

79th GENERAL ASSEMBLY

REGULAR SESSION

January 14, 197⁶₅

1. PRESIDENT:

2. The hour of one having arrived, the Senate will come to
3. order. The prayer will be given by the Rabbi Barry A. Marks,
4. Temple Israel, Springfield, Illinois.

5. RABBI MARKS:

6. (Prayer by Rabbi Marks)

7. PRESIDENT:

8. Reading of the Journal.

9. SECRETARY:

10. Wednesday, November the 19th, 1975, Thursday, November the
11. 20th, 1975, Friday, November the 21st, 1975.

12. PRESIDENT:

13. Senator Johns.

14. SENATOR JOHNS:

15. Thank you, Mr. President. I move that the Journals just read
16. by the Secretary be approved, unless some Senator has additions
17. or corrections to offer.

18. PRESIDENT:

19. Heard the motion. All in favor say Aye. Opposed Nay.
20. The Ayes have it. The motion carries. Introduction of bills.

21. SECRETARY:

22. Senate Bill 1521 through 1541.

23. PRESIDENT:

24. Rules Committee.

25. SECRETARY:

26. Senate Bill 1542, Senator Rock is the chief sponsor.

27. PRESIDENT:

28. Senator Rock on the Floor? Senator Rock is recognized.

29. SENATOR ROCK:

30. This is the introduction of bills, and I have a bill there.

31. SECRETARY:

32. 1542.

33. SENATOR ROCK:

34. This, for the benefit of the membership, is...

1. PRESIDENT:
2. Just a moment, Senator Rock. Will the members be in their
3. seats, and those not entitled to the Floor, please leave the
4. Floor. Senator Rock.
5. SENATOR ROCK:
6. This is Senate Bill fifteen forty...
7. SECRETARY:
8. Two.
9. SENATOR ROCK:
10. ..2. This is a deficiency appropriation for the State
11. Treasurer's office. I am informed by the State Treasurer and
12. his staff that the Inheritance Tax Refund fund is running short.
13. So I would ask that this bill be moved to the order of second reading
14. without reference to the Rules Committee. I understand that all
15. bills introduced, will be sent to the Rules Committee. This is
16. a deficiency appropriation which we have to have on the Governor's
17. desk by about the middle of April. So I would ask that it be
18. moved to second reading without reference.
19. PRESIDENT:
20. The motion is to read the bill a first time and advance
21. to the order of second reading without reference to a committee.
22. All in favor say Aye. Opposed Nay. The Ayes have it. Read the
23. bill.
24. SECRETARY:
25. 1542. Introduced by Senator Rock, Partee, Donnewald, and
26. Bruce.
27. (Secretary reads title of the bill)
28. 1st reading of the bill.
29. PRESIDENT:
30. The bill is now...second reading.
31. SECRETARY:
32. Senate Bill 1543 through 1550.
33. PRESIDENT:
34. Rules. For what purpose does Senator Vadalabene arise?

1. SENATOR VADALABENE:
2. Yes, thank you, Mr. President. I just want an inquiry.
3. There's a House Bill, 3180, on second reading, that I want
4. to put an amendment. Are we going to go to any of those bills?
5. PRESIDENT:
6. Yes, we are, Senator.
7. SENATOR VADALABENE:
8. Okay, well...
9. PRESIDENT:
10. We'll go...we'll get to House Bills on second reading.
11. 3180 is the bill we have on second reading.
12. SENATOR VADALABENE:
13. Thank you.
14. PRESIDENT:
15. Senator Graham.
16. SENATOR GRAHAM:
17. Mr. President, some of the members have inquired as to
18. when we...
19. PRESIDENT:
20. Just a moment. Just a moment. Senator Graham has the Floor.
21. Would you give him your attention, please.
22. SENATOR GRAHAM:
23. Some of the membership has inquired as to when they might
24. have a rundown, including the synopsis of the bills that are...
25. being introduced today and sent to Rules. This will be coming
26. along with a digest, or will there be a separate communication
27. in that regard, or what is your desire on that, or plan?
28. PRESIDENT:
29. Up to this moment, Senator, I've not given it any thought.
30. But it occurs to me, off the top of my head, that what we could
31. do, in the Rules Committee, is to prepare a synopsis of all these
32. bills and mail those synopses to each of the members, so that they
33. would have it within the next ten days.

1. SENATOR GRAHAM:
2. I think it would be commendable. Thank you, very much.
3. PRESIDENT:
4. Thank you. House Bills on second reading. House Bill
5. 3180. Senator Vadalabene. Just a moment, while you're getting
6. together, there. For what purpose does Senator Daley arise?
7. SENATOR DALEY:
8. Mr. President, and fellow Senators. On a point of personal
9. privilege.
10. PRESIDENT:
11. State your point, Senator.
12. SENATOR DALEY:
13. Senator Romano is absent due to illness, and he's presently
14. in...in St. Ann's Hospital in Chicago.
15. PRESIDENT:
16. The record will reflect Senator Romano is in St. Ann's
17. Hospital, in Chicago and cannot be present today. For what purpose
18. does Senator Rockarise?
19. SENATOR ROCK:
20. 3180 is my bill. I do not wish to move it.
21. PRESIDENT:
22. Oh, you do not wish to move it?
23. SENATOR ROCK:
24. No. I wish to hold it.
25. PRESIDENT:
26. Very good.
27. SENATOR ROCK:
28. It is the Speaker's bill. The Speaker has requested that
29. I hold it. So I...
30. PRESIDENT:
31. Fine.
32. SENATOR ROCK:
33. ...hold...

1. PRESIDENT:
2. Very...Senator Vadalabene.
3. SENATOR VADALABENE:
4. Yes. Since he doesn't...since Senator Rock doesn't want to
5. move it, he doesn't want any amendments put on, also, at this time?
6. Is that what he's saying?
7. PRESIDENT:
8. Senator Rock.
9. SENATOR ROCK:
10. I...I would resist strongly any amendments. There are two,
11. I'm told, coming from the Governor's office. I would resist any
12. amendments. So rather than waste everybody's time, I'm just not
13. going to call it.
14. PRESIDENT:
15. Senator Rock, have just met an inquiry. Originally when I
16. talked to the Speaker about this bill, he agreed to hold it
17. so that we would not necessitate...necessarily go into tomorrows
18. Session. It is now his desire to hold it because he...he then,
19. knows then, it cannot be passed on the third of March. He knows
20. that. Very good. The bill will be held. Senator McCarthy.
21. SENATOR McCARTHY:
22. Yes, Mr. President and members. I'd like to call 3115, and
23. 16 for the purpose of amendment, move it on to third reading
24. with the understanding that it can be called back later on to...for
25. other amendments to be offered.
26. PRESIDENT:
27. 3115. Read the bill. I don't have a copy of the amendment,
28. Senator. Would you send one down?
29. SENATOR McCARTHY:
30. Yes, Sir.
31. PRESIDENT:
32. Oh, it is here, I'm sorry.
33. SECRETARY:
34. House Bill 3115.

1. (Secretary reads title of the bill)

2. 2nd reading of the bill. No Committee amendments. One Floor

3. amendment, offered by Senator McCarthy.

4. PRESIDENT:

5. Senator McCarthy.

6. SENATOR McCARTHY:

7. Yes, would you look at that bill and see if there's a

8. Committee amendment?

9. SECRETARY:

10. This would be amendment number two, Senator McCarthy.

11. There is one amendment.

12. SENATOR McCARTHY:

13. Which is the...Committee amendment. I'd like to have

14. that...adopted first.

15. PRESIDENT:

16. Would you explain the amendment. Oh, just a moment, please.

17. Will the members be in their seats. The order of business is

18. House Bills on second reading. House Bill 3115. Senator McCarthy

19. seeks to adopt a Committee amendment. Senator McCarthy will

20. explain the amendment. Probably the bill, also, so it will have

21. some relevance to the membership. Been a long time since we were

22. here.

23. SENATOR McCARTHY:

24. Yes, well, Mr. President, the Committee amendment is, in fact,

25. the bill. We've had subcommittee hearings on this, and the

26. Committee heard it. What it does was just a rewrite of the

27. original bill, and it was passed out of Committee, and I would like

28. to have it adopted with the firm understanding...to any of the

29. members, that with the adoption of this and the other amendment,

30. which was agreed upon in Committee, the bill will then move to third

31. reading and when we come here in April, any member can have the bill

32. brought back for the purpose of examining it. So, I would move the

33. adoption of the Committee...

PRESIDENT:

1. Senator, I'm going to proffer your motion, but may the Chair
2. inquire, what is the haste involved here? You're...you're
3. saving one legislative day. We're coming back in April. Is
4. there any particular reason?

5. SENATOR McCARTHY:

6. Well, some of the people that are interested in the bill
7. were asking me if I could possibly call the bill for a vote.
8. I told them I didn't want to do that. But that just as a...as
9. an act as the sponsor, I told them I'd attempt to get the amendments
10. adopted, move it to third reading, so that when we did come here
11. in April, the bill would all be put together, could be examined,
12. and then debated at that time. Just moving the bill to...

13. PRESIDENT:

14. Question...

15. SENATOR McCARTHY:

16. ...that position.

17. PRESIDENT:

18. Senator...Senator Soper.

19. SENATOR SOPER:

20. I...Senator Merritt isn't on the Floor, and I...I don't
21. know what this amendment does, and if they want to put an amendment,
22. that's going to change a whole bill, I think you ought to
23. read the whole amendment. I'd like to have the whole amendment
24. read before we vote on it, and it passes. Because once that amendment
25. is on, we'll have a tough time with the amendment. I'd rather
26. have everybody know what we're doing here. This is an important
27. bill.

28. PRESIDENT:

29. Well, the Senator explained the amendment and he said that
30. it is a Committee amendment. It is a amendment that has come out
31. of the Committee, and he explained it. Yes, Senator Soper.

32. SENATOR SOPER:

33. Yes, but the amendment is a whole new bill.

1. PRESIDENT:

2. He said that.

3. SENATOR SOPER:

4. Now...

5. PRESIDENT:

6. He...he...

7. SENATOR SOPER:

8. Yes, I know, but I haven't...I don't have it here. I'd
9. like to see it. I'd like to have the amendment passed out to
10. each member of the Senate so we could read it. It's not in my
11. bill book and I don't see the amendment.

