,  
21. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,  
22. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,  
23. Rock...

24. PRESIDENT:

25. Just a moment...Senator Bruce has asked for some order, he's  
26. entitled to it. Proceed with the roll call.

27. SECRETARY:

28. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,  
29. Swinarski, Vadalabene, Walker, Weaver.

30. PRESIDENT:

31. Neistein, aye. Mitchler, aye. Berning, aye. Savickas, aye.  
32. On that question the yeas are 43, the nays are none. The bill having  
33. received the Constitutional majority is declared passed. 13...please,

1. gentlemen, let's maintain some order. 1388, Senator Harris. 89.  
2. 1408, Senator McCarthy. 1430, Senator Rock. 1430.

3. SENATOR ROCK:

4. Yes, Mr. President and members of the Senate, this is another  
5. of those assessment bills that has attached to it an appropriation.  
6. I'd like to call this bill back to Second Reading for the purpose  
7. of an amendment which I've placed on the Secretary's desk.

8. PRESIDENT:

9. 1430 is brought back to Second Reading for purpose of amendment.  
10. Senator Rock offers Amendment Number One.

11. SENATOR ROCK:

12. Again, Mr. President and members of the Senate, I apologize. I  
13. do not have enough copies. I just received that this morning. I do  
14. not intend to call the bill for passage today. What this amendment  
15. does is delete or take out the appropriation which was in the amount  
16. of \$128,000.00 and I move its adoption.

17. PRESIDENT:

18. Is there any discussion? All in favor signify by saying aye.  
19. Contrary minded. The amendment is adopted. Third Reading. 1437,  
20. Senator Vadalabene. 14...1509, Senator Latherow. Senator Latherow.

21. SENATOR LATHEROW:

22. Mr. President, I don't want to call this today, but I would like  
23. to know for sure that this bill will be still kept alive if it's still  
24. on the Calendar next week.

25. PRESIDENT:

26. Senator Partee, a question is being directed to you by Senator  
27. Latherow. Just a moment...please, let's have some order. Can you  
28. repeat your question, Senator Latherow?

29. SENATOR LATHEROW:

30. I've been asked to hold this bill a while longer, Senator, and  
31. the question in my mind is when I get the other problems worked  
32. out, will next week be all right if we can get it passed then?  
33. This is a non-appropriation bill.

PRESIDENT:

Senator Partee.

1. SENATOR PARTEE:

2. Yes, Mr. President, I have no objection to their holding it  
3. until it can be worked out. I think they are fairly close to a  
4. solution, and I am sure Senator Clarke would join me in that.

5. PRESIDENT:

6. 1540, Senator Lyons. Senator Lyons.

7. SENATOR LYONS:

8. Mr. President and members, this bill does substantially or  
9. really almost exactly what the Calendar says that it does. The  
10. intention of this bill is to amend the Illinois Income Tax Act to  
11. provide for individual taxpayers a remedy to a discrimination  
12. which they have been suffering since the code was passed in 1969.  
13. In 1969 when the Illinois Income Tax Act was passed, it contained  
14. a peculiarity which is, I think, unique in this country. Under the  
15. provisions of the Illinois Income Tax Act corporations are charged  
16. at the rate of 4 percent against a base of net taxable income.  
17. Individuals are charged a rate of 2 1/2 percent against a base of  
18. adjusted income. Mr. President, I'd like to have some order because  
19. a lot of people in this Chamber voted for this bill when it was  
20. passed and I want to let them know what a terrible mistake they  
21. made and how this mistake keeps on worsening year after year. Only  
22. in Illinois, we say only in America, only in Illinois do we have the  
23. outrageous situation where individuals cannot deduct anything from  
24. their income for tax purposes while corporations and businesses are  
25. given every single deduction that the Federal Income Tax Code allows.  
26. And I'm talking about country club dues, gasoline for their yachts,  
27. and every single deduction that they can convince the Internal  
28. Revenue Service they're entitled to. Individuals get none. Now, that  
29. was built into this Code in 1969 and when I'm told now that there's  
30. going to be a certain revenue loss entailed, my answer is that's too  
31. bad. I'm sure that the Governor and Bureau of the Budget and all  
32. the people down there on the second floor to whom the taxpayers  
33. furnish these lavish salaries can find it within their confidence

