

6-22-72

1. PRESIDENT:

2. Senate will come to order. Prayer by the Chaplain,
3. Reverend Joseph Ferriera, pastor of the Zenobia Baptist Church
4. of Pawnee. Pastor Ferriera.

5. REVEREND FERRIERA:

6. (Prayer.)

7. PRESIDENT:

8. Reading of the Journal. Moved by Senator Cherry that
9. the reading of the Journal be dispensed with. All in favor
10. signify by saying aye. Contrary minded. Motion prevails.
11. Committee reports.

12. SECRETARY:

13. Senator Vadalabene, Vice-Chairman of Appropriations,
14. reports out House Bill 4247 with a recommendation Do Pass;
15. House Bill 4096, 4135, 4182, 4522 with a recommendation Do
16. Pass As Amended.

17. PRESIDENT:

18. We have Messages from the House.

19. SECRETARY:

20. This is a message on Senate Bill 1475, the House concurring
21. in Senate Bill 1475 together with Amendment No. 1. Senator
22. Rock is handling this.

23. PRESIDENT:

24. Is Senator Rock on the Floor? Senator Bidwill.

25. SENATOR BIDWILL:

26. Mr. President, may I have the records show that Senator
27. Mohr is absent this morning because of a check . . . physical
28. check-up, but he'll be back later today.

29. PRESIDENT:

30. Journal will so show.

31. SECRETARY:

32. This is a re . . . re . . . The House refuses to recede
33. to . . . to Senate Bill 1271 and asks for a conference committee,

1. and this is Senator Knuepfer's bill.

2. PRESIDENT:

3. All right. Senator Knuepfer moves that the Senate
4. accede to the request for the conference committee. All in
5. favor signify by saying aye. Contrary minded. Motion prevails.

6. SECRETARY:

7. The House refuses to concur with the Senate amendment to
8. House Bill 3648, Amendment No. 1. This is Senator Dougherty's
9. bill.

10. PRESIDENT:

11. Senator Dougherty. We have a . . . on House Bill 3648 there's
12. a request for a conference committee from the House.

13. SECRETARY:

14. No. It's a refusal to concur.

15. PRESIDENT:

16. They have refused to concur in our amendment.

17. SENATOR DOUGHERTY:

18. We will refuse to recede and we'll have a conference
19. committee on that.

20. PRESIDENT:

21. Motion by Senator Dougherty that the Senate refuse to
22. recede and request a conference committee. All in favor signify
23. by saying aye. Contrary minded. Motion prevails. We have
24. some conference committee reports here from Senator Hynes.
25. I don't want to pick on Senator Hynes' conference committee
26. report, but I think it would be healthy, Senator Clarke and
27. Senator Cherry and Donnewald, if we could have some kind of
28. notation on these conference committee reports that the
29. leadership on both sides has taken a look at these conference
30. committee reports. They come through here so rapidly, we could
31. very easily be doing something you don't want to do. Do . . .
32. Senator Cherry.

1. SENATOR CHERRY:

2. If the Secretary will give us copies of the conference
3. committee reports before it's called, then we'll have an
4. opportunity to review them.

5. PRESIDENT:

6. All right. Then the Secretary can make a note on the
7. copy there or attach something that it's been . . . We're . . .
8. Are there motions from the Body? Senator Sours.

9. SENATOR SOURS:

10. Mr. President and Senators, I'd like the attention of
11. all the members present here today. I should like to refer
12. to House Bill 4218. That is on postponed consideration. I
13. should like to have it put back on 2nd Reading for the purposes
14. of . . . for the purpose of amending it by an amendment that
15. meets with the approval of all the members on both sides in
16. this Chamber today. It is the Personal Property Tax Relief
17. Bill.

18. PRESIDENT:

19. The . . . House Bill 4218 is called back to 2nd Reading
20. for purposes of amendment. Senator Sours has submitted
21. Amendment No. 2. Incidentally the proceedings here are now
22. being recorded for the information of the Senate. Proceed,
23. Senator Sours.

24. SENATOR SOURS:

25. Even after all this preparation it now appears there's
26. a bug in the amendment, so I'd like to come back to this
27. order shortly.

28. PRESIDENT:

29. We will . . . With the leave of the Body, we'll return
30. to it whenever you indicate to the Chair, Senator Sours.
31. Are there other motions or resolutions? Senate Bills on
32. 3rd Reading. I don't think I need to add this may be the
33. last day for realistic passage of Senate Bills on 3rd Reading.

1. 1062, Senator O'Brien. 1154, Senator Kosinski. Senator
2. Kosinski. Senator Kosinski.

3. SENATOR KOSINSKI:

4. Mr. President, Senators, Senate Bill 1154 is a bilingual
5. bill seeking an additional funding of 3.2 million dollars.
6. It would also help provide materials of instructions and other
7. teacher support services critical to the 44 thousand children
8. in Chicago schools for whom English is not their first language.
9. In the State Superintendent's budget for this coming year
10. there's 1 million 400 thousand dollars of State funds which
11. will be made available for the bilingual education program.
12. However, without this additional aid that is being sought,
13. Chicago will fall so far behind in its program of services
14. that the harm done by our neglect will be irreparable. Let
15. me tell you why. You know, as I do, that the federal govern-
16. ment who is constantly changing the guidelines and mandates
17. and demands are threatening the support for the T.E.S.L., or
18. Teaching English as a Second Language Program for Chicago.
19. The federal programs have the disadvantage that they are
20. restricted to children from low income families. The State
21. and local programs must supplement the federal programs so
22. that all children or students from Spanish speaking families
23. have the advantage of the bilingual educational program.
24. Approximately 3 million dollars of the E.S.E.A. Title I money
25. from the federal government now being provided for direct
26. services to these children will probably be withdrawn and the
27. money diverted elsewhere. This, Senators, will be a catastrophe.
28. There's no way for Chicago to make up these funds. This is
29. why I appeal to this Body to recognize the special need of
30. children whose future is hopelessly bleak without this aid
31. to get your endorsement and support for this very little
32. extra help to make it possible for these children to become
33. selfsupporting members of our society. When this bill was

1. drafted, I had in mind a very special program under a three
2. year funding of approximately \$3,000,000 that could clear up
3. so many of the language problems which the children face today.
4. with, however, this sudden withdrawal of federal funds I have
5. reexamined a very rapid increase of these children in Chicago
6. schools. We have need for this very special service. We have
7. more Mexican-Americans in Chicago now than any other City outside
8. of the Southwest. Chicago has more Puerto Rican children than any
9. other City outside of New York. Approximately 325,000 Spanish
10. Speaking people live in Chicago. The growth since 1950 has been
11. no less than phenominal. In 1950 there were only 240 recorded
12. Puerto Rican residents. Our estimate today is approximately
13. 100,000. Over 10% of the children in Chicago schools are Spanish
14. surnamed. Within the next three years we expect it...

15. PRESIDENT:

16. For what purpose does Senator Neistein arise?

17. SENATOR NEISTEIN:

18. I wonder if we can have some order. I want to hear what he's
19. reading. He reads very well. I want to hear the whole statement
20. and there's too much noise back here.

21. PRESIDENT:

22. The request is in order. Proceed, Senator Kosinski.

23. SENATOR KOSINSKI:

24. I'll try to speak a little louder my dear Senator friend,
25. slowly and fluentic. Thank you very much, no accent. We expect it
26. to increase by an additional 1%. By 1980 it is anticipated there
27. will be almost 67,000 Spanish speaking children in Chicago schools,
28. many with the very special needs I have described. There was a time
29. when teachers were not available for this type of program. We now
30. can get teachers needed to make this special program successful.
31. There was a time when special materials were not available. These
32. materials are now available. There was time when facilities were
33. not available. These are now available. In other words, the con-

1. ditions are favorable. If we just make the effort and prevent the
2. disastrous dropout rates in the Spanish speaking communities and
3. restore for a very large segment of our children the rights and
4. prerogatives of citizenship that come through work in an educational
5. program. I seek now a favorable roll call.

6. PRESIDENT:

7. Senator Gilbert.

8. SENATOR GILBERT:

9. Senator Kosinski, is this a bill sponsored by the Superintendent
10. of Public Instruction?

11. PRESIDENT:

12. Senator Kosinski.

13. SENATOR KOSINSKI:

14. This is a bill needed by the School of...Board of Education of
15. Chicago.

16. PRESIDENT:

17. Senator Gilbert.

18. SENATOR GILBERT:

19. What is the position of the Superintendent of Public Instruction's
20. office on this bill?

21. PRESIDENT:

22. Senator Kosinski.

23. SENATOR KOSINSKI:

24. Excuse me. He's not against it.

25. PRESIDENT:

26. Senator Gilbert.

27. SENATOR GILBERT:

28. Do you...are you familiar with the fact that we have a 180%
29. increase in the budget this year over last year for bilingual education
30. that the recommendation of the Superintendent of Public Instruction
31. and the School problems Commission was for this figure of \$2,300,000
32. for this year and that is in the budget of the O.S.P.I. for this
33. particular program?

1. PRESIDENT:

2. Senator Kosinski.

3. SENATOR KOSINSKI:

4. Senator Gilbert, you know as well as I do that's one million
5. some hundred thousand dollars was only given to the City of Chicago
6. and not two millions and some odd thousand dollars.

7. PRESIDENT:

8. Senator Gilbert.

9. SENATOR GILBERT:

10. The point I'm trying to make...

11. PRESIDENT:

12. Just a moment. There's no point in these two gentlemen
13. discussing this issue if their colleagues don't listen. Senator
14. Gilbert.

15. SENATOR GILBERT:

16. The point I'm trying to make, Senator, is that the study was
17. made by the School Problems Commission and the O.S.P.I. and they
18. felt that the figure of \$2,300,000 was adequate of which as you
19. say \$1,400,000 will go to Chicago. Why if Chicago needs additional
20. money, why haven't you taken care of downstate with your bill if
21. they're getting a little less than half of the...about 40% of the
22. money that's being appropriated in the O.S.P.I. budget. Why
23. wouldn't you have felt that downstate also needed some additional
24. bilingual support?

25. PRESIDENT:

26. Senator Kosinski.

27. SENATOR KOSINSKI:

28. There was a bill, Senate Bill 1313, which I understand carried
29. the full program for the entire State, but the amount was \$9,000,000,
30. and the bill was rejected. The Body rejected the bill.

31. PRESIDENT:

32. Senator Gilbert.

33. SENATOR GILBERT:

1. I feel that they also should reject this. This money is
2. not in the budget. The recommendation of \$2,300,000, as I point
3. out, is 180% increase over last fiscal year. The amount that we
4. have recommended was a result of both hearings before the Commission
5. and the recommendations of the O.S.P.I. which has a bilingual
6. program, and if they had felt that an additional \$3,000,000 was needed for
7. Chicago, I'm certain that they would have been seeking more than
8. \$2,300,000 for the entire State. I think that this legislation
9. should be defeated for the same reason that the other Senate Bill
10. was defeated because this fund is not in the budget. It is in
11. excess of what we can afford. If we're going to give additional
12. money, and for you, Sir, to say that we should pass a bill for \$3,238,000
13. increase in the bilingual program because you think that the Federal
14. government may not go ahead with the program which they have in
15. Chicago and other parts of the State now, I think is a very poor
16. argument to make. If the Federal program goes on, you will have
17. this \$3,000,000 and there is nothing to indicate and we have no
18. assurance that it will not. The...most of these people, I presume, that
19. are being benefited by this program are in the poverty areas and
20. there are additional federal funds in these areas to take care of
21. such programs.

22. PRESIDENT:

23. Senator Soper.

24. SENATOR SOPER:

25. Mr. President, I wonder if the sponsor would answer a question
26. or two?

27. PRESIDENT:

28. He indicates he will.

29. SENATOR SOPER:

30. Does this take care of the Czech speaking children that
31. can't speak English?

32. PRESIDENT:

33. Senator Kosinski.

1. SENATOR KOSINSKI:

2. Well, I haven't gone into that. Probably you would have to
3. include Poles also, not just Czechs, and I'm 100% for the...as
4. far as I'm concerned, it's just not the English, the Spanish
5. speaking people; I'm sure those classes would be available for all
6. to learn English.

7. PRESIDENT:

8. Senator Soper.

9. SENATOR SOPER:

10. I wish the sponsor would just answer the question. May I
11. ask the question again. I'll ask it...one question. Does this
12. take care of the Czechs, the Poles, the Jews and other ethnic
13. groups, the Lithuanians or does this take care of only the bilingual
14. classes for the Spanish people...the Spanish speaking people?

15. PRESIDENT:

16. Senator Cherry.

17. SENATOR SOPER:

18. No, I want the sponsor to answer. I don't want Cherry to get
19. in this argument. Senator Cherry doesn't know anything about the
20. bill. I want to ask the sponsor a question. Let...

21. PRESIDENT:

22. Senator Cherry.

23. SENATOR CHERRY:

24. I think Senator Kosinski would yield to me on that question
25. because I've been working with Senator Kosinski on the bill, and
26. I'd like to respond to Senator Soper's comment. The bill will
27. provide without limiting it to any bilingual speaking children who
28. attend our school for a bilingual education for children whose
29. first language is not English so that if any Czech people or Italian
30. people or of any other minority group need the assistance in these
31. programs, this money will become available; so that if your people,
32. Senator Soper, request and need some instruction and educational
33. programs in this area as far as language is concerned so that they

1. can learn English, we are providing in this bill adequate and
2. sufficient money for that purpose.

3. PRESIDENT:

4. Senator Soper.

5. SENATOR SOPER:

6. Can I go back to the sponsor or are you going to answer all
7. questions?

8. PRESIDENT:

9. Senator Soper may proceed.

10. SENATOR SOPER:

11. You say that there are facilities available and teachers
12. available in the City of Chicago. You've got Czech teachers;
13. you've got Bohemian...you've got Polish teachers and you've
14. got Lithuanian teachers, Italian teachers. You've got all these
15. teachers lined up besides the Spanish speaking teacher because
16. they're going to have to know how to speak Czech, Polish, Italian,
17. Lithuanian and every other language. Now, how many of each have
18. you got lined up?

19. PRESIDENT:

20. Senator Kosinski.

21. SENATOR KOSINSKI:

22. I would say that as many as we possibly can through the Board of
23. Education. I have no control over how many speak foreign languages.

24. PRESIDENT:

25. Senator O'Brien.

26. SENATOR O'BRIEN:

27. Mr. President, just briefly in relation to this bill that Senator
28. Kosinski is sponsoring on bilingual appropriations. I'd like to state
29. that there is no...well, I'm sure that Senator Soper is not amazed
30. by the fact that we have many Spanish speaking people in the State
31. of Illinois currently speaking Spanish as their primary language.
32. There is some 800,000 Spanish speaking people in the State of Illinois.
33. I'm also assured that Senator Soper came to this country a good number

1. of years ago with some of his ancestors and this State and the
2. Federal government from time to time has taken a position of
3. aiding these people when they first come over. It just so happens
4. that in the current time there are more Spanish speaking people
5. currently migrating to the State of Illinois and the United
6. States than prior to the...than any comparison with your ethnic
7. origin right now. I'd like to point out that Senator Soper
8. last Session of the General Assembly voted for a bill that, I
9. think, did a great service to the Spanish speaking students.
10. Prior to the bill I'm talking about was a bill that allowed the
11. examination for new students in the Chicago schools and the schools
12. throughout the State of Illinois to have an examination given in
13. both Spanish and English before they would be put into a retarded
14. class. Prior to that, they would come in, take an examination,
15. fail it because they had no knowledge of the English language and
16. be put into a retarded class in third or fourth grade very un-
17. fairly. Last Session of the General Assembly this bill was
18. passed and now these children are being examination...being examined
19. in both languages. I think that was a credit to the General Assembly
20. to recognize that problem that was peculiar to Spanish speaking
21. people. This is legislation that is greatly needing in the
22. State of Illinois, and I would urge every member in the Senate to
23. take a close look at it and give it a positive vote.

24. PRESIDENT:

25. Senator Hynes. For what purpose does Senator Soper arise?

26. SENATOR SOPER:

27. My name was mentioned by Senator O'Brien. I just want to tell
28. him now, I recall when I was coming over on the boat with my ancestors
29. that we stopped at Ireland and you were in your mother's arms.

30. PRESIDENT:

31. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President and members of the Senate. Thank you, Senator

1. Neistein. I rise in support of this bill and I would...simply
2. like to make two brief points: One is that the O.S.P.I. requests
3. for funding bilingual education was not an indication that that
4. is all the money that is needed to support these programs in the
5. State. It was an attempt to get the program started and that's
6. why the amount selected was put into the budget. Secondly, of
7. approximately 60,000 children in the City of Chicago, who fall
8. into this category, substantially less than half are getting
9. the kind of assistance and educational cooperation that is needed.
10. Chicago has about three-quarters of the bilingual students in the
11. State of Illinois. This bill will not even pay for the full cost
12. of that program, but it is an attempt to supplement the State's
13. contribution and to bring the State contribution up to a more
14. significant level, and finally there has been a loss of Federal
15. funds in Chicago because of the tightening of Title I guidelines,
16. and this bill would help to make up for that loss; so I would
17. urge your favorable support.

18. PRESIDENT:

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Thank you Mr. President, members of the Senate, I move the
22. previous question.

23. PRESIDENT:

24. Motion for the previous question. All in favor signify by
25. saying aye. Contrary minded. The motion prevails. Senator
26. Kosinski may close the debate.