12. PRESIDENT:

13. Senator McCarthy.

14. SENATOR MCCARTHY:

15. Well, if...you know, if there's a demand for the amendments
16. to be passed out, that's...that's a horse of a different color.
17. What I represented to the Senate was that this bill was thoroughly
18. discussed in Committee, it's a Committee amendment. I would
19. like to...and I express to the Senate, the desire to have the amend-
20. ments adopted and the bills moves to third reading, with the under-
21. standing that if you didn't like the amendments, you could bring
22. it back to second reading when we came here in April. If there
23. is substantial opposition to that, of course, then I'm not
24. going to...I'm not going to persist in the bill today, because this
25. is done as a...as an expedition attempt which was done on many other
26. occasions.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Well, I would just point out that this bill is of some
31. substantive import, but I think the question that Senator Soper
32. raises is...is one that we dealt with in the early goings of this
33. Session. And that is the question of printing or not printing
34. Committee amendments. This is a Committee amendment. It's

1. not a Floor amendment. And there's a substantial difference.
2. What Senator McCarthy has asked, I think is very reasonable,
3. that the Committee amendment be adopted, and that he has
4. said that he will wait until April, and will call the bill
5. back at any member's request and I think that's eminently
6. reasonable. All he wants to do now is get the Committee amend-
7. ment adopted and move the bill. And I would concur in that.

8. PRESIDENT:

9. Senator Soper.

10. SENATOR SOPER:

11. Thank you, Mr. President. I understand that any...any
12. amendment that's proposed on a bill should be...should be
13. proposed and...and should be written...printed and...and given
14. to all of the members. Now, if this were a simple amendment...
15. simple amendment on a...on a bill, but this is a whole new bill,
16. and I'd like to see the whole new bill before I voted on it
17. before it was put on. Because...

18. PRESIDENT:

19. Well, Senator...

20. SENATOR SOPER:

21. ...this is a different ball game, Mr. President.

22. PRESIDENT:

23. Senator the simplicity or lack of simplicity of the
24. amendment has never been anything that made a decision on the
25. amendment. The custom is that Committee amendments need not be
26. printed. They have to be printed, if requested, before third
27. reading votes. So, once this amendment is adopted, it then
28. would be printed before it was voted on third reading. Senator
29. Soper.

30. SENATOR SOPER:

31. Now, Mr. President, that doesn't preclude us from asking
32. that the amendment be read. I'd like to have them... the
33. amendment read in full.

1. PRESIDENT:

2. Senator Merritt.

3. SENATOR MERRITT:

4. Well, Mr. Chairman, or Mr. President, I think those
5. who are members of the Financial Institutions Committee...

6. PRESIDENT:

7. Just a minute, Senator. We can't hear the Senator for
8. the hum overtones.

9. SENATOR MERRITT:

10. I would just say, Mr. President, those of us who are
11. members of the Financial Institutions Committee, in November,
12. when this bill was called pretty quickly, in fact, I doubt
13. if there were a handful of people in the room, the amendment
14. was offered at that time. Many of us didn't have the opportunity
15. to digest it. I think it completely eliminates much of the
16. language of the original bill. I think it would be
17. wise and important for our deliberations here, to hold
18. this till April together with all other amendments that might
19. be offered, and there certainly will be many more offered,
20. and printed so the membership can really understand the new
21. bill that this purports to do.

22. PRESIDENT:

23. Senator...Senator Ozinga.

24. SENATOR OZINGA:

25. Mr. President, I think that the adoption of this...

26. PRESIDENT:

27. Just a moment. Just a moment. Will the members please
28. be in their seats. Will the members please be in their seats.
29. Senator Ozinga.

30. SENATOR OZINGA:

31. Mr. President, I believe the adoption of this Committee
32. amendment, which very few of us really understand or know, it's
33. like Senator Merritt just said, was introduced to Committee
34. and out to the Floor so that we could have a bill. Now, Senator
35. McCarthy agrees that this is an entirely new bill. Okay. Let's

1. adopt the Committee amendment. Leave it hang on second read-
2. ing, because there's another amendment that's right behind it
3. that we do not know about except that he says...and we've
4. talked about it then and there. I would recommend that
5. we put...adopt the Committee amendment, let it on second
6. reading, have him file, and have the other amendment printed.

7. PRESIDENT:

8. Senator McCarthy. That's agreeable, he says. All right.
9. The question is shall Committee amendment number one be adopted.
10. Those in favor will say Aye. Opposed Nay. The amendment is
11. adopted. The bill remains - you want to advance it to third
12. or leave it there? The bill remains on second reading.

13. SECRETARY:

14. House Bill 3116.
15. (Secretary reads title of the bill)
16. 2nd reading of the bill. One Committee amendment, offered
17. by Finance and Credit Regulations Committee.

18. PRESIDENT:

19. Senator McCarthy.
20. SENATOR McCARTHY:
21. Yes, Mr. President and members. Senator Merritt, as
22. you may...remember this is merely a technical one that...
23. that was agreed upon in Committee. This just makes technical
24. changes. So I move its adoption.

25. PRESIDENT:

26. Senator Merritt.
27. SENATOR MERRITT:
28. Mr. President...
29. PRESIDENT:
30. Yes, Senator Merritt.
31. SENATOR MERRITT:
32. Mr. President, I agree with Senator McCarthy on that.
33. PRESIDENT:
34. Senator...

1. SENATOR MERRITT:

2. I'd move the adoption on...

3. PRESIDENT:

4. Senator McCarthy moves the adoption of Committee amendment
5. number one to House Bill 3116. All in favor will say Aye.
6. Opposed Nay. The amendment is adopted and the bill remains
7. on second reading. Senator McCarthy.

8. SENATOR McCARTHY:

9. Just a note. There is a amendment number two on 3115,
10. which I would like to offer and then postpone any debate on
11. the...on the offer to adopt until such time as the amendment
12. is reproduced.

13. PRESIDENT:

14. Amendment number two to House Bill 3115 is offered and
15. ordered printed. Senator Soper.

16. SENATOR SOPER:

17. Now, this is not going to be adopted. It's just going
18. to be offered printed and sent to us.

19. PRESIDENT:

20. That's right.

21. SENATOR SOPER:

22. Thank you, very much, Mr. President.

23. PRESIDENT:

24. There have been several requests made for the schedule
25. today, and some of you were not here when we gave it. Let's
26. give it again so everybody will know where we are. We'll
27. be leaving here at 1:45 to go down to the front of the
28. rotunda for a ceremony, at which time there will be a
29. dedication of the statue for the late State Senator Lottie
30. Holman O'Neil. That program will start promptly at 2:00.
31. When we leave there, we will go to the House for a Joint
32. Session at which time the Governor will constitutionally give
33. his State of the State address. Following that ceremony in
34. the House, we will come back to the Senate to close out and

1. care for those bills which remain. One of which has to come
2. back from the House for the concurrence in an amendment.
3. House Bills on third reading. House Bill 3154, Senator Carroll.
4. Read the bill.
5. SECRETARY:
6. House Bill 3154.
7. (Secretary reads title of the bill)
8. 3rd reading of the bill.
9. PRESIDENT:
10. Senator Carroll.
11. SENATOR CARROLL:
12. Thank you, Mr. President and members of the Senate. House
13. Bill 3154 is a supplemental additional appropriation to the
14. Court of Claims for the Crime Victims Compensation Act.
15. As you know, we passed a...an amendment to the original act
16. last year where we set up the revolving fund so that when the
17. Court of Claims made an award, they would have the monies by
18. which to pay the claimants. At the present time, there's a
19. substantial deficit in that fund. They already have three
20. hundred and seventy-five thousand in lump sum awards to
21. give out, plus two hundred and twenty-seven thousand in
22. installment awards. There's only two thousand dollars presently
23. in the fund. This is an emergency measure, and I would ask
24. for a favorable roll call.
25. PRESIDENT:
26. Any further discussion? The question is shall House Bill
27. 3154 pass. Those in favor vote Aye. Those opposed will
28. vote Nay. The Secretary will call the roll.
29. SECRETARY:
30. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
31. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
32. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
33. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
34. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,

1. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip,
2. Regner, Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith,
3. Sommer, Soper, Vadalabene, Weaver, Welsh, Wooten, Mr. President.
4. PRESIDENT:
5. Lyons, Aye. On that question, the Ayes are 44, the
6. Nays are 2. House-Bill 3154, having received the con-
7. stitutional majority, is declared passed. And having
8. received the affirmative vote of three-fifths of the members
9. elected, is effective immediately upon its becoming a law.
10. Fow what purpose does Senator Mitchler arise?
11. SENATOR MITCHLER:
12. Mr. President, I might rise on a point of personal privilege.
13. PRESIDENT:
14. One moment, Senator. Will the members be in their seats.
15. Senator Mitchler is recognized on a point of personal privilege.
16. Senator Mitchler.
17. SENATOR MITCHLER:
18. Mr. President and members of the Senate. Seated at the
19. front of the auditorium are three students. I would like to
20. ask them to rise for the purpose of introduction. The gentle-
21. man on our left is Mr. Scott McWilliams, a senior student
22. at East...at West Senior High School, in Aurora, Illinois. He's
23. the Vice President of the Distributive Education Association
24. of the school. The beautiful, young lady in the center, is
25. a senior student at West Senior High School, in Aurora, and
26. she is the State President of the Distributive Education
27. Association of Illinois. And the gentleman on our right is
28. Mr. Mike Hoffman, of Geneva High School, and he is the State
29. Public Relations Officer for the Distributive Education Association
30. of Illinois. They are down here on an official visit to the
31. Illinois General Assembly as part of the program of their State
32. organization. And I would like us to welcome them to the
33. Illinois State Senate.
34. PRESIDENT:

1. Will the membership give them the proper welcome.

2. The Chair will now read the...the Committee...the official

3. Committee to escort the Governor to the House Chambers at the

4. two-thirty meeting. And they are Senators Netsch, Demuzio,

5. Wooten, Harber Hall, and Nimrod. House...what's the number,

6. please? A Message from the House.

7. SECRETARY:

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

9. Mr. President - I'm directed to inform the Senate

10. that the House of Representatives has adopted the following

11. Joint Resolution in the adoption of which I am instructed

12. to ask the concurrence of the Senate, to-wit:

13. House Joint Resolution No. 77.

14. (Secretary reads House Joint Resolution No. 77)

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President and Ladies and Gentlemen of the

19. Senate. House Joint Resolution 77 calls for us to meet in

20. Joint Session at two-thirty this afternoon. I would move

21. for the suspension of the rules and the immediate consideration

22. and adoption of this Resolution.