1. to make up the difference for whatever this bill is going to  
2. cost in lost revenue because if it is 50 million dollars this  
3. year, it's going to be 60 million next year, 70 million the year  
4. after that and this discrimination is going to worsen, not improve,  
5. with the expanding economy. In 1968, when Governor Shapiro  
6. appointed what was then known as the Governor's Revenue Study  
7. Committee, I was appointed to that Committee. And I was elected  
8. Secretary of it and I recall at that time it was clear the position  
9. that the business lobbies were taking with reference to the question  
10. of an income tax. What they wanted was a tax based on adjusted gross  
11. income for both corporations and individuals at a common rate. And  
12. I said at the time that this was so outrageously discriminatory  
13. against individuals that there was no chance that such a bill would  
14. ever pass and they would not even be able to find a sponsor to intro-  
15. duce the bill. Let me say that I was completely incorrect. What  
16. they came up with was infinitely worse. It was sponsored by the  
17. Governor of this State and it was passed by this General Assembly.  
18. We have a situation now where an individual can deduct nothing from  
19. his adjusted gross income and a business and a corporation can deduct  
20. every single thing that the Federal Income Tax Code allows. It used  
21. to be said well that's...that's all...there's no problems because it's  
22. made up for by the thousand dollar individual exemption. I hasten  
23. to add that there at one time it was given serious thought to intro-  
24. duce a bill which would have provided for a thousand dollar exemption  
25. per return but even the Ogilvie Administration didn't have nerve  
26. enough to do that. What they did though, was think or say, that  
27. the thousand dollar exemption per individual made up for this  
28. inherently discriminatory base. Well the federal people have  
29. obviously come around to a different way of thinking because they  
30. have raised the individual exemption to \$750.00 per person and  
31. they have raised the standard deduction to a maximum of two  
32. thousand dollars. Now specifically what this bill does...what it  
33. says is that for purposes of computation of the Illinois Income

1. Tax, the term "base income" means adjusted gross income minus  
2. the federal standard deduction whatever that may be. And else-  
3. where in the Illinois Income Tax Code, there is the Section which  
4. says that all terms used in the Illinois Code have the same mean-  
5. ing that the same terms have under the federal code so there's no  
6. problem about definition there's no problem about court decisions  
7. or anything of the like. Adjusted gross income means what it  
8. means in the federal code. And base income means adjusted gross  
9. income minus the federal standard deduction. What does all this  
10. mean? It means that the individual...the individual taxpayers of  
11. the State will be relieved of an outrageously discriminatory  
12. practice. The revenue lost to the State is admittedly substantial...  
13. I suspect about 50 million dollars a year. But the time has come  
14. to rectify this thing. That time is now. The situation will not  
15. be better next year. It will be worse. And it will continue to  
16. worsen. And every year that something like this is discussed the  
17. revenue loss involved is going to be higher. It never should have  
18. been written this way in the first place. I am sure the administration  
19. could have found a way out of a 7.4 billion dollar budget to economize  
20. to the extent of 50 million dollars. When they've got the money they'll  
21. spend it. There's no question about that. And if they haven't got  
22. it they can find a way to get along without it. But what we're  
23. talking about now is a practice which should be the shame of the  
24. State of Illinois before all of the rest of the country. The  
25. General Assembly and the Governor can pass a law which is so in-  
26. herently discriminatory against the tax paying public. And I'm  
27. talking about the individual wage earning taxpayer. This bill will  
28. not do anything for the \$75,000 a year man...anything substantial that  
29. is. What it is designed to do is to aid the man who does not  
30. itemize his deductions for his federal income tax return but rather  
31. takes the federal standard deductions. This bill would not allow people  
32. for instance to itemize their deductions. It would only allow them  
33. to use the standard deduction as that term is used in the Federal

1. Income Tax Code. It is about time that this situation was remedied.  
2. And, therefore, I ask the favorable . . . this position of the  
3. membership on this measure.