27. SENATOR KOSINSKI:

28. Mr. President and Senators, all that I am simply asking is that
29. the most advanced Legislature, in the most advanced Nation,
30. that another small but yet progressive step toward the State's
31. objective and commitment to provide equal opportunity and
32. education to all of the Illinoisans' precious children. Thank you.

33. PRESIDENT:

1. The Secretary will call the roll.

2. SECRETARY:

3. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
4. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
5. Donnewald, Dougherty, Egan...

6. PRESIDENT:

7. Senator Dougherty.

8. SENATOR DOUGHERTY:

9. Mr. President, to explain my vote on this bill which will
10. be aye, I would like to explain to Senator Soper that I since
11. World War I, the people of Czech extraction are now know as
12. Yugoslavs, and I have as many Yugoslavs living in my district
13. as he has and furthermore as far as the Spanish speaking people,
14. I probably have ten to twelve thousand in my district, and one
15. of the members of the Board of Education of the City of Chicago,
16. Mrs. David Cerda, is of Puerto Rican extraction and I'm quite
17. sure that she will make every effort to secure enough teachers to
18. follow this program through. I vote aye.

19. SECRETARY:

20. ...Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
21. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
22. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler...

23. PRESIDENT:

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. In the mail that I receive from all areas of government and
27. different organizations, I've noticed in the last several years
28. I received a tremendous amount of increase in the amount of mail
29. dealing with Spanish speaking people, and in my district, I have
30. in the City of Aurora some 14%, and it's increasing and it'll
31. soon be up to over 16% of the population of the City of Aurora
32. will be Spanish speaking people. Now, this is due for various
33. number of reasons and I shan't go into all the reasons why the

1. population is increasing in my area, but the school districts
2. have come to me, and when I meet with the members of the Board
3. and the Superintendents and the County Superintendent of Schools,
4. they point out the need for additional assistance if they're
5. going to meet the problem of these children coming in school.
6. Now, you hear about a child coming to school and sitting there
7. and not getting the lessons because they can't see, they can't
8. hear; so we have hearing and vision testing programs. Many of
9. these students come and they can't understand because they don't
10. know the language, the English language yet, and this is a good
11. program. It's providing for all students in our State of Illinois
12. and I'm going to give it an aye vote.

13. SECRETARY:

14. ...Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
15. Partee, Rock, Romano, Rosander, Saperstein...

16. PRESIDENT:

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. Mr. President and gentlemen, just a brief explanation of my
20. vote. I rise in support of the bill because No. 1, it is needed.
21. This appropriation is needed to help these children assimilate
22. their education and if we're thinking in terms of efficiency
23. and the efficient use of our money, I want to call to your attention
24. that the monies we spend for education for these children are being
25. wasted...are being wasted unless we give them the added assistance
26. in trying to understand what the teachers are teaching them. This
27. is a wise, a very wise use of funds for children who need bilingual
28. instruction and those of you who are not voting, I urge you to
29. support this bill. I vote aye.

30. SECRETARY:

31. ...Savickas, Smith, Soper...

32. PRESIDENT:

33. Senator Soper.

1. SENATOR SOPER:

2. Now, Mr. President and members of the Senate, to make this
3. issue clear, there is a program that's being supported and Senator
4. Gilbert explained that there's a certain amount of money that's
5. going to the City of Chicago and every other school district in
6. this State that supports this bilingual program. Now, this bill
7. calls for money that's not in the budget, and it's not supported
8. by the School Problems Committee. They've gone through this thing.
9. The Superintendent of Public Instruction has gone through it,
10. and they've decided how much money is necessary. That money is
11. already in the budget. Now, this is something that can't be
12. done because it calls for millions of dollars more than is
13. necessary. Now, we're not against bilingual education. We're
14. not against school children that don't understand English, but
15. this is just another play and another ploy in knowing that this
16. can't be done and it would inbalance the budget and it would
17. defeat the whole program; so I've got to vote no on this in order
18. to support a reasonable realistic program that can be done which
19. was handed down by the School Problems Commission. I vote no.

20. SECRETARY:

21. ...Sours, Swinarski, Vadalabene, Walker, Weaver..

22. PRESIDENT:

23. On that question the yeas are 31, the nays are 5. The bill
24. having received a constitutional majority is declared passed.
25. Senator Johns moves to reconsider. Senator Vadalabene moves to
26. table. All in favor of the motion to table signify by saying aye.
27. Contrary minded. The motion to table prevails. 130...Is Senator
28. Sours on the Floor? Senator Sours is now ready with his amendment
29. on 4218.

30. SENATOR SOURS:

31. Now, Mr. President and Senators, this amendment meets with the
32. approval of members of both sides of this aisle. This is a critical
33. bill. I have also assured all who want to join as sponsor of the bill

1. in the Senate will be invited to join so that they will have
2. a record that they participated and supported this concept and
3. this bill. The bill's amendment would now reduce the equalized
4. assessed valuation deduction from \$7,500 to \$5,000. I want to
5. reiterate we're talking about the equalized assessed valuation
6. not the full value. So in, for example, in my district where
7. the rate per \$100 equalized valuation is around \$5 plus, \$5.30
8. this year, it would afford a personal property tax dollar bene-
9. fit of approximately 250 - 275 dollars. That's what this a-
10. mendment does. I move its adoption.

11. PRESIDENT:

12. Is there further discussion? All in favor signify by
13. saying aye. Contrary minded. The amendment is adopted. We
14. will, after intervening business then, get to your proposal.
15. For what purpose does Senator McCarthy arise?

16. SENATOR MCCARTHY:

17. Mr. President, I'd like to have leave of the body to
18. recommit Senate Bill 1423 to the Committee on Labor and Commerce.

19. PRESIDENT:

20. Senate Bill 1423. Where is that?

21. SENATOR MCCARTHY:

22. It's on Senate Bills on Third Reading.

23. PRESIDENT:

24. Senate Bill 1423 is re...motion is to recommit to the what
25. committee?

26. SENATOR MCCARTHY:

27. Labor and Commerce.

28. PRESIDENT:

29. Committee on Labor and Commerce. All in favor signify by
30. saying aye. Contrary minded.

31. SENATOR MCCARTHY:

32. Now, Mr. President...

33. PRESIDENT:

1. Yes.

2. SENATOR MCCARTHY:

3. Now, Mr. President, I would like to have leave of the body
4. to add my name as a Senate sponsor of House Bill 4218 and I
5. understand that there's been a request from this side that each
6. and every member be listed as a sponsor in the Senate of House
7. Bill 4218 and I so make that motion unless there's some objection.

8. PRESIDENT:

9. And I assume that all the Republican members will also
10. want to be shown as sponsors. All right. The Journal will
11. so show. Senator Partee.

12. SENATOR PARTEE:

13. Now, I just want to make sure when 4218 is called after
14. intervening business that the next bill called will be 3776. I
15. want it crystal clear and understood that our support of 4218
16. is in tandem with 3776. Those two bills go together as far as
17. we are concerned and we will support both of them only if both
18. are called and both are voted on.

19. PRESIDENT:

20. We have now had intervening business. We can proceed
21. immediately to 4218 and then proceed immediately following
22. that to 3776. Senator Sours.

23. SENATOR SOURS:

24. There's no more debate on this. We discussed it at length
25. but when it was put on postponed consideration. And I'd appreciate
26. a favorable roll call.

27. PRESIDENT:

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

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
31. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
32. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
33. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,

1. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
2. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee . . .

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. This, Mr. President and members of the Senate, is another
7. example of our addressing ourselves to a very, very serious
8. problem. It's an example of our ability to do that which some
9. have said was impossible. There have been a large number of
10. bills addressing itself to the subject of personal property tax. I think
11. all of us know that the personal property tax is an anathema to our people.
12. We have tried in many other ways to do something about it. On some
13. occasions we have addressed ourselves to it only to have it
14. turned . . . overturned by the Supreme Court. There have been other
15. times when we have had arguments and debates about the possible
16. constitutionality of the bills involved. But today is perhaps
17. a signal day for the taxpayers in Illinois who voted back in
18. 1970 to rid themselves of this rather onerous and frustrating
19. tax, the personal property tax. We have structured committees,
20. we have structured commissions. We have had ad hoc committees
21. appointed by myself in the Senate and this we think is a fair,
22. reasonable, just approach to this very upsetting and nettling
23. subject. These bills, as I said, are in tandem, 4218 and the
24. one which will follow 3776, which you will find support for on
25. this side as well as on the other side of the aisle. It is not
26. a Republican, it is not a Democratic bill, it is not supported
27. by one side or the other. It is supported by both sides. It
28. is not incidentally the Governor's bill. It is a bill which the
29. Legislature feels is the only approach to this subject. We hope
30. that it will bring the tax relief which the taxpayers have so
31. seriously sought. We hope that it will bring a new climate to this
32. State in terms of the taxing powers that have almost inundated
33. our people. We know and recognize that where one tax goes off

1. perhaps another comes on. We feel that with the proper handling
2. of this situation and divers and sundry other approaches we
3. will be able to relieve the taxpayer of the personal property
4. tax and I am delighted to add my aye vote to this and the next
5. roll call.

6. SECRETARY:

7. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
8. Sours...

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. Now that we're all dwelling in amity, I'm recalling a
13. little fable by Roger L'Estrange. There was a big Percheron, Belgian
14. Percheron horse in a stable and there was also a little fly.
15. And the horse became rather restive and the fly remarked, "Pray,
16. gentle folk, lest we tread on one another." Now, I would like
17. to state that we are now solving a rather difficult problem
18. which came about when we thought we had abolished the personal
19. property tax. I think the record for posterity ought to suggest
20. that this is not an abolition of the tax. In other words, under the
21. Illinois Constitution which the old gentlemen's Convention promulgated
22. we do not have to replace this tax. This is lessening the amount
23. of the tax to be paid and I hope, perhaps next year, when we
24. come back we can increase the amount. And over the years between
25. now and 1978 we can have most of this horrendous, unenforceable,
26. unequitable, unfair tax off the books. I vote aye.

27. SECRETARY:

28. Swinarski, Vadalabene, Walker, Weaver.

29. PRESIDENT:

30. For what purpose does Senator Saperstein arise?

31. SENATOR SAPERSTEIN:

32. Am I recorded?

33. PRESIDENT:

1. You are recorded.

2. SENATOR SAPERSTEIN:

3. Aye. Thank you.

4. PRESIDENT:

5. On that question, the yeas are 50. The nays are none.
6. The bill having received a constitutional majority is declared
7. passed. 3776, Senator Clarke.

8. SENATOR CLARKE:

9. Mr. President, before we get to that order of business, I
10. find a companion bill, Mr. Pro Tem, House Bill 4433, is residing
11. in the Revenue Committee. This is the bill that provides re-
12. placement and I think it's vitally important that we make a
13. motion and discharge that from committee and place it on the
14. Order of Second Reading so that we can act on that within the
15. next 24 hours...48 hours.

16. PRESIDENT:

17. House Bill 4433. Is there objection? Leave is granted.
18. 3776, Senator Clarke.

19. SENATOR CLARKE:

20. House Bill 3776 again is a bill that was agreed upon in
21. this subcommittee that worked on this personal property tax
22. matter and I would offer and hope that all of you would join
23. in sponsoring it here in the Senate. I...this essentially is
24. a matter that we talked about last Fall as well as again this
25. year. It is an exemption for farmers or those engaged in farming.
26. It also reiterates the exemption for household furnishings, one
27. automobile and household furnishings. As I indicate, the com-
28. panion bill does provide for the replacement to the County Clerks
29. of the money based on \$5 million to be paid June 1st of '73 and
30. \$20 million to be paid August 1st of '73. It is felt that that
31. is the amount that this would require in terms of replacement so
32. that this does take up that feature too in terms of trying to al-
33. leviate the local problem. I would ask for a favorable roll call.

1. I want to again emphasize what the Pro Tem said that this has
2. been a very vexous problem that we have struggled with for a
3. good many months and I think that this is a clear evidence of
4. the ability of a legislative body where no majority exists to
5. be effective and to get a job done. I think that in the light
6. of this action and in the light of the possibility of a favorable
7. United States Supreme Court ruling next fall, that we could be
8. well on the way of meeting the constitutional mandate which we
9. still have to address ourselves to in the future of abolishing
10. personal property entirely.

11. PRESIDENT:

12. Senator McCarthy.

13. SENATOR MCCARTHY:

14. Yes, Mr. President, it is my pleasant task to ask leave of
15. the body to list all Democratic members as co-sponsors in the
16. Senate of this House Bill.

17. PRESIDENT:

18. All Republican members, I'm sure, want to be listed as
19. co-sponsors also. All members of the Senate will be listed as
20. co-sponsors. The Secretary will call the roll.

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
23. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
24. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
25. Horsley, Hynes, Johns, Knuepfer, Knuppel...

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPTEL:

29. I have some severe reservations about the constitutionality
30. of 3776 and what it attempts to do. I'm in complete sympathy
31. with what it attempts to do and it will grant relief to those
32. people a large number of whom are constituents of mine. As I
33. said so many times, I'm not paid enough to be a judge, I'm just

1. a legislator. I'm going to vote aye. Let the courts determine
2. what I believe to be a bill that's unconstitutional but I may be
3. wrong. So I vote aye.

4. SECRETARY:

5. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
6. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
7. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
8. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. Knuepfer no. Yes, Senator Knuepfer's name should not be listed
11. as a co-sponsor either in the Senate. You would not want your
12. name listed as a sponsor either then. On that question, the
13. yeas are 44. The nays are 1. The bill having received a consti-
14. tutional majority is declared passed. Senate Bills on Third
15. Reading. 1304, Senator Clarke. 1343, Senator Knuppel. You
16. want to Table that?

17. SENATOR KNUPPEL:

18. I'd like to Table that in view of what just happened. And
19. also like to Table Senate Bill 1342 which is on motion for re-
20. consideration, I believe. I'd like to Table the motion and also
21. the bill.

22. PRESIDENT:

23. 1343. 1342...

24. SENATOR KNUPPEL:

25. Was on a motion for reconsideration. I'd like to Table it
26. too...

27. PRESIDENT:

28. All right. You want to withdraw your motion.

29. SENATOR KNUPPEL:

30. I...it's apparent that the ultimate relief which will have to
31. come over the years under the new Constitution cannot be achieved in the
32. Spring Session of the General Assembly. So I'll Table those two.

33. PRESIDENT:

1. Motion to Table. The bills are...the bill is Tabled.
2. 1403, Senator Carpentier. 1405. 1408, Senator McCarthy.
3. Is Senator McCarthy on the Floor? 1432, Senator Saperstein.
4. 15...Senator Newhouse here? 1546, Senator Hynes. 1584, Senator
5. Hynes. Senator Newhouse, 1541, do you want to call that?
6. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. Mr. President, Senators, Senate Bill 1541 is a bill that
9. appropriates money for equipping Kennedy-King College in
10. Chicago. As you know, this is a new school. A new structure's
11. been built and we're moving an entire school from one location
12. to the next. There were no funds available for equipment and
13. since there isn't a phase-in possibility this bill has been put
14. forth to present Kennedy-King with the opportunity to equip
15. itself for the school year opening in 1972.

16. PRESIDENT:

17. Is there any discussion? Senator Partee.

18. SENATOR PARTEE:

19. I would just say that this is a college which is in my own
20. legislative district. I have tried in many ways to help many
21. of you in your personal problems in your own districts. I
22. appeal to you to help in this instance. The amount which is set forth
23. on the Calendar will be a great deal less after the Governor's been...
24. sees this bill. I would certainly support...appreciate your support.
25. I'd appreciate it very personally as this is a new college in my
26. district which desperately needs this equipment and furnishings.

27. PRESIDENT:

28. Is there further...Senator Knuepfer.

29. SENATOR KNUEPFER:

30. Well, Senator Newhouse in all respect to you and if Senator
31. Harris were here at this time I'm trying to speak for him, we
32. did this last year for one of the colleges. I think it was a
33. bad principle because it made creek bills out of every college.

1. I think it was a bad principle because we get back if we continue
2. to buy this principle we get back to every university coming in to
3. bargain with this legislative body for whatever they feel their
4. needs are. And if there's any school that would come out second
5. best it would be some of those schools. Obviously, you know who
6. would come out best. It's the major universities if we get back
7. to the bargaining business. I don't think we want to let the
8. universities understand that we can take special exemptions for
9. each university, provide special funds in special bills. I'm
10. sympathetic to the problem and so, Senator Harris, I think,
11. persuaded some of us last year to support your request for funds.
12. I confess had I known that time at that time that this would have
13. only brought about a further request in the second year, I could
14. not have supported that. I think it's a totally bad principle.
15. It becomes...it makes the whole subject of higher education a
16. series of pork barrel, creek bills. This body got away
17. from that principle some years ago because it found that the
18. real leverage was in the great universities that can afford to
19. come down here and lobby. And under the bargaining premise
20. which you are initiating in this body, the small universities
21. without that great bargaining power would end up with nothing.
22. I frankly think we ought to discourage this. I'm sorry I sup-
23. ported this kind of a thing at the last Session. I don't think
24. it's a desirable practice for this body and I would encourage
25. a nay vote on this.

26. PRESIDENT:

27. Is there further discussion? Senator Gilbert.

28. SENATOR GILBERT:

29. I was going to speak but I think Senator Knuepfer has covered
30. the matters that I would have and stated in relation that we
31. have created a Junior College Board to cover these matters and
32. all.

