

SPECIAL SESSION

11/27/72

2 P. M.

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1. PRESIDING OFFICER: (Senator Partee)

2. Will the Senate come to order and the members be in their
3. seats. This is the reconvening of the first Special Session.
4. The Chair recognizes Senator Clarke.

5. SENATOR CLARKE:

6. Mr. Chair and Mr. Speaker, Mr. President, in the wrong
7. Body, and members of the Senate. Yesterday Special Senate bills
8. or whatever they're called, 1, 2, 3, 4, 5 and 6 and 7, were in-
9. troduced by Senator Coulson and myself dealing with the subject
10. matter of the Governor's message at noon...I hope that you all
11. have had a chance to look at these bills and peruse them, because
12. I would like to make a Motion that these bills be advanced to
13. 2nd Reading.

14. PRESIDING OFFICER: (Senator Partee)

15. Anyone...care...Senator Cherry.

16. SENATOR CHERRY:

17. What was the Senator's Motion? I'm sorry that I...Senator
18. Clarke make a Motion?

19. PRESIDING OFFICER: (Senator Partee)

20. I think he is going to make a Motion to suspend the Rules
21. and advance the bills to the order of 2nd Reading without re-
22. ference to Committee.

23. SENATOR CLARKE:

24. Mr. President, I would like to first ask that they be read
25. a first time and suspend the Rules to advance the bills to 2nd
26. Reading.

27. PRESIDING OFFICER: (Senator Partee)

28. Senator Cherry.

29. SENATOR CHERRY:

30. I have no objection in having the bills read for the first
31. time. I think that's proper procedure. But I'd like to address
32. myself to the Motion to suspend the Rules and put them on 2nd
33. Reading without reference. I think....

PRESIDING OFFICER: (Senator Partee)

1. All right. Let's let the Secretary read the bills for
2. the first time and than we can get into that posture.

3. SECRETARY:

4. Senate Bill No. 1, introduced by Senators Clarke and
5. Coulson. A bill for Act to amend the Capital Development
6. Board Act by authorizing the Board to make grants to School
7. Districts for capital construction projects and debt service.
8. 1st Reading of the bill.

9. PRESIDING OFFICER: (Senator Partee)

10. Now, Senator Clarke, do you want...well, you'd have to
11. read all seven of them. Go ahead.

12. SECRETARY:

13. Senate Bill No. 2, introduced by Senators Clarke and Coul-
14. son. A bill for an Act to provide for appropriations to the
15. State Treasurer for the payment of interest and principal on
16. certain bonds issued or to be issued under the School Construc-
17. tion Bond Act of 1972. 1st Reading of the bill.

18. Senate Bill No. 3, introduced by the same sponsors. A bill
19. for an Act to amend Section 5 of an Act in relation to State
20. financing. 1st Reading of the bill.

21. Senate Bill No. 4, introduced by the same sponsors. A bill
22. for an Act making an appropriation to the Capital Development
23. Board for school construction project grants and debt service
24. grants for school districts. 1st Reading of the bill.

25. Senate Bill No. 5, same sponsors. A bill for an Act to
26. provide for the orderly, efficient and economic financing, ac-
27. quisition, construction and development by the State of Illinois
28. of capital school facilities consisting of buildings, structures,
29. and durable equipment, as well as the acquisition of real estate
30. in connection therewith, and to meet, in part, the State of
31. Illinois' responsibility for financing the system of public
32. education, by authorizing the issuance and sale of general ob-
33. ligation bonds of the State of Illinois, the proceeds of

1. which are to be used for making grants to school districts for
2. such purposes, and for debt service on school district bonds
3. issued for such purposes after January 1, 1969; and, to provide
4. for the payment of the principal of and interest on such gen-
5. eral obligation bonds of the State of Illinois and authorizing
6. the issuance and sale of refunding bonds. 1st Reading of the
7. bill.

8. Senate Bill No. 6, introduced by the same sponsors. A bill for
9. an Act to authorize general purpose units of local government to
10. refund a portion of property taxes collected for such units of
11. local government each year. 1st Reading of the bill.

12. Senate Bill No. 7, introduced by the same sponsors. A bill
13. for an Act to freeze ad valorem property taxes and to amend
14. an Act in connection therewith. 1st Reading of the bill. That's
15. all the bills.