23. PRESIDENT:

24. Heard the motion. All in favor say Aye. Opposed Nay.

25. The Ayes have it. The Resolution is adopted. And pursuant

26. to that Resolution, the Committee has been appointed. Senator

27. Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. The hour is almost one forty-

30. five. I would now move you, Mr. President, that the Senate

31. stand in recess until immediately after the Joint Session.

32. PRESIDENT:

33. You heard the motion. All in favor say Aye. Opposed Nay.

1. The motion carries and the Senate stands in recess until
2. immediately after the Joint Session.

3. (RECESS)

4. (AFTER RECESS)

5. PRESIDENT:

6. Senate will come to order. A Message from the House.

7. SECRETARY:

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

9. Mr. President - I'm directed to inform the Senate
10. that the House of Representatives has adopted the following
11. Joint Resolution, in the adoption of which I am instructed
12. to ask the concurrence of the Senate, to-wit:

13. House Joint Resolution No. 78.

14. (Secretary reads House Joint Resolution No. 78)

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Thank you, Mr. President, and Ladies and Gentlemen of the
19. Senate. House Joint Resolution 78 is the adjournment
20. resolution. It calls for us to be back here for the Budget
21. Message on March the 3rd. We have, also, Mr. President,
22. I might add, I think two adjournment resolutions, with respect
23. to the Special Sessions. We might handle all of these pretty
24. quickly. We can get in and out of the Special Sessions, I think,
25. in a hurry. But it does call for us to be back here on March
26. the 3rd, and I would move for the suspension of the rules and
27. the immediate adoption of House Joint Resolution 78.

28. PRESIDENT:

29. You heard the motion. All in favor say Aye. Opposed
30. Nay. The motion carries. We'll now recess our Regular Session
31. and go into Special Session Number One.

32. (RECESS)

33. (AFTER RECESS)

34. PRESIDENT:

1. The Regular Session will be called to order. Senate Bills
2. on...House Bills on third reading. House Bill 3164, Senator
3. Chew.
4. SECRETARY:
5. House Bill 3164.
6. (Secretary reads title of the bill)
7. 3rd reading of the bill.
8. PRESIDENT:
9. Senator Chew.
10. SENATOR CHEW:
11. Mr. President, after we adjourned in November, the
12. Committee on Transportation held a meeting and we voted
13. for the passage of these bills without any amendments in
14. Committee hearing. I have been informed that there are some
15. prepared amendments to be attached to this bill. Now, I'd
16. like to add here that we are now dealing with the time problem.
17. And I have been informed that the House of Representatives,
18. and the Committee on Transportation of the House, are not
19. amenable to amendments. The amendments - one amendment, as I
20. understand, deals, Mr. President, with having the monies to come
21. out of the General Revenue Fund instead of the Road Fund.
22. I would further add that according to the testimony we heard
23. in Committee that the monies that would be...that are liquid,
24. that would be coming out of the Road Fund, are monies that would
25. be reimbursable by the Federal Government up to ninety percent.
26. We stand an excellent chance of not spending any money at all
27. that is not reimbursable. And in the interest of time I would
28. like all of you to hear this. However, if there's a member who
29. would request this bill be brought back to second reading
30. for amendment, I will certainly give him that courtesy. And if there
31. is not, I would ask for a favorable roll call.
32. PRESIDENT:
33. Senator Mohr.
34. SENATOR MOHR:

1. Yes, Mr. President. I do have an amendment on the Secretary's
2. desk. This amendment...

3. PRESIDENT:

4. Just a moment. I think so that the record will be
5. clear, the amendment that you desire to offer, I think is on...

6. SENATOR MOHR:

7. I'm...I'm sorry. On 3165.

8. PRESIDENT:

9. 3165.

10. SENATOR MOHR:

11. I don't have my glasses on and that's a little faint.

12. I can see the HB.

13. PRESIDENT:

14. Yes. Fine. Okay. Take it out of the record. Any further
15. discussion on House Bill 3164? Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. I'm not questioning the ad-
18. visability of what the sponsor seeks to do here, but I am
19. concerned about what I perceive as a precedent setting action,
20. and my question has to do with the objectives of 3164 as
21. implemented by 3165, the appropriation, in providing road
22. fund monies for something other than highways, and are we not
23. establishing a precedent that is going to be difficult for
24. us to resist in the future when we get various, and sundry,
25. laudible requests for the diversion of motor fuel tax monies?

26. PRESIDENT:

27. Senator Chew.

28. SENATOR CHEW:

29. I wouldn't propose to go into the future of what the
30. Legislature will do or what each individual Senator may do in
31. the future. I don't think the question that was posed is
32. adequate. It cannot be adequately answered, and I would suggest,
33. Senator Berning, that you and I both be around here and deal
with the questions as they arise. The question you are asking

1. now cannot be intelligently answered, and I...I wouldn't attempt
2. to try.

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. Then let me rephrase it. Is this a diversion of motor
7. fuel tax money?

8. PRESIDENT:

9. Senator Chew.

10. SENATOR CHEW:

11. I didn't hear the question. My aide was...

12. PRESIDENT:

13. Would you repeat the question?

14. SENATOR BERNING:

15. Is this then providing for a diversion of motor fuel
16. tax monies?

17. PRESIDENT:

18. Senator Chew.

19. SENATOR CHEW:

20. Well, not a diversion. Road funds or motor fuel tax,
21. or tax on whatever you have that...that go into the Road Fund,
22. I suppose it comes under the heading of the Road Fund, or motor
23. fuel tax. Yes, it is to be taken out of the liquid money that's
24. in the Road Fund, and I might add that one of your party members,
25. Senator, has stated that there is not sufficient funds in the
26. General Revenue funds to do this. There's never been a precedent
27. set in taking monies from the General Revenue fund for this
28. specific item.

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Well, I am not trying to peg the issue, and I'm not sug-
33. gesting that it go back and be reconsidered as a General Revenue
34. matter. My point is simply this, and you have said yes, this

1. is a diversion of motor fuel tax monies, then. The justification,
2. if I interpret your statements correctly, is that the
3. Federal Government is going to replace most of this.
4. Is that what you're telling us?

5. SENATOR CHEW:

6. Yes, Senator, the Federal Government is going to replace
7. this. It is replacable by the Federal Government. I might add
8. that the Department of Transportation has now a guarentee in
9. the form of a credit letter from the Federal Government. In
10. other words, we know that this money will be repaid, because
11. the letter of credit is now in the hands of the Department of
12. Transportation for the State of Illinois. Is is not a risk that
13. we're taking. It's...it's like...Senator, it's like taking
14. a dollar out of your savings account, and putting it over into
15. another savings account. It is still yours, but it's a
16. limitation on it, maybe you buy a savings certificate, that if
17. you buy for four years, that if you were to take any principal
18. out of the savings certificate, you would be penalized for the
19. amount that's taken. Or, your savings certificate for the amount
20. withdrawn, would go back to the passbook rate. But, all the
21. money would still be yours, and in fact, you would not lose
22. anything. So I think that would be a good parable to...compare
23. here.

24. PRESIDENT:

25. Senator Schaffer.

26. SENATOR SCHAFFER:

27. Well, this...this isn't really a question to the sponsor,
28. and I intend to support the bill, but I can't help but note
29. in the discussion for final passage, that this...these tracks
30. involved are from the, I believe, a lot of them, from the Penn
31. Central. I also happen to note, that we appropriated sizable
32. amount of money to subsidize the Amtrak service in the State of
33. Illinois. And despite the fact that I was not exactly an advocate

1. of RTA, I do happen to believe in mass transit, and I do,
2. from time to time, ride the Amtrak between Springfield and
3. Chicago, with its rather abominable time record and service.
4. And in searching out to the reasons why Amtrak can't run its
5. trains on time, I come to the inescapable conclusion that a
6. major factor on at least this one run, and I'm lead to believe
7. on several others, is the total lack of cooperation from Penn
8. Central. So on one hand, they're here, with their hand out-
9. stretched for our money, and on the other hand, their lack of
10. cooperation with the Amtrak system forces us to subsidize the
11. railroads. And while I realize there are other ramifications,
12. and I'm going to support the bill primarily because of the
13. other ramifications, I don't think we should hand them this
14. check without at least pointing out to them, I hope they have
15. at least a representative in ear shot, there's a few of us
16. that are really fed up with them giving empty freight trains
17. right-of-way over traffic...passenger traffic, and I think
18. we have a right, when we're paying the bill, to ask them to
19. run their railroad at least half as good as the Government can.

20. PRESIDENT:

21. Senator Bruce.

22. SENATOR BRUCE:

23. Thank you, Mr. President, and members of the Senate. For
24. Senator Berning, I think that your worries should be allayed
25. by the fact that under the Railroad Revitalization Act, passed
26. December 19th, 1975, they will reimburse the State of Illinois,
27. one hundred percent for any subsidy that we have on any rail-
28. road operating in the State of Illinois. So whatever fund
29. this would come out of, we will receive one hundred percent re-
30. imbursement from the Federal Government. Secondly, I think that
31. you should realize that we have already started using the Road
32. Fund to help railroads when we appropriated money last year for
33. Amtrak. So there's a very good, good precedent for doing what

1. we are now doing today. Thirdly, on the study done by the
2. Illinois Department of Transportation, every section of rail
3. in the State of Illinois that will receive a subsidy, that
4. study showed that it would cost more out of the Road Fund
5. to maintain the highways who lost that rail trackage, than
6. it would to subsidize that rail trackage. For example, in one
7. particular incident, one incident, in Hutsonville, Illinois
8. would require ten thousand and fifty-two trucks per year to
9. haul the coal to one power plant. So the study showed that
10. we will save money. We are actually protecting the Road Fund
11. by subsidizing these railroads, particularly when you realize
12. that one hundred percent of the money will come back to the
13. State of Illinois under the Federal Act.

14. PRESIDENT: *

15. Any further discussion? Senator Bell.

16. SENATOR BELL:

17. Well, thank you, Mr. President. I think my question
18. might be of Senator Chew. Senator Chew, it's my understanding
19. and...and I'm sorry I was unable to be at the hearing in ref-
20. erence to this bill that was conducted by the Senate Transportation
21. Committee, but considering the liability question, now, it would
22. seem that it's possible that if we're going to get a hundred
23. percent funding from the Federal Government, that the liability
24. question, in other words, I'm referring to the legislation
25. stating that whoever takes over responsibility of that seg-
26. ment that's being abandoned, also assumes the liability aspect,
27. and we talked about this basically before. Now, if, in fact,
28. we're getting a hundred percent subsidy from the Feds, do you
29. know, Senator Chew, does that mean that if, in fact, there is
30. a twenty-million dollar loss because of a derailment in that
31. area, and a lawsuit engendered against the State of Illinois,
32. that we can then look to the Federal Government for funds to
33. pay on that lawsuit?