33. PRESIDENT:

1. Senator Newhouse may close the debate.

2. SENATOR NEWHOUSE:

3. I appreciate the remarks of Senator Knuepfer and I want
4. to answer some of them. I think that there is an answer.
5. Senator, when we provided the funds last year for another
6. college that was in the same situation, that is to say, a
7. move of a complete institution from one facility to the next,
8. we did so on the theory that there was no phase-in time with
9. the rest of it. Now, what happened last year was that a part
10. of the 2.4 million that was allocated to Malcolm X College
11. was lapsed back a million two and what we're attempting to do
12. now is utilize that million two that existed from the previous
13. appropriation; so, we're not talking about new funds in effect.
14. Now, you're right about the tobogganing business. The
15. distinction in both these cases, I didn't anticipate this
16. last year, is that they're both four year institutions moving
17. from one location to the next without the opportunity for the
18. phase-in; so, I would submit to you that there is ample
19. cause for this and that we're not talking about new monies.
20. We're simply talking about the funds that were allocated as
21. of last year for a similar purpose; so, with that, gentlemen,
22. I would appreciate a favorable vote on this bill.

23. PRESIDENT:

24. Is there...the Secretary will call the roll.

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
27. Carroll, Cherry, Chew...

28. PRESIDENT:

29. Senator Chew.

30. SENATOR CHEW:

31. I think one or two other things ought to be said about this
32. bill. For years, the now Kennedy-King College was Wilson Junior
33. College. Nothing has changed but the name, and if you note,

1. Kennedy-King. When we had the ground breaking ceremony,
2. his Excellency, the Governor, was there to turn the first
3. shovel of dirt, and he had shown his interest in education not
4. only by being present but by signing bills that go toward getting
5. our country out of the darkness. This is not a lot of money to
6. request because if you were to come out and view this beautiful
7. campus that's located in the inner-city that is retaining a
8. multi-racial student body and faculty with its need and
9. monies for equipment, I think we'd all be willing to support
10. the Newhouse-Partee bill because we wouldn't want the State of
11. Illinois to go on record with a new campus and no equipment.
12. I would beg you to support this bill, and I'm glad to vote aye.

13. SECRETARY:

14. ...Clarke, Collins, Coulson, Course, Davidson, Donnewald,
15. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
16. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
17. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
18. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
19. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
20. Swinarski, Vadalabene, Walker, Weaver.

21. PRESIDENT:

22. Request for a call of the absentees. The absentees will
23. be called.

24. SECRETARY:

25. Arrington, Baltz, Bidwill, Carpentier, Carroll, Collins,
26. Davidson, Gilbert, Groen, Harris, Horsley, Latherow, Laughlin,
27. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Newhouse...

28. PRESIDENT:

29. Senator Newhouse. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Mr. President and Senators, to explain my yes vote, I'd
32. like to reemphasize that in this case we're not talking about
33. new money at all. We're talking about funds that have already

1. been appropriated that will go to the same purpose for which
2. they were initially intended although to a different institution.
3. It's a simple matter. The money is there. There is no new
4. money required. It'll be used for the purpose of providing
5. equipment which was the initial purpose for appropriating the
6. money for Malcolm X College. It will amount to a switch from
7. one school to another. Now, this is a very unusual situation
8. which probably will not be repeated. We're not building
9. completely new institutions and moving from one location to
10. another site altogether. It just isn't happening with that
11. frequency, and I would appreciate any change overs and
12. any affirmative votes on this matter. I vote aye.

13. SECRETARY:

14. ...Ozinga, Rosander, Soper, Sours, Walker, Weaver.

15. PRESIDENT:

16. Senator Newhouse.

17. SENATOR NEWHOUSE:

18. Mr. President, I move to postpone consideration on it.

19. PRESIDENT:

20. Motion to postpone consideration. All in favor signify
21. by saying aye. Contrary minded. The motion prevails. 1605,
22. Senator O'Brien. Hold. 1607, Senator Lyons. Senator Partee,
23. this bill was Senator Lyons'. 1607, I assume ought to be passed.

24. SENATOR PARTEE:

25. Let's hold it until tomorrow.

26. PRESIDENT:

27. The bill will be held. House bills on Third Reading. These
28. will be the first bills called: 1440, Senator Berning; 1569,
29. Senator Horsley; 2222, Senator Mitchler; 2653, Senator Fawell;
30. 2723, Senator Gilbert. Oh, excuse me, we should take the
31. House bills on Second Reading because of the number of them and
32. then we'll return to House bills on Third Reading. For what
33. purpose does Senator Walker arise?

1. SENATOR WALKER:

2. Point of information, Mr. President. Let me preface my
3. remarks with this statement. I don't care when I go home,
4. but the Mansion View is interested and some of the other
5. establishments are here in Springfield. I've heard rumors.
6. I just heard a remark by the Pro Tem that we'll hold this
7. bill until tomorrow. Well, I'd like to know and some of the
8. others would like to know and I've contacted the leadership
9. on my side of the aisle and they've been in contact with the
10. leadership on the other side of the aisle, I'm a little curious
11. as to what our program is here for today; So, I'm back where
12. I was Monday, Senator Partee.

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. Well, Senator, let me satiate your curiosity. I've just
17. talked with the leadership in the House and it is our concerted
18. belief that if we remain here, we can finish by the end of this
19. week or certainly by Sunday. The other alternative would be to
20. go home today and to come back Monday of next week and perhaps
21. stay here three or four or five days next week. It's my feeling
22. that if we stay here and it's the same with the Speaker and he
23. is awaiting to make this announcement to his membership as
24. I am making it to you is that the plan is to stay here until
25. we finish which hopefully can be this Sunday or Monday or
26. Saturday or Sunday and that's the plan.

27. PRESIDENT:

28. Senator Clarke.

29. SENATOR CLARKE:

30. Can I have a little order, please. Well this has been a
31. question of debate, and I would just like to point out to this
32. Body that our President Pro Tem set out a schedule when we first
33. started here of limiting this Session. He was overruled and he

was overruled by pressure from some of our Senators that they didn't want to be at a disadvantage; and so, even then with the load of bills that were introduced, we set a June 9th date for adjournment, and today is the 22nd. And I think if you will look at the Calendar in the House today and you look at the number of bills that were passed yesterday in the House as compared to what this Body did, there's a story there that I think is worth telling because it's my understanding that they have some appropriation bills sitting over there that they could have worked past yesterday. They say they're going to do it today. They have some appropriation bills in Committee, a couple, but if everything went 100% perfect without any hitches and we worked long hours and had all sorts of Conference Committees as we already have about 20 going, conceivably we could get out of here Saturday, but the President Pro Tem slipped and said Sunday or Monday, and I think that's more likely. Now, conversely yesterday we spent about eight hours working on what I would call, "cat and dog bills," and we passed some bad legislation yesterday and the day before, of all of the House Bills that have come over that every individual wanted to slip through; and, I will predict that if we follow this course through these Conference Committees and otherwise, there's going to be a lot more of that type of thing slip through in the confusion and the rush because this will be as bad an ending as we often have on June 30th in past years in a regular Session. And I just feel that where we have done our job; where we are waiting and, therefore, we go to their picayune bills that don't amount to a darn and could be passed next year while they have tabled all of our bills of like nature, that we are playing their game. We're being played for suckers. But I think the important thing here is, how do you wind this Session up in an orderly fashion where we know what we're doing, and where when we finish, we finish without a great deal of confusion. And it's not going to be done by saying, "I'm tired; I want to get out of here and let's go home in three days." A week ago I heard indirectly many reports from the leadership in the House, we're going to be here until June 30th and if it takes until June 30th to end up in an orderly manner, so be it; but I don't think we should be pushed into playing their game into

1. calling their bills that are not worth calling while we're
2. waiting for them to pass the appropriation bills to run the
3. State of Illinois, and I think that we should, in this Session,
4. in an orderly fashion so that we know when these Conference
5. Committees come over here...Reports, so that we know when the
6. Conference Committee reports, what we are doing, and
7. I assure you that regardless of how we go on this side of the
8. aisle we're going to slow things up to make sure that happens.

9. PRESIDENT:

10. In connection with Conference Committee Reports, the Chair
11. is just going to arbitrarily make a...follow this practice
12. that I will not call any Conference Committee Report unless
13. I have an indication from the leadership on both sides that
14. that Conference Committee Report has been examined by the
15. leadership on both sides. Senator Cherry.

16. SENATOR CHERRY:

17. I would like to make a few comments with respect to Senator
18. Clarke's remarks which were very pertinent and I think very
19. valid. We don't need to address ourselves to the "cat and dog
20. bills," Senator Clarke, and I think the very purpose in staying
21. here is to pass and consider those bills which we consider of
22. vital importance. If we left either today or tomorrow, we'd
23. be playing the game that the House wants us to play--come back
24. here and possibly stay until the end of June, but I think the
25. idea of staying is to address ourselves of things which are...
26. those bills which we consider of vital importance. I think it
27. would serve the best interest of all members of the Senate
28. to stay here, work on those bills which we think are vital in
29. importance, and let's forget the "cat and dog" bills. I have
30. other words for them, but I don't think I can express
31. them before this Body.

32. PRESIDENT:

33. Senator Neistein.

1. SENATOR NEISTEIN:

2. At this time I'd like to rise and make a motion to strike
3. all bills on the Calendar except those that are Appropriation
4. and Revenue.

5. PRESIDENT:

6. The motion is to...we're not on the order of motions, but
7. the motion is to suspend the rules for the purpose of making a
8. motion to strike all bills on the Calendar other than Appropriation
9. and Revenue bills. Senator Partee.

10. SENATOR PARTEE:

11. Well, I would only say to the gentleman making the motion
12. that to do that simply invites retaliatory action, needless
13. retaliatory action, from the other House. This is not a
14. unicameral legislature, there are two Bodies, and whenever you
15. make a decision, you must make a decision which shows some
16. relationship to your recognition that there is another House.
17. Now, you're just inviting confusion; you're just inviting
18. retaliation and recrimination on measures that we have worked
19. a long time on here in the Senate which are now in the House.
20. It just simply doesn't make sense to me to approach it in that
21. fashion. It sounds popular. It sounds like a thing to do, but
22. I think it just is bereft of the kind of sound basic logic which
23. you always have displayed so well, and I move to lay that motion
24. on the table.

25. PRESIDENT:

26. Motion to table that motion. Senator Neistein.

27. SENATOR NEISTEIN:

28. Well, having heard that expression, maybe I ought to amend
29. my motion. I'd like to strike all bills that are Appropriation
30. and Revenue and let the others stand on the Calendar.

31. PRESIDENT:

32. The motion is to table the motion by Senator Neistein. All
33. in favor... He's withdrawing his motion. For what purpose does

1. Senator Dougherty arise?

2. SENATOR DOUGHERTY:

3. I just want to make an inquiry. Did you know, Mr. President,
4. the wife and daughter of our present Pro Tem is sitting right
5. here behind him.

6. PRESIDENT:

7. They certainly ought to be acknowledged. Senator Groen.

8. SENATOR GROEN:

9. Well, Mr. President and members, I can appreciate Senator
10. Partee's position, but I must echo some of the statements made
11. by Senator Clarke. Now, we can talk about "cat and dog" bills.
12. We can talk about these bills that are going to come over from
13. the House. We can say we're not going to consider those bills
14. that we don't deem of sufficient importance at this late time,
15. but you know and I know, Mr. President, what's going to happen.
16. Your House member, gentlemen, is going to come over here and
17. he's going to tell you how important that particular bill is to
18. him and indirectly perhaps to you back in your district and
19. you're going to have those pressures put upon you, and leader-
20. ship on both sides will undoubtedly under that pressure yield
21. to it and we'll be here considering those bills whether we
22. like it or whether we don't. Now, I'd just like to give one
23. word of cautionary admonition regarding Conference Committee
24. Reports. Year after year, Session after Session, we have
25. Conference Committee Reports that are prepared largely by
26. Staff where the members of the Committee actually never meet,
27. a Committee Report is put on your desk, and you're asked to
28. sign and you say, "When did the Committee meet?" and they
29. say, "Staff drew this Conference Committee Report. It's agreed
30. to;" and at that late hour, what do you do? If we conducted
31. this business in the manner in which we should, a Conference
32. Committee Report which frequently completely changes the thrust
33. of a piece of legislation, should, when it is reported in here,

1. be referred back to the Committee that considered that bill in the
2. original instance in this Body and that Committee should review
3. that Conference Committee Report and make a recommendation to this
4. Body as to what it does, whether we should or should not pass the
5. legislation. If we did it properly, that's how we'd do it, but
6. we don't. Now, I am unalterably opposed to staying here, holding
7. night sessions, having tempers get short, pass bills because we
8. want to go to bed, because we want to come back the next morning
9. and wind it up, because we don't want to come back and have
10. bad legislation become the law of this State or at least be
11. submitted to the Governor with the chance that it might be
12. passed and it might become the law. Our responsibility is to
13. orderly, intelligently review the legislation that is placed
14. before us and as I would repeat Senator Clarke's statement,
15. if you look at that House Calendar and the number of bills coming
16. over here, look at our own Calendar this morning, we got a
17. number of bills off that Calendar and it's as large or larger
18. than it was when we came here yesterday morning. It's going to be
19. the same way tomorrow morning and it's going to be the same way
20. Saturday morning if we're here. How are we going to do this
21. job? Are we going to give it . . . these bills the attention?
22. Are we going to give them the study? Are we going to know what
23. we're doing in the final hours of this Session or are we going
24. to let history repeat itself at the expense of the people of
25. this State? I would ask the President pro tem to carefully
26. consider this: the wisdom of a logjam finish or the sensibility
27. and the logic of doing our work today and doing it carefully,
28. adjourning, coming back on Monday and then take the time that
29. is necessary to address ourselves to the problems of this State
30. and do it intelligently. Most of the important legislation is
31. still before us. Let's not just jam it into a few minutes or
32. a few hours late at night. Let's do it when our tempers, when
33. our feelings are correct, when we can debate these issues and

1. debate them intelligently. Let's know what we're doing before
2. we act and if this is going to be the decision, I'm going to
3. request my leader to call a Republican caucus that we can
4. talk about this issue and decide what we want to do.

5. PRESIDENT:

6. Senator Coulson.

7. SENATOR COULSON:

8. Mr. President, is there any reason why we cannot recess
9. for three days and let the House catch up with its work and
10. let the printers catch up with their work, and that way the
11. House can have its way and we can have our way.

12. PRESIDENT:

13. The Chair...you're asking the Chair whether we can do it?

14. SENATOR COULSON:

15. Well, would you entertain such a motion and Mr. Pro Tem,
16. would it embarrass you if such a motion were made?

17. PRESIDENT:

18. Well, the answer is the Chair will entertain any motion
19. that's made by the Body.

20. SENATOR COULSON:

21. I'll make a motion then at the conclusion of today's business,
22. we recess for four days and report that fact to the House.

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. It's not a matter of embarrassing me. It's a matter of your
27. having asked me by your votes to serve as your President Pro
28. Tem. I've done what I thought was proper. I started the very
29. beginning of this Session trying to localize our activities to
30. those things which were important. I perhaps mistakenly because
31. I have no czarist tendencies, caved in on what I thought was
32. a good and valid solution to our problems. Had you listened
33. to me at that time at the beginning of this Session, the problems

1. we now encounter would never have come to be. Trying to do
2. this in a democratic fashion, trying to be receptive to the
3. views and the attitudes of the membership, we now find our-
4. selves in this kind of a bind. I've talked with them in the
5. House about going straight through. They are agreed and await
6. making the announcement when we have here finalized our position.
7. You may take a caucus if you desire. My position is the same,
8. that we should go straight through. Now, the membership may
9. do what it desires or what it likes, but that is my position
10. and I'm unyielding in that position. I've been here before,
11. and I've seen other President Pro Tems, and I've never seen
12. as much personal yeng yonging and bickering about a decision
13. made by what purports to be leadership. Now, I'm still taking
14. the same position.

15. PRESIDENT:

16. House bills on Second Reading. Senator Chew.

17. SENATOR CHEW:

18. I can understand very well the problems that the Pro Tem
19. is having with the House and its Calendar. As I said to
20. him the other day that as our leader we plan our program
21. according to his statements to us. On last Thursday the
22. President Pro Tem made an announcement here in these Chambers
23. that we will come back to this Senate on Monday morning...
24. on Monday at 1 o'clock and we would finish with our . . . What's
25. the matter, Mr. President?

