

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

MAY 4, 1972

1. CHAPLAIN: Reverend Lee C. Moorehead. First United Methodist
2. Church of Carbondale, Carbondale, Illinois.

3. PRESIDING OFFICER (Senator Partee)

4. For what purpose does Senator Smith arise?

5. SENATOR SMITH:

6. Mr. President...I...I..

7. PRESIDING OFFICER (Senator Partee)

8. Let's have some order gentlemen.

9. SENATOR SMITH:

10. I rise on a point of personal privilege, Mr. President..

11. after...

12. PRESIDING OFFICER (Senator Partee)

13. State your point.

14. SENATOR SMITH:

15. ...After the very touching...heart searching prayer
16. offered by the Chaplian...I should like the privilege of introducing
17. certain students that are here in attendance from my district,
18. the Felton High School at 41st an Calument in the City of Chicago...
19. ah...some several bus loads of the children came down, a few of
20. them are in the galleries to the south an they are accompanied
21. by certain of their instructors, Adams, Ward an Felton...I should
22. like for the children to rise an be recognized, Mr. President.

23. PRESIDING OFFICER (Senator Partee)

24. Reading of the Journal. Senator Laughlin moves that the
25. reading of the Journal be despensed with. All in favor say aye,
26. so ordered. Huh...Committee reports.

27. SECRETARY:

28. Senator Saperstein, Chairman of Education Committee reports
29. out the following bills: Senate bills 1412, 1417, 1453, 1454,
30. 1504 with the recommendation Do Pass. SB1431 an 1455 with the
31. recommendation Do Pass as Amended. Senate bills No. 1374 an 1375
32. with the recommendation Do Not Pass. Senator Course, Chair-

33.

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.. man of the Revenue...di...ah...committee reports out Senate bills
 .. 1365, 1366, 1367, 1440, 1508 with the recommendation Do Pass.
 .. SB1363 with the recommendation Do Pass as Amended. Senator Neistein,
 .. Chairman of Ju...Judiciary Committee reports out SB1487 with the
 .. recommendation Do Pass. Senate bill..bills four...ah...889, 1436,
 .. 1521, 1532 with the recommendation Do Pass as Amended. Senate
 .. bills No. 1434, 1441, 1451, an 1514 with the recommendation Do
 .. Not Pass. Senator Dougherty, Chairman of Local Governmental Committee
 .. reports out Senate Bills 1424, 1442, 1449, 1486 with the recommendation
 .. Do Pass. SB1443 with the recommendation Do Pass as Amended.
 .. Senate Bills 1426 an 15...1526 an 1531 with the recommendation
 .. Do not Pass. HB3060 with the recommendation Do Pass as Amended.
 .. Senator Cherry, Chairman of Executive Committee reports out the
 .. Governor's message of April the 10th, 1972 with recommendation
 .. of confirmation in part.

16. PRESIDING OFFICER (Senator Partee)

17. For what purpose does Senator Cherry arise?

18. SENATOR CHERRY:

19. I move now, Mr. President that we resolve ourself into
 20. Executive Committee.

21. PRESIDING OFFICER (Senator Partee)

22. Any objection? We're in...we are now in Executive Committee.
 23. Senator Cherry.

24. SENATOR CHERRY:

25. I now move that the Senate advise an consent, Mr. President
 26. to the Governor's appointees..ah..in the message of April...is
 27. that April 10th...ah...Mr. Secretary? ...of the two appointments...one
 28. a the member the...ah...board a Pardon Board Parole...and...ah...the
 29. other one is a member a the Liquor Control Commission. I move
 30. the Senate advise an consent to these appointments.

31.
 32.
 33.

1. PRESIDING OFFICER (Senator Partee)

2. Any objection to the Motion? So ordered.

3. SENATOR CHERRY:

4. No, you hafta call the roll, Mr. President.

5. PRESIDING OFFICER (Senator Partee)

6. Call the roll.

7. SECRETARY:

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

16. PRESIDING OFFICER (Senator Partee)

17. Kosinski aye. Huh...Johns aye. Vadalabene aye. Sours
18. aye. On this question the ayes are 39. The nays are no. The
19. Motion carries. Senator Cherry.

20. SENATOR CHERRY:

21. I now move that...ah...the Executive Session do now arise.

22. PRESIDING OFFICER (Senator Partee)

23. Executive Session does now arise. Continue with the
24. committee reports.

25. SECRETARY:

26. SB#1279, 1347, 1385, 1467, 1468, 1485, an 1529 with the
27. recommendation Do Pass. Senate bills No. 1373, 1454 an 1471 with
28. the recommendation Do Pass as Amended. SB#1406 an fif...1511
29. with the recommendation Do Pass an rereferred to Appropriations.
30. SB# 716 recommendation Do Not Pass. HB#2555 with a recommendation
31. Do Pass as Amended. Senate Joint Resolutions No. 56 an 62 recommend
32. adoption.

33.

1. PRESIDING OFFICER (Senator Partee)

2. Introduction a bills.

3. SECRETARY:

4. The Rules Committee met an authorized the following House
5. Bills to be placed on the order of 1st reading..ah..HB#1797,
6. 3602 an 4315..SB#1543 introduced by Senator Coulson, a bill
7. for an Act to amend Section 14 of the Workman's Compensation
8. Act. SB#1544 introduced by Senator Coulson, a bill for an Act
9. to amend Section 2 of an Act in relation to meetings. SB#1545
10. introduced by Senator Coulson, a bill for an Act in relation
11. to compensation of persons killed or injured assisting in persons
12. threatened by crime. SB#1546 introduced by Senators Hynes,
13. Partee, Donnewald, et al, is a bill for an Act making appropria-
14. tion to the Superintendent of Public Instruction for distribu-
15. tion for...SB#1547 introduced by the same sponsors, a bill for
16. an Act to amend Section 188 a the School Code. SB#1548 introduced
17. by Senator Rock an Hynes, a bill for an Act to provi...provide
18. for the developoment of systems for improving the educational
19. fi...efficiencies an fiscal efficiencies of School Districts.
20. SB#1549 introduced by Senators Clarke, Coulson, Partee, an others,
21. a bill for an Act making an appropriation for the painting of
22. a portrait of a former President pro tempore. SB#1550 introduced
23. by Senators Carroll, Smith, an..Groen..a...an others...ah...a
24. bill for an Act to provide for ordinary an contingency an distribu-
25. tion expenses of the Department of...Public Aid. SB#1551 introduced
26. by Senators Graham an Dougherty..an the..election..ah..license..com-
27. mission is a bill for an Act making appropriation to the..ah..for
28. the ordinary an contingent expense of the ...lec...Election
29. Laws Commission. SB#1552 introduced by Senators Dougherty,
30. Partee, an Cherry, a bill for an Act making an appropriation
31. to the Metropolitan Fair an Expedition Authority for the payment
32. of principal an interest on bonds. SB#1553 introduced by Senator
33.

1. Mitchler, Arrington, Coulson, an Clarke, is a bill for an Act
2. to make a supplemental appropriation to the Illinois Veterans'
3. Commission. SB#1554 introduced by Senator Groen, is a bill
4. for an Act making an appropriation in connection with the transpor-
5. tation of school children. SB#1555 introduced by Senators Saperstein,
6. Hynes, Course, n...et al, a bill for an Act making appropriation
7. to the Superintendent of Public Instruction for the distribution
8. of certain monies. SB#1556 introduced by Senators Hall, Hynes,
9. Saperstein, Gilbert an Groen, is a bill for an Act creating
10. a school district survey to study the organization an struction
11. of public schools of the State an State finance policies where
12. related thereto. 1st reading of the following bills:

13. PRESIDING OFFICER (Senator Partee)

14. Message from the House.

15. SECRETARY:

16. Message from the House by Mr. Selcke, Clerk:

17. Mr. President---I'm directed to inform the Senate that
18. the House of Representatives has passed bills of the following
19. titles in the passage of which I am instructed to ask the con-
20. currence of the Senate, to wit: House Bills 3645 an 3783.

21. PRESIDING OFFICER (Senator Partee)

22. Rules committee. Senate bills on 2nd reading, 635 Senator
23. McCarthy, 1126...Pardon me, I'm sorry. Senator McCarthy.

24. SENATOR MCCARTHY:

25. Yes, Mr...ah...President...ah...635 I offer Amendment No.
26. 1 which...ah...ah...is...reduces the mandatory age ta 63 years...in
27. agreements..in agreement what the...ah...committee recommended
28. an I move the adoption of the amendment.

29. PRESIDING OFFICER (Senator Partee)

30. Senator McCarthy moves the adoption of Amendment No. 1.
31. Any objection? Amendment's adopted. Any further amendments?
32. Any amendments from the Floor? Third reading. 1126 Senator
33.

1. Groen. Senator Groen.
2. SENATOR GROEN:
3.26 please
4. SECRETARY:
5. 2nd reading a the bill. No committee amendments.
6. PRESIDING OFFICER (Senator Partee)
7. Any amendments from the Floor? 3rd reading. 1127 Sena-
8. tor Groen.
9. SECRETARY:
10. 2nd reading a the bill. No committee amendments.
11. PRESIDING OFFICER (Senator Partee)
12. Any amendments from the Floor? 3rd reading. 1321 Sena-
13. tor Sours. That's the Illinois Historical Society.
14. SECRETARY:
15. ...s..s..2nd reading a the bill. No committee amendments.
16. PRESIDING OFFICER (Senator Partee)
17. Any amendments from the Floor. 3rd reading. 1334 Senator Egan.
18. SECRETARY:
19. 2nd reading a the bill. No committee amendments.
20. PRESIDING OFFICER (Senator Partee)
21. Any amendments from the Floor? 3rd reading. 1337 Senator
22. Knuepfer, 1338 Senator Arrington, Senator Cherry.
23. SENATOR CHERRY:
24. Move it please.
25. PRESIDING OFFICER (Senator Partee)
26. Please m...move it.
27. SECRETARY:
28. 2nd reading a the bill. No committee amendments.
29. PRESIDING OFFICER (Senator Partee)
30. Any amendments from the Floor? 3rd reading. 1339 an 40
31. Senator Knuepfer.
32. SENATOR KNUEPFER:
33. ...move 1337

1. PRESIDING OFFICER (Senator Partee)
2. We'll go back ta...1337 is a b...bill under consideration.
3. Senator Knuepfer.
4. SECRETARY:
5. 2nd reading a the bill. No committee amendments.
6. PRESIDING OFFICER (Senator Partee)
7. Any amendments from the Floor? 3rd reading. 1339 Senator
8. Knuepfer. Hold. 1408 Senator McCarthy.
9. SECRETARY:
10. 2nd reading a the bill. No committee amendments.
11. PRESIDING OFFICER (Senator Partee)
12. Any amendments from the Floor? 3rd reading. 1409
13. SECRETARY:
14. 2nd reading a the bill. No committee amendments.
15. PRESIDING OFFICER (Senator Partee)
16. Any amendments from the Floor? 3rd reading. 1413 Senator
17. Dougherty.
18. SECRETARY:
19. 2nd reading of the bill. No committee amendments.
20. PRESIDING OFFICER (Senator Partee)
21. Any amendments from the Floor? 3rd reading. 1420 Senator
22. Horsley. 1423 Senator McCarthy, 1429 Senator Hynes, 1446 Sena-
23. tor Latherow... Desire to move it...
24.
25.
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33.