4. PRESIDENT:

5. Is there any discussion? Senator Clarke.

6. SENATOR CLARKE:

7. Mr. President and members of the Senate, this bill was introduced  
8. and the six day rule was waived. It was heard first in the Committee  
9. and was out here on the Floor to be voted on with priority over many  
10. other bills. In my humble opinion it's a campaign issue. Let me  
11. just say this that the income tax is the law and it became the law  
12. with bi-partisan support. The fact that the sponsoring Senator on  
13. this bill was not here to vote for it, doesn't mean that he  
14. might not have probably as most of his colleagues did if he had been  
15. here. However, I think that when somebody comes up with a bill and  
16. says this will lose the State 60 million or 70 or 80 million dollars  
17. and the 70 to 80 million is our estimate and the second floor has  
18. enough high paid staff that they can find out how to save that kind  
19. of money, that's campaign oratory reminiscent of his running mate. And  
20. I don't think it really should be debated on that basis. I think that  
21. we should oppose this. I think the income tax law is too new to be  
22. tampering with at this point in time. We should leave it as a flat tax  
23. and the longer we do that the longer we are going to postpone the  
24. inevitable increase in that tax because this bill in itself would  
25. require a 3 per cent income tax in order to make up the difference.  
26. I urge you to vote no.

27. PRESIDENT:

28. Is there further discussion? Senator Lyons may close the  
29. debate.

30. SENATOR LYONS:

31. Well I don't know what campaign Senator Clarke is talking about.  
32. Because I said the same things in 1968 when I was Secretary of the  
33. Governor's Revenue Study Committee. And I believe there are a couple

1. of people on the other side of the aisle who were there to hear me  
2. say them. I would have never have voted for this thing. I am  
3. astonished that anybody did but nevertheless it was done. That's  
4. history that can't be undone but what we can in prospecto and  
5. futuro do something about it. What we should do is pass this  
6. bill and there's no necessary increase in any tax. And if you  
7. want to increase the taxes I suggest that you take a look at the  
8. Corporate Franchise Tax. Or if we're going to do anything else  
9. with the Illinois Income Tax Code we might talk about dropping out  
10. for instance the deduction the corporations and businesses get  
11. for entertainment in business promotion. That's just one, I'm  
12. sure that would make up for any revenue loss involved in this bill.  
13. I resent the implication that this bill is filed this year by me for any  
14. other reason than for what I said. I would have filed it before. I  
15. wasn't here. I would have brought this to the attention of the body  
16. when the bill was introduced and I certainly brought it to the atten-  
17. tion of the Shapiro Administration and the Ogilvie Administration  
18. when I was on the Governor's Revenue Study Committee. Nobody paid  
19. any attention, they went ahead and passed the bill. No amendments,  
20. if you remember, most of you were here. This bill...this Illinois In-  
21. come Tax Code that's present form is outrageously discriminatory  
22. and this bill will go some small distance to remedying the situation.

23. PRESIDENT:

24.       Senator Gilbert.

25. SENATOR GILBERT:

26.       I believe you were here last year, Senator. Maybe you've forgotten  
27. it.

28. PRESIDENT:

29.       Is there further discussion? The Secretary will call the roll.

30. SECRETARY:

31.       Arrington, Baltz, Berning, Bidwell, Bruce, Carpentier, Clarke,  
32. Carroll, Cherry, Chew, Collins, Coulson, Course, Davidson, Donnewald,  
33. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,