26. PRESIDENT:

27. I was signaling to Representative Soderstrom. I want to
28. speak to him for a moment. You proceed, Senator Chew.

29. SENATOR CHEW:

30. I'm sorry. I'm sorry. He said to us that we would come
31. prepared to stay three days this week and we would be finished.
32. I think every man in this Senate came down prepared to possibly
33. work Wednesday night and we would finish. Many of us brought

1. clothing to last through Wednesday. I suggested and I still
2. feel that my suggestion is valid and I'll tell you what I base
3. it on, Mr. President, it's no doubt about it that we're going
4. to be here through the 30th of June, and we may as well
5. face that as a matter of fact, and we may as well stop vacillating
6. and continue to move the date up. We know we're going to be
7. here until June. We knew that when we didn't adjourn on the
8. 9th...June 30th. Now, we are nothing but human beings. We're
9. not robot machines and we're not fooling the public when we
10. stay down here and do nothing. Now, the question is whether
11. we should adjourn today and come back Monday or come back when-
12. ever the House has produced its bills over here where we can
13. go to work on them. I think that's a valid question. I don't
14. intend to stay here until the 30th of June without going home,
15. and I can foresee this Session going as we usually do until
16. midnight or after into the first day of July. Now, with all
17. due respect to leadership, I'm going to make a motion that
18. the Senate adjourns today and to come back Monday fully aware
19. that we are prepared physically, mentally and with the proper
20. attire to go through that period. I do not intend to stay
21. here until next Tuesday, and I'm going to make it very plain
22. and not finish and then we go right on through until the 30th
23. of June. I am only one human being that lives and breathes
24. and my capacity is only a man's capacity, and I think with the
25. tempers as they were the other day, the best asset that we
26. could have here would be to do our day's work here, adjourn
27. like human beings and sensible people, go home for the weekend,
28. come back Monday, physically and mentally capable of carrying
29. out the duties that we were elected to do. Now, we haven't known
30. what we were going to do from day to day. We're told one thing
31. in the morning and we're told one thing in the afternoon. I
32. don't mind that, but for four target dates, they have been moved
33. up, I don't mind that. That's all right with me. If we spent

1. two or three days every week in the year in the Senate, I don't
2. mind that. But for leadership to have to wait for the House
3. to run the Senate, that's where I rebel. And if you can't co-
4. operate with each other, we know we have to have appropriations
5. to run this State. We know that. We know we're going to get
6. them. We know that. So if someone is holding up a bill or
7. can't get a bill passed and then somebody is getting angry about
8. that, then some communication should be established, Mr. Pre-
9. sident. I suggested to the President pro tem with all the re-
10. spect that I know how to give a man that insomuch as there
11. has to be some agreement, insomuch as there has to be an
12. agreement, that we adjourn and let leadership stay here and
13. work out the problems that's existing right now. And when we
14. come back here Monday hopefully that all of the snags will have
15. been taken out of the problems existing. Now, that's operating
16. like men of character and men of intelligence. So I want to
17. serve notice that I will not stay here from today through the
18. 30th of June. I will be here to vote on important issues but
19. I don't intend to go from now 'til the 30th of June and that is
20. served on the Senate because physically I don't think anyone
21. here wants to do it. And we will be here until the 30th of June
22. and leadership may as well tell us because they know it's going
23. to happen. And I move that we adjourn today, come back Monday
24. at noon, and work until we've finished with the deadline has to
25. be the 1st of July.

26. PRESIDENT:

27. Just a moment. There are four more Senators want to speak
28. on this. I think we're going to have to go on with the business
29. of the Senate. If the Chair would just make this observation
30. in regard to Senator Chew's comments about being here until the
31. 30th of June, with any reasonable amount of cooperation from the
32. House, the schedule as outlined by the President pro tem can be
33. achieved. We can be out here on Saturday or Sunday at the latest

1. if we move ahead and if we get on with our business. Now, I
2. hope we can do that and the Chair, unless there is a motion
3. before the Body, the Chair...well...motion to adjourn until...
4. are you moving to adjourn right now?

5. SENATOR CHEW:

6. I want you to get my motion very clear. I have a motion on
7. the Floor and I've explained that motion to after our day's work
8. is finished...

9. PRESIDENT:

10. What is your motion?

11. SENATOR CHEW:

12. I move that when we complete our day's work today that we
13. adjourn and come back Monday at noon and work through until we
14. finish.

15. PRESIDENT:

16. A motion like that is out of order. According to the
17. Constitution, a motion to adjourn more than three days we have
18. to have the concurrence of the other Body. It would have to
19. be by Resolution.

20. SENATOR CHEW:

21. That is not more than three days, Mr. President.

22. PRESIDENT:

23. The Chair would rule that it is.

24. SENATOR CHEW:

25. Friday, Saturday, Sunday. Today's Thursday. We are in
26. Session. Monday we'll be in Session. Friday is one. Satur-
27. day is two and Sunday's three.

28. PRESIDENT:

29. Well, the Chair will rule it's more than 72 hours and that's
30. more than three days. The motion is not in order. House Bills
31. on Second Reading. 3763, Senator Baltz. 3763.

32. SECRETARY:

33. Second Reading of the bill. No committee amendments.

1. PRESIDENT:

2. Any amendments from the Floor? Third Reading. 3782. 3782.

3. SECRETARY:

4. Second Reading of the bill. No committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor? Third Reading. 4099, Senator
7. Groen. Senator Groen, 4099, you want that called? 4099.

8. SECRETARY:

9. Second Reading of the bill. No committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? Third Reading. 4102. 4102.

12. SECRETARY:

13. Second Reading of the bill. One committee amendment from
14. Appropriations.

15. PRESIDENT:

16. Senator Horsley moves the adoption of the committee...no.
17. Senator Horsley. Just a moment. If we can get Senator Knuppel's
18. desk working there...Senator Horsley is recognized.

19. SENATOR HORSLEY:

20. Well, Mr. President and members of the Senate, I hope that
21. you will listen carefully on what myself and, I presume Senator
22. Bruce will handle the other side or Senator Rock, I don't know
23. which one, but this will involve about three different very
24. controversial and highly technical amendments and if you do not
25. listen very carefully I'm afraid you will not understand them.
26. This is the appropriation bill for the Department of Public Health.

27. PRESIDENT:

28. Just a moment. For what purpose does Senator Baltz arise?

29. SENATOR BALTZ:

30. Well, I agree with Senator Horsley that these are important
31. and complicated amendments some of which I'm going to be for and
32. some against. There's a great deal of confusion going on back
33. here in the back of the Senate and I think we're all entitled to

1. hear Senator Horsley and pay attention to him.

2. PRESIDENT:

3. Let's have some order back there. I'm not sure of putting
4. that phone in there incidentally was a wise move whenever it
5. was made. Let's get...Senator Soper, Senator Hill and Senator
6. Savickas can you take that conference committee off the Floor
7. there now? Senator Horsley.

8. SENATOR HORSLEY:

9. I think perhaps to put this in proper perspective and focus
10. we'd better proceed with Amendment No. 1 and the sponsor of
11. that amendment can explain it and then I'll reply to that and
12. I believe that may shorten the issues...

13. PRESIDENT:

14. Now, we have a committee amendment. Who...is someone making
15. a motion for the adoption of the committee amendment? Senator
16. Bruce or Senator Rock? Senator Bruce.

17. SENATOR BRUCE:

18. Yes, we're on committee Amendment No. 1 to the Department
19. of Public Health. That amendment...

20. PRESIDENT:

21. Well, just a moment. No one has made a motion for the
22. adoption.

23. SENATOR BRUCE:

24. Then I move the adoption of Amendment No. 1.

25. PRESIDENT:

26. All right. Senator Bruce moves the adoption of Amendment
27. No. 1, the committee amendment, and on that the discussion in
28. now open. Senator Bruce.

29. SENATOR BRUCE:

30. Yes, committee Amendment No. 1 to the Department of Public Health
31. budget removes from that budget \$6,900,000 more or less relating to
32. the Medichex program. This amendment is consistent with an amend-
33. ment that we had to the Public Aid budget which took that from the

1. Public Health and put it in Public Aid. Now, to give a brief
2. description of the program, it is a program that will be, no
3. matter what decision this legislative body makes relative to
4. budgeting and where we should insert that, either in the De-
5. partment of Public Aid or in the Department of Public Health,
6. it will be a program that is funded by the federal government
7. fifty-fifty through the Department of Public Aid. Director
8. Yoder was here, discussed that with the Appropriations Committee
9. and he agreed with us that that is a Public Aid funded program
10. fifty-fifty, no matter where we put it, either Public Aid or
11. Public Health. I believe there's absolutely no division on
12. that particular question. The question is which department
13. should administer the program. It has been the Task Force
14. decision to remove that from the Department of Public Health
15. and put it in the Department of Public Aid since they are the
16. agency that determines eligibility of recipients, since they
17. are the agency that determines payment, since they are the
18. agency that will authorize the vouchers, since they are the
19. department that will convey those vouchers to the Auditor and
20. approve those for payment. They are also the agency that will
21. receive the money from the federal government again irregardless
22. where we place it in the budget. And for that reason, it has
23. been a Task Force decision that the program remain in Public
24. Aid. And I say remain so that all the membership is fully aware
25. this is an on-going program in the Department of Public Aid.
26. It's our decision it should remain there.

27. PRESIDING OFFICER: (SENATOR VADALABENE)

28. Senator Horsley.

29. SENATOR HORSLEY:

30. In replying to that, this amendment should be considered
31. as a two-way amendment. The first part of this amendment pro-
32. poses to cut \$63,000 out of the budget for the Bureau of Environ-
33. mental Health and cutting out some travel money and it overlooks

1. the fact that this Department has two milk sanitarians that
2. are necessary and they were added into the budget because they
3. have to regulate 175 manufactured milk processing plants and
4. they regulate and inspect more than 6,000 dairy farms. They
5. also inspect and regulate 30,000 retail food establishments
6. in the State of Illinois and they had requested in the present
7. year three additional inspectors for this purpose because they're
8. greatly needed. This was allowed by the Governor and the Bureau
9. of the Budget and was placed in the budget. In addition to that,
10. we passed legislation here authorizing the department to con-
11. trol electrical, thermal and mechanical hazard on toys and that
12. bill is on the Governor's desk awaiting his signature and that
13. has to be implemented, it has to be handled by the Department
14. of Public Health. Now, by taking \$28,000 of travel out of their
15. money, they cannot handle that program, they cannot handle the
16. other programs and they're mandated into another new program.
17. That has to do with the recreational area licensing law and
18. the youth camp licensing law. Now, there's no additional money
19. put on them for this and yet we're mandating them to handle
20. these programs and yet you want to cut \$63,000 out of their
21. budget. Dr. Yoder has testified he needs this money. He has
22. to have this help if he is going to administer the health pro-
23. grams of the State of Illinois. Now, I hope you will listen to
24. me on this next item because a part of this amendment involves
25. \$6,900,000 in what is called the new Medichek program. This...
26. PRESIDING OFFICER: (SENATOR VADALABENE)

27. Would you please be a little quiet. Senator Horsley, you
28. may continue.

29. SENATOR HORSLEY:

30. This is a new federal program that is funded federally with
31. one-half of this money coming from the federal government and
32. the other one-half being furnished by the State of Illinois and
33. is a medical preventative program to handle children from the age

1. through the preschool age in order to catch disease and
2. crippling disease in man at an early age. Now the only thing
3. involved according to Senator Bruce here would be merely who
4. is going to administer this money. He gave you the impression
5. that Dr. Yoder had admitted that this was a Public Aid function
6. because under the Federal law the money is funneled through the
7. Department of Public Aid, but that is merely a bookkeeping
8. procedure only and if you have examined on your desk this
9. morning you find a letter there from Director Weaver, Director
10. of the Department of Public Aid, asking that this program be
11. placed in the Department of Public Health as he believes that
12. it belongs there and is not properly a part of the Public Aid
13. program because in the Department of Public Health they have
14. the records of each and every child and they can keep a complete
15. health record of that individual. They also have staff doctors,
16. nurses, dentists who handle local health programs and they can
17. coordinate this program and carry it on more effectively. In
18. addition to that, you have on your desk today a communication
19. from the Illinois State Medical Society asking that this program
20. be placed under the Department of Public Health. You also
21. should have just in the last few moments have received a copy
22. of a telegram that was sent to all of the leadership from Dr.
23. Greek of the Illinois State Dental Society stating that this
24. program should be left in the Department of Public Health
25. representing all of the dentists of the State of Illinois.
26. Now, in addition to that, this morning the Public Aid budget
27. which passed out of this House and which had an appropriation
28. in it for this was amended in the House, Senator Bruce, to take
29. this \$6,900,000 out of the Public Aid appropriation bill. That
30. was only done this morning in line with the wishes of the adminis-
31. tration and the Departments involved, Public Health and Public
32. Aid, to put this program where it belongs so that if you strike
33. it out of this bill, there will be no bill before this Body or

1. the House to handle this program. Now, if we leave it in this
2. bill and we leave it in Public Aid, it was my argument originally
3. that the Governor could then veto one or the other in line with
4. Federal recommendations and what the Medical Society and the
5. Professional people believe should happen; but now by having
6. amended the Public Aid budget to take it out of that bill which
7. was done in Committee this morning, I just had an aide go and
8. check a few moments ago, and that has been done by the House,
9. we definitely need to leave it in this bill or otherwise you're
10. not going to have the Medichek program in effect in the State
11. of Illinois and receive this Federal money for the prevention
12. of disease and crippling disease on the part of the children.
13. Now, as soon as everybody who's been heard on this matter,
14. I will make a motion to table Amendment No. 1, but I will
15. withhold that motion until all have spoken who desire.

16. PRESIDENT:

17. Senator Hynes.

18. SENATOR HYNES:

19. Mr. President and members of the Senate, I rise in support
20. of this amendment as a member of the Task Force that heard the
21. Appropriation bills for both Public Aid and Public Health. I
22. concurred in the judgment which was unanimous of the members that
23. this function...the Medicheck function particularly, be transferred
24. or rather that it remain with Public Aid because one fact that
25. has not come out as yet in this discussion is that the Medicheck
26. program has been in operation since February and since that time
27. it has been operated by the Department of Public Aid. Furthermore,
28. as the Director of the Department of Public Aid, Mr. Weaver, admits
29. in his letter the Department does have some responsibility in this
30. area which is an extension of the Medicaid program, and I would
31. ask simply this, "If Medicaid can be administered by the Depart-
32. ment of Public Aid, why cannot this Medichek program which is
33. admittedly an extension of it also be administered there?" It

1. was our conclusion and finding that there would be a significant
2. savings in administrative costs if this program were to remain
3. with the Department of Public Aid. The Department of Public
4. Aid is presently set up to process medical claims and this will
5. simply add additional work to that already existing Department.
6. It will not require the establishment of an entirely new section
7. as it would if the transfer to Public Aid were to take place.
8. So, we're not really not transferring; we are preventing a
9. transfer. We're trying to keep it where it has been since
10. its inception. Furthermore, I might point out that initially
11. when this cut was proposed, the principal objection that was
12. raised to it was simply that it would be difficult to get
13. medical personnel to work with the Department of Public Aid
14. that the professionals involved would prefer to be with Public
15. Health. Well, I say that is no reason at all, and in fact,
16. persons dedicated to healing and to the healing arts should
17. not really be concerned in my judgment with the title that
18. they bear. I think that the program will work effectively;
19. the amount of money involved in the program is going to be
20. the same minus the administration costs. I think that this is
21. a good amendment, and I think it should be adopted.

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. Yes, Mr. President and members of the Senate, I too rise
26. in support of this Committee amendment, and I might point out
27. to at least allay the fears of Senator Horsley that he is
28. apparently presuming that we intend to concur in the House
29. Amendment on that Public Aid bill. We do not, of course. We,
30. too, are aware of what the House is doing with regard to these
31. appropriation bills and some of the amendments which we have
32. offered here and were accepted. However, we do not intend to
33. concur. We believe the program should be administered by them

1. and we will stand firm on that premise.

2. PRESIDENT:

3. Senator Horsley.

4. SENATOR HORSLEY:

5. Well I would merely say in reply to Senator Hynes that the
6. only function that the Public Aid Department has actually is to
7. receive the money and then to disburse the money. That is their
8. only function. The Department of Public Health has staff. They
9. have doctors; they have local health clinics; they have the setup
10. where they can administer this health program all the way down.
11. This is no comparison to Medicaid. Medicaid is handled by
12. doctors who then bill the recipient or the Federal government
13. in effect in the State for the services rendered by hospitals
14. and doctors. This is a program that properly belongs in Public
15. Health. Now, when you find a Director you usually...we find a
16. Director trying to enlarge his Department, but Director Weaver
17. is not in favor of having this handled in his Department because
18. he sincerely believes it is a function of Public Health; and I
19. also would call to your attention the fact that the first part
20. of this amendment deleting this sum of money for the much needed help
21. in this Department who are having to add people because we are
22. piling more duties on them by legislation and yet wanting to
23. restrict their appropriation. So now, Mr. President, I move
24. that Amendment No. 1 lie upon the table.

25. PRESIDENT:

26. Motion to table Amendment No. 1. Is division satisfactory?
27. Roll call is requested. The Secretary will call the roll. Those
28. in agreement with Senator Horsley will vote in the affirmative.
29. Those in agreement with Senator Bruce will vote in the negative.
30. The Secretary will call the roll.

31. SECRETARY:

32. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
33. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,

1. Donnewald, Dougherty, Egan, Fawell, Gilbert, Groen, Graham,
2. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
3. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
4. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
5. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
6. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

7. PRESIDENT:

8. Newhouse, no. Request for a call of the absentees. The
9. absentees will be called.

10. SECRETARY:

11. Arrington, Carroll, Harris, Horsley...

12. PRESIDENT:

13. Senator Horsley.

14. SENATOR HORSLEY:

15. In explaining my vote, Mr. President, this is a most
16. extremely amendment, important amendment, one of the most
17. important things that we're going to find in this Session because
18. we're starting a program here and we're setting it up that
19. apparently is a much needed program in the prevention of disease
20. and crippling among children. Now, I have no alternative but to
21. vote aye on this matter.

22. SECRETARY:

23. ...Lyons, McBroom, Mohr, Rosander, Sours.

24. PRESIDENT:

25. On that question the yeas are 20, the nays are 27. The
26. Amendment to table is defeated. All in favor of the adoption of
27. the Amendment indicate by saying aye. Contrary minded. The
28. Amendment is adopted. Amendment No. 2. This is also a
29. Committee Amendment, is that correct?