1. SECRETARY:

2. Second...2nd reading of the bill. One committee amendment
3. Agriculture an Conservation.

4. PRESIDING OFFICER (Senator Partee)

5. Senator Latherow, will you ju...give us a...a brief explanation
6. of the amendment, please?

7. SENATOR LATHEROW:

8. ...mo...move the adoption of the amendment.

9. PRESIDING OFFICER (Senator Partee)

10. Could you tell us what the amendment does, Senator? It's
11. a short amendment...would you please read it.

12. SECRETARY:

13. Ah...amend...ah...SB1442 on page 1 line 9 by insertting
14. immediately after the word by, the following: Subject to all
15. easements, rights of way, and encumbrances of record.

16. PRESIDING OFFICER (Senator Partee)

17. Senator Latherow moves the adoption of committee Amendmen...A-
18. amendment No. 1. Any objection? Amendment's adopted. Any further
19. amendments? Any amendments from the Floor? 3rd reading. 1447
20. Senator Latherow.

21. SECRETARY:

22. 2nd reading a the bill. No committee amendments.

23. PRESIDING OFFICER (Senator Partee)

24. Any amendments from the Floor? 3rd reading. 1448 Senator
25. Latherow.

26. SECRETARY:

27. 2nd reading of the bill. No committee amendments.

28. PRESIDING OFFICER (Senator Partee)

29. Any amendments from the Floor? 3rd reading. 1458 Senator
30. Hynes.

1. SECRETARY:

2. 2nd reading of the bill. No committee amendments.

3. PRESIDING OFFICER (Senator Partee)

4. Any amendments from the Floor? 3rd reading. 1460 Senator
5. Groen.

6. SECRETARY:

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER (Senator Partee)

9. Any amendments from the Floor? 3rd reading. 1461 Senator
10. Groen.

11. SECRETARY:

12. 2nd reading of the bill. No committee amendments.

13. PRESIDING OFFICER (Senator Partee)

14. Any amendments from the Floor, 3rd reading. 1462 Senator
15. Groen.

16. SECRETARY:

17. 2nd reading of the bill. One committee amendment offered...
18. ah..Labor an Commerce Commission.

19. PRESIDING OFFICER (Senator Partee)

20. Senator Groen...Senator Groen moves the adoption of a
21. committee amendment. Any objection? Amendment's adopted. Any
22. further amendments? Any amendments from the Floor? 3rd read-
23. ing. 1473 Senator Fawell, 1475 Senator Rock.

24. SECRETARY:

25. 2nd...2nd reading of the bill. One committee amendment
26. from Labor an Commerce.

27. PRESIDING OFFICER (Senator Partee)

28. Senator Rock.

29. SENATOR ROCK:

30. Yes, Mr. President an members of the Senate, this was an
31. amendment which I offered to the bill which prescribes certain
32. times an dates for compulsory retirement an is geared from 1973
33. down to an including 1981 an the ages start at 75 an go down when

1. you reach 1981 to age 68 an I would move the adoption of this
2. amendment.

3. PRESIDING OFFICER (Senator Partee)

4. Any further discussion on the amendment? Senator Rock
5. moves it's adoption. Any opposition? Amendment's adopted.
6. Any further amendments. Any amendments from the Floor? 3rd
7. reading. 1476 Senator Saperstein. You desire to move it.

8. SECRETARY:

9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER (Senator Partee)

11. Any amendments from the Floor? 3rd reading. 1477 Senator
12. Saperstein.

13. SECRETARY:

14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER (Senator Partee)

16. Any amendments from the Floor? 3rd reading. 1494 Senator
17. Mohr, 1501 Senator Mitchler.

18. SECRETARY:

19. 2nd reading of the bill. No committee amendments.

20. PRESIDING OFFICER (Senator Partee)

21. Any amendments from the Floor? 3rd reading. 1555 through
22. 1520 Senator Walker...1515 I'm sorry...1515 through 1520 Senator
23. Walker...you desire to hold them.

24. SENATOR WALKER:

25. ...back for amendments Tuesday...like get em off from 2nd...
26. so look like I'm making some progress Senator Rock will you
27. move them please, I'll bring em back Tuesday.

28. PRESIDING OFFICER (Senator Partee)

29. Are there any amen.....

30. SECRETARY:

31. Se...2nd reading of the bills an there're no committee
32. amend-

33.

ments.

PRESIDING OFFICER (Senator Partee)

Any amendments from the Floor? 3rd reading. 1527 Senator Groen.

SECRETARY:

Second reading a...2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (Senator Partee)

Any amendments from the Floor? 3rd reading. 1530 Senator Ozinga.

SECRETARY:

2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (Senator Partee)

Any amendments from the Floor? 3rd reading. Senate bills on 3rd reading. 82 Senator Harris, 488 Senator Rock, 489 Senator Rock, 491 Senator Ozinga, 49...ah...841 Senator Palmer, 1062 Senator O'Brien, 1090 Senator Knuppel, Senator Knuppel.

SENATOR KNUPPEL:

I wanna call this bill. It's been on the call for a long time. I would like to call it back to 2nd reading for a very minor amendment. In the bill on line 25 it provides for a January first 1972 date. I wanna change that to January first 1973 by call back to 2nd reading for that purpose.

PRESIDING OFFICER (Senator Partee)

Senator Knuppel move...moves to take the bill back to 2nd reading for the purpose of amendment. Any objection? It's now on 2nd reading, Senator.

SENATOR KNUPPEL:

I submit the amendment ta change line 25 provide January 1st 1973 instead of 1972 an the amendment's being distributed.

PRESIDING OFFICER (Senator Partee)

Any further discussion on the amendment? Senator Knuppel moves it's adoption. Any objection? The amendment's adopted.

SENATOR KNUPPEL:

I'd like to move it to 3rd reading.

PRESIDING OFFICER (Senator Partee)

The bill goes back to 3rd reading. We'll get back to it after intervening business. 1171 Senator Clarke, 1267 Senator Coulson, 1288 Senator Knuepfer, 1289 Senator Berning.

SENATOR BERNING:

Mr. President an members of the Body, 1289 is a house-keeping bill, brings the statutes into conformity with the new constitution an merely strikes the existing language setting out the procedures for the computation of fees for tax extension an tax collection which has been eliminated by the new constitution. I know of no objection to updating our statutes an I would appreciate a...a favorable roll call.

PRESIDING OFFICER (Senator Partee)

Any further discussion? Roll Call.

SECRETARY:

Arr..Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,

PRESIDING OFFICER: (Senator Partee)

...Cherry.

SECRETARY:

Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,

PRESIDING OFFICER (Senator Partee)

Hall aye.

SECRETARY:

Rosander,

PRESIDING OFFICER (Senator Partee)

Newhouse aye.

SECRETARY:

Saperstein.

PRESIDING OFFICER (Senator Partee)

Fawell aye.

1. SECRETARY:

2. Savickas, Smith,

3. PRESIDING OFFICER (Senator Partee)

4. Bruce aye.

5. SECRETARY:

6. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

7. PRESIDING OFFICER (Senator Partee)

8. Baltz aye. Berning aye. Ozinga aye. On this question
9. the yeas are 43, the nays are none, the bill will be so re-
10. ported. 1090 Senator Knuppel

11. SENATOR KNUPPEL:

12. Mr. President, an members of the Senate, this bill is design-
13. ed to allow employees of the State of Illinois who have quali-
14. fied for pension benefits the privilege of adding to those pen-
15. sion benefits the time served in five different identified con-
16. flicts beginning with Spanish American War, World War I, World
17. War II, the Korean conflict, an the Vietnam...Vietnam conflict.
18. Now, this does not apply to people who have not qualified.
19. This time cannot be used to qualify for a state pension, but
20. can be added on. The way the state pension laws now read, only
21. those persons who were in the military service at the time they
22. entered military service...er... wh...state service at the time
23. entered military service are allowed ta add their military time.
24. There's a bill pending on 2nd reading here to allow teachers
25. ta add as much as five years just for active military service
26. without it being in a time of conflict. I have provided only
27. in time of conflict, in the Spanish American War, World War
28. I an soforth. Now, in this state we provide scholarship funds
29. for students who have often rioted to damage dormatories an
30. even desecrate our flag, we provide welfare payments for the
31. unemployed an the unwed, we provide public education for all
32. of our children an aid to private schools an colleges, we pro-
33. vide funds to treat our alcoholics an even for coffee breaks
at seminars for our law enforcement officers. I submit that
their

1. federal government allows the service time my bill pre...prohibits...
2. prohibits dual use, it could not be used as time on a... on
3. a federal pension an also on a state pension. I submit we can
4. do m...no more than this for those veterans of conflicts in
5. which our country has engaged an who have gone to defend our
6. State an who later returned to make a career of public service
7. with our State. The projected...the...ah...pension board has
8. recommended this as a Do not Pass, they've disapproved of it
9. but nevertheless this'll be up to the...the members of this
10. Body, because as I say we have a bill pending now to allow teachers
11. which has been recommended, which has been recommended by the
12. pension board if they are in service to add as much as five
13. years an this does not even have to be in a time of conflict.
14. Actually the bill as presented didn't even require active service
15. but due to Senator Sours I think an amendment will be attached.
16. The projected cost of course will depend on how many of those
17. veterans who served in any of these conflicts later qualify
18. for a state pension make application for this benefit. The
19. law requires that they contribute their proportionate share
20. toward that pension as if they had actually been serving in
21. state government at that time at that salary, so that they get
22. no...ah...bonanza but they must contribute in the same manner
23. after they've qualified as if they had been working for the
24. State of Illinois. I submit that we can do no less than this
25. for those people who have given time an service in conflict
26. an in times of conflict, if we provide all of these other benefits
27. for those who sometimes do not appreciate them. The projected
28. cost could run from 12 million to 30 million dollars and...ah...
29. in accrued liability an the future would cost approximately
30. about 1 million 5 hundred thousand per year to 2 million 5 hundred
31. thousand. There're presently 6 states, in addition to the State
32. of Illinois, that provide such benefits an there are 9 states
33. which are considering such legislation. I submit that this
is the way of the future, that you may vote this bill down here
today, but that

1. it will be back. That the people who are concerned about those
2. who have given service for their country an we should do some-
3. thing...will favorit...an those...an we must do something to
4. encourage those who are willing to take their life in their
5. hands an to volunteer for military service and generally they
6. do this before they've reached an age when they determine what
7. their life's calling will be..and just because a man is in...
8. the ser...in the service of the state for six months an than
9. enters a military service an later comes out an can add his
10. military time as opposed to a boy who serves in a time of conflict
11. before he has decided on his life's work is truly an injustice
12. if that boy who served in time of conflict is willing to con...con-
13. tribute his proportionate share of that pension. Gentlemen,
14. out of humanity I ask that you vote..give a fo...favorable vote
15. to this bill, thank you very much.