1. PRESIDENT:
2. Senator Chew.
3. SENATOR CHEW:
4. Senator, in the meeting that the Transportation Committee
5. held, the question of responsibility or liability in the sense
6. in which you asked the question, was not discussed. It's a
7. question that I have no information on whatsoever. I know you
8. talked to me briefly today on it, and I couldn't give you an
9. intelligent answer, I can't give you one now because it was
10. something that was not discussed at all.
11. PRESIDENT:
12. Senator Bell.
13. SENATOR BELL:
14. Well, Mr. President, and fellow Senators, you know, there's
15. absolutely no question of the need for the maintenance of these
16. rail lines for the economy of that segment of the State and
17. the overall economy for the State of Illinois. On the other
18. hand, there is a very serious question here, concerning the
19. wording of that Railroad Revitalization Act that says that in
20. fact, whoever assumes the responsibilities for taking over those
21. rail lines, also at the same time incurs the liability. Now,
22. all we have to do is look back to...to the Decatur derailment...
23. yes...
24. PRESIDENT:
25. Senator Chew.
26. SENATOR CHEW:
27. This possibly will stop you from wondering what you're
28. talking about. I just got the word from DOT that the Federal
29. Government has full coverage up to thirty-five million dollars.
30. PRESIDENT:
31. Senator Soper. Senator Bell, you had not completed.
32. I'm sorry.
33. SENATOR BELL:

1. Well, as I understand it, that...that is only been pro-
2. mulgated before the Federal Congress, and has yet to be passed.

3. PRESIDENT:

4. Senator Chew.

5. SENATOR CHEW:

6. Senator, the Congress, as of the meeting on the seventh,
7. and I don't think that I'm incorrect, but if I am, I suppose
8. someone can correct me, has not taken action on that. However,
9. the letter of credit does, in fact, so state. So I suppose
10. that's the best guarantee you could get. We did have a repre-
11. sentative from the Department of Transportation, Federal Govern-
12. ment, and I am assured, and I think all members at that committee
13. hearing were assured about the validity of the letter of credit
14. and the sincerity in which the meetings...the meeting was held
15. and the satisfaction of the committee members. Now, we do have
16. a conversation of amendments, but it does not relate to 3164.

17. PRESIDENT:

18. Senator Bruce.

19. SENATOR BRUCE:

20. Well, again, I think it's a question of straightening out
21. the facts in this very delicate piece of legislation. As
22. Senator Bell...the problem is, Senator Bell, is because we give
23. a subsidy to anybody, I don't believe that we necessarily incur
24. any liability in case of an accident. For example, an accident
25. occurred on the RTA this week. No one in the State of Illinois
26. has said that the State of Illinois will stand liable for any
27. of those injuries because we give a...in fact, a ninety-two
28. million dollar subsidy every year to the RTA. That's just money
29. that the State gives to the RTA for operation. In the event
30. there ever would be liability, Senator Bell, under the Federal
31. Legislation, the Con-Rail will handle for each state a thirty-
32. five million dollar loss policy. We would have to have a loss
33. in excess of thirty-five million dollars per incident before

1. the State would have any liability, and I would say we do not
2. have any anyway, but they will maintain and pay one hundred
3. percent of the premium cost for thirty-five million dollar
4. policy. To give you some idea how big that is, when the
5. Illinois Central Gulf accident occurred two years ago, where
6. forty-seven people were killed, the claims arising out of
7. that accident are only twenty-one million dollars. So we're
8. talking about a huge loss before we'd get over thirty-five
9. million dollars. So I think even if there is liability, and
10. I deny that there would be, we would be protected for the
11. first thirty-five million dollars of any loss.

12. PRESIDENT:

13. Senator Soper.

14. SENATOR SOPER:

15. Mr...thank you, Mr. President. I think we know what this
16. is all about, and it's been thoroughly discussed. I move the
17. previous question.

18. PRESIDENT:

19. Would you hold that just one minute. Senator Graham
20. wants to be heard.

21. SENATOR SOPER:

22. Okay, I'll hold it.

23. PRESIDENT:

24. He'll hold it.

25. SENATOR GRAHAM:

26. I think that I might speak for some members of the Senate,
27. Mr. President and members. Seem to be on the sort of a horns
28. of a dilemma as we call 3164, which is a bill that implements this
29. Act. Before, we have been able to make a determination from
30. whence comes the money. We haven't determined now, whether it's
31. coming out of the Motor Fuel Tax Fund or the General Fund, but
32. you're going to ask us to vote for DOT's authorization. Before
33. I would vote for the authorization for this program, I'd like
34. to know where the money is coming from. That's how I feel about it.

1. PRESIDENT:

2. Any further discussion? The question is shall House
3. Bill 3164 pass. Those in favor vote Aye. Those opposed will
4. vote Nay. The Secretary will call the roll.

5. SECRETARY:

6. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll,
7. Chew, Clarke, Course, Daley, Davidson, Demuzio, Donnewald,
8. Dougherty, Egan, Fawell, Glass, Graham, Harber Hall, Kenneth
9. Hall, Harris, Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski,
10. Lane, Latherow, Lemke, McCarthy, Merritt, Mitchler, Howard
11. Mohr, Don Moore, Morris, Netsch, Newhouse, Nimrod, Nudelman,
12. Ozinga, Palmer, Philip, Regner, Rock, Roe, Romano, Savickas,
13. Schaffer, Shapiro, Smith, Sommer, Soper, Vadalabene, Weaver,
14. Welsh, Wooten, Mr. President.

15. PRESIDENT:

16. Carroll, Aye. Ozinga, Aye. Nimrod, Aye. Brady, Aye.
17. On that question, the Ayes are 45, the Nays are 1. House
18. Bill 1364, having received a constitutional majority is de-
19. clared passed. 30...I'm sorry, 3164, having received a con-
20. stitutional majority, is declared passed. And the bill having
21. received the affirmative vote of three-fifths of the members
22. elected, is effective immediately upon its becoming a law.
23. House Bill 3165, Senator Chew. Senator Chew.

24. SENATOR CHEW:

25. Mr. President and members of the Senate. This is the
26. appropriation bill to 3164. It has been discussed. I dis-
27. cussed both bills simultaneously. And I would ask for a favor-
28. able roll call.

29. PRESIDENT:

30. Any further discussion?

31. SECRETARY:

32. You're not going to put the amendment on it?

33. SENATOR CHEW:

1. That's not my amendment. I have...

2. PRESIDENT:

3. Senator Howard Mohr.

4. SENATOR CHEW:

5. I have to get the request to call...

6. PRESIDENT:

7. Just a minute. Senator Howard Mohr is recognized.

8. SENATOR MOHR:

9. Yes, Mr. President. This is the amendment that I would

10. like discussed. The sponsor did agree at the hearing that

11. we could bring it back to second and try and put the amend-

12. ment on and he suggested we do it on the Floor rather than

13. adopt it at the Committee hearing. So I do have the amend-

14. ment. It would have to be brought back to second for that

15. discussion if he would agree.

16. PRESIDENT:

17. What is your pleasure, Senator Chew?

18. SENATOR CHEW:

19. Mr. President, that was a commitment made and the commit-

20. ment will be lived up to. I would request that House Bill 3165

21. be brought back to second reading for the purpose of an amend-

22. ment.

23. PRESIDENT:

24. Is leave granted? Leave is granted. House Bill 3165 is

25. on the order of second reading. Amendment number one offered

26. by Senator Howard Mohr. Read the amendment.

27. SECRETARY:

28. Amendment No. 1.

29. (Secretary reads Amendment No. 1)

30. PRESIDENT:

31. Senator Howard Mohr.

32. SENATOR HOWARD MOHR:

33. Mr. President, members of the Senate. This amendment

1. would make a change in the bill and in that, instead of
2. taking the money from the Road Fund, it would come from the
3. General Revenue Fund. Those of us that have had occasion,
4. and I think this means every member of this Body, to call the
5. Department of Transportation and ask for various projects or
6. improvements in our districts, are always told that they don't
7. have the funds. We just don't...many of us don't think that
8. the Road Fund should be depleted or should be used for the
9. purposes of the railroad. I think that this Body has been
10. very considerate of the railroads in the last few years and
11. I'm sure that we will in the future, but I think that we have
12. to consider the other elements. The people that drive on our
13. roads and...and all of us recognize the need for retaining
14. as much money in that fund as we can. It's a diversion of the
15. fund. And I know they talk about guarantees, but if there's
16. a guarantee, I'd rather see it come out of the General Revenue
17. Fund than the Road Fund. So I do offer this amendment and
18. move the adoption.

19. PRESIDENT:

20. Senator Latherow...Senator Latherow.

21. SENATOR LATHEROW:

22. Thank you, Mr. President. I just want to rise to be sure
23. we all know exactly what we're doing here. When we talk about
24. taking funds from the Highway Transportation Fund, the Road
25. Fund, to put into the railroad fund, in a proposition that I
26. probably will support in the long-run that we don't know
27. exactly how many dollars we in the State of Illinois are obligating.
28. We're obligating ourselves in...in this program to about a
29. seventy...thirty percent on...covering of this thirty-five
30. million dollars insurance on the premium for that money. We're
31. also tentatively obligating ourselves on any place from no
32. portion to this support to one hundred percent of the portion
33. of the support. Depending wholly on the action of this
34. Congress, which has not so far passed legislation that we can

1. strictly depend on, a formula that we're going to be active
2. on. I think there does need to be some support of this pro-
3. gram. But I certainly can't see this program coming out of
4. the highway funds. I will support the amendment, but I just
5. want you to be sure to recognize that we in the State of
6. Illinois may be entering into a one hundred percent subsidy
7. for this freight program that we're talking about here in this
8. piece of legislation.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Thank you, Mr. President, and ladies and gentlemen of the
13. Senate. I rise in opposition to amendment number one. I
14. think the purpose of the Road Fund is adequately served when the
15. fund is utilized for transportation purposes. The program is a
16. good one. It certainly deserves our support. And I think the
17. utilization of funds that are, in fact, available in the Road
18. Fund, is an appropriate one and I would urge opposition to amendment
19. number one.