30. SENATOR HORSLEY:

31. No, it was offered, but I don't know which is No. 2
32. because of the numbering. They were submitted before 1, but
33. 1 was numbered first, so I don't know which. Could we call

No. 2 the lengthy amendment?

1. PRESIDENT:

2. Just a moment. Senator Bruce referred earlier to more than
3. one Committee Amendment. There is apparently only one Committee
4. Amendment the Sen...the Sec...all right. Okay. Now, who is
5. offering Amendment No. 2, Senator Horsley?

6. SENATOR HORSLEY:

7. It should be on the Clerk's desk because the Committee
8. Clerk had the amendments.

9. PRESIDENT:

10. We only have the Committee amendment as of right now.

11. SENATOR HORSLEY:

12. Could I hold this on Second then to have
13. them reprinted because they were given yesterday to the Committee
14. Clerk, and we don't have enough copies.

15. PRESIDENT:

16. We don't get those from the Committee Clerk unless they
17. are dopted by the Committee. Let's just hold the bill temporarily,
18. Senator Horsley if that's okay, and then you indicate to the Chair
19. when you're ready to proceed. 4112, who's handling that for
20. Senator Rosander? Senator Clarke, do you want to advance that?
21. 4112. 4112.

22. SECRETARY:

23. Second Reading of the bill. No committee amendments.

24. PRESIDENT:

25. Any amendments from the Floor? Senator Knuepfer, do you
26. have an amendment. Third Reading. 4121, Senator Donnewald. 4121.

27. SECRETARY:

28. Second Reading of the bill. No committee amendments.

29. PRESIDENT:

30. Any amendments from the Floor? Third Reading. 4129. 4129.

31. SECRETARY:

32. Second Reading of the bill. No committee amendments.

33. PRESIDENT:

Any amendments from the Floor? Third Reading. 4131.

SECRETARY:

1. Second Reading of the bill. No Committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor? Third Reading. 4134.

4. SECRETARY:

5. Second Reading of the bill. No Committee amendments.

6. PRESIDENT:

7. Any amendments from the Floor? Third Reading. 4139,

8. Senator Knuepfer. 4139.

9. SECRETARY:

10. Second Reading of the bill. No Committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? Third Reading. 4159,

13. Senator Laughlin. Senator Laughlin.

14. SENATOR LAUGHLIN:

15. I understand that Senator Bruce wants to table an amend-
16. ment and the understanding is I move it to Third and bring it
17. back when he gets another amendment ready.

18. PRESIDENT:

19. Senator Bruce.

20. SENATOR BRUCE:

21. There is a Committee amendment which was a Task Force
22. amendment. We have had discussions with the Department. We move
23. to table that Committee amendment and move the bill to Third
24. Reading with the understanding that an amendment is forthcoming
25. and it will be moved back to Second Reading.

26. PRESIDENT:

27. Senator Bruce moves to table the Committee amendment. All
28. in favor signify by saying aye. Contrary minded. The amendment
29. is tabled. Any further amendments? Third Reading. 4197, Senator
30. Fawell. 4197.

31. SECRETARY:

32. Second Reading of the bill. No Committee amendments.

33. PRESIDENT:

1. Any amendments from the Floor? Third Reading. 4201.
2. 4201.

3. SECRETARY:

4. Second Reading of the bill. No Committee amendments.

5. PRESIDENT:

6. Any amendments from the Floor? Third Reading. 4210,
7. Senator...Is Senator Knuepfer on the Floor? Senator Knuepfer,
8. 4210. 4210.

9. SECRETARY:

10. Second Reading of the bill. Two Committee amendments from
11. Appropriation.

12. PRESIDENT:

13. Senator Knuepfer, do you...Senator Knuepfer.

14. SENATOR KNUEPFER:

15. I've got a motion. This is 4210, I'm sorry.

16. PRESIDENT:

17. There are two Committee amendments.

18. SENATOR KNUEPFER:

19. I would move at this time to table the two Committee amend-
20. ments. I think we have an agreement with the other side that I
21. will bring it back to Second Reading as soon as we can agree on
22. amendment. In fact, I know I will bring it back to Second
23. Reading when we can agree on the amendment and in the meantime,
24. I would make a motion to table the two Committee amendments.
25. Perhaps you can recognize Senator Bruce on that.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. This is a footnote to the Laughlin bill. It's the same
30. arrangement--we're going to work out an agreed amendment and so, I
31. support the motion to table Amendments No. 1 and 2 with the
32. understanding that it will be called back to Second Reading
33. for a further amendment.

1. PRESIDENT:

2. Motion to table Committee amendments. All in favor signify
3. by saying aye. Contrary minded. The amendments are tabled. Any
4. further amendments? Third Reading. 4211. 4211. Just a moment.
5. Senator Partee.

6. SENATOR PARTEE:

7. Just a moment on a point of personal privilege which is
8. something I think will be a pleasant note. Delivered here today
9. is a five pound candy bar which was made especially for Senator
10. Arthur J. Bidwill who is designated on this as the father of the
11. School Luncheon Program in appreciation for eighteen terms,
12. representing 36 years of outstanding service in the General
13. Assembly from friends and colleagues. It's a lot of candy,
14. Art.

15. PRESIDENT:

16. We're going to watch you eat it all.

17. SENATOR BIDWILL:

18. Well, it happens to be 38, Senator. I don't know whether
19. as a fellow says, "Who's counting," but if this is to soften me
20. up, "flattery will get you no place;" but you know Jack Knuepfer
21. said, "There's something going on about you over there. Did you
22. give Cherry some candy?" I said, "I'd give Cherry some arsenic."
23. He said, "No, there's something over there with your name on it."
24. I thought he was pulling my leg, but Bob, I'm sorry you had to
25. stay up all night getting this put together, but I certainly
26. appreciate it very much. Thank you all and...

27. PRESIDENT:

28. 4211.

29. SECRETARY:

30. Second Reading of the bill. No Committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor? Third Reading. 4215. 4215.

33. SECRETARY:

1. Second Reading of the bill. No Committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor? Senator Weaver.

4. SENATOR WEAVER:

5. Mr. President and members of the Senate, Amendment No. 1
6. would restore two buildings at Chicago Circle Campus. These
7. items were in the Governor's budget and I ask that they be
8. restored to this bill.

9. PRESIDENT:

10. Senator Cherry.

11. SENATOR CHERRY:

12. In support of this amendment, Mr. President and members of
13. the Senate, I think the restoration of these funds are vital
14. and necessary. We have some 18,000 students on the Chicago
15. Circle Campus who don't have the privilege of having sufficient
16. space for their educational needs. This restoration in the
17. opinion of the members of our side is vital and necessary. I
18. urge the support of all the members.

19. PRESIDENT:

20. Senator Neistein.

21. SENATOR NEISTEIN:

22. On behalf of Senator Savickas and Senator Kusibab and
23. myself and Bill Rice of the University of Illinois, this is
24. a very vital program as Senator Cherry said and I urge all our
25. members here to support it for especially the Circle Campus
26. in Chicago.

27. PRESIDENT:

28. All in favor signify by saying aye. Contrary minded.
29. The amendment is adopted. Any further amendments? Senator
30. Weaver.

31. SENATOR WEAVER:

32. Mr. President and members of the Senate. The second
33. amendment corrects the drafting error in House Amendment No. 9.

1. The total shown in Section I does not equal the sum of the
2. individual items and it's just a drafting error and this is
3. the reason for this amendment.

4. PRESIDENT:

5. Is there any discussion? All in favor signify by saying
6. aye. Contrary minded. The amendment is adopted. Any further
7. amendments? Third Reading. 4244, Senator Rock. 4244.

8. SECRETARY:

9. Second Reading of the bill. No Committee amendments.

10. PRESIDENT:

11. Any amendments from the Floor? Third Reading. 4293,
12. Senator Latherow. 4293.

13. SECRETARY:

14. Second Reading of the bill. One Committee amendment from
15. Appropriations.

16. PRESIDENT:

17. Senator Latherow moves the adoption of the Committee
18. amendment. All in favor signify by saying aye. Contrary minded.
19. The amendment is adopted. Any further amendments. Third
20. Reading. 4294, Senator Gilbert. Just a moment. Is this
21. in connection with 4293, Senator McCarthy? Senator Latherow.

22. SENATOR LATHEROW:

23. I think probably you ought to let one member of the other
24. side put that amendment on rather than me.

25. PRESIDENT:

26. All right. We will show Senator Rock as making...Senator
27. McCarthy, you are arising in what connection?

28. SENATOR MCCARTHY:

29. There's an amendment from the Floor that I have worked out
30. with the Department of Conservation that allows the continuation
31. of the shooting area at Cowden, Illinois. It appropriates
32. \$25,000 and I move its adoption.

33. PRESIDENT:

This is on 4293?

1. SENATOR MCCARTHY:

2. Correct.

3. PRESIDENT:

4. Senator McCarthy offers Amendment No. 2. Senator Knuepfer.
5. SENATOR KNUEPFER:

6. I want to talk about the Committee amendment. Where is
7. that now?

8. PRESIDENT:

9. That has been adopted.

10. SENATOR KNUEPFER:

11. Well, I wish I had been recognized. If I can then
12. talk on a point of personal privilege. I certainly
13. would not have recommended that that be adopted. Here's what
14. that did. It took off \$20,000,000 out of the Capitol Acquisition
15. Funds of the Department of Conservation. Now, this is money
16. that in my opinion was vitally needed. I personally am sorry
17. that the Department of Conservation was not able to spend its
18. allotment last year. The Director informed the Committee
19. at that point that it was due to a taking a fresh look at all of its
20. programs. The Committee amendment was drafted on the basis of
21. the expenditures for last year; but let me tell you just what
22. this does. One of the complaints that we in the urban areas have
23. and I live in one of those urban areas, there are very few based
24. State areas in the Northern part of the State. Now, the \$20,000,000
25. that came off of here is going to affect first of all, Illinois
26. Beefsteak Park. They have been trying, the Department of Con-
27. servation has been trying to acquire land all the way to the
28. Wisconsin line. They are trying to expand the Chain of Lakes
29. Park. There is money in here to expand Lake Defiance which is
30. on the Fox Rivier, and there is money in here for Kankakee Rivier
31. State Park. Now, I recognize that it is always easy to cut
32. two kinds of things: You can always cut the Pension Appropriations
33. that don't have to be expended today and you can always say,
"Next year will be a better year for purchasing land for parks

1. of this State." We all know better. Next year is going to be no
2. better than this year either for contributing to the Pension
3. Plan or for acquiring State land. I think these are desirable
4. programs. Land in these areas goes up at the rate from anywhere
5. from ten to twelve percent per year. We have a lot of State
6. parks in Southern Illinois but unfortunately the bulk of our
7. people live in the Metropolitan Chicago area and by this kind
8. of a cut, what we have done is to deplete most of the purchasing
9. power for new land acquisitions of the Department of Conserva-
10. tion. Now, they presently have some nineteen and one-half
11. million under obligation...20 million. They'd asked for
12. \$52,000,000 altogether, \$20,000,000 under obligation brings
13. them down to \$32,000,000. That \$32,000,000 was being planned
14. to be spent approximately 50% on land acquisition and 50% for
15. improvements. By cutting \$20,000,000 out what you do is leave
16. about \$10,000,000 for improvements and you leave some \$4,000,000
17. for land acquisitions or you practically wiped out the land
18. acquisition program for '72-'73 of this State. It has been
19. a concern of all of us and as far as I am concerned, land
20. acquisition has got to be done before we get built up in those
21. urban areas and most of you live in those areas; most of you
22. are well aware that the subdividers are putting up houses
23. all over them. I personally feel this ought to be a priority
24. program for the citizens of the Metropolitan Chicago area, and
25. I for one want to resist these cuts.

26. PRESIDENT:

27. Well, the Chair is going to rule that that matter has been
28. decided. Senator McCarthy is now offering...for what purpose does
29. Senator Fawell arise?

30. SENATOR FAWELL:

31. I very much appreciate what Senator Knuepfer has just said
32. and having voted on the prevailing side in reference to the adoption
33. of Amendment No. 1 to this prevailing House Bill 4293, I think that's

1. the amendment he's referring to, I move for a reconsideration by
2. which that particular vote was adopted.

3. PRESIDENT:

4. Motion to reconsider the vote by which Amendment No. 1
5. was adopted. That motion is in order. Is there discussion?
6. Senator Rock.

7. SENATOR ROCK:

8. Yes, Mr. President and members of the Senate, we're going to
9. wind up with Senator Knuepfer and I in our dialogue again. The
10. same dialogue we had in the Appropriations Committee. The fact
11. of the matter is that the House cut \$5,000,000 off this Appropria-
12. tion to bring it down. When the bill came over, it was \$47,000,000
13. for this fund. Now, we are not, and I repeat and underline not
14. against this program. We are reducing the amount, obviously,
15. but reducing it to a figure that's acceptable to accomplishment
16. in the coming year. Now, last year we appropriated and reappropri-
17. ated and reappropriated reappropriations for Capital Land Acquisitions.
18. The fact of the matter is that the Chief Executive of this State
19. and the Bureau of the Budget froze all that money and in fact,
20. the Department spent somewhere between five and six million
21. dollars. Now, to come back this year and say, "All of a sudden now
22. we need \$47,000,000." They just can't possibly spend it and I'm
23. sure the Chief Executive will not allow it. Now, we are the
24. Appropriating Body. We have cut that figure by \$20,000,000 and
25. it's a realistic figure. They now have \$27,000,000 to spend.
26. Now, that's 4 + times what they actually spent last year. So,
27. to label us or brand us with a brush that we are against this
28. type of a program is simply unfair in my judgment. In addition,
29. they had \$1,000,000 from General Revenue for land acquisition
30. last year, not nickel one of which was spent. There is an
31. addition available this year through Federal money, some \$4,000,000
32. that we don't have a string on. We don't know what they
33. can use that for, but apparently it's available for use any way

1. they want; so, if you total all this stuff up, they will wind
2. up with in excess of \$30,000,000 to acquire land and that's
3. certainly in my judgment sufficient. I move the adoption of
4. this amendment.

5. PRESIDENT:

6. The amendment has been adopted. The question is the re-
7. consideration. Senator Fawell. Just a moment. For what purpose
8. does Senator Bruce arise? Senator Bruce.

9. SENATOR BRUCE:

10. On the motion to reconsider, what vote will be required?

11. PRESIDENT:

12. On an amendment, a majority of those voting on the question
13. can reconsider . . .

14. SENATOR BRUCE:

15. Thank you.

16. PRESIDENT:

17. ...the same number as takes to adopt the amendment. Senator
18. Fawell.

19. SENATOR FAWELL:

20. Well, I don't have an indepth knowledge on this particular
21. matter. I am informed that just based on condemnation programs
22. and commitments which the Department has that they're going to
23. be faced with lawsuits for not being able to fulfill the commit-
24. ments they have, but over and above that, it just seems to me
25. that as we look at the fast rising cost of land acquisition
26. and the tremendous surge of population and transition of population
27. in the Chicagoland area, especially when I consider the allegations
28. of the lack of funds which have held up tremendously important
29. programs in the areas of Will and Kane and DuPage Counties, Lake,
30. I'm not necessarily saying that the administration is completely
31. free of blame. I don't know. I do know though that if we all
32. are committed to an intelligent and rational program of moving
33. ahead, these funds certainly can be utilized, Senator Rock, and
that I believe it's of vital importance to those of us who are

1. committed to an open space program so that we will find in the
2. very near future that we have not make the same tragic mistakes
3. which were made in other parts of the Chicagoland area where it was only
4. after the people came that fantastically expensive programs
5. then, laboriously, were put through to try to, and not even
6. now, completely to have done the job of having sufficient
7. open space so that our children and our children's children
8. are not going to be . . . put into the intolerable situation
9. of not having sufficient recreation area and being in a
10. plac . . . in a position of living right on top of each other.
11. I think this is a vital prog . . . program. We all talk
12. about being committed to conservation, to open space, to
13. looking ahead, planning, and all we can say evidentially is
14. well they only spent 5 million last year and if that is
15. so, that certainly is absolutely no defense for the Board
16. of Directors of the people of the State of Illinois to
17. therefore set our sights by multiplying that accomplishment
18. by only four, if I understand Senator Rock's views correctly.
19. We ought to go 10 times . . . 20 times that amount. And to
20. cut here, and then to spend in other programs where we are
21. spending, in my opinion, simply a very irrational act and I
22. am sure that if the people of the State of Illinois were
23. aware of what we were doing here, they certainly would send
24. us thousands and thousands of letters and demand that this
25. type of an amendment be crushed. And I hope that certainly
26. we'll have the opportunity to reconsider the vote, let it go
27. up or down then, but certainly let's go on record how we stand.
28. Are we willing to commit ourselves and to look ahead, and
29. commit ourselves right now to the program that apparently the
30. administration has asked for. Now if the administration doesn't
31. go through with this, if they freeze funds, if what they are
32. doing is only saying that they are going to do this and then
33. don't go through it, they can be rightly criticized deeply,

1. I think, within the next year. But this is something that is
2. vitally important and we ought not to be cutting it down. At
3. least not without full debate. Again, I compliment Senator
4. Knuepfer for having brought this to our attention.