16. PRESIDING OFFICER (Senator Partee)

17. Any further discussion? Senator Groen.

18. SENATOR GROEN:

19. Mr. President, members of the Senate, I think that Senator
20. Knuppel has fairly appraised the content of SB1090. I would
21. in reply...state just a little bit about background current
22. situation and some additional information about this entire
23. problem. As most of you are aware, at the present time the unfunded
24. liabilities, the accrued liabilities an this constitutes an
25. outstanding debt of the people of this State to those who are
26. participating and are on pension for all State supported pension
27. systems. That unfunded liability is 2 an $\frac{1}{2}$ billion dollars.
28. Now when we consider the condition of the State's finances,
29. when we consider the obligations of this State, we must con...include
30. this obligation of the people. Secondly, the people who pay
31. the taxes to pay the pensions for the State supported systems
32. are the same people who support your local systems of pensions
33. for those who serve in government...go...in government at the
local level, those are

1. your city, county, and other similar pension systems. The unfund-
2. ed liability of those systems is in excess of 2 billion dollars
3. so that when we add together all of the liabilities of the peo-
4. ple of the State of Illinois who pay taxes to support pension
5. systems of public employees in this State, the figure has approached
6. almost 5 billion dollars. The history of this subject is long,
7. complex, an' varied. It is true that a few states have seen
8. fit to do this. One of things however, that is true about those
9. states that is not true about Illinois is that those states
10. generally had the wisdom an foresight when they established
11. pension systems in their state to pay into those funds the amount
12. of money to fund those systems 100%, so they do not have to
13. look at an unfunded liability of 2, 2 an a half, 5 billion dollars.
14. Their only concern is what the current cost that will be involved
15. amounts to. That's not the case in Illinois. Now we do have
16. this bill that is...will presently be before you or shortly
17. be before you that would give 5 years of service credit an other
18. systems already have similar benefits that would give up to
19. 5 years maximum provided the individual has..was in state service
20. at the time he went into military service. Now I would state
21. simply catagorically that it is a sound basic pension policy
22. that the obligation of the taxpayer to pay a ta...a pension
23. to an employee does not accrue prior to the time that individual
24. is in service of government an to go back an say to state employees
25. irrespective of when you served if you served in the military
26. prior to state service you are entitled to this would be a...a
27. complete rapture of that basic fundamental pension position.
28. It seems ta me that we have reached a point an I think the public
29. has reached a point where they are tired of increased pensions
30. that have been granted by the General Assembly to all...all
31. segments of public employees. Now, if we grant this to this
32. catagory...to state employees you can bet your bottom dollar
33. that come January of 1973 every other system is going to be
here asking you to extend this privi-

lege an this benefit to them. Now, in determining what the
cost of this would amount to ...it was of difficult composition
an determination because there i...it is difficult to ascertain
an determine, but we did go to other states, we did what we
could statistically to come up with the best possible estimate
an I would agree it is in rough figures. We know that it would
not be less then 12 million dollars an we know that the unfunded
liability that would accrue as a result of this bill could go
with this one system alone as high as 30 million dollars. We
know that it would cost a million an a half mimimum and it could
go as high as 2 and 1/2 million dollars annually..ah...for the
current annual cost of this additional benefit. Now, when you
add to this all of the other systems you approach astronomical
accrued liabilities as the result of the general application
of this policy to all of the pension systems in the State of
Illinois. Your current cost put upon local taxpayers for both
the state supported an you've go to look at it that way you
can't sin.. single this bill out in the light of just this one
system. You've got to look at it that every local an state
system will have this benefit if it's established now for this
one system and it is estimated that that cost could run as high
as a hundred million dollars in an ..unfunded liability an as
high as 10 million dollars annually in annual current cost.
I say to you that the State of Illinois can't afford this benefit.
I say ta you that this dangerous principle should not be establish-
ed. I say to you that the principle established by the pension
laws commission which will be before you an which other systems
now have giving up to five years of credit for persons who were
in government service an then went in the service of their country
is sound and is reasonable. I would ask you to support that
bill when it comes before you. I would ask you to defeat this
bad bill.

PRESIDING OFFICER (Senator Partee)

Senator Coulson

SENATOR COULSON:

1. Mr. President, I'd just like to report a conflict of interest.
2. This apparently would be quite a generous thing for me ..ah..I
3. was in the State's Attorneys office an went from there to five
4. years in the army an then from there to the Mayor's office an
5. this allow...would allow me apparently to...to buy five years
6. of pension time...ah...I report that conflict an state that
7. I intend to vote against the bill.

8. PRESIDING OFFICER (Senator Partee)

9. Any further discussion? Senator Knuppel c...c...may close
10. the debate.

11. SENATOR KNUPPEL:

12. Well...I...I still say that this bill is a humanitarian
13. approach to the way we should treat our veterans. That there
14. is no difference really between a man who's been in state service
15. for six months an...enters th...enters the armed forces an can
16. get credit for his time in the military regardless of whether
17. it's in time of conflict...ah...or not an that boy who lies
18. in the mud an the blood an who served his country an his state
19. an now has made his life a career of government service for
20. the State of Illinois an has served at least 8 years or some
21. similar period so that he has a vested pension. I'm not giving
22. it to a casual employee. This is only those people who have
23. as a matter after the fact illustrated their willingness to
24. be career ser...pub...public servants, which the other person
25. who maybe's only served six months can add his 5 years to accumulate
26. as I understand it to accumulate his qualifing period. This
27. man must qualify an he must contribute his fair share of that
28. pension an I submit that we're talking about figures of 1 million
29. five hundred thousand an 2 million five hundred thousand an
30. 30 million dollars an we come in here an blithely vote a hundred
31. an thirty five million dollars as a deficiency ap-

1. appropriation for welfare, for the unwed, for the unemployed,
2. for the unresided, those who haven't even lived here a year
3. an then we say that it's too much, it's too much for a young
4. man who was too young for government service but who was old
5. enough to be drafted, it's too much for us to do our part after
6. he's illustrated that he wants to be a career employee to allow
7. that man that time toward his ultimate pension an to agrue that
8. other state's use better judgement by funding it when the man
9. returned an that we made a mistake is a strange type of arguement
10. to argue that a mistake we've made justifies continuing in that
11. is certainly unjust an it's un... illogical. I submit to you
12. gentlemen, that we waste more money for addons a...ta the Capitol
13. Building, for plush facilities for us to have offices, for kitchen-
14. ettes, secretaries, for glassed in Chambers, for a hundred an
15. seventy-seven members of the General Assembly when the constitutional
16. convention ought to have cut it to a hundred, we waste more
17. money in this building an in this Chamber in a week...in a week
18. than this bill would cost an I submit to you that sooner or
19. later an...ah...if it's wise to do it sooner as the other states
20. have we should approach this problem... it said that this is
21. a...that this would be a unfended debt...yes an unfunded debt,
22. but a debt it is...a debt it is to those boys I say who laid
23. in the mud an the blood an I ask those of you who are humanitarians
24. who vote money for scholarships for unwed mothers for every
25. other type of ways for kichenettes an everything else that you
26. vote here for this bill an keep faith...keep faith with that
27. man who walked an bled for many of you an many of you who did
28. so yourselves.

29. PRESIDING OFFICER (Senator Partee)

30. Secretary will call the roll.

31. SECRETARY:

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

1. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
2. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
3. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
4. Mitchler,

5. PRESIDING OFFICER (Senator Partee)

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Ah...Mr. President...ah...I wonder if the sponsor would
9. yield to a question? Would help me in explaining my vote.

10. PRESIDING OFFICER (Senator Partee)

11. He'll yield.

12. SENATOR MITCHLER:

13. Ah...Senator Knuppel...may I ask ya the question...ah..
14. in not in a general term that all veterans want this but who
15. actually wants this bill an requested this bill?

16. SENATOR KNUPPEL:

17. I think every veteran in state service who..who was not
18. in th... in the service of this state at the time that...at
19. the time that this bill went in wants it. I've had many people
20. from...from industrial arbitors to men who work in this building
21. the state policeman..ah...an other civil employees who have
22. said to me that they would like to see this. I personally,
23. before I ever knew that I would ever serve in this body, had
24. served...ah...with the Attorney General an I felt that surely
25. we oughta treat the boys in the service in the State of Illinois
26. as well as they were treated by the federal government or other
27. states, that we ought not to be a second class state but one
28. of the first class states that provided this. I want it, I'm
29. a veteran an I...an I've had many, many veterans, just this
30. morning when I picked up information from one of the departments
31. here in the state the man said to me I'd be happy if this bill
32. passed.

33. SENATOR MITCHLER:

Mr. President, I believe Senator Knuppel you have answered

my

1. question when you said that you wanted it an in general terms
2. the people want it. Now the leading veterans organizations
3. in the State have legislative committees an commissions an I
4. would say that they are very responsible committees an commissions
5. having dealt with veteran's legislation going way, way back
6. even prior to the...ah...Spanish American War and they have
7. developed a high regard in sense of responsibility to provide
8. for the veterans that which is due the veteran, but not t...to
9. go beyond that which is due to the veteran and just find that
10. through...ah...political...ah... power they can reach into the
11. taxpayer's pocket an get things. Now, SB1090 has not had the
12. endorsement of any of the major po...ah... American Legion,
13. Veterans of Foreign Wars, Amvets and on down the line of these
14. organizations...ah...it is not requested or endorsed by them...it's
15. a...an election year...1972 an on April 20th it's apparent that...
16. ah...some members of this Chamber an I notice there'll all on
17. the other side of the aisle took it upon themselves that this
18. might be something good an wave the flag for the veteran, but
19. I'll say to you that the veteran is conscious of the taxpayer's
20. dollars an when your talking about projected cost of 12 to
21. 30 million dollars you could never get the American Legion or
22. the Veteran's of Foreign Wars at their department conventions
23. to endorse such a bill as this provided for in SB1090 an I'm
24. gonna vote no.

25. SECRETARY:

26. Mohr

27. PRESIDING OFFICER (Senator Partee)

28. Continue with the roll call.

29. SECRETARY:

30. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
31. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
32. Sours, Sw...Swinarski, Vadalabene, Walker, Weaver.

33. PRESIDING OFFICER (Senator Partee)

On this question the yeas are 24. The nays are 17. This

bill having failed to receive sufficient votes is declared lost. Gentlemen an lady of the Senate, sitting behind me here on the roster is a gentleman who serves as a airline pilot an who also has a TV show in Chicago know as Our People...I'd like to have him stand an be acknowledged by the Senator, Mr. Jim Tilman. 1533 Senator Cherry.

SENATOR CHERRY:

Mr. President, members of the Senate, this bill...ah...transfers of amounts appropriated for the current fiscal year for the operation of the office a Lieutenant Governor from personal service in State contribution for Social Security Retirement to contractual services an travel. The bill..is...has for it's provision to become effective immediately.

PRESIDING OFFICER (Senator Partee)

Any further discussion? Secretary will call the roll.

SECRETARY:

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

PRESIDING OFFICER (Senator Partee)

Senator Merritt.

SECRETARY:

Romano

PRESIDING OFFICER (Senator Partee)

Merritt aye.

SECRETARY:

Romano,

PRESIDING OFFICER (Senator Partee)

Romano aye.

SECRETARY:

Rosander, Saperstein, Savickas, Smith, Soper, Sours,

PRESIDING OFFICER (Senator Partee)

Senator Sours.

SENATOR SOURS:

Mr. President, Senators, I didn't hear the explanation for the reason...

1. PRESIDING OFFICER (Senator Partee)

2. ...can we

3. SENATOR SOURS:

4. I didn't...

5. PRESIDING OFFICER (Senator Partee)

6. break up the conference here in the aisle? Please.