20. PRESIDENT:

21. Senator Chew.

22. SENATOR CHEW:

23. Mr. President, this has been discussed. Now, we got two
24. alternatives. Either we want these bills, or we don't want
25. them. I'm going to tell you something. If it is designed to come
26. out of the General Revenue Fund, you don't have a bill. It's just
27. that simple. Now, we can play around with this as long as we want
28. to. Or we can attempt to make hay out of it. Or whatever we want.
29. But I'll assure you that the money is going to be replaced. We all
30. know that. I...I've discussed the letter of credit that the
31. Department of Transportation has. It was discussed in our last
32. meeting. If we want to muddy the water, okay muddy the water. I
33. don't have a railroad that runs through my district, abandoned one

1. or otherwise. I want you to understand that, so I'm not up
2. here getting a bill for Charlie Chew of the 20th district.
3. I'm here attempting to help the persons that need this help.
4. But now we can easily screw up the whole thing by offering
5. these amendments, or attempting to guard the Road Fund. I
6. recall...just a minute, Senator Mitchler, just don't get so
7. happy there. I recall when we loaned six million dollars out
8. of the General Revenue...out of the General Road Fund for a
9. cause in Cook County when the former Governor Ogilvie was
10. the President of the County Board. I supported that. So it's
11. nothing new, when we talk about taking money out of the Road
12. Fund. We've done it time and time again. Those of you that's
13. been around here long enough know very well that it has happened.
14. So now what are we doing? Are we attempting to waste time?
15. I've got a lot of time. I'm going to be down here tonight.
16. I can be in Session tonight. But men of intellect, men of
17. progressive ideas, know very well that if we go into the Gen-
18. eral Revenue Fund, you have no bill. Or I will write you some
19. campaign letters and send them back home for you, and tell
20. them that you tried, if that's what you need. But the fact is
21. that we're going to fumble around here with several late amend-
22. ments and we're not going to get any of them attached. So
23. you're fighting a losing battle, gentlemen. Now, I...I would
24. urge a defeat of not only this amendment, if there are future
25. amendments. Because, number one, you're not going to get it
26. in the House. You're not going to get the Governor's signature.
27. Now, let's stop fooling ourselves. Now, we're down here in the
28. Summer playing games for six months. We're dealing with the
29. time element here. I don't think we should play games. You were
30. good enough to give me a hearing on these bills as I requested.
31. And I fulfilled my responsibility. We held a hearing till every
32. individual there was perfectly satisfied. That was the question
33. asked, Mr. President, prior to adjournment. Were there any
34. other questions, or any other statements? So, we held a meeting.

1. And we're back here now on the date I promised you these bills
2. would hit this Floor. I resist any amendment, Mr. President.
3. And I would ask this Senate to defeat amendment number one by
4. Howard Mohr.

7. (End of reel)

1. PRESIDENT:

2. Senator Wooten.

3. SENATOR WOOTEN:

4. Mr. President, just want to emphasize a point, I believe,
5. Senator Chew just made, that if we do attach amendments then this
6. bill has to go back to the House, and we're going to be involved
7. in a time problem, so I would join him in urging the defeat
8. of any amendments to this bill.

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, Mr. President, after the statement of the Senator
13. just preceding me, that the reason that he would want to take
14. any amendments, whether they have any sense or not, just because
15. of the time element, I think that would be acting probably about
16. as unwise as any member of any General Assembly would ever act.
17. I think we're here to construct a bill, and I...we'd have to be
18. here to next Christmas. I think that we owe it to the people
19. of the State to act intelligently and not just to try ramrod
20. something through. The more I hear of the proponents talk
21. about this bill, the more I'm enthused to be in complete op-
22. position to it. I cast an affirmative vote on 3164, House Bill 3164,
23. because I recognized the need for the State to cooperate and do
24. what it can to provide assistance to maintain the level of freight
25. service in our State, and this not only serves those who have
26. railroads run through their area. It's in order to carry the
27. good up to, for example, coal, up to the northeastern section
28. of the State of Illinois, so that it can provide the power that
29. Senator Chew and his constituents can use as energy in his district.
30. You don't have to have the railroad running through your town
31. to recognize the importance, but getting back to this amendment,
32. when I first came down to the General Assembly in 1965 if you so
33. much as even thought about a half a cent, or a quarter of
34. a cent, or a one cent increase in gas tax or, well, you
35. never thought of diverting any money from the

1. Road Fund, because that was a very important fund derived from
2. a very important source. But, when you get into raiding these
3. special funds, as you are doing now, the Road Fund, which I
4. consider a very jealously guarded fund, and pointing back to
5. the Ogilvie administration, there was a time when we did allow
6. a loan of sixty million dollars, up to sixty million dollars
7. to be paid back, and that's because the State of Illinois was
8. in probably the same financial condition that it is in today.
9. They over spent, and they were broke. That never had to be
10. used, that particular loan, that sixty million dollars from
11. the Road Fund. This is appropriating one point six hundred
12. million dollars...one point six million dollars from the Road
13. Fund. Now, if this is going to be paid back by the Federal
14. Government one hundred percent as Senator Rock pointed out,
15. let's stay away from the Road Fund and let's do this as the
16. State of Illinois and as the Governor pointed out to me in a
17. letter that I read today, the importance of the State cooper-
18. ating in this program, and let's take it out of our General
19. Revenue Fund, and we're going to get it back from the Federal
20. Government, and if they say so, they're an honest government
21. and they'll give us back a hundred percent as Senator Rock
22. pointed out. Now, I'm not worried about this bill going back
23. to the...to the House. It was discussed all during the summer
24. months and the interim, and I know there's an expedience and
25. a requirement to hurry this through, but I'm not going to cast
26. a vote to take one point six million dollars out of the Road
27. Fund when you've got highways and all that, all throughout the
28. State of Illinois, just crying and begging for repair and new
29. construction. Take it out of the General Revenue Fund if that's
30. where we have to subsidize. Now, we're only able to do this
31. because of the wisdom of those great Constitutional Convention
32. delegates. And they'll all throw their chests way out when
33. they put that amendment in there and that article in there, and

1. they didn't tell the people when they went back home to preach
2. about it, the...the new Constitution authorized the General
3. Assembly to take taxpayers dollars and give to private corporations,
4. if they were providing mass transportation and railroad
5. subsidies, and boy, don't think they didn't get lobbied for
6. that, but it is in the Constitution and what we would do under
7. this bill would be legal. We could use taxpayer's money for any
8. form. I didn't like that part of it...the Constitution and that
9. was one of the many, many reasons I opposed it, but I would
10. support this coming out of the General Revenue instead of the Road
11. Fund. Thank you..

12. PRESIDENT:

13. Senator Merritt.

14. SENATOR MERRITT:

15. Yes, Mr. President and members of the Senate. As most of
16. you know, I come from a pretty much agricultural area in my dis-
17. trict. Many grain elevators would be affected by this legislation.
18. I think it's imperative if we're going to maintain our position
19. as the number one state in the nation in the export of our agricultural
20. products, the trucks and the highways can't do it alone. We have
21. to turn to this type of legislation. My only objection is the manner
22. in which it's...it's being financed out of the Road Fund. I would
23. just submit to you, and very briefly, I'm not an orator like Senator
24. Mitchler, and I'm not going to take ten or fifteen minutes of your
25. time, I would just submit to you briefly that the monies at the Federal
26. level to finance this situation come out not of Federal Highway Trust
27. Funds. They do not come out of that, but they come out of General
28. Revenue at the Federal level, just as we should show the same re-
29. sponsibility at the state level and finance it out of General
30. Revenue. I submit to you, gentlemen, that this bill has far better
31. chance of passage coming out of General Revenue with this amendment
32. of Senator Mohr's than it does in its original state, and I would
33. urge the adoption of the amendment. Thank you.

34. PRESIDENT:

1. Senator Bruce, then Senator Soper.

2. SENATOR BRUCE:

3. Thank you, Mr. President and members of the Senate. I
4. think that for one time both Senators Mitchler and Wooten,
5. although speaking on opposite sides of the same issue, are in
6. substantial agreement, and that is what Senator Wooten is say-
7. ing as...as of today, we have really no alternative, no matter
8. what...which fund we would like to take it out of. On Decem-
9. ber the 9th, this Act became operative. The State of Illinois
10. has filed with the Federal Government, quite illegally, I be-
11. lieve, their system's plan, because we did act before December
12. 9th, and the...on also on that date, December 9th, the Penn
13. Central Railroad gave official notice to the Federal Govern-
14. ment and to the State of Illinois that...as of February 27th,
15. 1976, they will, in fact, abandon all rail service in Illinois.
16. Now, that's where we are, and so Senator Wooten has a very good
17. point that to try to change after we've had this legislation
18. for more than six months, really doesn't make a lot of good
19. sense. Senator Mitchler, though, has a point that we should
20. always consider the Road Fund, be sympathetic to the demands,
21. place upon the roads and also the fact that it is an earmarked
22. fund, and we should always try to put as much money into that
23. fund as we can possibly afford. I would point out that this is
24. a transportation matter, but that aside, remembering Senator
25. Wooten's argument, we are going to be back here in April. If
26. there is still a burning desire in April, May, or June of this
27. year that this money come out of General Revenue, each of you
28. have the opportunity to introduce an appropriation bill on March
29. the 3rd or when we come back in April to say that this money
30. will, in fact, come out of the General Revenue Fund and reim-
31. burse the Road Fund for the money spent under 3165. This is
32. not your last day. It is your only your first attempt. So, I
33. would point out to you that the day is not dead, but I think

1. Senator Wooten has a very good point that we should move on
2. today. Those of you who are worried about General Revenue,
3. and think that we maybe ought to worry about protecting it,
4. ought to look at Comptroller Lindberg's statement of...of to-
5. day which he points that the General Fund, from June 1974,
6. where we had five hundred and twenty-five million dollars,
7. we closed out December of 1975 with twelve million dollars.
8. So, I would point out to you that there's a great difference
9. in the liquidity of the two funds, the General Revenue Fund
10. and the Road Fund, and we can handle the problem at some later
11. date. Thank you.

12. PRESIDENT:

13. Senator Soper.

14. SENATOR SOPER:

15. Thank you, Mr. President. Now, before we go into a dance
16. here, I would say this. It puts me in a dilemma. I don't like
17. to oppose Senator Mohr at any time, and sometimes Charlie Chew
18. makes some sense to me and sometimes he doesn't, but it seems
19. to me that if we're going to look at this proposition if we've
20. got a...if we've got a date of February 27th, and you know
21. and I know, I think every Senator here knows, that we don't
22. have a hundred and sixty million or a hundred and six million
23. dollars in the General Revenue Fund at this time...