1. PRESIDENT:  
2. Senator Horsley.  
3. SENATOR HORSLEY:  
4. Senator, I've been trying to read and eat and listen to you, too.  
5. PRESIDENT:  
6. Just a moment please Senator's Neistein, Saperstein and  
7. Dougherty please. Senator Saperstein. Proceed Senator.  
8. SENATOR HORSLEY:  
9. Now I have to make a public confession here that I am ashamed  
10. to make. I can't even make out my own income tax. I have people  
11. in my office who specialize in that field and I let them do it. I  
12. can't afford the books and all this stuff. Now if I own my home,  
13. I work at Allis Chalmers, I have a mortgage on my home and I pay  
14. interest on that mortgage that is deducted on federal tax. Is that  
15. right?  
16. PRESIDENT:  
17. Senator Lyons.  
18. SENATOR LYONS:  
19. That is right but it is not deductible under the Illinois.  
20. PRESIDENT:  
21. Senator Horsley.  
22. SENATOR HORSLEY:  
23. You're going to have a flat amount in here?  
24. PRESIDENT:  
25. Senator Lyons.  
26. SENATOR LYONS:  
27. We are going...what this bill would do Senator Horsley, it does  
28. not allow a taxpayer to itemize deductions as he can do under the  
29. federal code for interests, charitable contributions and State taxes.  
30. Those are the three and medical. What it does do is allow you to  
31. take the standard deduction which you probably haven't taken in  
32. many years because your income presumably well does exceed it.  
33. Your income as a Senator is higher than that. This bill allows you

1. remember the old 1040 A, the little postcard? You fill out your  
2. gross income and take ten per cent of that off. It was a standard  
3. deduction as long as it was not more than a thousand dollars. The  
4. federal standard deduction has been increased now but basically  
5. that's what this bill would do. It allows you to take the standard  
6. deduction.

7. PRESIDENT:

8. Senator Horsley.

9. SENATOR HORSLEY:

10. In other words you are telling me I can't itemize my  
11. union dues, my interest, my contributions, my travel expense if I  
12. have to stay over night in connection with my work, all of those  
13. and I am limited to a flat deduction.

14. PRESIDENT:

15. Senator Lyons.

16. SENATOR LYONS:

17. What I am telling you is that you can't do it now. And this  
18. bill would allow you not to itemize your deductions but to take the  
19. standard deduction that wage earners take under the Federal Income  
20. Tax Code. You see, wage earners for all practical purposes, their  
21. income is just the gross income is their total income. And that's  
22. not the case with businesses and lawyers and professional people.  
23. They take businesses deductions out before they get to the adjusted  
24. gross income.

25. SECRETARY:

26. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
27. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,  
28. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
29. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,  
30. Walker, Weaver.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Cherry, aye. Senator Lyons.

33. SENATOR LYONS:

1. How am I recorded, Mr. President?

2. PRESIDING OFFICER: (SENATOR ROCK)

3. You are not recorded, Senator Lyons.

4. SENATOR LYONS:

5. Well that being so I would like to cast an affirmative vote.

6. I vote aye and I would like to say that the action of the body

7. comes as absolutely no surprise to me. The vote in the Revenue

8. Committee was down straight party lines which came as a shock to

9. no one. I can't really believe what is taking place although again

10. it doesn't surprise me. All that this bill does is allow people

11. to take the same...no not even the same deductions, that businesses

12. and corporations take under the Illinois Income Tax Code. That

13. is true whether you...if you made out your own income tax, Senator,

14. you would know that that is true. Well this bill allows the standard

15. deduction. If you want to...if you want to make it possible to itemize

16. deductions you would be giving a lot of aid to a lot of people who

17. don't need it nearly as much as this bill would aid. And that is

18. true. Now I am going to ask that this bill be...that consideration

19. of this bill be postponed, Mr. President, so that we can think about

20. it a little longer.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. It will be placed on postponed consideration. Senate Bill

23. 1541, Senator Newhouse. Yes, Senator Clarke.

24. SENATOR CLARKE:

25. Did you announce the vote on that bill? I didn't hear you

26. announce the vote.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. No sir, he asked that consideration be postponed. Senate Bill

29. 1546, Senator Hynes. Senate Bill 1549, Senator Clarke. Senate Bill

30. 1549, Senator Clarke.