7. SENATOR SOURS:

8. I didn't hear the explanation of the reason for the trans-
9. fer.

10. PRESIDING OFFICER (Senator Partee)

11. Senator Cherry.

12. SENATOR CHERRY:

13. The reason, Senator Sours, is so that this office can be...ah...
14. maintained efficiently. We need the transfer of these funds
15. so that we comply with the rules and regulations of the Department
16. of...ah... the Budget....

17. PRESIDING OFFICER (Senator Partee)

18. Senator Sours my recollection is that it had to do with
19. a social security problem and it was done to accommodate that
20. situation. Continue with the roll call.

21. SECRETARY:

22. Swinarski, Vadalabene, Walker, Weaver.

23. PRESIDING OFFICER (Senator Partee)

24. On this question the yeas are 42. The nays are n....zero.
25. The bill was so reported. House bills on 3rd reading. 219....
26. oh...Senator Rock.

27. SENATOR ROCK:

28. Yes, Mr. President, members of the Senate, I wonder before
29. we begin on the order of House bills on 3rd reading I've today
30. filed a Motion in writing to discharge the Committee on Judiciary
31. from further consideration of a Senate bill and I wonder if we
32. could take that up at this time?

33. PRESIDING OFFICER (Senator Partee)

You may continue.

1. SENATOR ROCK:

2. Yes, Mr. President, members of the Senate, Senator Carroll
3. is not on the Floor, yesterday in the Judiciary Committee in
4. the last waning minutes of that Committee we had under consideration
5. a newly filed bill, SB1537. In Senator Carroll's absence I
6. presented the bill an it's an amen...amendment to the Criminal
7. Code an it makes a conviction of theft of a rented or leased
8. motor vehicle a felony. Now, the purpose of this bill I might
9. say gentlemen is not so much to raise the sanction as it is
10. to give that crime felony status for the purpose of extradition.
11. In other words if...if somebody takes off with a leased or rented
12. car an crosses state lines an refuses to return that car under
13. the present law that's a misdemeanor an no states attorney can
14. extradite across state lines from one state to another on the
15. basis of a misdemeanor hence we are just giving this crime ..ah...
16. higher status if you will ...so..for the soul purpose of extradition
17. ..ah...the Committee considered this bill as it did a couple
18. of others rather hurriedly, I made a Motion that it be reported
19. out Do Pass and it stayed in committee. I would ask your favorable
20. consideration...ah...to bring it out on the Floor, at which
21. time we can discuss it an I urge favorable support.

22. PRESIDING OFFICER (Senator Partee)

23. Any further discussion? Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Mr. President, members, I was there at the committee hearing.
26. It's true, everything that Senator Rock has stated is true.
27. He always does that very accurately. I just simply say to you
28. that it was sh....a sheer act of human kindness that the Motion
29. failed for want of a 2nd an consequently the bill was not killed.
30. Now, everytime we're kind in committee we are then confronted
31. with it later on an I hate to interpret kindness in this fashion
32. because it impairs the workings of the committee system, so
33. I would re-

1. sist Senator Rock's Motion.

2. PRESIDING OFFICER (Senator Partee)

3. Senator Egan, would you come up, please, Any futher dis-
4. cussion? Ah...the Chair wants to...Senator Egan would you come
5. up please?

6. PRESIDING OFFICER (Senator Egan)

7. Senator Partee.

8. SENATOR PARTEE:

9. Well, Mr. President an members of the Senate, this bill
10. inadvertently went to Executive rather than Judiciary, as a
11. matter of fact Senator Carroll had the file was in Executive
12. with this bill yesterday had to leave early to go to a doctor's
13. appointment an I handled the bill for him. Let me explain to
14. you simply what it does. I would certainly hope that the Motion
15. as made by Senator Rock would be sustained to at least get the
16. bill on 2nd reading an then get it to passage stage. If at
17. that time, you feel that the bill should be defeated, then of
18. course, you could vote in accordance with your feeling. But
19. the bill presents a solution to a very grave problem that persons
20. in this state who rent automobiles for hire have been exposed
21. to. Under the present circumstances when a person rents a car,
22. takes it out of this state, an does not return it the law of
23. our State does not permit the extradition of that person back
24. to Illinois for the reason that it must be a felony to extradite
25. one for, hence, the idea of the bill an on 2nd reading an amendment
26. will be placed on the bill which would make any offense, it's
27. a part of the theft section relating to an automobile be either
28. a misdemeanor or a felony an there's ample precedent in our
29. law for offenses to be either a misdemeanor or a felony, the
30. wreckless homicide statute for example is one of those instances,
31. so that a States Attorney in evaluating a case relating to a
32. theft of an automobile may determine under both sections of
33. the Statute, A an B, whether the offense justifies a misdemeanor
or a felony warrant an in those cases where it is judged

1. to be a felony an extradition proceedings are necessary that
2. latitude would then be given to the States attorney. I think
3. it's an excellent bill an I think the persons who are in the
4. automobile business for hire deserve this legislation an I would
5. certainly ask you to support Senator Rock's Motion to discharge
6. the Executive Committee of this bill Judiciary Committee...thank
7. you...of this bill an bring it to the Floor for...s...on 2nd
8. reading.

9. PRESIDING OFFICER (Senator Egan)

10. Senator Carpentier.

11. SENATOR CARPENTIER:

12. Well, Mr. President, I echo the words of our Pro Tem in
13. regard to this bill an also the Senators that live on border
14. areas like I do. They pick up a car in...at the Moline airport
15. for an example an they go into Iowa an if they abandoned the
16. car or...or something happens we have no recourse to get the
17. car back. I think this is an excellent piece of legislation
18. an I join in bringing this bill out on the Floor an I urge the
19. members of this side of the aisle ta vote for this bill.

20. PRESIDING OFFICER (Senator Egan)

21. Is there any further discussion? Clerk will call the roll.

22. SECRETARY:

23. Arr...Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
24. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
25. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
26. Hall, Harriş, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
27. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
28. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
29. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
30. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

31. PRESIDING OFFICER (Senator Egan)

32. Senator Ozinga aye. Call the absentees, Mr. Clerk. Mitchler

33.

aye. There's a.....Newhouse aye. The vote is 32 ayes an 1
nay. The Motion prevails. Senator...ah...Vadalabene.

SENATOR VADALABENE:

Having voted on the prevailing side I wish all aye votes
1. taken be reconsidered.

2. PRESIDING OFFICER (Senator Egan)

3. Motion to reconsider the vote by which the vote was taken...ah
4. ... any o...Motion t...Motion ta table...yes, Senator. Motion
5. prevails...ah...the...ah...bill is now in 2nd reading. Senator...
6. ah...Partee.

7. SENATOR PARTEE:

8. I ah...rise at this moment on a point of nothingness really,
9. because it isn't a point of personal privilege...I arise, I
10. suppose to breach our Rules. (laughter) Our Rules provide
11. that people should not be introduced from the gallery, but my
12. heart is bursting with pride this morning, because sitting in
13. the President's gallery on this side is Mrs. Lena Frankenburger
14. a teacher at the Harvard St. George School, in Chicago an her
15. 8th grade class. Her 8th grade class contains one person who's
16. last name is Partee. Her first name is Cecele, my daughter,
17. an I'd like for this group to stand and be recognized by the
18. Senate...an my daughter is the one in green..

19. PRESIDING OFFICER: (Senator Egan)

20. Senator Partee...ah...yesterday we left off in the middle
21. of the House bills on 3rd reading...ah...is it the...a...desire
22. to continue from that point...

23. SENATOR PARTEE:

24. Let's start at that point, if we might.

25. PRESIDING OFFICER: (Senator Egan)

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Ah...Mr. President, if it would be proper in the order
29. of business, I would like to ask that the Senate Appropriations
30. Committee be ...ah..discharged of the hearing of three bills
31. for the purpose of Tabling these bills. I've talked to the
32. Chairman of the Se...Senate appropriations committee, the three
33. bills that I would move to be Tabled are SB546, SB892, an SB893.
I would move that...ah...these three bills be Tabled. I am
the chief sponsor of the

1. three bills.

2. PRESIDING OFFICER (Senator Egan)

3. Is there any objection to tabling...bill... There's no
4. objection. Table. The last bill we...ah...heard yesterday House
5. bills on 3rd reading was 1636 so we'll begin with 1665, Senator
6. Latherow. ah...HB1666 thats also Senator Latherow's he'll be
7. right back. 1675 Hold. 1694 Senator Rock.

8. SENATOR ROCK:

9. Yes, Mr. Chairman...I wonder as a point of...er Mr. Presi-
10. dent as a point of parliamentary inquiry...I wonder if I
11. might ask the Chair or ask the leadership...ah...is this the
12. final day now is...ah...th...that we gonna have a whack at these
13. bills?

14. PRESIDING OFFICER (Senator Egan)

15. Senator Partee.

16. SENATOR PARTEE:

17. Well...I've d...been in conference with Senator Clarke an
18. with Senator Groen who has a Motion, the terms of which would
19. if introduced at the close of today's Session bring us to this
20. position where all House bills which have..which were introduced
21. prior to June 30th whether they now reside on the Calendar
22. or in Committee will be Tabled with this exception that those
23. bills which Senator Clarke an I after consultation with those
24. of you who desire it may be revieved by our Motion. This would
25. be a part of the Motion...ah...which would be passed. Does
26. that answer you, Senator? That answer you question?

27.
28.
29.
30.
31.
32.
33.

1. PRESIDING OFFICER (Senator Egan)

2. Senator Rock.

3. SENATOR ROCK:

4. Lis...will this be done, Mr. President...ah...in the Rules
5. Committee so that we would make a Motion to bring these again
6. out to the Floor...they'd be on 2nd reading again.

7. SENATOR PARTEE:

8. Yes, there'll be a committee...ah...a...a...virtually
9. an ad hoc committee of Senator Clarke an myself.

10. PRESIDING OFFICER (Senator Egan)

11. Senator Rock, do you wish...ah...to take up HB1694...HB1694?

12. SENATOR ROCK:

13. Yes, Mr. President, members of the Senate....HB1694 as
14. amended is an amendment to the trustee's power act, which now
15. authorizes trustees to hold securities in the name of a nominee
16. an it applies both to corporate an individual trustees. This
17. bill simply requests permissions with respect to corporate trus-
18. tees only to substitute a computerized accounting system for
19. the physical system now in effect. It means therefore that
20. a bank would be able to hold certificates of the same issuer
21. in bulk with ownership set forth on the banks records. As with
22. respect to nominee registration, the bank remains liable for
23. it's acts an the acts of its nominee an must keep these secur-
24. ities separate an apart from it's own individual assets. Imple-
25. mentation of this system could save vault space, eliminate most
26. coupon clipping, ease dividend reconciliations, reduce the number
27. of fails from brokers on sales an facilitate audits. This law
28. has been enacted in New York in 1970 an in 1971 similar laws
29. have been enacted in Massachusettes, California, Connecticut,
30. Oregon, an Texas. This legislation is in my judgement essential
31. to enable the trust industry in Illinois to remain competitive.
32. This bill has the approval of the Illinois Bankers Association
33. an as far as I know there is l...little or no other known opposition.