24. PRESIDENT:

25. One million, you call.

26. SENATOR SOPER:

27. One million point six hundred thousand. Well, they tell
28. us we don't have two dollars and ninety-five cents in any given
29. day, so somebody was pointing out...talking about a hundred
30. and sixty million or one point billion or something at one
31. time, and I thought they were talking about a hundred and sixty
32. million, but if it's only a million some dollars, I think that...
33. I can go along with the Transportation Fund, and if we come back,

1. now, puts me in a peculiar position when I have to agree with
2. Bruce, Senator Bruce, pardon me, that we can reappropriate
3. and put it back in the Transportation Fund, but right now, we
4. need someplace to get this money, and if it's a hundred and
5. sixty million or one million six...sixty thousand or whatever
6. it is, we just don't have it in the General Fund, so, let's
7. appropriate this money on Transportation. When we come
8. back, we'll put in a bill and reimburse the Transportation
9. Fund if the Federal government hasn't already done so.
10. Thank you.

11. PRESIDENT:

12. Any further discussion? Senator Mhor.

13. SENATOR MOHR:

14. Yes, Mr. President, I wonder if I might ask a question of
15. Senator Bruce?

16. PRESIDENT:

17. He indicates he'll yield.

18. SENATOR MOHR:

19. Senator Bruce, would you support in April a change from...
20. the Road Fund to General Revenue?

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Well, as I testified at before your committee in Chicago,
25. I am one of those who want to always protect the Road Fund.
26. If there's sufficient money in General Revenue Fund in April
27. to adequately have this program continue I would certainly
28. support that and leave the Road Fund for construction of
29. highways.

30. PRESIDENT:

31. Senator Mohr...Howard Mohr.

32. SENATOR MOHR:

33. Yes, Mr. President. If...you know to hear these gentlemen
34. from downstate do a reverse, all of a sudden, they're willing

1. to take money from a Road Fund, and all I've heard in my,
2. almost ten years down here is that downstate suffering from
3. lack of road programs and projects, and so forth, and they
4. get the same answers that we are getting, and the same answers
5. that you fellows from the City of Chicago are getting.
6. There isn't enough money to do the projects that we are
7. requesting. I think that we've been very considerate of the
8. railroads, and they should recognize that fact. I think that
9. to...to raid, or there is another word for that, this fund would
10. be a serious mistake. To say that it's late, I think it
11. totally irresponsible. You know that we had quite a debate on
12. on this thing last, oh, about six weeks ago when we were down
13. here. Having this bill crammed down our throats at the last
14. minute without an opportunity to have a hearing on it, it was
15. moved to without reference to committee, it advanced to second
16. to third without any discussion, and then at that time it was
17. felt that enough of us opposed it to have a hearing in Chicago.
18. It wasn't a...a full hearing. I think that a hearing of this
19. type should take a couple of meetings of the Transportation
20. Committee and give everybody an...ample opportunity to testify.
21. I just think it's...it's a very serious decision that we all
22. have to make. We're all considerate and concerned about what
23. it's doing to some of the...some of the Senator's districts.
24. I'm concerned. I could vote for the bill. I'd have to swallow
25. hard to do it, but if it doesn't come out of General Revenue,
26. I can't swallow that hard, Mr. President. I think that there's
27. probably some other members that feel the same way. With
28. the amendment, we could support it. Without the amendment,
29. I think we would not support it.

30. PRESIDENT:

31. The question is, shall Amendment No. 1 to House Bill 3165
32. be adopted. All in favor of the adoption of the amendment will
33. say Aye. Opposed Nay. The amendment fails. A belated roll

1. call is requested. All right, a roll call is requested.
2. The question is, shall Amendment No. 1 to House Bill 3165 be
3. adopted. Those in favor of the adoption of the amendment will
4. vote Aye. Opposed will vote Nay. The Secretary will call the
5. roll.

6. SECRETARY:

7. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
8. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
9. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
10. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
11. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
12. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
13. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
14. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

15. PRESIDENT:

16. On that question, the Ayes are 15, the Nays are 33. The
17. amendment failed. Any further amendments? 3rd reading. Read
18. the bill.

19. SECRETARY:

20. House Bill 3165.

21. (Secretary reads the bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Any discussion on the bill? Roll call is requested. On the...
25. the question is, shall House Bill 3165 pass. Those in favor vote
26. Aye. Opposed Nay. For what purpose does Senator Berning rise?

27. SENATOR BERNING:

28. I'd merely like to address one question to the sponsor. What
29. are we being faced with in future commitments, if any? Obviously,
30. we are not going to ... salvage the railroad freight lines with one
31. million six hundred thousand dollars. What faces us the following year?

32. PRESIDENT:

33. Senator Chew.

1. SENATOR CHEW:

2. The same answer to the same previous question applies to the
3. last question, which there is no answer. It's a predictable thing.
4. It's a supposition. The answer is you don't know, nor do I.
5. Roll call.

6. PRESIDENT:

7. Any further discussion? Question is, shall House Bill 316
8. ... Senator Harris.

9. SENATOR HARRIS:

10. Well, I just want to say, I think the precedent that's
11. involved here is just terribly, terribly serious...

12. PRESIDENT:

13. The question is, shall House Bill 3165 pass. Those in favor
14. will vote Aye. Opposed will vote Nay. The Secretary will call
15. the roll.

16. SECRETARY:

17. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
18. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
19. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
20. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
21. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
22. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
23. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
24. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDENT:

26. Senator Johns.

27. SENATOR JOHNS:

28. Mr. President ...

29. PRESIDENT:

30. On that question, the Ayes are 39, the Nays are 8. House Bill
31. 3165 having received a constitutional majority is declared passed
32. and is effective immediately upon its becoming a law. Senator
33. Donnewald.

1. SENATOR DONNEWALD:

2. Mr. President, I'd like to have the record show that Senator
3. Buzbee is missing because of illness.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Thank you, Mr. President. I would ask the ... or make the
8. same request with respect to Senator Romano.

9. PRESIDENT:

10. It's been done earlier. Senator Johns.

11. SENATOR JOHNS:

12. ... Mr. President, having voted on the prevailing side, I
13. move to reconsider the vote by which House Bill 3165 passed.

14. PRESIDENT:

15. ... Move that motion lay on the Table. All in favor say
16. Aye. Opposed Nay. The Ayes have it. The motion is carried.
17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Matter of personal privilege, I found it necessary to be
20. off the Floor on the vote on 3164. If I had been here, I'd voted
21. in the affirmative.

22. PRESIDENT:

23. Let the record so show. Messages from the House.

24. SECRETARY:

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

26. Mr. President - I'm directed to inform the Senate that
27. the House of Representatives has concurred with the Senate in the
28. passage of a bill with the following title, to-wit: Senate Bill
29. 1508, together with the following amendment, which amendment has
30. been printed by the House, and the adoption of which I'm instructed
31. to ask in concurrence of the Senate, to-wit. Senator Bruce is
32. the Senate sponsor.

33. PRESIDENT:

1. Senator Bruce is recognized. Put the bill number up, please.
2. House Bill...Senate Bill 1508.

3. SENATOR BRUCE:

4. Yes, Mr. President, this is the second half of the fiscal
5. year appropriation for the State Racing Board. Under the legis-
6. lation as introduced, it was only for six months. The legislation
7. went in for the second six months, and got tied up in the Fall
8. Session. This would be for the full six months, January 1 to June
9. 30th. If I might just review, I have copies of the amendment
10. adopted in the House today. If there is any question, I would
11. gladly hand you one of those. I would just say the bill does five
12. things...the amendment. It...it amends the existing appropriation...

13. PRESIDENT:

14. Just a moment, Senator. Will the members please be in their
15. seats, please.

16. SENATOR BRUCE:

17. ...Yes...

18. PRESIDENT:

19. ...Go ahead.

20. SENATOR BRUCE:

21. ...Thank you, Mr. President. It amends the present ap-
22. propriation. It adds to make the present appropriation for the
23. year for operations, two million sixty-two thousand dollars, which
24. is a seventeen percent increase over '75 actual expenditures and
25. a five percent reduction from their...their budget as introduced.
26. It will allow a minimum of five hundred and thirty-six racing pro-
27. grams for the remainder of this fiscal year. The Board is left
28. with the option of increasing the employee per diem or adding and
29. authorizing additional racing programs. It authorized the hiring
30. of one Chemist III and one Lab Technician from February through
31. June and these two positions are presently vacant and a second...
32. the legislation requiring Personnel Code usage for some of the part-
33. time employees was deleted. I believe that is the essence of the

1. Senator Bruce in support of the bill during the
1. amendment and I would move that we concur with House Amendment No.
2. 1 to Senate Bill 1508.

3. PRESIDENT:

4. Senator Harris.

5. SENATOR HARRIS:

6. Thank you, Mr. President. I just want the membership to be
7. on notice that this is a tremendously important piece of legis-
8. lation. The amendment has come as a product of a joint meeting
9. of a representative of the Board with the leaders of the four
10. appropriations staff, the majority-minority staff of the House,
11. the majority-minority leader...staff, director of the Senate of
12. the four appropriations representation. It's a sound conclusion
13. to funding this important State agency for the remainder of fiscal
14. '76. Now, let's be realistic and recognize the very important
15. revenue producing capacity of this State agency. Sixty-five
16. million dollars was raised by the activity licensed under the
17. provisions of the Racing Act last year. The handle so far this
18. year is up. The agency is actually going to be out of money in
19. the next two or three days. It is absolutely imperative that
20. the Senate concur in this amendment and then this bill will, in
21. fact, be in the position to become law later today, if we can get
22. it down on the Governor's desk. I would urge and persuade and
23. cajole that we enact this bill...concur in this amendment.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. Yes, Mr. President and members of the Senate, I made the motion
28. that we concur with House Amendment No. 1. Number 1 was Tabled.
29. This is House Amendment No. 2, and my motion would be...

30. PRESIDENT:

31. It would be so stated. It is on Amendment No. 2.

32. SENATOR BRUCE:

33. Thank you, Mr. President.

1. PRESIDENT:

2. Any further discussion? Senator Knuppel.

3. SENATOR KNUPPEL:

4. I just want to announce my conflict. I have a couple of horses
5. down at Cahokia, and I don't just implore, I beg you to vote for it.