16. PRESIDING OFFICER (Senator Partee)

17. All right. Now, that the bills have been read, Senator
18. Clarke, did you have a desire to say anything else about these
19. bills, prior to your Motion?

20. SENATOR CLARKE:

21. No, I just would like to renew my Motion.

22. PRESIDING OFFICER: (Senator Partee)

23. All right. Senator Cherry.

24. SENATOR CHERRY:

25. Mr. President and members of the Senate, as I understand
26. this Motion, it addresses itself to the entire series of bills
27. which were just read.

28. PRESIDING OFFICER: (Senator Partee):

29. That is correct, sir.

30. SENATOR CHERRY:

31. And so I would like to address myself to the purpose of
32. the Motion as...stated by Senator Clarke. These series of bills
33. are probably one of the most important that we have had to con-

1. sider in this Session of the Legislature. This is a Special
2. Session of the Legislature called by the Governor to address
3. ourselves to "A Tax Freeze Program", and for bills implement-
4. ing the statement by the Governor that he would like a tax
5. freeze so that the property owners can be given some relief
6. and consideration. I don't think there's any member of
7. the Senate that would intentionally refuse to do what the
8. Governor has suggested is contained in these bills. But I
9. would suggest that Senator Clarke's Motion is much premature.
10. I haven't even read these bills...I know that there was some
11. bills that were originally structured, and have been revised
12. substantially. We tried to get those revisions and have our
13. staff review them and consider them so that we could determine
14. an action taken not only by the members of our party, but by
15. the members on the other side. I think it would be unintelli-
16. gent for any member of this Senate to consider these bills
17. without having read them or know what they contain. And we're
18. for immediate action on these bills as quickly as we can possibly
19. get it. Now, I see here when I look at Calendar and read that
20. there are some five hundred million dollars in bonds involved.
21. And obviously the taxpayers would have to pay in one way or
22. another ...a half a billion dollars. And here we come and
23. listen to a Motion to expedite the hearings on these bills and
24. forego consideration by each member of the Senate, which certainly
25. has a right and responsibility to look at these bills and
26. see what they contain...this is the first that I know about the
27. the fact that there's a half a billion dollars involved. I
28. would like to know who pays for these bond issues, where the
29. monies is going to come from the interest of these bond issues,
30. what the purpose of the money is and how that would give total re-
31. lief to the taxpayer which I think is the intention or the ultimate
32. intention of these bills. And I think we would be acting pre-
33. maturely. We would be acting irresponsibly, if every member of

1. this Senate would not have an opportunity to see what these
2. bills do and have the proper committees and I think we ought
3. to have, and my suggestion, Mr. President, would be to have
4. a Joint Committee of the House and the Senate review these
5. bills to see exactly what they do; are they in the shape that
6. they should be, and do they do precisely what they have been
7. told they do? And so I would seriously oppose this Motion,
8. at this time, and as I understand they...suspension of the
9. Rules, Mr. President, will require 35 votes. So I would urge
10. every member of this Senate who's interested in knowing what
11. the concept of these bills do; what the consequences of these
12. bills do..to determine whether or not this is what...how we want to
13. give relief and we do want to give relief to the taxpayers
14. of this State.

15. PRESIDING OFFICER: (Senator Partee)

16. Any further debate? Senator Knuppel.

17. SENATOR KNUPPEL:

18. I concur, Mr. President. I concur heartily in everything
19. that Senator Cherry has said. I did have the opportunity to
20. read these bills by waiting an additional hour last night. I
21. think there's some constitutional questions involved in one or
22. two of the bills. I think that these bills...as he said calling
23. for some half billion dollars in bonds behooves the people to
24. take a good look at them....I studied these bills carefully and
25. there's no relief provided in these bills prior to the tax bills
26. which will be delivered in 1974. Now, I think haste would be
27. very injudicious at this time. I think we have been lead to
28. believe by newspapers and others that tax relief was immediate
29. with these bills, it's not. It's postponed until the '73 bills
30. which will be delivered in '74. I think that we should never
31. abdicate our Legislative duties. I recall in the last Session
32. when we...hurried through some No Fault Insurance Legislation
33. which was held unconstitutional, and the Body was drawing some