PRESIDING OFFICER (Senator Egan)

1. Is there any discussion? Senator Sours. Senator Sours.

2. SENATOR SOURS:

3. Mr. President, Senators, these bills have not improved...
4. ah...in the interim since we had a long detailed presentation
5. in June I think of 1971. This bill allows a corporate trustee
6. an may I say only a few corporate trustees are sincerely sup-
7. porting this bill an that would include the First National Bank
8. in Chicago an the Continental Illinois National Bank, in Chicago
9. ...the others have less then an apathetic interest in it. This
10. bill will allow trustees to invest in common trusts funds...in
11. the name of an nominee instead of the name a the trust itself.
12. Even the bank would not know that the funds were trust funds...
13. an thus could not know when the funds were being used illegally
14. or for a nontrust purpose. Sooner or later this kind of legis-
15. lation could really set off a scandal in the financial circles.
16. As an example an employee of a trust company could have the
17. trust funds transferred to his account an then could withdraw
18. them for his own use, an by the time the theft might be discovered
19. our hero with his hat on an his suitcase all packed could be
20. safely in Brazil. This bill is no better now than it was last
21. year. It merits your complete defeat.

22. PRESIDING OFFICER (Senator Egan)

23. Is there any further discussion? Senator Rock you may
24. close the debate.

25. SENATOR ROCK:

26. Well, Mr. President, members of the Senate...I have long
27. been aware, of course, of the opposition that Senator Sours
28. has toward what he considers ta be this series of bills. Now,
29. my understanding from those conversations an from...others that
30. I've talked with was that his primary concern an I'm not questioning
31. his motivation or his judgement was with HB1693, which as you
32. know is on the Calendar on postponed consideration. This, in
33. my judgement, is a horse of an

altogether different color. This bill merely gives corporate
1. trustees the power to hold securities in bulk, so that they
2. don't have to hold 15 shares in one name and 15 in the other
3. if in fact they have 30 shares. Now the Trustee's Powers Act
4. already authorized trustees to hold securities in the name of
5. a nominee and it applies both to corporate and individual trustees.
6. All this bill does is request permission with respect to corporate
7. trustees only to substitute a computerized accounting system
8. for the physical system now in effect. I think...in...th...an
9. the Illinois Bankers Association has told me and I've discussed
10. this with other members of the trust industry notably Austin
11. Fleming from the Northern Trust, who was in my office not less
12. than two weeks ago and it just...they...they maintain that in
13. order to keep our competitive status, Illinois should adopt
14. this law so that these large trustees, these corporate trustees
15. can in fact install a computerized operation. I would ask your
16. favorable support.

17. PRESIDING OFFICER (Senator Egan)

18. Clerk'll call the roll.

19. SECRETARY:

20. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
21. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
22. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
23. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
24. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
25. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
26. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
27. Smith Soper, Sours

28. PRESIDING OFFICER (Senator Partee)

29. Senator Sours.

30. SENATOR SOURS:

31. By way of explaining my vote, so it's...there's no misunderstan-
32. ding about my motives..I'm very concerned about this bill because
33. of...

1. of this particular situation, let's say one of the assets, you
2. see we're gonna co-mingle John Smith's trust funds, Bill Jones'
3. trust funds, Amy Johnson's trust funds, we're gonna put em all
4. in a sack, now, what happens if there has been an improvident
5. investment an one of the assets...in.....the...in the large
6. portfolio containing all these trusts, fails? Then of course,
7. necessarily I believe it would be apportioned, the loss among
8. all of them. Well, that shouldn't be Senator Rock...ah...I
9. don't think we should give the trust companies this right so
10. they can insure the losses an spread...your...th...the loss
11. in the Rock trust an effect the Sour's trust. That's what's
12. basically wrong with co-mingling an that's the reason why Senator
13. Rock, lawyers may not co-mingle funds, their funds ...ah...an
14. the client's funds or co-mingle the...the funds of two clients,
15. we'll say in a... in a single bank account. Now, there's a
16. good reason that...ah...guards us against any co-mingling an
17. this is a glaring example. Now, certainly if one of the assets
18. in this huge portfolio failed it would be apportioned an that
19. would be the nicest excuse for Mr. Bank Trustee to y...wiggle
20. out, weasel out an walk away from the liability, that's whats
21. wrong with this bill. It isn't Scours, it's the bill. I vote
22. no.

23. SECRETARY:

24. Swinarski, Vadalabene, Walker, Weaver.

25. PRESIDING OFFICER (Senator Partee)

26. Call for the absentees.

27. SECRETARY:

28. Arr...Arrington, Carroll, Cherry, Chew, Clarke, Collins,
29. Coulson, Davidson, Gilbert, Hall, Horsley, Knuepfer, Laughlin,
30. Lyons, McBroom, Mitchler, Mohr, Newhouse, Palmer, Rock, Smith,
31. Soper, Swinarski, an Walker.

32. PRESIDING OFFICER (Senator Partee)

33. On this question the yeas are 23. The nays are 13. This
bill having failed ta receive the constitutional majority is

1. declared lost. 1695....1767, 1769 Senator Savickas.

2. SENATOR SAVICKAS:

3. Mr. President, I'd like..ah...leave to bring these bal...
4. bills back to 2nd reading for purpose of amendment.

5. PRESIDING OFFICER (Senator Partee)

6. Is there objection? You have the amendment prepared?

7. Send it down to the Secretary. Senator Savickas.

8. SENATOR SAVICKAS:

9. Ah...these amendments were requested by the real estate
10. people an the real estate board...ah...the one amendment would...
11. ah... keep the notice of...ah...anti-solicitation in effect
12. for one year from the date of notice instead of a perpetual
13. one...an...ah...the other amendment...ah...would amend bill
14. ...ah...to show that any subsequent action by the complaintant...
15. it shows an intent to sell his property shall negate the effect
16. of such notice as far as the anti-solicitation. I would move...ah
17. ...your favorable consideration of these two amendments.

18. PRESIDING OFFICER (Senator Partee)

19. Any discussion on the amendment? Any objection to the
20. amendment? The amendment's adopted. Any further amendments?
21. Any amendments from the Floor? 3rd reading. You only had one
22. amendment Senator? 1770 Senator Savickas.

23. SENATOR SAVICKAS:

24. Ah...I would like...ah...leave to call 1769, 70, an 71
25. together as they all pertain to the same subject, so if we have
26. intervening business

27. PRESIDING OFFICER (Senator Partee)

28. Senator Savickas..

29. SENATOR SAVICKAS:

30. Ah...these bills if I hold them today...ah...they're not
31. automatically killed are they?

32. PRESIDING OFFICER (Senator Partee)

33.

No, they won't be...ah...we'll make an exception of these,
I think.

SENATOR SAVICKAS:

Okay, fine, I'll hold them till next week.

1. PRESIDING OFFICER (Senator Partee)

2. For the principal reason I think, the members would want
3. to see an get a chance to read the amendment.

4. SENATOR SAVICKAS:

5. Amended bill.

6. PRESIDING OFFICER (Senator Partee)

7. They have not seen it.

8. SENATOR SAVICKAS:

9. Fine

10. PRESIDING OFFICER (Senator Partee)

11. 1855 Senator Rock.

12. SENATOR ROCK:

13. Yes, Mr. President, members of the Senate, HB1855 is a
14. rather complicated corporate law bill, which was sponsored by
15. an endorsed by the Chicago an Illinois Bar Associations. An
16. what it does, briefly what it does it...it concerns itself with
17. corporate mergers where there are three parties involved, one
18. a the three parties or two a the three parties being in apparent
19. subsidiary relationship an the type of merger which would be
20. permitted by the committee's amendment which is HB...incorporated
21. in HB1855 can be illustrated by the following example...now
22. this is a little bit complicated. Assume that C wishes to acquire
23. complete control of A, a publicly held corporation, which
24. it desires to continue in existence as a wholly owned subsidiary
25. in order to eliminate the necessity of obtaining assignments
26. of certain contracts or rights, an acquisition of B, a subsidiary
27. of C of all the assets of A would result in B rather than A
28. being who...the wholly owned subsidiary. So far so good. Under
29. the arrangement in question C conveys the shares of C's stock
30. to be issued to the shareholders of A to B, which then mergers
31. into A. The merger agreement provides that on the effective
32. date of the merger all of the outstanding stock of A is converted
33. into the stock of C an that all of the stock of B is converted
into

1. the stock of A. The final result is that A is a wholly owned
2. subsidiary of C an the former shareholders of A are now share-
3. holders of C. This amendment is necessary because the Inter-
4. nal Revenue Service treats such a transaction as a B reorgani-
5. zation, rather than a straight merger an a B reorganization,
6. as the tax experts know, has g...greater tax advantages. Now
7. the amendment itself or the bill itself merely changes the origin-
8. al merger section which is now on the books read obligations
9. or other securities of other corporation which is then the owner
10. of an there was some question as to what the then meant, so now
11. we are s...striking the word then an saying immediately before
12. or immediately after the merger is effected...ah...I am told
13. that the...both the Chicago an the Illinois Bar Association
14. corporate law committees are in full support of this measure.
15. We did hear it in Judiciary, certain examples were offered an
16. really it's...it's a tax advantage to the corporate mergers
17. within the State of Illinois an I'd ask your favorable support.
18. PRESIDING OFFICER (Senator Partee)

19. Any further discussion? Senator Rock...may close the debate.
20. Roll call. Oh, pardon me, Senator Berning.
21. SENATOR BERNING:

22. This of cor.....I'd like to ask the sponsor a question
23. because this of course is something that escapes me completely,
24. but his last statement intrigues me. Is this a tax advantage
25. that will accrue now or are we plugging a so called loophole
26. tax advantage that oughta be plugged if we pass this?

27. SENATOR ROCK:

28. Well, let me explain it this way, Senator, if I might in
29. a little bit more detail...ah...I am told that this bill merely
30. corrects an oversight in an amendment approved in a 1969 Session
31. providing for mergers of corporations with exchanges of stock
32. where there is apparent subsidiary relationship an as I under-
33. stand it the Internal Revenue regulations are so drawn that
there

1. is a tax advantage to a B what they call a B reorganization ra-
2. ther then a straight merger..an..if..if we put this amendment
3. on there will definitely have future tax advantages for mergers
4. that will follow subsequently.

5. PRESIDING OFFICER (Senator Egan)

6. Senator Merritt.

7. SENATOR MERRITT:

8. Ah...Mr. President, members of the Senate, I certainly
9. rise in support a this legislation, I think it's good an necessary
10. legislation. Certainly it...if we're going to maintain a fav-
11. orable corporate tax structure in Illinois in the best interest
12. of all of our corporations, business, an industries.

13. PRESIDING OFFICER (Senator Egan)

14. Any further discussion. Senator Rock, do you clare...ah...do
15. you care to make any closing statement?

16. SENATOR ROCK:

17. Well, Mr. Mr..Mr. President, members of the Senate, thi...
18. this is admittedly a rather complicated bill because it deals
19. with a very, very narrow complex subject. I am informed by
20. the members of the bar association who testified in favor of
21. this bill that the act was amended in 1969 an that this present
22. amendment should have been in that one an it was not and consequently
23. there have been some tax disadvantages an we are attempting
24. at least to make the statute whole if you will an I'd ask for
25. a fav...a favorable roll call.