31. SENATOR CLARKE:

32. Mr. President, I'd like to ask a technical question of the

33. Clerk. Yesterday we added an amendment to this bill. If you recall,

1. this has to do with a portrait and Senator Partee has informed me  
2. that a bill passed last June appropriating money so I'd like to  
3. bring this back to Second Reading to remove that amendment that  
4. was adopted yesterday at his request.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senate Bill 1549 will be brought back to Second Reading.  
7. Senator Clarke.

8. SENATOR CLARKE:

9. I would like to make that motion that we move to reconsider the  
10. vote by which this amendment was adopted. I think that would be the  
11. first procedure.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Motion to reconsider the vote by which Amendment Number One  
14. was adopted on Senate Bill 1549. All in favor say aye. Any  
15. opposed? Motion carries. Senator Clarke has moved to table  
16. Amendment Number One. All in favor of that motion aye. Any opposed?  
17. The amendment is tabled. Third Reading.

18. PRESIDENT:

19. 1552, Senator Dougherty on the Floor? 1559, Senator Rock, do  
20. you wish to call that? 1563, Senator Cherry. Senator Cherry.

21. SENATOR CHERRY:

22. Mr. President, Senate Bill 1563 and I'd like leave of the body  
23. to have both 1563 and 1564 considered. They are the appropriation  
24. bills for the Illinois Supreme Court. I know of no opposition to the  
25. bills and I would ask for favorable consideration.

26. PRESIDENT:

27. Is there objection to having one roll call in both bills?  
28. Leave is granted. The Secretary will call the roll on the two  
29. bills. Senator Clarke.

30. SENATOR CLARKE:

31. A...Senator, these bills do provide for an increase in judicial  
32. salaries but I understand that other bills would be needed in order to  
33. implement those increases. Is that not correct?

1. SENATOR CHERRY:  
2. That is correct Senator Clarke.
3. PRESIDENT:  
4. Senator Bruce.
5. SENATOR BRUCE:  
6. Yes, I just wanted to know what kind of salary increases we  
7. are allowing for supreme Court Justices?
8. PRESIDENT:  
9. Senator Cherry.
10. SENATOR CHERRY:  
11. This is the appropriation and it includes any monies appropriated  
12. by a pay raise by this body. If no bills are passed then obviously  
13. the appropriations are meaningless for the increases and that I  
14. think is what Senator Clarke was referring to. But it is obvious  
15. that in the event we had to provide the appropriation in this bill  
16. to cover any possible pay increases for any of the judges in our  
17. State. If there are no increases for any judges in the State  
18. obviously the appropriation would be meaningless.
19. PRESIDENT:  
20. Senator Bruce.
21. SENATOR BRUCE:  
22. My question is how much is included in this bill for salary  
23. increases of the State Supreme Court.
24. PRESIDENT:  
25. Senator Cherry.
26. SENATOR CHERRY:  
27. I don't have that exact figure Senator Bruce.
28. PRESIDENT:  
29. Senator Bruce.
30. SENATOR BRUCE:  
31. Well then Mr. President until that figure...
32. PRESIDENT:  
33. Just a moment. For what purpose does Senator Horsley arise?

1. SENATOR HORSLEY:

2. Well, I didn't mean to take the Floor from Senator Bruce.

3. PRESIDENT:

4. Senator Bruce has the Floor. Senator Gilbert indicates that he  
5. has an answer.

6. SENATOR GILBERT:

7. Well, I think, Senator Cherry, that this appropriation is based  
8. on 42.5 for the Supreme Court in the event that that should be  
9. adopted. If it isn't it would still stay at 40 thousand as the  
10. present salary. I think the bill calls for increases for the other  
11. judges providing that it is passed. If there is no bill passed  
12. then the Governor by amendatory veto would reduce the bills down  
13. to the proper amount to pay the current salaries if there is no  
14. increase. If we don't have this increase in the appropriation  
15. bill and then we later grant a salary increase it would have to be  
16. another appropriation bill entered to give up the difference.