1. fire from the Press and others and there was some squealing
2. and some loud squealing from members of the General Assembly
3. that the Supreme Court was taking dibs on us by holding our
4. legislation unconstitutional. My criticism then was and
5. still is that we shouldn't abdicate our position as Legis-
6. lators; we should study this very carefully. For the first
7. time we're coming into a new concept. We're going to be deal-
8. ing with revenue sharing. For the first time by indirection
9. we're going to start supporting units of local government by
10. an indirect graduated income tax. Now, we raise this money by
11. a graduated income tax, send it to Washington; it's sent back
12. here then redistributed to units of local government. It's kinda
13. like a new wife. It's a new concept and it takes a little liv-
14. ing with. We're talking here about supporting buildings. You
15. used to hear the debate about Vietnam and it was butter or
16. bullets. And I think we've got a right to know whether we're
17. going to have books or buildings. And I think that's what some
18. of this is all about, and I think the members on the other side
19. as well as this side as I say with relief postponed until the
20. tax bills arrive in 1974, we have plenty of time, and should
21. take the time necessary to do a judicious job of reviewing these
22. bills and getting them in the decent shape to pass; removing all
23. constitutional questions that may arise, and I am sure there are
24. going to be constitutional questions because these are new con-
25. cepts and do a good job and the type of job that we'll be proud of
26. as members of the 77th General Assembly. Thank you.

27. PRESIDING OFFICER: (Senator Partee)

28. Senator Clarke may close the debate.

29. SENATOR CLARKE:

30. Mr. President...I knew that this was a controversial matter
31. and while I had the two Senators talking against it over there,
32. I got two additional co-sponsors over here...so things even out.
33. ...I think that we do have to give this serious consideration.

1. I'm aware of the amount that it takes to suspend the Rules.
2. So I am going to withdraw my Motion and ask that these bills
3. be sent to Committee. I think that they do require serious
4. consideration. And I think that the sooner we get to it the
5. better.

6. PRESIDING OFFICER: (Senator Partee)

7. Revenue. Assignment of bills. I'm sorry. Assignment
8. of bills. Senator Fawell.

9. SENATOR FAWELL:

10. Yes, I, I simply want to ask permission to be added as
11. a co-sponsor to Senate bills 1 through 5. That is the School
12. Construction bills, but not necessarily the Tax Freeze bills.
13. If I may have that permission?

14. PRESIDING OFFICER: (Senator Partee)

15. Granted. Senator Sours.

16. SENATOR SOURS:

17. Mr. President and Senators, I should like to be included as
18. a sponsor in Senate bill No. 7.

19. PRESIDING OFFICER: (Senator Partee)

20. May the Chair suggest that we put a sheet down here and
21. then everybody who desires to get on it can come down and sign
22. it and if there are any numbers of a bill in the series that
23. you do not desire to be a sponsor of just put minus six or minus
24. seven, whatever the one is that you don't want to be on. And then
25. everybody can come down and sign it that wants to get on it.

26. Message from the House.

27. SECRETARY:

28. Message from the House: Mr. Selcke, Clerk.

29. Mr. President -- I am directed to inform the Senate that
30. the House of Representatives has adopted the following Joint
31. Resolution, in the adoption in which I am instructed to ask
32. the concurrence of the Senate to wit:

33. (Secretary reads House Joint Resolution No. 3)

1. PRESIDING OFFICER: (Senator Partee)
2. Senator Clarke.
3. SENATOR CLARKE:
4. Is this a House Joint Resolution?
5. PRESIDING OFFICER (Senator Partee)
6. Yes, it is.
7. SENATOR CLARKE:
8. I'd just like to suggest...can we just leave that on the
9. Table?
10. PRESIDING OFFICER: (Senator Partee)
11. All right...I think the thrust of it was, I am not sure
12. that you heard the whole thing. The thrust of it was that
13. a Joint Committee be appointed composed of what House and
14. Senate Revenue Committees, with a report to be brought back
15. on the 11th of December.
16. SENATOR CLARKE:
17. I...I would still like to leave it on the Table. It could
18. be...we can take it up...
19. PRESIDING OFFICER: (Senator Partee)
20. Well, under the Rules it has to go to Committee, if we
21. don't a.....
22. SENATOR CLARKE:
23. It has to go to Committee?
24. PRESIDING OFFICER: (Senator Partee)
25. If we don't adopt it here. See, this has already been adopted
26. by the House and it's sent here for adoption
27. SENATOR CLARKE:
28. And we have to act upon it immediately? Or it goes to
29. committee?
30. PRESIDING OFFICER: (Senator Partee)
31. Senator Clarke.
32. SENATOR CLARKE:
33. I'm informed that it a Motion to lay it on the Secretary's Desk

1. would be in order rather than send it to Committee..I would like
2. to move that for the time being. We could take it off the Se-
3. cretary's Desk at any future time like half an hour or twenty-
4. four hours...