26. PRESIDING OFFICER (Senator Egan)

27. Secretary'll please take the roll.

28. SECRETARY:

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

Merritt, Mitchler, Mohr, Neistcin, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

1.
2. PRESIDING OFFICER (Senator Egan)

3. ...those question. The yeas are 35, nays nothing. The
4. bill having received a constitutional majority is declared passed.
5. For what purpose does Senator Berning arise?

6. SENATOR BERNING:

7. Mr. Chairman, I'd like...ah...to request unanimous consent
8. of the Body to move out of the regular or...order of business
9. an proceed to items on postponed consideration for the purpose
10. of bringing HB789 back to 2nd reading for purposes of an amendment
11. which is on the Secretary's desk.

12. PRESIDING OFFICER (Senator Egan)

13. Any objections?

14. UNIDENTIFIED VOICE:

15. There ain't none.

16. PRESIDING OFFICER (Senator Egan)

17. ...ah...HB789...there's been a Motion to return that bill
18. to 2nd reading for the purpose of amendment. Ya, Senator Berning.

19. SENATOR BERNING:

20. The amendment merely sets an effective date, July 1, 1974
21. an I move for it's adoption.

22. PRESIDING OFFICER (Senator Egan)

23. Those in favor of the amendment signify by saying aye.
24. Contrary nay. The amendment's adopted. The bill goes to 3rd...the
25. House bills on 3rd reading...Oh, I'm sorry it goes back to con-
26. sideration postponed. Yes, Senator Berning.

27. SENATOR BERNING:

28. I believe I am correct in saying that there is agreement
29. by the leadership on both sides that this bill be taken up...ah...
30. today so after intervening business I request that...ah...we...you
31. call this bill.

32. PRESIDING OFFICER (Senator Egan)

33.

1. Alright...ah...1976...House bills on 3rd reading. Senator
2. Savic...ah...Senator...ah... Newhouse...ah...2267 Senator Latherow
3. ...Senator Latherow.... 2312 Senator Hall. Senator Hall's recog-
4. nized.

5. SENATOR HALL:

6. Thank you Mr. President, members of the Senate...w...this...ah...
7. is Senator Knu...Knuppel on the Floor? No, I mean Nefer...anufer
8. ... Knuepfer...Knuepfer...where is he?

9. PRESIDING OFFICER (Senator Egan)

10. He...doesn't seem to be on the Floor right now.

11. SENATOR HALL:

12. Well, these bills have been up several times an I see no
13. reason why we should continue to put em off. Now...he...he
14. asked me a question...why I need for a referendum on a tax rates
15. for the park district. I asked the original sponsor of the
16. bill an he said he didn't know an he wasn't able ta find out
17. so I'd just like to put this...ah...Bill 2312 up for a vote
18. an I'll accept whatever roll call I get.

19. PRESIDING OFFICER (Senator Egan)

20. Ready for the roll call...question is shall HB2312 pass.
21. Secretary will call the roll.

22. SECRETARY:

23. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
24. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
25. Donnewald, Dougherty,

26. PRESIDING OFFICER (Senator Egan)

27. Senator Dougherty.

28. SENATOR DOUGHERTY:

29.

30.

31.

32.

33.

1. When Senator Hall called these bills the other day I re-
2. quested that he hold them for a day or two in order that we
3. might take a look at em an check with the park district authorities
4. ...he was very gracious in doing that. I had no intention of
5. putting his bills in a position that there might be some doubt
6. as to...as to their worthiness. I did consult with people interested
7. in these subjects an I find that there's no objection whatsoever
8. to these bills in their present form an I'm going to vote aye.

9. SECRETARY:

10. Egan, Fawell,

11. PRESIDING OFFICER (Senator Egan)

12. Senator Fawell.

13. SENATOR FAWELL:

14. I'm...I am sorry that I missed the explanation on this
15. bill, but...ah...although I do as an attorney represent a park
16. district I have always...ah...been in opposition to bills that
17. will extend to either to municipalities or to park districts
18. the power to annex land without the consent of the people and...ah
19. ...especially in a fast growing area...ah...which I represent
20. this is a problem...ah...about which...ah...the people in my
21. area feel very, very...ah...intense about...an I apologize for
22. asking a question in regard to...ah...a bill that's on...o...on
23. roll call...but I...I would like to ask the sponsor...ah...
24. this extends the...the power to...ah...annex without the consent
25. of the people ...ah...in...in...to what degree Senator?

26. PRESIDING OFFICER (Senator Egan)

27. Senator Hall.

28. SENATOR HALL:

29. Senator, originally the bill raised from 20 ta 60 an it
30. was a amendment put on it from 20 ta 30...an the low...the law
31. now allows you to annex if you have a petition signed by the
32. majority of voters unless they own more than 20 acres...so that...
33. so this would allow em to go up to 30 acres.

1. PRESIDING OFFICER (Senator Egan)

2. Senator Fawell.

3. SENATOR FAWELL:

4. I...is...ah...so...so...w...w...would the...ah...would
5. this bill if it were passed...ah...you would...include...30
6. acres could be annexed without the consent of the people an
7. I...I assume that this is one the basis where they're surrounded
8. by...ah...certain...by...ah...are there any other conditions...ah...

9. PRESIDING OFFICER (Senator Egan)

10. Senator Hall.

11. SENATOR HALL:

12. No, Senator, this was requested by the...ah...this is Repre-
13. sentative Schoeberlein's bill an this was requested by the Park
14. Association so...ah...I have no other information on this bill
15. other than that. I just talked ta him today an he says that...ah...
16. ta let the bill go up or down.

17. SENATOR FAWELL:

18. Well...as I...ah...jus...parting comment then...is...ah...on
19. the basis I see more of a reason for park districts to require
20. this type of annexation because people can take advantage of
21. all the a...the attributes of a park district but...ah...but...ah...
22. ah...not pay taxes, however I...I've always opposed...ah...legisla-
23. tion which would...ah...simply force people to become a part
24. of a tax entity without their consent...an...an thus I would
25. vote no on this too.

26. PRESIDING OFFICER (Senator Egan)

27. Fawell no. Continue.

28. SECRETARY:

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

32. PRESIDING OFFICER (Senator Egan)

33. Bom...Senator Mitchler.

SENATOR MITCHLER:

1. Ah...Mr. President, members of the Senate, I note that
2. there's actually two bills involved, an very closely related.
3. HB2312, the one that we're considering an then the bill immediately
4. following it HB2313. Now, the authority to annex this land
5. without consent of the owner up to 30 acres is provided for
6. in HB2313 immediately following HB20...ah...rather 2312 an immediate-
7. ly following is HB2313, which I note amends the Park district
8. code ta provide for .05% tax for purposes of acquiring open
9. space an provides...ah...for...a...ah...referendum to do...ah...
10. just that which would be the...ah...manner which they'd get
11. the additional money to ...ah...ah...purchase the...ah...land...ah
12. ...ah... ..in as much as that has a referendum on HB2313 we'd
13. have no objection to that, but on 2312 without the consent of
14. the owner I'm going to have ta vote no.

15. SECRETARY:

16. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
17. Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,
18. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

19. PRESIDING OFFICER (Senator Egan)

20. Senator Hall...Senator Hall.

21. SENATOR HALL:

22. I...I...that's alright I'll wait till after...

23. PRESIDING OFFICER (Senator Egan)

24. ...less the ayes are 13, the nays are 14, the bill having
25. failed to receive a constitutional majority is hereby declared
26. lost. Senator Hall.

27. SENATOR HALL:

28. Ah...Mr. President, I think accordan to Senator Groen's...ah...
29. didn't he have a Motion that this bill...the next bill would
30. die anyway unless it's called today so I'll just accept the
31. same roll call on 2313.

32. PRESIDING OFFICER (Senator Egan)

33. Is there leave to apply the same roll call to SB twe...ah...
2313?

1. Leave having been granted the same roll call...bill defeated.
2. Ah...Senator Berning..ah is it agreeable with the Body if we
3. now go to the bill...HB789 as amended...agreeable with the Body.
4. Senator Berning's recognized on that.

5. SENATOR BERNING:

6. Thank you Mr...thank you Mr. President...Gentlemen an lady
7. of the body...s...HB789 would be a significant measure in helping
8. to alleviate the dire financial situation that the counties
9. find themselves in...a...essentially as the result of the constitu-
10. tional prohibition on the earning of fees a...for various services.
11. Th... the counties now do collect the inheritance tax an retain
12. a very small fee for this service remitting the entire, almost
13. the entire amount to the State. This bill provides that 50%
14. of the tax would be retained by the county, the rational for
15. that being of course that the estate is generated in the county,
16. the county treasurer does the major share of the work an the
17. county ought to benfit from these efforts an from these proceeds.
18. As I said the counties are experiencing a dramatic curtailment
19. of income an as an example to the...that would accrue in the
20. way of advantage to the larger counties let me ex...recite a
21. very few statistics that will show what the benefit to the counties
22. would be. For 19...for fiscal 1970, Cook county collected 37
23. million eight hundred sixtyone thousand under the provisions
24. of 789, fifty percent of that would be retained by Cook county.
25. Champaign county collected 5 hundred thrity-eight thousand,
26. they would retain fifty percent. DuPage county collected 1
27. million one hundred eightyeight thousand. With that going on
28. gentlemen an Lady I submit that here would be a very easy direct
29. way for us to benefit the counties an help them off set the
30. tremendous loss of revenue that they are now faced as the result
31. of there...ah...ina...inability to charge for the extension
32. an collection of taxes or any other fees. If there're any questions
33. I'll be glad to answer them, if I can, but I would appreciate
a favorable roll call.

1. PRESIDING OFFICER (Senator Egan)

2. Senator Laughlin.

3. SENATOR LAUGHLIN:

4. Yes, Mr. President, members of the Senate, Senator Berning
5. would you yield to a question, please? What was the total a-
6. mount of the Inheritance Tax collection for the State of Illin-
7. ois ..ah..during the last year, if that's available?

8. SENATOR BERNING:

9. For the fiscal year from...ah...which is the last one I
10. have, July 1, 69 to June 30, 70, the total gross for the entire
11. State was 65 million two hundred sixtyfive thousand seven hundred
12. sixtythree dollars.

13. SENATOR LAUGHLIN:

14. Then, if I understand correctly, you're talking about a
15. bill which would in effect reduce State revenues th...ah...taking
16. off the four percent er the two percent tot...ah...about 30
17. Million dollars...based on those figures, would that be right?

18. SENATOR BERNING:

19. That...that's essentially correct, yes.

20. SENATOR LAUGHLIN:

21. Then, the bill, of course, doesn't have anything to say
22. about how we m...get that back for the State.

23. PRESIDING OFFICER (Senator Egan)

24. Senator Berning:

25. SENATOR BERNING:

26. Ah...in response to that last comment, no, it does not
27. attempt to address itself to the recovery by the State or the
28. enhancement of the State's revenue. We...ah...certainly are
29. experiencing an economic growth that the counties do not benefit
30. from but I'd want to point out one other thing. These proceeds
31. accruing to the counties will be distributed in the same percentages
32. to the local taxing districts as property taxes so that all
33. taxing districts will benefit.

1. PRESIDING OFFICER (Senator Egan)

2. Any further discussion? Ready for the vote. Secretary
3. please call the roll.

4. ACTING SECRETARY (Edward Fernandes)

5. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
6. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
7. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
8. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
9. Kusibab, Latherow, Laughlin, Thomas Lyons, McBroom, McCarthy,
10. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
11. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
12. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
13. Weaver.