17. PRESIDENT:

18. Senator Cherry indicates he'll hold the bill. Senator Partee.

19. SENATOR PARTEE:

20. The hour of 2:10 has arrived and we were scheduled to go into  
21. Executive at 2 o'clock. We have another added matter to the agenda today  
22. with reference to the resolution of Senator Horsley. And there are those  
23. of us who will be going out of the City this evening so I'd like if  
24. we could to adjourn now until 11:00 o'clock tomorrow and have an  
25. Executive meeting commencing at right now.

26. PRESIDENT:

27. Motion that the Senate adjourn. Senator Clarke.

28. SENATOR CLARKE:

29. Mr. President, we hadn't talked about tomorrow in terms of time  
30. but, Senator, is it not correct that tomorrow is going to be the last  
31. day of this week for the information of those that want to check out  
32. tomorrow morning?

33. PRESIDENT:

1. Senator Partee.

2. SENATOR PARTEE:

3. Yes, that is correct. There will be no Session on Friday.

4. PRESIDENT:

5. Senator Clarke.

6. SENATOR CLARKE:

7. And in that light of course I know that many of you are leaving

8. to go to a dinner tonight in Cook County but is the 11:00 o'clock

9. hour necessary rather than an earlier hour possibly? Like 10:00 o'clock

10. in the morning? To start the Session?

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. We have Local Government scheduled for tomorrow morning at

15. 9:00 o'clock so they probably could finish and get to the floor by

16. 10:00. That's quite all right. We can start at 10:00 rather than

17. 11:00 in the morning. I just didn't want to push them in that

18. committee.

19. PRESIDENT:

20. Senator Savickas.

21. SENATOR SAVICKAS:

22. I'd like to remind the Leadership too we have Financial Institutions

23. in the morning that might take some time.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. Well I think if the members of both Financial Institutions and

28. Local Government know that we're coming in Session at 10:00 and if

29. they start on time at 9:00 and if they take care of their business

30. with dispatch, they can get to the Floor at 10:00.

31. PRESIDENT:

32. Is there . . . are there further announcements? Senator

33. Bruce. Senator Donnewald.

1. SENATOR DONNEWALD:  
2. Yes, Mr. President, Senate Bill 1574 was assigned improperly  
3. to Local Government and I would request that it be re-assigned to  
4. Labor and Commerce.  
5. PRESIDENT:  
6. Is there objection? Leave is granted. Senator Bruce.  
7. What was that number again, Senator Donnewald? It's in your filing  
8. drawer there.  
9. SENATOR DONNEWALD:  
10. 1574, Senate Bill.  
11. PRESIDENT:  
12. Refile that again. Senator Harris.  
13. SENATOR HARRIS:  
14. Are you going to call it?  
15. PRESIDENT:  
16. Senator Bidwill.  
17. SENATOR BIDWILL:  
18. I wish to announce a Republican Caucus at 9:00 o'clock in th  
19. morning, a Republican Caucus.  
20. PRESIDENT:  
21. Senator Saperstein.  
22. SENATOR SAPERSTEIN:  
23. Education Committee meeting immediately after adjournment.  
24. PRESIDENT:  
25. Senator Baltz.  
26. SENATOR BALTZ:  
27. Was the time of reconvening on Tuesday announced, Mr. President?  
28. PRESIDENT:  
29. It has not been announced. We're going to be here...Senator Partee.  
30. SENATOR PARTEE:  
31. The slips will be passed out tomorrow, or we could pass them out  
32. now but most lot of the members have gone but we will reconvene  
33. Tuesday at noon.



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PRESIDENT:

Senator Partee moves that the Senate stands ajourned until 10:00 o'clock tomorrow morning. All in favor signify by saying aye. Contrary minded. The Senate stands adjourned. Senator Saperstein.

SENATOR SAPERSTEIN:

I wish to announce a delay in the Education Committee meeting of 15 minutes. At 2:30, it's 2:15 now.