5. PRESIDENT:

6. The . . . all . . . will the Senators be in their seats.
7. All those in favor of . . . Senator Knuepfer . . . roll call
8. has been requested. The Secretary will call the roll. Those
9. in agreement with Senator Fawell will vote in the affirmative.
10. Those in agreement with Senator Rock will vote in the negative.
11. The motion is to reconsider the vote by which Amendment No.
12. 1 was adopted. The Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning, Bidwill, Bruce . . .

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, I wanna just reply very briefly to Senator Fawell.
19. The Governor of this State has made a big issue of the amount
20. of money he appropriates each year for land acquisition. Last
21. year, our task force cut money from this line item. Last year,
22. the Director came in and bled to this Committee and this Body,
23. that we had to restore money, that the Governor was going forward
24. with a very progressive program in land acquisition. And then
25. he tells the Bureau of the Budget you can't spend the money.
26. Six million dollars, less than 1/3 of what they asked for
27. last year, and now in a campaign year he comes back with 47
28. million dollars requested for this same project. Now, you know
29. and I know that he has no intention of spending 47 million
30. dollars next year. If they started this morning, which they
31. cannot do, they could not acquire that much land in one year.
32. If this amendment is not carried, a year from now with the
33. 47 million dollars in the budget, I can assure you that less

1. than 10 million dollars is going to be spent. So when we
2. restore, and leave in this budget 27 million dollars, that's
3. more than three times nearly what he will spend, even though
4. he keeps telling us how much he will buy, the record shows
5. he doesn't. I vote no.

6. SECRETARY:

7. Carpentier, Carroll, Cherry, Chew, Clarke, Collins,
8. Coulson . . .

9. PRESIDENT:

10. Senator Collins.

11. SENATOR COLLINS:

12. . . . and members of the Senate, I think the Conservation
13. Program is perhaps one of the most vital programs that we
14. have for the people of the State of Illinois. They are
15. more recreational minded today than they have ever been in
16. our history. And I think it would be a shame to defeat
17. this amendment. I vote aye.

18. SECRETARY:

19. Course, Davidson, Donnewald, Dougherty, Egan, Fawell,
20. Gilbert, Graham, Groen, Hall, Harris, Horsley . . .

21. PRESIDENT:

22. Senator Horsley.

23. SENATOR HORSLEY:

24. Well, Mr. President, we're completely overlooking here
25. the fact that as the Director has testified and told you,
26. 20 million dollars of this money has already been spent by
27. the I.B.A. for the purchase of ground. Now we're going to
28. use this bond money to make payment for that 20 million
29. dollars. This money also includes development and of this
30. acquisition of land, it's going to take a lot of money to
31. develop it. Now believe me, when you get down to the point
32. where we're denying the people of the State of Illinois their
33. fair share out of this big bond issue, then you're denying

1. them their heritage. And I think this is a wrong thing to
2. do because as I said, 20 million of this is already obligated
3. and promised by the Department to the I.B.A. The development
4. is included, the rest of it is to purchase the additional
5. land that we need, and develop the additional land that we
6. need, and now is the time to do it. I wanna vote aye.

7. SECRETARY:

8. Hynes, Johns, Knuepfer . . .

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. Senators, I think that if you sincerely feel that the
13. Governor has lagged in a program, the problem and the answer
14. is not to compound the problem, the answer is to go ahead
15. and move into the program. Now some of you gentlemen on the
16. other side of the aisle are very well aware that I share your
17. concern for expenditures, particularly when it comes to
18. adding bodies to the payroll. And I have a concern for
19. State government. I have, and we have cooperated in many
20. areas with you in enabling this government to operate I think more
21. efficiently. But this is not that kind of a program. Land
22. acquisition is vital today, right now. If we don't acquire . . .
23. every year we don't acquire land the cost goes up and the
24. suburbs go up. And when you ask me for assistance in cutting
25. the number of personnel in a department, or looking at that
26. department's operations, I'm very willing to go along with
27. you and take a good hard look at 'em. But when you suggest
28. that the cuts ought to be made in terms of the future develop-
29. ment of this State, then I'm not willing to go along with you.
30. And I vote aye.

31. SECRETARY:

32. Knuppel, Kosinski, Kusibab, Latherow, Laughlin, McBroom,
33. McCarthy, Merritt, Mitchler . . .

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President and members of the Senate, I think that
5. we have a very typical example of the need for full funding
6. of this particular line item in that we have Silver Spring
7. State Park in Kendall County. This is a new land acquisition
8. and it was only acquired by the fact that we did have money
9. appropriated. We must acquire other similar land areas to
10. create these state parks and open space for the growing
11. population that we are going to experience. Now in addition
12. to already acquiring Silver Spring State Park land there is
13. the development of this. And the people come to my home on
14. the week ends when they know I'm home, and they want me to
15. co . . . ride down there to look at the conditions of the roads
16. and the need for improvement. Because they're just clamoring,
17. clamoring to use these facilities, because they need open
18. space lands. You know the popularity that the Scenic Rivers
19. Bill had. The idea that people want to preserve these areas
20. of natural beauty. And the Department of Conservation has
21. addressed itself to this problem. And it's a non-partisan thing
22. because this is for all people. They don't ask you which side
23. of the aisle you're from when you come into these parks. And
24. they're open to all people of the State. The same with the
25. park that we have in Kendall County. Everyone's welcome. I
26. think that this is very important. I vote aye.

27. SECRETARY:

28. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
29. Partee, Rock . . .

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Senator Rock.

32. SENATOR ROCK:

33. Well, we needn't I don't think, beat this horse much

1. further. I want to point out, however, that it seems to
2. me that it would be relatively simple for both sides of the
3. aisle, for instance, to offer an amendment saying we are
4. going to allocate 2 billion dollars to acquire all kinds of
5. open land. Now the fact of the matter is that the Department
6. could not spend it, and even assuming if they could, I am
7. sure that the Chief Executive of this State and the Bureau
8. of the Budget would not allow it. Now that's what's happened
9. in the past. So we can make all the speeches we want about
10. how vital these funds are, the fact is that they haven't been
11. spent. Last year this General Assembly went on record as
12. authorizing 25 million for this purpose. How much was spent?
13. Five million dollars. Now it's . . . it's a little bit too
14. easy to just appropriate all kinds of money and hope that
15. the Bureau is going to freeze it, which we know they are. The
16. responsibility is ours. The figure that we have left this
17. appropriation at is a reasonable figure. The Department
18. has 27 million dollars. By their own admission they have
19. some 19 million of that committed. They have enough money
20. left to spend. The program is not being harmed and I vote no.

21. SECRETARY:

22. Romano, Rosander, Saperstein, Savickas, Smith, Soper,
23. Sours, Swinarski, Vadalabene, Walker, Weaver.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Senator Fawell.

26. SENATOR FAWELL:

27. In explaining my vote, these are the facts that I have
28. been able to obtain here just in the last couple of minutes.
29. We have, by this amendment, which we're asking to have re-
30. considered at this time, as I understand it, depleted the
31. appropriation for land acquisition and development from
32. 47 million down to 27 million. I am informed by the
33. Department that approximately 20 million of that 27 million

1. is committed already. Right now. By rentals due to the . . .

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Pardon me, Senator Fawell. Senator Neistein, what's your
4. reason for rising?

5. SENATOR NEISTEIN:

6. Just a point of order. I wanna know how many times a
7. member can stand up and repeat the same thing on the same
8. question?

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. He can speak twice, and explain his vote in addition to
11. that.

12. SENATOR NEISTEIN:

13. Would you speak in the microphone. I can't hear you
14. Senator Johns.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. If you listen clearly Neistein, Senator Neistein. He
17. can speak twice and explain his vote thereafter. Okay?

18. SENATOR NEISTEIN:

19. He can speak twice and explain his vote thereafter. How
20. many times has he gotten up and said the same thing on this
21. problem?

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. This is his third time.

24. SENATOR NEISTEIN:

25. Thank you.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. You're welcome.

28. SENATOR FAWELL:

29. Well, I . . . I think it's very unfortunate that Senator
30. Neistein and others are taking this in such a jocular mood.
31. It evidentially isn't very important to them. Or maybe because
32. it's kind of sinking home to them as to what they are doing.
33. You're leaving the Department now with 8 million dollars for

1. all development and land acquisition work for the coming
2. fiscal year. And this is a drastic action by the Senate.
3. And those of you, and I hope by the way I . . . Senator
4. Neistein didn't take three-fourths of my time, those of
5. us who are aware of what is happening in the Chicago land
6. area, the five or six counties around Cook County, after
7. we have talked about our commitment for conservation and
8. open space, to do something like this is just utterly
9. beyond me. I hope that the news media will tell the people
10. of Illinois what you are doing in crippling the Governor's
11. program, in crippling the Governor's commitment, which he
12. has made. You doubt his commitment. But he has made it.
13. And it's time now that we as a Legislature also back up the
14. Governor on this commitment and say amen to it and we're
15. going to follow through and see to it that the Department
16. does abide by the commitment which we can make today. And
17. I challenge you to rise to the commitment that you have
18. talked about, and we have talked about. Because now is
19. the time . . .

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Fawell, conclude your debate.

22. SENATOR FAWELL:

23. . . . to do so. I vote aye.

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Thank you. On that motion to reconsider the yeas are 21,
26. the nays are 26. Having failed to receive the necessary votes
27. it is defeated. Amendment No. 2 . . . this will be a vote
28. for the adoption of Amendment No. 2. Who offers that
29. amendment?

30. SECRETARY:

31. McCarthy.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator McCarthy on House Bill 4293.

1. SENATOR MCCARTHY:

2. Yes, Mr. President.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator McCarthy.

5. SENATOR MCCARTHY:

6. Yes, Mr. President, I explained this amendment and it's
7. agreed with the Department and the sponsor and I move it's
8. adoption.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Graham. Oh, pardon me. Is there any discussion?

11. SENATOR GRAHAM:

12. I'm rising on a point of personal privilege, Mr. President.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. All those in favor of the adoption of the amendment,
15. please say aye. All those opposed. The amendment is adopted.
16. Third Reading. Senator Graham.

17. SENATOR GRAHAM:

18. Mr. President, on the point of personal privilege I'm
19. going to explain a motion I'm going to make as soon as
20. Second Reading bills are over. For 14 years this General
21. Assembly, I have never missed a Session, except two hours
22. when my mother was being buried. I can see now the futility
23. of my agreeing with my good friend, the President pro tem.
24. I have spent weekends down here when the rest of the Legislators
25. were gone, and they had a right to be, nobody made me stay,
26. but I did. Because I thought I could accomplish something.
27. I see us heading into a weekend now where we are going to
28. accomplish one thing, dissention, antagonism, and an unwillingness
29. to be cooperative. I believe that when we go into the final
30. days of this and with the conference committee reports that
31. are going to be complicated, that we cannot continue the
32. program of fast pace working straight through to adjourn. I
33. sat here in the last Session of the General Assembly. We had

1. some important bills up and by the virtue of the fact that
2. our gentlemen had gone home, we lost a fairly important bill.
3. We're going to have that same thing now. By tomorrow you're
4. going to be ringing the bell on every bill to get thirty
5. people on this Floor. I, for one, don't subscribe to that.
6. I think it's a wrong way to operate. I think it's unfortunate
7. for the membership and it's more unfortunate for the tax-
8. payers. So after we have completed House bills on Second
9. Reading, I am going to then, if I'm recognized, make a
10. motion that we adjourn not later than 4:00 today, that
11. we have a perfunctory meeting tomorrow and we come back
12. Monday at 12:00. I want the privilege of making that motion
13. after we have moved the House bills on Second Reading.
14. Thank you.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. What's the next one? House Bill 4294, Senator Gilbert.
17. Senator Gilbert.

18. SENATOR GILBERT:

19. No hurry.

20. SECRETARY:

21. Second Reading of the bill. No committee amendments,
22. one Floor amendment offered by Senator Gilbert.

23. SENATOR GILBERT:

24. The amendment which I have to offer merely places an
25. effective date upon the bill. It inadvertently . . . it
26. was left off when the bill was drawn and the amendment says --
27. This act shall take effect upon July 1, 1972 or upon it's
28. becoming law, whichever is later. I move the adoption of
29. this amendment.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Any discussion of the amendment? All those in favor
32. of the adoption of the amendment signify by saying aye.
33. All those opposed. The amendment is adopted. Third

1. Reading. 4295, Senator Dougherty.

2. SECRETARY:

3. Second Reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Any amendments from the Floor? Third Reading. 4364,

6. Senator Groen.

7. SECRETARY:

8. Second Reading of the bill. No committee amendments.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Any amendments from the Floor? Third Reading. 4374,

11. Senator Latherow. Hold it? All right. 4384, Senator

12. Baltz. Senator Baltz. Senator Baltz. 4384, Sir.

13. SENATOR BALTZ:

14. Yeh, hold it.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. All right.

17. SECRETARY:

18. Second Reading of the bill. No commi . . . no committee

19. amendments.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Any amendments from the Floor? Third Reading. 4386,

22. Senator Dougherty. Move it. Any amendments from the Floor?

23. SECRETARY:

24. Second Reading of the bill. No committee amendments.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Any amendments from the Floor? Third Reading. 4422,

27. Senator Fawell.

28. SECRETARY:

29. Second Reading of the bill. No committee amendments.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Any amendments from the Floor? Third Reading. Wait

32. a minute. Pardon me, Senator Fawell.

33. SECRETARY:

1. I'm sorry. One . . . One Floor amendment offered by
2. Senator Fawell.

3. SENATOR FAWELL:

4. Yes, this amendment merely changes the name or the
5. nomenclature in regard to the scholarship reci-
6. pient. Rather than referring to the words "participating
7. teacher," the word "grant" and "scholarship recipient" is
8. used. It's not a substantive change.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Any discussion? Any further amendments from the Floor?
11. Third Reading. 4437, Senator Carroll. Senator Carroll. Not
12. here. Okay. 4448, Senator Knuepfer. Move it. Any amendments
13. from the Floor? Wait a minute. Yes, sir.

14. SECRETARY:

15. Second Reading of the bill. No committee amendments.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Any amendments from the Floor? Third Reading. 4449,
18. Senator Knuepfer.

19. SECRETARY:

20. Second Reading of the bill. No committee amendments.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Any amendments from the Floor? Third Reading. 4452,
23. Senator Carpentier. 4452. You desire to move that bill?
24. Senator Carpentier. Senator Rock. Senator Rock. Would you
25. give Senator Rock the microphone, please. Okay.

26. SENATOR ROCK:

27. Yes, Senator, why don't you move it. We are meeting. We
28. hope to have an agreed amendment. Why don't you move it and then
29. we can always bring it back.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Okay.

32. SECRETARY:

33. Second Reading of the bill. One committee amendment from

1. Appropriations.

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. Move the adoption of the amendment. Senator Rock. Any
4. further amendments from the Floor? All those in favor of the
5. adoption of the amendment? All those opposed? The amendment's
6. adopted. Third Reading. 4457, Senator Knuepfer. Move it.

7. SECRETARY:

8. Second Reading of the bill. One committee amendment from
9. Appropriations.

10. PRESIDING OFFICER: (SENATOR JOHNS:

11. Senator Knuepfer offers Amendment No. 1. Is that what you
12. do? Committee amendment. Senator Knuepfer moves the adoption
13. of the amendment.

14. SENATOR KNUEPFER:

15. Amendment No. 1. Yea. Now, this was...let me just say
16. about this...this was a Task Force cut, a Democratic Task Force
17. cut. I concur in that Task Force cut and I'm perfectly willing
18. to go along with it.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Senator Rock.

21. SENATOR ROCK:

22. Well, we appreciate the agreement of Senator Knuepfer. I
23. want to point out, however, that it was not a cut. That what
24. we did was slice \$2 million that was designated for a specific
25. line item purpose. There was no amount of money cut from this
26. bill.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. All those in favor of the adoption of the amendment signify
29. by saying aye. All those opposed. The amendment's adopted.
30. Third Reading. 4468, Senator Gilbert. Move the...

31. SECRETARY:

32. Second Reading of the bill. No committee...

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Any further amendment from the...I mean, any amendments
2. from the Floor? Third Reading. Wait a minute. Just a moment.
3. The Secretary of State...I mean, the Secretary...it's all right.
4. No amendments from the Floor. Third Reading. 4504, Senator
5. Gilbert. Any amendments from the Floor?

6. SECRETARY:

7. I believe that the bill has committee amendments.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. Okay.

10. SENATOR GILBERT:

11. I believe Senator Fawell has an amendment.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Senator Fawell.

14. SECRETARY:

15. One Floor amendment offered by Senator Fawell.

16. SENATOR FAWELL:

17. Yes, the amendment, Mr. President, members of the Senate,
18. would add the amount of \$200,000 and this sum of money would be
19. the amount of money requested by the administration which would
20. have the affect of funding House Bill 4422 which is the bill that
21. would authorize the granting of language grants to teachers and
22. other persons who are bi-lingual for scholarships. It is a program
23. that, I think, Senator Hynes is very aware of and I believe there
24. is no opposition that I know of basically to it. I move the
25. adoption.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Gilbert.