6. PRESIDENT:

7. Senator Nudelman.

8. SENATOR NUDELMAN:

9. Thank you, Mr. President. I'm going to speak for one person, and
10. that person is me as a...as a legislator. I'm going to vote No or not
11. vote on this bill, and the reason for that is I for one as...with the
12. Governor of this State, refuse to be dictated to by any Legislative
13. Body or administrator, and I refuse to vote on the basis that the
14. Director of this department has put this vote. He has stated publicly
15. that he will not...that he will not issue dates unless he gets this
16. bill passed, and there is absolutely no legal right that he had
17. not to issue the dates, and I don't know anybody in the racing business,
18. other than John Knuppel, no legal right not to issue the racing dates
19. just because this bill had not been passed, and I, for one, refuse to
20. be dictated to on that basis, and therefore, I refuse to vote Aye on
21. this bill. Had he ... had he issued the dates which he was supposed
22. to have issued recently, I would have had no problem, no moral problem,
23. or philosophical problem with this bill, but under the present situation,
24. I refuse to vote Aye. Thank you.

25. PRESIDENT:

26. The Chair would judge your right to your own opinion. Senator
27. Hynes.

28. SENATOR HYNES:

29. Mr. President, I would simply like to second Senator Nudelman's
30. comments.

31. PRESIDENT:

32. Senator Bruce may close the debate.

33. SENATOR BRUCE:

1. Well, just in response, I would point out that under our legislation
2. which we enacted, not Tony Scarino or the State Racing Board, we require
3. racing stewards and an examiner to be at every race ran in the State of
4. Illinois, and if they're not there, we cannot have a legal racetrack...
5. have a legal race, and I'm sure no one in this Body wants to be advocating
6. having races where inspections are not made of horses who win, that
7. racing stewards are not there to handle and make sure the track is in
8. the proper condition, and its agents are not there to insure that bets
9. are placed in the proper fashion and the State of Illinois gets their
10. handle. I, for one, would hope that if we don't pass this appropriation,
11. the fact that racetracks would stop until such time as the General
12. Assembly wants to act. We require them to have a steward. We require
13. them to have a veterinarian. If we don't have the money for them, I
14. don't know where Tony Scarino...I certainly wouldn't want him to pay
15. him out of his own pocket, and I certainly am not going to pay for
16. them, so, if we don't want racing, then we don't support this legislation.

17. PRESIDENT:

18. Any further discussion? Senator...Senator Nudelman.

19. SENATOR NUDELMAN:

20. Thank you, Mr. President. I would point out to Senator Bruce that
21. it isn't any of Mr. Scarino's business. This is the business of this
22. Legislative Body. If this...for example, if dates were...if dates were
23. given out and this budget were not...renewed at the...at the date that he
24. demanded that it be renewed, we are perfectly capable of enacting new
25. legislation. We are perfectly capable of creating a new racing board.
26. We are perfectly creating... perfectly capable of creating new laws.
27. I think the question of whether there is a steward or not is not Mr.
28. Scarino's business...the business of his...of his administrative agency was
29. to issue dates at the time that the law required it, and he didn't do it,
30. and on that basis, I'm not going to vote.

31. PRESIDENT:

32. Any further discussion? Senator Weaver.

33. SENATOR WEAVER:

Well, just by reason, I would point out that...

1: Thank you, Mr. President. I would just like to say that I
2: hope that next year when we consider the appropriations to the
3: Racing Board that the chairman will have the courtesy to appear
4: before the Appropriations Committee to justify his request. That's
5: what got us into all these problems. Had he been before the Appro-
6: priation Committee, we would not have passed only a six months
7: appropriation and we wouldn't be discussing it here today. So,
8: I hope that he will show that courtesy to the Appropriations
9: Committee next year.

10: PRESIDENT:

11: Senator Hynes.

12: SENATOR HYNES:

13: Well, I think, Mr. President, one point of clarification
14: is necessary. There is an alternative between passing this bill
15: and not having racing, and that is to do what this Body unanimously
16: did when we were here in November, to pass an appropriation bill
17: for five months ... for four months through the end of April, which
18: then gives us an opportunity to study the matter. We can then...we can
19: then give whatever supplemental appropriation is necessary for the
20: ... remaining months of the year. So, that if ... if this amend-
21: ment ... and that ... this is the bill, by the way, that we so
22: amended when we were here before. We cut it down to an appropriation
23: through April 30th. The House has now added money for the entire year.
24: If this ... if this amendment is not concurred in by the Senate
25: procedurally, the bill will go back to the House and the House
26: then has the opportunity to recede from its amendment and there
27: can be final passage of the bill which will give the Racing Board
28: funds through April 30th. So, that the option is still available to
29: operate, but I, for one, on the basis of Senator Nudelman's comments
30: am not going to vote for this bill in this form.

31: PRESIDENT:

32: Any further discussion? The question is, shall the Senate
33: concur in Amendment No. 2 to Senate Bill 1508. Those in favor

1. will vote Aye. Those opposed will vote Nay. The Secretary will
2. call the roll.

3. SECRETARY:

4. Bell, Berning, Bloom, Brady, Bruce, Buzbee, Carroll, Chew,
5. Clarke, Course, Daley, Davidson, Demuzio, Donnewald, Dougherty,
6. Egan, Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Harris,
7. Hickey, Hynes, Johns, Joyce, Knuppel, Kosinski, Lane, Latherow,
8. Lemke, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Morris,
9. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Philip, Regner,
10. Rock, Roe, Romano, Savickas, Schaffer, Shapiro, Smith, Sommer, Soper,
11. Vadalabene, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDENT:

13. Is there a request for the call of the absentees? Call
14. the absentees.

15. SECRETARY:

16. Brady, Buzbee, Carroll, Chew, Course, Daley, Dougherty, Egan,
17. no, no, Fawell, Hickey, Hynes, Knuppel, Lane, Latherow, Lemke,
18. Ozinga, Palmer, Regner, Roe, Romano, Savickas, Smith, Weaver, Welsh.

19. PRESIDENT:

20. On that question, the Ayes are 32, the Nays are 3, with 2
21. Voting Present. The Senate does concur in Amendment No. 2 to
22. Senate Bill 1508 and the bill having received the required consti-
23. tutional majority is declared passed. Senator Bruce moves to re-
24. consider the vote by which this bill passed. Senator Rock moves
25. to Table. All in favor will say Aye. Opposed Nay. The Ayes
26. have it. Senator Hynes.

27. SENATOR HYNES:

28. I just wanted to make sure I was recorded as No...

29. PRESIDENT:

30. You are, Senator. I think there are two more. You may
31. want to see, Sir. The Senate will be at ease for a moment. ...
32. Resolutions. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President and Ladies and Gentlemen...

2. PRESIDENT:

3. Just a moment, just a moment, wait a minute. Will you take
4. the conference right back here, please, off the Floor. Will
5. the members please be in their seats and will you reduce the
6. decibels of your voices.

7. SENATOR ROCK:

8. Thank you, Mr. President and Ladies and Gentlemen of the
9. Senate, on the order of resolutions, there are some fifteen
10. congratulatory or otherwise noncontroversial resolutions. I
11. would ask leave at this time to have the Secretary just read the
12. number and the sponsor, and if any of the sponsors wish to make
13. appropriate remarks, I'm sure that...that's always in order,
14. but in order to expedite our schedule here, I think that we can
15. take these fifteen congratulatory resolutions. One...one is not
16. congratulatory, it...it extends the reporting date for the
17. Senate committee which is number 226, so, from 227 to 240,
18. there are congratulatory resolutions, and I would ask that they
19. be kind of lumped together, and we can move them all out on
20. one roll call.

21. PRESIDENT:

22. Is leave granted? Leave is granted. The Secretary will
23. call the numbers.

24. SECRETARY:

25. Resolution 226 introduced by Senator Hynes, Weaver, Shapiro,
26. and others extending the reporting date for fiscal accountability
27. to March 12th. Senate Resolution 227 introduced by Senator Howard
28. Mohr and Harris. Senate Resolution 228 introduced by Senator
29. Davidson and all Senators. Senate Resolution 229 introduced by
30. Senator Berning. Senate Resolution 230 introduced by Senator
31. Berning. Senate Resolution 231 introduced by Senators Bell and
32. Mitchler. Senate Resolution 232 introduced by Senator Ozinga
33. and all Senators. Senate Resolution 233 introduced by Senator

1. Ozinga and all Senators. Senate Resolution 234 introduced by
2. Senator Kosinski and all Senators. Senate Resolution 235 introduced
3. by Senator Kosinski and all Senators. Senate Resolution 236 in-
4. troduced by Senator Latherow and all Senators. Senate Resolution
5. 237 introduced by Senator Kosinski and all Senators. Senate
6. Resolution 238 introduced by Senator Harber Hall and all Senators.
7. Senate Resolution 239 introduced by Senator Berning. Senate
8. Resolution 234 introduced by Senators Lemke, Daley, Savickas,
9. Romano, and Hynes. Senate Resolution 241...no, Senate Resolution
10. 240...

11. PRESIDENT:

12. Senator Hynes...Senator Rock.

13. SENATOR ROCK:

14. We...we all look alike, I know.

15. PRESIDENT:

16. No, you don't, not anymore.

17. SENATOR ROCK:

18. Okay. Mr. President, I would ask leave that all Senate members
19. be shown as cosponsors of ... of Senate Resolutions 227 through and
20. including Senate Resolution 240, and I would ask for suspension of
21. the rules and the immediate consideration and adoption of these
22. resolutions.

23. PRESIDENT:

24. You heard the motion. All in favor will say Aye. Opposed Nay.
25. The Ayes have it. The motion carries. Any further resolutions?

26. SECRETARY:

27. Senate Resolution 241 introduced by Senator Newhouse.

28. PRESIDENT:

29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Mr. President, as you know that is not a noncontroversial
32. resolution. It's a resolution that has to do with the recent
33. court decision, Judge Marshall in the case of the Chicago Police

1. Department, and it is urging that that decision be followed and
2. that a resolution ... that this resolution be spread on the
3. record, and a copy be sent to the Mayor of the City of Chicago ...
4. Chicago. It is not a noncontroversial resolution.

5. PRESIDENT: ...

6. ... Are you asking that it go to Executive?

7. SENATOR NEWHOUSE:

8. No, I'm not making a request whatsoever.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Well, I...I agree with Senator Newhouse's comment that it is,
13. in fact, controversial. That's about where our agreement stops,
14. and on that basis, I would request that repose in Executive Committee.