14. PRESIDING OFFICER (Senator Egan)

15. Laughlin no. Gilbert no. Senator Berning.

16. SENATOR BERNING:

17. Ah...let me emphasize again, if I may, that this is a very
18. direct method of assisting our local government. The counties
19. have been hurt dramatically as the result of the constitutional
20. prohibition on the...c...earning of fees. Here we can assist
21. them to achieve some degree of additional income to provide
22. the services that they must provide and I point out again that
23. a distribution of these retained funds will be made to the local
24. taxing districts exactly the way the regular property tax is
25. distributed. It's a great help...gentlemen and lady and I urge
26. you to reconsider and cast your aye vote. Mr. Chairman, may
27. I ask that the absentees be called?

28. PRESIDING OFFICER (Senator Egan)

29. Accord...have you voted Senator? Ah...Call the absentees,
30. please.

31. SECRETARY:

32. Arrington, Baltz, Bidwill, Carroll, Chew, Clarke, Collins,
33.

1. Coulson, Cou...

2. PRESIDING OFFICER (Senator Egan)

3. Senator Coulson.

4. SENATOR COULSON:

5. Mr. President, I do not often disagree with my colleague.
6. Ah...I did not intend ta speak on this bill at all...but I...
7. I can't bring myself ta be in favor of it and I thought by withhold-
8. ing my vote that would be a gentle enough indication. Actually
9. the inheritance tax money belongs to all the people of this
10. state an the...ah...fact that Lake county, the district I re-
11. present an he represents...ah...gets an undue large proportion
12. of the inheritance tax means that this should be very attractive
13. to the people in Lake county. It should be attractive to the
14. people in Cook county, the people in DuPage, the wealthy suburbs
15. let's say the mere accident of whether a decedent who when he
16. dies...ah...happens to live on the...on the McHenry county side...
17. of the..of the...ah...county line or the L...Lake county side
18. in Barrington or the Kane county this is nothing that Lake county
19. has done to earn an additional inheritance tax...the accident
20. of residence at the time of death it seems to me is an improper
21. factor for allocating state revenue. This money belongs to
22. all the people of this State an should not depend upon an accident
23. of birth an...an so I regretfully...ah...would vote no.

24. SECRETARY:

25. Davidson, Donnewald, Fawell, Graham,

26. PRESIDING OFFICER (Senator Egan)

27. Senator Fawell.

28. SENATOR FAWELL:

29. I would like very much to vote for this, but, I think as
30. Senator Laughlin has pointed out you have...ah...we all know
31. what the budgetary problems of the Governor are an the funds
32. available to the State are so very, very scarce that it..it...it
33. just doesn't make sense to cut off a source of vitally needed
funds for the

1. overall support of education an so many other vital areas.
2. As much as I would like to see these funds go to the County
3. of Dupage which has some need for them too, I think the higher
4. priorities that all of us...ah...must recognize would be the
5. ..the State..ah..budget...all of us are gonna be voting for
6. a lot of appropriation bills..an I...for that reason would...am
7. constrained to vote no on the bill.

8. SECRETARY:

9. Graham, Harris, Horsley, Latherow, Lyons, McBroom, Merritt,
10. Mitchler, Mohr, O'Brien, Ozinga, Palmer, Smith, Soper, Sours,
11. Swinarski, Walker, Weaver.

12. PRESIDING OFFICER (Senator Egan)

13. Vadalabene aye, Mitchler No, Sours no, Harris no, Latherow
14. no. On this...ah...the yeas are 25, the nays are 12. Bill
15. having failed ta receive a constitutional majority is...ah...declar-
16. ed lost. Ah...Senator Vadalabene for what purpose do you arise?

17. SENATOR VADALABENE:

18. Thank you, Mr. President, on a point of personal privilege...
19. ah... sir...ah...in the gallery to the rear is a group of students
20. from the Irvin Grade School, of Alton, Illinois...with their
21. instructor Harold Horsley an I would appreciate if they would
22. stand for recognition. Thank you.

23. PRESIDING OFFICER (Senator Egan)

24. Ah...Senator Gilbert, 2318...

25. SENATOR GILBERT:

26. I talked with the Pro Tem, I thought that we were going
27. to recess now...ah...we have a committee schedule now an the
28. ranks are dwindling. Ah...this bill has been placed on the
29. list ta carry over. I'd rather not try to go it. I don't think
30. we can pass any legislation now...there's not enough people
31. on the Floor.

32. PRESIDING OFFICER (Senator Egan)

33. Senator Harris.

SENATOR HARRIS:

1. Ah...Mr. President...ah...I'd like to seek unanimous consent
2. to revert to the order of introduction of bills. I have a bill
3. on the Secretary's desk which I have discussed with both Senator
4. Partee and...ah...ah...Senator Clarke. Ah...it is a very urgent...
5. ah...measure... ah...I have their approval to go ahead and introduce
6. it bypass rules and have it read...ah...ah...first time without
7. reference...ah...to committee.

8. PRESIDING OFFICER: (Senator Egan)

9. Any objection? Bill is introduced...proper..do you wanna
10. read the bill?

11. SECRETARY:

12. SB#1557 introduced by Senators Harris, Clark, Rock and Romano,
13. is a bill for an Act to amend Section 37 of an Act concerning
14. public utilities, 1st reading of the bill.

15. PRESIDING OFFICER (Senator Egan)

16. Yea, it went to 2nd. Ah...wonder if the Body might mind
17. if...ah...ah...we could go to the consent Calendar on Resolutions
18. House Joint Resolution 127 and...ah...suspend the Rules. It's
19. congratulatory and adopt that Resolution. Could I have leave?
20. On House Joint Resolution...the Resolution is adopted. Yea...127
21. Senator Partee.

22. SENATOR PARTEE:

23. Senator Groen, Senator Groen may I have your attention?
24. We are at that point where we're about to finalize today's activities
25. PRESIDING OFFICER (Senator Egan)

26. Senator Groen.

27. SENATOR GROEN:

28. Mr. President, members of the Senate, on the Secretary's
29. desk is the Motion which I filed and which I said on Monday I
30. would file and which I would call with the consent of the Sen-
31. ate just prior to adjournment this week and if that moment has
32. arrived as Senator Partee indicates it has...ah..I would call

33.

1. that Motion. I believe Senator Partee has an amendment which
2. I have agreed to accept ..ah...an if he desires at this time
3. to call...ah...that amendment for consideration, I would yield.
4. PRESIDING OFFICER (Senator Egan)

5. Senator Partee.

6. SENATOR PARTEE:

7. Yes, Mr. President, there is an amendment on the Secretary's
8. desk, which would amend the Motion of Senator Groen to provide
9. this language: Or revive bills tabled under the provisions
10. of this Motion, which simply means that bills which are tabled
11. as a result of Senator Groen's motion may at the instance of
12. Senator Clarke an myself be revived, so we don't lock ourselves
13. in an lose any opportunity to revive a bill which is deemed
14. to be necessary. An I'd move the adoption...I mean I'd move
15. the adoption of this amendment.

16. PRESIDING OFFICER (Senator Egan)

17. Ah'...you...ah...Senator Groen do you wish you...address
18. yourself to the amendment?

19. SENATOR GROEN:

20. We...I...I would jus' say these few words, if I may...ah...I
21. do not oppose this amendment...I...I deem it to be somewhat
22. innocuous in view of the fact that many of you will recall that
23. in the closing days of the last Session we had a long an rather
24. difficult..ah..parliamentary discussion about the status of
25. a bill that has been Tabled or stricken an it is my recollection
26. that the parliamentarian ruled an the Lieutenant Governor so
27. in accordance with that decision of the parliamentarian ruled
28. that a bill which has been given such treatment rests on the
29. Secretary's table and is subject to being revived at the will
30. of the Senate, so that there is a means available to do that
31. anyway. This would make it a somewhat different method...ah...to
32. be involved in doing it an I think it's a better method under
33. these circumstances an I'd therefore support the amendment.

PRESIDING OFFICER (Senator Egan)

Those in favor of the amendment signify by saying aye.

1. Contrary minded. The amendment's adopted. We revert to the Motion.
2. Senator Groen.

3. SENATOR GROEN:

4. An now Mr. President in speaking to the Motion as amended,
5. I'd just call your attention to the fact that I have had staff
6. make some calculations and I'm sure it will interest you to
7. know that at the present time there are one thousand three hundred
8. an ninetyfive House bills alive which potentially could come
9. over here for consideration. The Senate likewise, has a staggering
10. number of bills a total of two hundred an fiftysix, I am advised,
11. or more presently which we will, or potentially at least can
12. be called upon ta consider. If we're going ta give the kind
13. of attention, appropriation an revenue bills for the coming
14. fiscal year of 1973 deserve I think we should make every effort
15. to remove these bills which Senators have had adequate opportun-
16. ity to call, both House an Senate, to move out of committee
17. an call for 3rd reading if they desired and...ah...inasmuch
18. as they have not seen fit to do so up to this point seems ta
19. me to be in the best interest of the Senate in its judicious
20. deliberation that this action be taken an I would move the adoption
21. of the Motion as amended.

22. PRESIDING OFFICER (Senator Egan)

23. Senator Partee.

24. SENATOR PARTEE:

25. I jus wanna make certain that those bills which are scheduled
26. for hearing in Local Government this afternoon are understood
27. to be accepted from this Motion. I look at the numbers an it
28. indicates ta me by the height of the numbers that they may well
29. not be in the catagory, but if they are we would be not including
30. those that'll be heard in Local Government this afternoon, is
31. that right Senator? N...kay.

32. SENATOR GROEN:

33. I...I had that checked on today's Committee Calendar an

1. I was advised that there were no bills in committee in that
2. category. That could be wrong, it was a hasty search and if...ah
3. ...if there are any such bills I too would agree that they be
4. excluded.

5. PRESIDING OFFICER (Unidentified Voice)

6. Senator Egan.

7. SENATOR EGAN:

8. Senator Groen, if you would yield to a question. How
9. many bills does this take off the Calendar?

10. PRESIDING OFFICER (Unidentified Voice)

11. Senator Groen.

12. SENATOR GROEN:

13. S...Senator, I can't answer that because I...I...felt in
14. the drafting of the Resolution that some means should be provided,
15. where the leadership on both sides, by a bi-partisan approach,
16. could unanimously determine that a bill is in the general public
17. interest and should be retained for consideration...ah..I can
18. tell you this without giving you the number...the exact number.
19. There are a great number of bills on the Calendar today that
20. do fall in this category. This does not mean that all of those
21. bills will go down the drain. It does mean that S...Senator
22. Partee and Senator Clarke will address themselves to the substance
23. of the bills involved, that are involved in this Motion and will
24. then determine whether in their judgment and I would hope that
25. they would be most objective in their approach to this and not
26. be persuaded by...ah...individual Senators who...who would want
27. to retain what might be termed local or personal bills...ah...and
28. try to keep those on the Calendar. If they apply the objectivity
29. that I would hope they would address themselves to in their
30. decisions, it would seem to me that a substantial number of
31. bills can be removed from the Calendar and that we can get the
32. Calendar and get the work ahead of us in far better situ...ah...shape
33. and...an form than it is at this moment.