5. PRESIDING OFFICER: (Senator Partee)

6. All right. Let the records show that it is on the
7. Secretary's Desk. Any further business in the Special Session?
8. The Special Session is adjourned until tomorrow...at 10:00 o'-
9. clock, tomorrow. Senator Cherry.

10. SENATOR CHERRY:

11. Mr. President, this morning we received a message from
12. the Governor...

13. PRESIDING OFFICER: (Senator Partee)

14. Just a minute, Senator, we'll have to be in the other
15. Session before this is possible.

16. SENATOR CHERRY:

17. Reconvene the...

18. PRESIDING OFFICER: (Senator Partee)

19. Reconvene the General Session. Reconvene the General
20. Session. Yes. Now, proceed. The First Special Session
21. is adjourned until 10:00 o'clock tomorrow. That is adjourned.
22. The First Special Session.

23.

24. PRESIDING OFFICER: (Senator Partee)

25. We are now in Regular Session. And then...ask for Senator
26. Cherry. All right. What is your point? Senator Knuppel.

27. SENATOR KNUPPEL:

28. I'm not trying to be contentious. I'm just trying to keep
29. the record straight and I think we adjourned the regular Session
30. until 10:00 o'clock tomorrow, and I don't see how we can re-
31. convene now.

32. PRESIDING OFFICER: (Senator Partee)

33. Fine. Your right. The point is well taken. Senator Cherry,

1. did you have an announcement?

2. SENATOR CHERRY:

3. Yes, this will be an announcement then, in view of the
4. fact that we have adjourned our Regular Session. We received
5. a message from the Governor this morning with respect to cer-
6. tain appointments. That will require a hearing by the Executive
7. Committee of which I am Chairman. And I simply want to advise the
8. Body that we will have a meeting; I will set the time and place to-
9. morrow morning for the Executive Committee to meet depending up-
10. on what will be done at both the General and the Special sessions
11. that will take place tomorrow.

12. PRESIDING OFFICER: (Senator Partee:

13. Senator Dougherty, did you seek recognition? Senator
14. Dougherty.

15. SENATOR DOUGHERTY:

16. I have an announcement to make. I understand there is to be
17. a caucus of both parties after the close of this particular Session.
18. I would like to announce that following the caucuses there will be
19. a meeting of the Committee on Local Government in Room M3, immedi-
20. ately following the caucuses. Now, the purpose of this is to try to
21. discuss some of the bills that have been in subcommittee and further
22. hear Mr. Merriam and Mr. Norman Elkins of the Governor's Urban Prob-
23. lem Study Committee. They have had a lengthy report and have been
24. both patient and I would like to think that all members would be
25. there following their caucuses of the two parties.

26. PRESIDING OFFICER: (Senator Partee)

27. Senator Vadalabene.

28. SENATOR VADALBENE:

29. Thank you, Mr. President, and members of the Senate. In the
30. nature of an announcement I would like to say that in the gallery
31. seated behind us is another outstanding youth that is going to
32. be admitted to the Bar this afternoon to practice law before the
33. Supreme Court and all the courts in the State of Illinois. His

1. name is William Lucco. He is the father of the outstanding
2. basketball coach Joe Lucco of Edwardsville, Illinois. His
3. proud parents are also with him. I'd like for them to stand
4. and be recognized. Joe Lucco and his family and William Lucco,
5. our new attorney.

6. PRESIDING OFFICER: (Senator Partee)

7. Members...the Chair would ask leave to correct what appears
8. to be a mistake with reference to the commencement of two parti-
9. cular Sessions at the same time, tomorrow morning. Both of them
10. are now scheduled for 10:00 o'clock. I would like to correct the
11. record so that our tape and record would be straight so that the
12. Special Meeting would be at ten and the Regular Session would be...
13. all right...well..all right...than the special...the Regular
14. Session is at ten...correct? And the Special Session would be at
15. 11:00 o'clock. May I have your leave? The caucus announcement
16. has been made - 6th Floor. You having one too, sir?

17. SENATOR BIDWILL:

18. Yes, we are, Mr. President, immediately after adjournment.
19. Thank you --- six and seven-eighths.

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