28. SENATOR GILBERT:

29. I'm willing to accept the amendment. In the event 4422 should
30. not pass or be enacted into law, this of course should be stricken.
31. If it is, we need this to be in this appropriation and I approve
32. it.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. Any discussion? Third Reading. 4531, Senator Dougherty.
2. Senator Dougherty. 4531. Move it. Did you say hold it, Senator
3. Dougherty? All right. Move it.
4. SECRETARY:
5. Second Reading of the bill. No committee amendments.
6. PRESIDING OFFICER: (SENATOR JOHNS)
7. Any further amendments from the Floor? Third Reading.
8. 4550, Senator Dougherty. Move it.
9. SECRETARY:
10. Second Reading of the bill. No committee amendments.
11. PRESIDING OFFICER: (SENATOR JOHNS)
12. Any further amendments from the Floor? Third Reading.
13. 4606, Senator Graham.
14. SENATOR GRAHAM:
15. In this confusion back here, I appreciate you couldn't hear me.
16. I wanted to ask Senator Dougherty a question relative to 4531.
17. PRESIDING OFFICER: (SENATOR JOHNS)
18. Senator Dougherty.
19. SENATOR GRAHAM:
20. Is it your intention to hold it on Third Reading until we...
21. I can't...it is.
22. SECRETARY:
23. Second Reading of the bill. No committee amendments.
24. PRESIDING OFFICER: (SENATOR JOHNS)
25. Any further amendments from the Floor? Third Reading. Next
26. bill on House Bills on Second Reading, 4614, Senator Weaver. You
27. wish to move that, Senator Weaver?
28. SECRETARY:
29. Second Reading of the bill. No committee amendments.
30. PRESIDING OFFICER: (SENATOR JOHNS)
31. Senator Donnewald has an amendment.
32. SECRETARY:
33. One Floor amendment offered by Senator Donnewald.

1. SENATOR DONNEWALD:

2. Yes, Mr. President, Senator Weaver, I would direct some
3. questions to you, sir. This, of course, can you give me an idea
4. what the total amount in dollars that this particular bond issue
5. amounts to?

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Weaver.

8. SENATOR WEAVER:

9. Well, in the bill, the authorizaton is \$561,131,000.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Donnewald.

12. SENATOR DONNEWALD:

13. Yes, and of course, the bond issue, the funding for that
14. bond issue, is from General Revenue, is it not?

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Weaver.

17. SENATOR WEAVER:

18. The payments will be from General Revenue. The funding
19. would be from a bond issue, the maximum of 150,000,000 at any
20. one time and the paybacks would be from General Revenue.

21. PRESIDENT:

22. Senator Donnewald.

23. SENATOR DONNEWALD:

24. Now, in the event that General Revenue would not be sufficient
25. to retire the bonded indebtedness, would then the State be able
26. to impose a real estate tax?

27. PRESIDENT:

28. Senator Weaver.

29. SENATOR WEAVER:

30. This has the same provision as does the Transportation Bond
31. Act. There would be no levy against real estate of the State of
32. Illinois, unless we provided for it, Senator. We would have to
33. provide for it.

1. PRESIDENT:

2. Senator Donnewald.

3. SENATOR DONNEWALD:

4. Well, Mr. President, very briefly, the substance of this
5. amendment, and I presume it'd be Amendment No. 1, is that we're
6. dealing with not thousands, not hundreds, but millions, I guess,
7. over a billion dollars actually when it's all said and done. I
8. think that when something of this nature comes up before the
9. General Assembly, I think that we have duty to go to the public,
10. to the voting public, to all the citizenry of the State of Illinois
11. eligible to vote and submit this to them. And the particular
12. amendment in hand provides that there shall be a referendum con-
13. cerning this particular bond issue on November 7th. And I would
14. move you, Mr. President, that this Amendment No. 1 be adopted.

15. PRESIDENT:

16. Motion for the adoption of Amendment No. 1. Is there any
17. discussion? Senator Weaver.

18. SENATOR WEAVER:

19. Well, Mr. President, it was my understanding that this
20. authorization as these projects come up and in this next fiscal
21. year are authorized through this bond issue. And so this in
22. effect taking it to referendum would delay or stop any construc-
23. tion in the next fiscal year, possibly longer. All of these
24. projects are authorized by this General Assembly. It's just the
25. effort to finance them this way is an effort to save taxpayers'
26. monies by handling it in a general obligation manner rather than
27. in a revenue manner. I would certainly resist this amendment.

28. PRESIDENT:

29. Is there further discussion? Senator Donnewald may close
30. the debate.

31. SENATOR DONNEWALD:

32. Well, in answer to Senator Weaver, it's not going to save
33. the taxpayers of the State any money because what we're doing...it's

1. deficit financing again, just as the other bond issues were. We're
2. passing on an obligation to our children and our children's chil-
3. dren and I think that we, as responsible members of this Body and
4. the House over there, if we concur in this amendment, it's our
5. duty to go back to the public and find out if they want, if they
6. actually want this bond issue. I think they should decide and
7. I'm not going to continue debate. I would ask you, Mr. President,
8. the members of the Body, for a favorable roll call.

9. PRESIDENT:

10. Secretary will call roll. Those in agreement with Senator
11. Donnewald will vote in the affirmative. Those in agreement with
12. Senator Weaver will vote in the negative. Secretary will call
13. the roll.

14. SECRETARY:

15. Arrington, Baltz, Berning...

16. PRESIDENT:

17. Senator Berning.

18. SENATOR BERNING:

19. Mr. President, there isn't anybody on the Floor of this
20. Body who is more insistent on protecting the rights of the
21. citizenry to be heard insofar as matters of taxation is concerned.
22. And I have repeatedly resisted the innumerable measures emanating
23. from the other side of the aisle, arbitrarily raising the individual
24. citizen's tax rates by increasing those tax rates without referendum.
25. I think my position is clear and unequivocal. I want to point out
26. that the new Constitution, however, as promulgated by some very
27. outstanding citizens of this State and adopted then by a handful
28. of our citizens, does, in effect, give this Body the
29. right and the obligation to proceed in its wisdom with necessary
30. actions to carry out those measures designed to be for the best
31. interests of the State as a whole. I remind you respectfully
32. that we have passed here, in the not too distant past, very vital
33. issues which ought to have gone to the electorate in my opinion,

1. an income tax, state aid to nonpublic schools, to cite two. But
2. we have also passed innumerable bond issues for pollution control,
3. highways, and so on. If those were justified, and there has been
4. to my knowledge no criticism of our actions in passing those bond
5. issues, then we certainly are justified in embarking on this
6. procedure under this particular bill, House Bill 4614, and at the
7. same time, eliminating what has become an unmanageable burden
8. under our old Illinois Building Authority which generated some
9. several years ago and was responsible for a great deal of existing
10. State debt which you and I must perforce, pass appropriations for
11. the gradual elimination of. We will save money under this pro-
12. cedure by being able to utilize general obligation bonds instead
13. of the more costly revenue bonds that now exist as the only avenue
14. under the Illinois Building Authority. Certainly we owe it to
15. the administration and the citizens to proceed expeditiously. If
16. we were to attempt to put this up for a referendum, a great deal
17. of additional time is going to perforce have to pass before any-
18. thing can be accomplished. I vote no.

19. SECRETARY:

20. Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke,
21. Collins, Coulson, Course, Davidson, Donnewald...

22. PRESIDENT:

23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. In the past several days, Mr. President and members of the
26. Senate, I've read articles in various newspapers about deals being
27. made and by the leadership. And I know of no such deals but I
28. want the people, if there's any deal to be made, I want the elec-
29. torate of the State of Illinois to make the deal. If they want
30. it, fine, I'm for it. I vote aye.

31. SECRETARY:

32. Dougherty, Egan, Fawell...

33. PRESIDENT:

1. Senator Fawell.

2. SENATOR FAWELL:

3. There's just one point I would like to bring out. I don't
4. know if it has been mentioned. I've been off the Floor for a
5. few minutes. Many of you who happen to represent areas where
6. you have, for instance, joint agreement voc-ed programs in process,
7. if this amendment carries you will effectively kill the joint
8. agreement vocational-education program in the State of Illinois
9. because in all of your local areas by referendum, they long ago have
10. authorized and are collecting the matching funds which the State
11. of Illinois, by means of the Illinois Building Authority, has
12. promised to meet and match by means of selling bonds. Now, the
13. Governor, I think, quite correctly has gone to this type of a
14. mode of sale of bonds because the interest rate will be much better
15. and the people will be...will save millions and millions of dollars
16. by having bonds that are triple A rated and which will have a
17. lower interest rate. But if we would have to put this to a re-
18. ferendum state-wide which in effect would nullify many, many
19. referendums throughout the State where local entities are relying
20. upon the obligations which the State have made which were okayed
21. by members of the Body in previous Sessions, I think you'll find
22. that you'll be doing a great deal of harm. And that's just one
23. program that I point out to you. Senator Hall I know is very
24. interested in the joint agreement voc-ed programs in his area.
25. Senator Merritt, in his area. I believe Senator Bruce and others.
26. And this would, I repeat, effectively kill the joint agreement voc-ed
27. programs which would not be able to survive without the immediate
28. State matching funds which will come from the sale of these bonds.
29. I vote aye. No.

30. SECRETARY:

31. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,
32. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons,
33. McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,

1. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
2. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
3. Walker, Weaver.

4. PRESIDENT:

5. Senator Weaver.

6. SENATOR WEAVER:

7. Well, Mr. President, by this action, you will be stopping
8. a great many projects throughout the State. Just to summarize
9. a few, under the Board of Governors, there's 3,665,000, Board of
10. Regents, 13,510,000, the Junior Colleges would be stopped in
11. Chicago Heights, Danville and the Malta area, the Department
12. of Conservation, 17,500,000, the Department of Corrections, 975,000,000,
13. the Department of Mental Health, six projects for 121,505,000,
14. Junior Colleges scheduled for this year's authorization would be
15. stopped in Aurora, Mt. Vernon, East Peoria, Springfield, Cham-
16. paign, River Grove and Godfrey. That amount to 21,900,000. The
17. Department of Children and Family Services has 1,215,000, Mental
18. Health, 20,475,000, the School Building Commission, 17,000,000.
19. All of the appropriation bills that we're acting on now are being
20. financed, the Capitol improvements are being financed through this
21. issue. The University of Illinois, 33,990,000, Southern Illinois,
22. 9,915,000, Board of Governors, 8,372,000, Board of Regents,
23. 13,640,000. All these projects and many more would be set aside.
24. I could go on and list all the Junior Colleges in Belleville,
25. Palos Heights, and Shawnee and Chicago, Illinois Eastern, Elgin,
26. Thornton. Actually when the citizens of this State adopted the
27. new Constitution, they gave this General Assembly the power to
28. finance Capitol Improvements in this manner. And I can't see why
29. this amendment should ever be adopted. Would you poll the absen-
30. tees, please?

31. PRESIDENT:

32. Request for a call of the absentees. The absentees will be
33. called.

1. SECRETARY:

2. Arrington, Carroll, Harris, Horsley, Lyons, McBroom, Mohr,
3. Newhouse, Rosander, Sours, Weaver.

4. PRESIDENT:

5. Weaver, no. Horsley, no. Newhouse, aye. On that question,
6. the yeas are 26. The nays are 20. The amendment is adopted.
7. Are there further amendments? Third Reading. 4615, Senator
8. Weaver. Hold. Hold the rest, there. 4623, Senator Latherow.
9. 4623.

10. SECRETARY:

11. Second Reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? Third Reading. 4628, is
14. Senator Knuepfer on the Floor? 4628.

15. SECRETARY:

16. Second Reading of the bill. No committee amendments.

17. PRESIDENT:

18. Any amendments from the Floor? Third Reading. 4636, Senator
19. Mitchler. 4636.

20. SECRETARY:

21. Second Reading of the bill. No committee amendments.

22. PRESIDENT:

23. Any amendments from the Floor? Third Reading. 4656, Senator
24. Graham. 4656.

25. SECRETARY:

26. Second Reading of the bill. No committee amendments.

27. PRESIDENT:

28. 4657.

29. SECRETARY:

30. Second Reading of the bill. No committee amendments.

31. PRESIDENT:

32. Any amendments from the Floor? Third Reading. 4658.

33. SECRETARY:

1. Second Reading of the bill. No committee amendments.

2. PRESIDENT:

3. Any amendments from the Floor? Third Reading. 4659.

4. SECRETARY:

5. Second Reading of the bill. One committee amendment from
6. Appropriations.

7. PRESIDENT:

8. Senator Graham moves the adoption of the committee amendment.
9. 4659? You got...

10. SENATOR GRAHAM:

11. Mr. President.

12. PRESIDENT:

13. Just a moment. Just a moment. We got the wrong bill.

14. SENATOR GRAHAM:

15. That's what I thought. I don't know of any amendments.

16. SECRETARY:

17. Second Reading of the bill. No committee amendments.

18. PRESIDENT:

19. Any amendments from the Floor? Third Reading. 4663.

20. SECRETARY:

21. Second Reading of the bill. One committee amendment from
22. Appropriations.

23. PRESIDENT:

24. Senator Gilbert, do you move the adoption of the committee
25. amendment?

26. SENATOR GILBERT:

27. No, I don't want to move the adoption of the committee amend-
28. ment. In fact, I oppose the committee amendment which adds the
29. Bakalis formula to the School Problems Commission recommendation
30. for support to the common schools. I'm realistic. I don't want
31. to spend much time on it. I just want a division. I want it a
32. matter of record that I am opposing this amendment. The Bakalis amend-
33. ment would require an increase from 2½ to 3 cents on the individual

1. income tax to make up that amount or from 4 to 6½ percent of the cor-
2. poration or raising the State income tax a quarter of a cent
3. and the corporate income tax 1% to make up just the amount of
4. money that this amendment adds to the Common School Fund. We've
5. been over this and I don't want to belabor it. I think everyone
6. knows the Governor has allowed \$90 million for additional money
7. for the schools this year. This additional 124,000,000 or 126 . . .
8. I get two different figures on it, is just not in the budget. It
9. is not in the treasury. We can't support it. If we had the money
10. we would have put it in originally and distributed it even under a
11. different formula than this but still to the schools. And I urge
12. that this amendment not be adopted.

13. PRESIDENT:

14. Senator Hynes.

15. SENATOR HYNES:

16. Mr. President, members of the Senate, I would move the adoption
17. of the committee amendment and urge all members to support my
18. motion. This will, as Senator Gilbert pointed out, increase the
19. amount of the appropriation to a point sufficient to fund the formula
20. as set forth in Senate Bill 1547. I deny the assertion that this
21. will cause an increase in the income tax. It can be funded out
22. of current state revenues. And I think without belaboring the
23. point, because we have already discussed it and we will have a
24. chance to do so again, I'm sure, we have pointed out specific
25. sources from which this money can come. And I move the adoption
26. of the committee amendment.

27. PRESIDENT:

28. All in favor of the adoption of the amendment indicate by
29. saying aye. Contrary minded. The amendment is adopted. Any
30. further amendments? Third Reading. 4669, Senator Rock. 4669.

31. SECRETARY:

32. Second Reading of the bill. No committee amendments.

33. PRESIDENT:

1. Any amendments from the Floor? Third Reading. 4670,
2. Senator Clarke. 4670.
3. SECRETARY:
4. Second Reading of the bill. No committee amendments.
5. PRESIDENT:
6. Any amendments from the Floor? Third Reading. I understand
7. the next three bills are yours also, Senator Clarke. 4671.
8. SECRETARY:
9. Second Reading of the bill. No committee amendments.
10. PRESIDENT:
11. Any amendments from the Floor? Third Reading. 4672.
12. SECRETARY:
13. Second Reading of the bill. No committee amendments.
14. PRESIDENT:
15. Any amendments from the Floor? Third Reading. 4673.
16. SECRETARY:
17. Second Reading of the bill. No committee amendments.
18. PRESIDENT:
19. Any amendments from the Floor? Third Reading. 4677,
20. Senator Partee. You wish to advance that? 4677.
21. SECRETARY:
22. Second Reading of the bill. No committee amendments.
23. PRESIDENT:
24. Senator Clarke.
25. SENATOR CLARKE:
26. Mr. President, I think that bill needs an amendment. Senator
27. Partee, you recall two years ago where you have a split Session.
28. PRESIDENT:
29. Senator Partee.
30. SENATOR PARTEE:
31. I think they have checked and found that the matter we talked
32. about is accommodated in another area. Just a minute, let me
33. check it.

1. PRESIDENT:

2. In the meantime, can we...Senator Partee.

3. SENATOR PARTEE:

4. I think, Senator, that it's in the Auditor's Distributive
5. Fund. And it's amended in, in the House.

6. PRESIDENT:

7. Senator Clarke.

8. SENATOR CLARKE:

9. No, the matter I'm talking about is now this is the allowance,
10. the 6,000 allowance for each member. You recall two years ago
11. where you have an election year, we had an amendment that delimited
12. the amount that could be spent up to January 1st to 3,000, so that
13. the outgoing member couldn't spend all 6,000. We're having an
14. amendment of that nature prepared if you'd hold this bill. Oh,
15. we got it.

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. We'll move it to Third. As soon as you get the amendment,
20. we'll move it back. Do you have it there now? Fine.

21. PRESIDENT:

22. Senator Clarke moves the adoption of Amendment No. 1. Is
23. there any discussion? All in favor signify by saying aye. Con-
24. trary minded. The amendment is adopted. Any further amendments?
25. Third Reading. 4679, Senator Rock. 4679.

26. SECRETARY:

27. Second Reading of the bill. No committee amendments.

28. PRESIDENT:

29. Any amendments from the Floor? Third Reading. 4683, Sen...
30. oh, just a moment. Senator Berning.

31. SENATOR BERNING:

32. I'd like to have that bill held momentarily. I have an
33. amendment for it.

1. PRESIDENT:

2. On which bill?

3. SENATOR BERNING:

4. 4679.