15. PRESIDENT:

16. Executive. Any further resolutions? Senator Regner, for what
17. purpose do you arise?

18. SENATOR REGNER:

19. Yes, Mr. President and members of the Senate, I just would
20. like to make note that out of fifteen resolutions...

21. PRESIDENT:

22. Just a moment. Would the two gentlemen standing between me
23. and Senator Regner please remove and alter your positions. Thank
24. you.

25. SENATOR REGNER:

26. ...Yes, Mr. President, and I ...

27. PRESIDENT:

28. Senator Regner.

29. SENATOR REGNER:

30. ... just wanted to make note that out of fifteen resolutions
31. introduced today for consideration, not a single one of them was
32. sponsored by Senator Mitchler, and I think that's something note-
33. worthy, should be in the record.

1. PRESIDENT: ... as being that that decision be followed and

2. Senator Johns.

3. SENATOR JOHNS:

4. Mr. President and members of the Senate, I'd like to announce
5. that on March the 2nd, Room 212 at 2 p.m. the Executive Committee
6. will be in force to hear the Senate Joint Resolution 60, and I
7. believe the Senate sponsor is Senator William Harris. 2 p.m.,
8. March the 2nd, prior to the 3rd of the budget hearing, at 2 p.m.,
9. Room 212, Executive Committee, Senate Joint Resolution 60.

10. PRESIDENT:

11. Any further announcements? Any further resolutions? ...

12. You have a ... take it. Resolutions.

13. SECRETARY:

14. Senate Joint Resolution 63 introduced by Senator Harris,
15. Partee, Davidson and others. It's ...

16. PRESIDENT:

17. Senator Harris.

18. SENATOR HARRIS:

19. Mr. President, this resolution is identical to one that was
20. passed heretofore and caught ... got caught in the tailend of
21. things in the House and they did not act on it and then in a mass
22. Tabling Motion, it was Tabled. That motion really does not reflect
23. the disposition of the House. This is a really a largely innocuous
24. question, but it does urge the Congress to establish the Marigold
25. as the national flower. Of course, this is a project that was
26. espoused by our own beloved Senator Everett Dirksen. The majority
27. leader of the Senate of the United States is personally quite
28. interested in the State of Illinois adopting this resolution,
29. and by communication from him and Senator Davidson is a little
30. bit more familiar with the update of it, two other outstanding
31. members, Democratic members of the United States Congress, are
32. anxious to see Illinois join as the third state to memorialize
33. the Congress to proceed on this. That will then give them under

1. their rules, as I understand it, the opportunity to take it up,
2. insofar as their next step on the question. So, I would urge
3. the Senate to again move to suspend for the consideration of the
4. thrust of this Senate Joint Resolution, and if that motion carries,
5. then on the motion to adopt to ... to adopt.

6. PRESIDENT:

7. Any further discussion? Now, what is the motion ... the
8. motion is to suspend the rules for the immediate consideration of
9. this resolution. All in favor say Aye. Opposed Nay. The rules
10. are suspended. Senator Harris now moves for the immediate
11. adoption of this resolution. All in favor will say Aye. Opposed
12. Nay. The Ayes have it. The resolution is adopted. Introduction
13. of bills.

14. SECRETARY:

15. Senate Bill 1551 through 1559.

16. PRESIDENT:

17. Rules Committee. For purpose does Senator Howard Mohr arise?

18. SENATOR MOHR:

19. Mr. President, I'd like leave of the Body to show Senator
20. Soper, Senator Weaver, and myself on Senate Joint Resolution as
21. cosponsors of that.

22. PRESIDENT:

23. That's 63, Senate Joint Resolution ...

24. SENATOR MOHR:

25. 6 ... 60 ... yes.

26. PRESIDENT:

27. ... 60, Senate Joint Resolution 60, let the record so show.
28. (machine cutoff) Senators Weaver, Mohr ... Howard Mohr, and Soper.
29. Our Calendar reflects that we have finished our workload except
30. for five death resolutions. Now, will the members please be in
31. their seats on these death resolutions.

32. SECRETARY:

33. Senate Resolution 242 introduced by Senators Harris, Partee,
34. Berning, and all Senators, and it's a death resolution on a Mr.

1. Elliott Donnelly. and I want to take the opportunity to take

2. PRESIDENT: ...

3. Senator Harris.

4. SENATOR HARRIS:

5. Mr. President, Elliott Donnelly was a man known by most of
6. this Body. Perhaps some of the newer members may not have had the
7. occasion to become familiar with him as a person, but I think every-
8. one is familiar with his record as a human. Truly, Elliott Donnelly
9. was a giant among men. His life is a record to service to his
10. fellow man. I would urge the membership of the Senate to acknowledge
11. the step that I took by showing all members as cosponsors because
12. this was a man whose service ought to be recognized in this function
13. that we perform ... perform from time to time, and that is on our
14. adjournment resolution, expressing an act of consideration by this
15. Body that reaches the family to tell them that we loved and respected
16. their loved one and that we commemorate his actions by our actions.
17. Thank you, Mr. President.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Partee.

20. SENATOR PARTEE:

21. Mr. President, I would add that everything that has been said
22. is absolutely so, and I have had the pleasure of knowing Mr. Donnelly
23. who received the Chicago Mayor's Medal of Merit in 1957 and the Boy's
24. Club of America Keystone Award for Service to Boys in 1965, and again
25. in 1965, he received, from an organization of which I was formerly
26. president, the Joint Negro Appeal, he received our annual award for
27. his work with southside boys particularly through the Chicago Youth
28. Centers and very often it is easy to say something about a man after
29. he has died. I want to read from his obituary something that I said
30. when he was alive in his presence. I said that his work with the young
31. people characterized his contribution and said that probably no man
32. of his race has done more for the disadvantaged black boys of Chicago.
33. I join Senator Harris in this resolution.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Mr. Secretary, the remaining resolutions.

3. SECRETARY:

4. Senate Resolution 243 introduced by Senator McCarthy, Partee,
5. Donnewald, and all Senators, and it's for Mr. Robert E. Murphy.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator McCarthy.

8. SENATOR MCCARTHY:

9. Yes, Mr. President and members of the Senate, Robert Murphy
10. was one of those unsung heroes who served as a State employee as
11. a guard in our Capitol building, and we get along sometimes here in
12. our Body with absent members. I think it is fitting and proper
13. that we memorialize and consider the loss of one of those individuals
14. who helps make government run even though that individual is not
15. elected. So, I would ask that the rules be suspended and that this
16. resolution be put on the motion for adoption at that time.

17. PRESIDENT:

18. Senator Johns.

19. SENATOR JOHNS:

20. It's ironic that as I listen to Senator Harris and Senator Partee
21. mention that a friend of theirs that I was too, thinking of Mr. Bob
22. Murphy. It was a point of mine that each time I entered the Capitol
23. to look for Bob Murphy. He's a great young...great young man in
24. mind. Cancer took him, but each time I came into the Capitol, I
25. always sought him out to shake his hand and wish him well, and I
26. noticed that his health was wanning as I met him the last few times
27. traversing the Capitol, and I join in Senator McCarthy in a tribute
28. to a sort of a unsung hero. Thank you.

29. SECRETARY:

30. Senate Resolution 244 introduced by Senators Mohr, Harris, and
31. all Senators in the Chicago Tribune reporter J. Edward Schreiber.

32. SENATOR MOHR:

33. Yes, Mr. President, Ed Schreiber is known to, I think, every

1. person that's gone in and out of City Hall in Chicago. He's been
2. ... he was ... he was a reporter for the Chicago Tribune dating
3. back to 1941, and well recognized by people downstate as well as
4. upstate and well thought of by all that had the pleasure of knowing
5. of him. I would, when the proper time comes move the adoption,
6. Mr. President.

7. SECRETARY:

8. Senate Resolution 245 introduced by Senator Moore for a Mr.
9. Vernon E. Meidell ... no, Don Moore, Senator Don Moore.

10. PRESIDENT:

11. Don Moore...

12. SECRETARY:

13. Senate ...

14. PRESIDENT:

15. It'll be offered with the others.

16. SECRETARY:

17. Senate Resolution 246 introduced by Senator Howard Mohr, Harris,
18. and all Senators for Mrs. Mildred Bidwill.

19. SENATOR MOHR:

20. Yes, Mr. President, this resolution for Mrs. Bidwill, the wife
21. of our colleague and good friend of all in this Body, Senator Arthur
22. Bidwill, who died after a short illness and I would ask that all
23. members be shown as sponsor and a number of members have asked how
24. they might get in touch with Senator Bidwell et al. That address
25. can be obtained from my office if they so desire, they can call and
26. get the address of Senator Bidwell who is now in Florida. I'm sure
27. that he would like to hear from all members.

28. PRESIDENT:

29. Any further resolutions? Senator Harris moves for the immediate
30. suspension of the rules for the immediate consideration of all of
31. these death resolutions. All in favor will say Aye. Opposed Nay.
32. The rules are suspended. Senator Howard Mohr moves the adoption of
33. all resolutions and the members will show your affirmative vote by
34. rising. The resolutions are adopted. Any further business to come

1. before the Senate? - Senator Harris: ...

2. SENATOR HARRIS: ...

3. Is it the intention of the President to recess now until the
4. House has completed its work or are we going to adjourn?

5. PRESIDENT: ...

6. Well, the adjournment resolution has already been passed. I
7. don't contemplate anything else that could come over.

8. SENATOR HARRIS:

9. ... Okay. Oh, I see, Senator Rock says that the House has adjourned...

10. PRESIDENT:

11. Oh, they have now adjourned, fine ...

12. SENATOR HARRIS:

13. ... Fine.

14. PRESIDENT:

15. Senator Rock move the ... Senator Rock.

16. SENATOR ROCK:

17. I would ... I would move at this time, Mr. President, that
18. the Senate do stand adjourned until Wednesday, March 3, at one
19. o'clock.

20. PRESIDENT:

21. That motion will be carried in a moment. The Secretary advises
22. me that those of us on ... which commission, Senator...Senate
23. Operations Commission will meet in my office immediately for one little
24. item ... we can do it right here, for one little item. All in favor
25. of Senator Rock's motion to adjourn until March 3rd at one o'clock
26. say Aye. Opposed Nay. The motion carries and the Senate stands in
27. adjournment until March 3rd at 1 p.m.

28.

29.

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31.

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