5. PRESIDENT:

6. 4679, Senator Rock. Senator Berning has requested that it
7. be held. Now, we have advanced it to Third. If you two would
8. agree, you could call it back to Second tomorrow and consider
9. your amendment then. 4683, Senator Weaver. Hold. Senator
10. Knuepfer.

11. SENATOR KNUEPFER:

12. If we've completed that, I'd like to make a motion to dis-
13. charge committee. Oh, we got one more to go. Just a quick mo-
14. tion to discharge.

15. PRESIDENT:

16. 4685.

17. SECRETARY:

18. Second Reading of the bill. No committee amendments.

19. PRESIDENT:

20. Any amendments from the Floor? Third Reading. Senator
21. Knuepfer.

22. SENATOR KNUEPFER:

23. I simply want to make a motion to discharge the Appropriations
24. Committee from further hearings on Senate Bill 4185. I've talked
25. to them. They don't have any problems with it.

26. PRESIDENT:

27. Is there...

28. SENATOR KNUEPFER:

29. Er, House Bill 4185, excuse me.

30. PRESIDENT:

31. Is there objection? Leave is granted. House Bills on...oh,
32. House Bills on First Reading, there is one there, 4681, Matijevich,
33. Representative Matijevich. Anyone taking that? Who's...somebody

1. said they'd take it. Senator Knuppel said...well, let the Secretary
2. or the Chair know. House Bills on Third Reading. Senator Graham.

3. SENATOR GRAHAM:

4. In order to complete some of the work that's going to be
5. necessary if I'm successful in this motion, we find that in the
6. area of elections there is a discrepancy with reference to the
7. six month voting for President and Vice President and there's not
8. an existing vehicle whereby we can accommodate this other than
9. House Bill 4155 which is in committee. Our...Senator Dougherty's
10. staff and my staff has concurred in it. We agree. And I'd like
11. to move at this time that the Committee on Elections be discharged
12. from any further consideration of House Bill 4155 and it be placed
13. on the Order of Second Reading to hopefully correct the inefficiency
14. which exists with regard to voting for President and Vice President.

15. PRESIDENT:

16. Senator Dougherty indicates he concurs. Is there objection?
17. Leave is granted. Senator Baltz.

18. SENATOR BALTZ:

19. Mr. President and members of the Senate, I would like to make
20. a similar motion with regard to House Bill 4084. It is in the
21. Committee on Revenue. I've checked this out with Senator Course,
22. the Chairman of the committee. He has no objection and if the
23. Body so pleases I'd like to have this bill brought on to the Floor
24. and moved to the Order of Second Reading without reference.

25. PRESIDENT:

26. Is there objection? Leave is granted. Senator Knuppel.

27. SENATOR KNUPPEL:

28. I'd like to move the bill that I just took on First Reading
29. to Second Reading without reference. That's number 4681.

30. PRESIDENT:

31. Is there objection? Leave is granted. House Bills on Third
32. Reading. These bills will be considered first: 1440, Senator
33. Berning, 1569, Senator Horsley, 2653, Senator Fawell, 2723, Senator

7HB1440
3rd Reading
6-22-'72

1. Gilbert. 1440, Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President, members of the Senate, House Bill
4. 1440 was introduced to implement the new Constitution. There
5. then developed some dispute over whether or not the Constitution
6. was self-implementing and the bill was allowed to be Tabled. Then
7. it developed that McHenry County in attempting to proceed under
8. the provisions of the new Constitution was advised by Chapman and
9. Cutler that House Bill 1440 was necessary and their interpretation
10. I must admit is a selfish one. They want the law definitive before
11. they will validate the bonds which will be issued for these special
12. assessment improvements. And let me point out that McHenry County
13. and to a certain degree Lake County has a unique situation in that
14. over the years some years back summer residences were developed in
15. areas around the chain of lakes and no substantial road construc-
16. tion was a part of the development. Consequently these substandard
17. roads are inadequate for today's travel and they are completely
18. impassable at times during the winter. These people recognize that
19. the roads not having been built properly and never having been
20. assumed for maintenance by the township or the county, are their
21. own responsibility and they are ready and willing to undertake the
22. cost of improving these roads but the only way that it can be
23. done is by a special assessment. And I might add that the new
24. Constitution incorporated this very self same provision for special
25. assessments much because of the situation that exists in McHenry
26. County and other counties and was recognized as a serious situation
27. by the Constitutional Convention delegates. Now, House Bill 1440
28. creates a complete and comprehensive new act permitting and I
29. should say it is permissive, permitting counties to undertake local
30. improvements financed by special assessments. And currently the
31. county law does not have the statutory authority for such com-
32. prehensive local improvements. The bill is applicable state-wide
33. in all counties except Cook. Cook County has been amended out

1. through the Home Rule Amendment, And it covers all areas outside
2. of municipality, defines the improvements as the improving, widening,
3. or extending of streets, highways, roads and so on. The bill
4. creates a committee of local improvements in each county, consisting
5. of the Chairman or President of the County Board, the County Super-
6. intendent of Highways and three members of the Board appointed
7. by the Chairman. The committee can originate a local improvement
8. anywhere in the county outside of municipalities if such improve-
9. ments are paid for by special assessments. Mr. President, I
10. realize that this is a matter of little concern to most of our
11. members since it does at this time address itself to a problem
12. that exists primarily in McHenry County . . .

13. PRESIDENT:

14. Just a moment. According to our timer, Senator Berning has
15. less than five minutes remaining if we can give him attention,
16. please.

17. SENATOR BERNING:

18. Let me say that while there was originally some question on
19. the need of this by the Illinois Municipal League that problem
20. has been resolved and they have withdrawn any objection. It's
21. my understanding that Mr. Green, advisors to the gentlemen on
22. the other side in speaking for Cook County feels that they have
23. no direct concern. If there are any questions, I'll attempt to
24. answer them. My point is now is construction period. McHenry
25. County would like to proceed. Were this bill not necessary they
26. would already be under construction but if they are going to proceed
27. they must sell the revenue bonds and Chapman and Cutler holds the
28. key to that and that's the reason for the need at this time for
29. passing House Bill 1440.

30. PRESIDENT:

31. Senator Dougherty.

32. SENATOR DOUGHERTY:

33. Mr. President, thank you, and the members of the Senate. When

1. I'm speaking on this bill, I'm not attempting to persuade any-
2. body to follow my reasoning. It's...my reasoning is this. That
3. I believe...as a matter of fact, I enabled Senator Berning to get
4. this bill off the Table. I think that in his concern for the
5. problems of McHenry County, he is inflicting serious harm on the
6. other counties of the State except Cook. Cook is not involved
7. in this in any way. I want to make that clear so I have no
8. selfish purpose. I think that since the Constitution does give
9. us this power, it's contained right in the Constitution that it
10. can be done, and I disagree with Chapman and Cutler in coming
11. down here and telling us that we must do as they suggest, in
12. this particular thing without ever coming before a committee and
13. saying why it is necessary. I received letters from Chapman and
14. Cutler. I did turn them over to Senator Knuepfer and Senator
15. Berning in order to aid them in the bill. They have amended in
16. every way possible to try to make it passable. However, it's in my
17. very candid opinion that this bill is dangerous to the counties
18. of Illinois. It would require a little further study. I would
19. suggest to Senator Berning that we hold this bill over until the Fall.
20. I have no desire to defeat the bill. However, I think, in its
21. present form, without Chapman and Cutler giving us a very potent,
22. plausible reason why their will must prevail over the Constitution,
23. I believe that this bill should be held up. I have no desire to
24. influence anybody. This is my own opinion.

25. PRESIDENT:

26. Is there further discussion? Senator Knuepfer.

27. SENATOR KNUEPFER:

28. Yea, Senator Dougherty, I sometimes think Chapman and Cutler
29. is wrong too and I told you yesterday in the bill that I had that
30. I thought they were wrong but unfortunately right or wrong they're
31. the ones that can authorize the issuance of bonds. I want to point
32. out something else however on this. The old Constitution of 1870
33. permitted municipalities and sanitary districts to provide use of

1. special assessment procedures. Now, in spite of that general pro-
2. vision, the Legislature felt it was necessary and desirable to
3. provide guidelines for those special assessment procedures. We
4. didn't say just rely on the Constitutional provisions, we've got
5. some very substantial chapters in our statute books providing for
6. the mechanism for special assessments for those two governments.
7. Now, the new Constitution added another government that was entitled
8. to use special assessment procedures and that was the county. It
9. seems to me that if we felt that it was reasonable and proper for
10. the Legislature to spell out the guidelines under the old Con-
11. stitution and nobody quarreled with those guidelines for muni-
12. cipalities and sanitary districts, that is equally as reasonable
13. and proper, and this is all that House Bill 14...or Senate Bill
14. 1440 does...House Bill 1440, is to try and set down some guide-
15. lines. If what you're suggesting is true, I think then the special
16. assessment statutes in our books for municipalities probably ought
17. to be abolished and we have no need for those. I don't think that's
18. true. I think there's a number of court decisions based upon those
19. statutes and I think this is in this case I do concur in general
20. with Chapman and Cutler and I think it's a legislative obligation
21. to provide the guidelines for what obviously is a county power
22. delegated by the Constitution. The Constitution as well, Senator
23. Dougherty, provided for the election of a county executive and yet
24. this Body last year felt that it was necessary to provide legislative
25. guidelines on the basis of the philosophy you are suggesting. We
26. could have simply said the Constitution mandates or provides for
27. it, therefore let's let anybody do it that wants. We didn't feel
28. that was desirable. We felt that it was necessary to put guidelines
29. down and we passed a bill. I think this is in exactly the same kind
30. of a situation. It calls for a legislative guideline. This is one.
31. If we quarrel with the guidelines, fine and dandy. But I don't think
32. we can quarrel with the concept.

33. PRESIDENT:

1. Is there further discussion? Senator Dougherty.

2. SENATOR DOUGHERTY:

3. In answer to Senator Knuepfer's, I told...as I said before
4. I have no attempt to guide anyone else's thinking in this. But I
5. do believe that the Constitution was voted upon less than two
6. years ago which provided for this type of legislation to be done
7. without any interference from anyone else. What we're doing, we're
8. setting up...we have the legislative, we have the executive, we
9. have the judicial, and now we have another chapter of government,
10. Chapman and Cutler, that's what's happening. I think we could
11. solve this problem if you just hold off. I have no desire to
12. speak any further on the bill. I did try to help Senator Berning
13. in every way, shape, form or manner but it's my still...my own
14. opinion, that this bill should be given a little further consideration
15. and study and be held over until November. It's only a few months.
16. That's the way I feel about it.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. I think I should say particularly to Senator Berning because
21. I know how much this bill means to him that I realize that my
22. position on this bill and on the amendments that have been proffered
23. has been something that might be described as wishy-washy. I have
24. not been able to take a firm opinion on this because those experts
25. on whom I depend on some areas of this sort have themselves been
26. something less than positive. One day they would say one thing to
27. me and another day their opinions had has changed and they would say
28. something different. So my lack of steadfastness in this instance
29. has been reflective of the kind of advice I have gotten in this
30. area. It has caused me to conclude that there are a lot of unanswer-
31. able questions about assessment practices throughout the State which
32. assessment practices would be in conformity with the mandates and
33. dictates of the new Constitution. This is not the only area where

1. I have had trouble in this particular vein. The House Bills
2. 3620, which was brought here by Representative Berman, and
3. another bill which was brought by Representative Randolph,
4. sought to make some different kind of assessment practices,
5. one addressing itself to condominiums, another to
6. co-operatives. This too was the kind of over-all, basic
7. assessment difficulty problem that is engendered in this
8. situation. I personally feel the better way to approach
9. all of these assessment practices is to not do it in any
10. piecemeal fashion. I think we really need a committee or
11. commission. Or a division of one of our existing committees,
12. preferably Revenue, to look into this matter in depth, and
13. then come back and bring us what appears to be the answer
14. to all of the . . . not only this but peripheral problems
15. that will arise in this area. Now, if you call your bill,
16. I'm going to say to you this -- I am . . . I am going to
17. personally vote for it, just because I feel a personal
18. obligation having delayed you this long. I'm suggesting
19. however, that my judgment tells me, that we do need a lot
20. more study in this particular area. I am sure knowing
21. you as a conscientious person, has no desire to pass a
22. bill which would not be in the overall best interests of
23. the electorate. I can understand, of course, that you
24. have been frustrated by the delays that have been occasioned
25. by the things I've already alluded to. But I personally
26. assure you, that I'm going to vote for it. But I am saying
27. to you that I think we might be best off if all of these
28. matters involving this very complicated area, be studied
29. a little further.

30. PRESIDENT:

31. Senator Berning may close the debate.

32. SENATOR BERNING:

33. Thank you Mr. President and my thanks, sincere thanks

1. to the President pro tem, and let me say that I respect
2. the opinions of Senator Dougherty. And I hold no hard
3. feelings of anything that is said or anything that may
4. be done. I would like to point out to the Pro Tem, however,
5. while I agree that there is a vast area that we should be
6. directing our attention to insofar as assessment and taxing
7. procedures are concerned. This I submit, really does not
8. fall in that category because this is special assessment.
9. Now, again I agree with Senator Dougherty, that I don't
10. like to be dragged around by the nose by anybody, be it
11. Chapman and Cutler or anyone else. But, money is the
12. thing that's in back of the whole thing. As I said,
13. McHenry County has many substandard subdivisions, all
14. of . . . or many of which want to take care of their own
15. individual road problems. They're ready to assume the
16. obligation and what stands in their way? The willingness
17. of Chapman and Cutler to underwrite revenue bonds. So
18. there, lady and gentlemen, hangs the tale. We are stopped.
19. Now I would have no objection to delaying this if, this
20. were not a critical matter and had not already been a
21. critical matter for several months and years in McHenry
22. County. I would plead with you, let us pass this measure
23. so that McHenry County can proceed. This is the construction
24. period. Five months delay is not long, but it does mean
25. that the construction period is over and McHenry County
26. would perforce, be unable to start work for a year. That
27. is a drastic hardship in my humble opinion that is not
28. necessary to impose on the residents of these communities.
29. If then, we pass this bill now, McHenry County can proceed.
30. In the meantime, we can seriously analyze it and if we
31. find that there are corrections necessary by the first of
32. the year in the next Session, I will be the first one to
33. attempt to pass such corrective measures. And in requesting

1. your vote on behalf of McHenry County, let me point out
2. that very likely no other county would, in the meantime,
3. take any positive action because I doubt that there is any
4. other county ready to proceed now, as McHenry County is.
5. Therefore, this is critical in my humble opinion, for this
6. one area only and I submit this has the support of the
7. people in the area. They are anxious to do this work at
8. their own expense. I plead with you to pass House Bill
9. 1440 so these people can bail themselves out of the mud.

10. PRESIDENT:

11. The Secretary will call the roll.

12. SECRETARY:

13. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
14. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
15. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
16. Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,
17. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,
18. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
19. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
20. Partee, Rock, Romano, Rosander, Saperstein, Savickas,
21. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

22. PRESIDENT:

23. Latherow, aye. Hall, aye. Merritt, aye. Senator
24. Berning.

25. SENATOR BERNING:

26. Would you call the absentees, please?

27. PRESIDENT:

28. Request for . . .

29. SENATOR BERNING:

30. I would hope that enough members of the Body would
31. find it in their hearts, to let this one county proceed,
32. knowing that by the first of the year, we can take corrective
33. action if any weaknesses do develop in this bill.

1. PRESIDENT:

2. The Secretary will call the absentees.

3. SECRETARY:

4. Arrington, Berning, Bruce, Carroll, Cherry, Chew,
5. Course, Donnewald, Egan, Groen, Harris, Horsley, Hynes,
6. Johns, Knuepfer, Knuppel, Kusibab, Lyons, McBroom, McCarthy,
7. Mohr, Neistein, Newhouse, Nihill, O'Brien, Palmer,
8. Rock, Romano, Rosander, Savickas, Sours, Swinarski.

9. PRESIDENT:

10. On that question the yeas are 24, the nays are 3,
11. 1 present. The bill having failed to receive the
12. constitutional majority is declared defeated. Senator
13. Clarke.

14. SENATOR CLARKE:

15. The Republicans would like to have a thirty minute
16. caucus. I talked to the Pro Tem.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Any indication about how long, Senator.

21. PRESIDENT:

22. Thirt . . . thirty minutes was the indication.

23. SENATOR PARTEE:

24. Oh, I see.

25. PRESIDENT:

26. That doesn't mean thirty minutes, the Chair has learned
27. on either side of the aisle. Motion for a thirty minute
28. recess. All in favor signify by saying aye. Contrary
29. minded. The Senate stands in recess for thirty minutes.

30. SERGEANT-AT-ARMS:

31. All persons not entitled to the Floor, please retire
32. to the Gallery.

33. PRESIDENT:

1. The Senate will come to order.

2. SENATOR PARTEE:

3. Mr. President and members of the Senate, I think it's
4. in the best interests of continued work that we recess now
5. until 9:00 tomorrow morning. It gives the House, of course,
6. some additional time to get some other . . . some other
7. matters done over there that have to be done, and that is
8. my motion.

9. PRESIDENT:

10. The motion is that the Senate stand adjourned until
11. 9:00 tomorrow morning. All in . . . is there any dis . . .
12. all in favor signify by saying aye. Contrary minded. The
13. Senate stands adjourned until 9:00 tomorrow morning.
14. Senator Walker dissents.

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