PRESIDING OFFICER (Senator Egan)

1. Senator Partee. Senator Partee.

2. SENATOR PARTEE:

3. I think the number is 97. I think that's the number, Senator
4. Egan, an we will also ask the Secretary after this Motion has
5. passed to make a separate list of the various bills both in
6. committee and on the Calendar, so that they can be journalized
7. for our record.

8. PRESIDING OFFICER (Senator Egan)

9. Senator Clarke.

10. SENATOR CLARKE:

11. Mr. President...m...members of the Senate...ah...in counting
12. the Calendar an this came from...ah...Senator Partee's people...ah
13. ... his staff yesterday it seemed to me like there're about
14. 115 bills but I'm willing to betcha there an equal number in
15. committee that don't show on the Calendar..an I think that...two
16. weeks ago we struck a blow for orderly procedures in the legislature
17. an the press didn't take any note of it. Here again today if
18. this resolution passes, I think it will be a very significant
19. step forward in putting us in a posture ta handle the bills
20. that are important coming out of our committees as well as the
21. deluge that undoubtedly are gonna come over from the House within
22. several weeks... ah...we have a time schedule set up. To this
23. date the House as well as the Senate are following that time
24. schedule, the committees have been working very effectively
25. on both sides this week in hearing the bills that have to meet
26. the first deadline of getting out an I think that this will
27. really put us in a position to do a considered job an I think
28. Senator Groen deserves credit fer purposing this measure and...ah
29. ...I would hope that we all support it.

30. PRESIDING OFFICER (Senator Egan)

31. Senator Knuepfer's recognized.

32. SENATOR KNUEPFER:

33. Well, I'm not so sure I can support this. I want ta know
that what you're in effect doing with this Resolution is something

1. that we discussed a long time ago when we allowed the House
2. ta introduce all the bills and then had some ground rules our-
3. selves. What you're saying in effect is we'll kill a good number
4. of our own bills and then we'll take the House bills as they
5. come in and...ah...while I don't have a great deal of pride
6. in all the bills I've got here I think they're equally as important
7. an equally as good as some a the House bills. Secondly, I think
8. there's another question that we oughta address ourselves to,
9. somehow or other we suggest that we as Senators ought to meet
10. deadlines that the administration doesn't have to meet, now
11. I'm not so certain in my own mind why that deadline an the deadlines
12. we set ought to be for all bills. Certainly the administration
13. is on a more full time basis than we are and if they can't get
14. their bills done on time or introduced on time how can we get
15. ours introduced...ah...I think the effect of this legislation
16. is just simply to sit on the Senate an say well we're gonna
17. put everything of yours aside until such time as we've cleared
18. up the House an the administration bills an I'm in opposition
19. to this.

20. PRESIDING OFFICER (Senator Egan)

21. S...Senator Partee.

22. SENATOR PARTEE:

23. I think the Senator mi...un...mintakenly...feels some tinge
24. of discrimination. We're not discriminating against Senators
25. for House members, and the bills coming over from the House
26. have ta come by the Rules Committee. Now, Senator, When we
27. made our statement earlier an changed it I think probably we
28. made a mistake. When we had our first foray in this area we
29. talked about four catagories of bills an then the House became
30. upset about it, certain members of the Senate became upset about
31. members in the House being able to aggrandize themselves with
32. bills when members of the Senate couldn't an we unfortunately
33. relaxed a little which we first had an I think that was a good
Rule be-

1. cause if you'll go to the House yesterday in the various com-
2. mittees you'll find them in the House addressing themselves
3. to bills in committee which haven't even yet been printed...
4. a horrible kind of situation as far as I am concerned an I evaluate
5. that kind of legislating as being not in the best interest of
6. the people. Now the Senate is going to have its place in the
7. sun, the House is going to have it's place in the sun, we're
8. not going to make any discriminatory activities...ah...between
9. the two Houses. We're going to address ourselves to these bills
10. in the Rule Committee when they come over here from the House,
11. but we're going to take the priority items an the priority items
12. for which we are assembled here are those four catagories that
13. we first talked about.

14. PRESIDING OFFICER (Senator Egan)

15. Senator Groen.

16. SENATOR GROEN:

17. Well..jus..jus...t as an aside Mr. President, members...ah...
18. in a sense an this is sort of a salutary side benefit I think
19. we may be doing a benefit for a number of the Senators, in view
20. of the fact that you probably have some bills that you were
21. asked to introduce, you did it, you probably can't get those
22. bills passed anyway an this gives you the excuse ta go back
23. home an say I did my very best but the darn...ah...d...d...d...darn
24. Senate decided to cut all these bills off the Calendar an I
25. didn't get a change to call it. I think you may be in a...an
26. advantageous...ah...p...position politically back home.

27. PRESIDING OFFICER (Senator Egan)

28. The question is on Senator Groen's motion ...ah...those
29. in favor of Senator Groen's motion would signify by.... yes,
30. Senator...

31. SENATOR GROEN:

32. Point of parliamentary inquiry...

33. PRESIDING OFFICER (Senator Egan)

1. Yes

2. SENATOR GROEN:

3. In view of the fact that this may be determined to be final

4. disposition I'm asking whether or not their should be a roll

5. call an I would ask the parliamentarian's view point.

6. PRESIDING OFFICER (Senator Egan)

7. We've already discussed it...ah...h...he thought that it

8. might be best to have a roll call on the Motion, but I thought

9. I'd leave it to you as the...as the sponsor of the Motion but

10. it would be best...ah...in the parliamentarian's opinion.

11. SENATOR PARTEE:

12. Have we got the votes?

13. SENATOR GROEN:

14. I...I...I think perhaps a roll call would be advisable.

15. PRESIDING OFFICER (Senator Egan)

16. Alright, the question is on Senator Groen's Motion an the

17. clerk will please call the roll...Those favoring...ah...ah...sig-

18. nify by the usual kind of aye an those contrary...

19. SECRETARY:

20. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,

21. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-

22. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,

23. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,

24. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,

25. Mitchler, Mohr, Neistein, Newhouse, N...Nihill, O'Brien, Ozinga,

26. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,

27. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver

28. PRESIDING OFFICER (Senator Egan)

29. Coulson aye, Senator McBroom. Just a minute Senator.

30. N...Newhouse aye, Saperstein aye, O'Brien aye, Senator McBroom,

31. you're recognized.

32. SENATOR MCBROOM:

33.

1. Wh...when...a...are...are we through with this order of
2. business?

3. PRESIDING OFFICER (Senator Egan)

4. No, we haven't finished yet. Senator Hall votes aye, Vadalabene
5. aye, Hynes aye. On this question the yeas are 32, the nays
6. 2 an the Motion is adopted an Senator Groen you're recognized.

7. SENATOR GROEN:

8. Move..move to reconsider.

9. PRESIDING OFFICER: (Senator Egan)

10. Senator Groen moves to reconsider an Senator Ozinga moves
11. to lay that upon the Table. Those in favor of Tabling say aye.
12. Those contrary, nay. The Motion to reconsider is Tabled. Ah...
13. your 2nd here John...Senator McBroom asked for recognition.

14. SENATOR MCBROOM:

15. Ah...Mr...ah...President, members of the Senate this is...ah...
16. another order of business. I talked with Senator Dougherty
17. the chairman a Local Government Committee an I'd like to...ah...ask
18. for the consent of the Body for SB1384 to be held...er...heard
19. in that committee this afternoon. It's alright with Chariman
20. Dougherty.

21. (30 seconds of bad tape)

22. SENATOR KNUPPEL:

23.what bills are stricken an which bills are not...an...an
24. ...ah... I'd like to have a memo on it if I could from the leader-
25. ship so I know..I...I very...I...I'm just very confused at the
26. way this is...ah...has been done an...an I would like to know
27. exactly what bills are included an which ones aren't, what the
28. status of House bills are, bills in committee etc.

29. PRESIDING OFFICER (Senator Egan)

30. Ah...I'm certain that...ah...Senatoe Groen the...ah...author
31. of the amendment an leadership'll get together with a memorandum
32. on the effect. Senator Groen.

33. SENATOR GROEN:

Well then,...in answer to Senator Knuppel, your leader
Senator

1. Partee, advised you just a few moments ago that a list would
2. be prepared, and it would be journalized on Monday...or on Tuesday,
3. when we return. So you will have that information available
4. to you after the leaders of both sides have made the determination
5. of those bills which should be exempt.

6. PRESIDING OFFICER (Senator Egan)

7. That will be journalized as of today...ah...Senator Groen.

8. SENATOR GROEN:

9. It will be journalized as of today but I understand will
10. not be available of course until they've had an opportunity
11. to do the work.

12. PRESIDING OFFICER (Senator Egan)

13. Senator Partee, ah...we've reached that point where...
14. there appears to be no...ah...Senator Hynes, you're recognized.

15. SENATOR HYNES:

16. Ah...Mr. President, members of the Senate, I would ask
17. that my name be removed as a sponsor of SB1500 th...the journal
18. so reflect.

19. PRESIDING OFFICER (Senator Egan)

20. Ah...Senator Partee, I was a little bit premature...the
21. Secretary tells me we have a...ah...another some i...items
22. of business on some messages from the House an resolutions...ah...
23. resolutions.

24. SECRETARY:

25. Senate resolution No. 317 introduced by Senator...s...Newhouse
26. an Smith...an...I...it...

27. PRESIDING OFFICER (Senator Egan)

28. Executive ...Messages from the House

29. SECRETARY:

30. Message from the House by Mr. Selcke, Clerk

31. Mr. President---I'm directed to inform the Senate that
32. the House of Representatives has refused to concur with the
33. Senate in the adoption of their amendment to a bill of the following

title to wit: HB518

1. PRESIDING OFFICER (Senator Egan)

2. B...a...ah...Who's the sponsor? What's the number? For
3. what purpose Senator Berning arise?

4. SENATOR BERNING:

5. Mr. President...I'd just like to ...ah...ask leave of the
6. Body to discharge the Executive...Committee from further con-
7. sideration of Senate Joint Resolution 61 for the purpose of
8. tabling it.

9. PRESIDING OFFICER (Senator Egan)

10. The leave is granted by the Body. S...Senate Joint Resolution
11. 61. Senator Fawell...the bill that's the subject matter of
12. a message from the House where they have refused to recede from
13. an amendment... a...apparently is sponsored by you...oh...ah...I...
14. I'm incorrect...apparently Senator Hynes...Senator Hynes you're
15. recognized.

16. SENATOR HYNES:

17. On HB518 the...ah...House of Representatives has refused
18. to c...concur in the Senate amendment. I move that the Senate
19. refuse to recede an ask for a conference committee.

20. PRESIDING OFFICER (Senator Egan)

21. Any objections? Conference committee will be appointed
22. by the committee on committees. Senator Knuepfer.

23. SENATOR KNUEPFER:

24. Ah...I've got another one on the Secretary's desk which
25. is exactly the same ...ah...it's got to go to a conference committee,
26. the House has added an amendment that needs some change an they
27. have agreed to the change, but the only way of accomplishing
28. that change now is through a conference committee that is SB1271
29. and I would move in order to get it into a conference committee
30. that the House refuse to accept the...er...the Senate refused
31. to accept the House amendment.

32. PRESIDING OFFICER (Senator Egan)

33. Jus one moment, do we have that bill Kenny...in...in a
message there? Motion's in order...conference..yea...motion's
in or-

1. der that the Senate refuse to concur in the House amendment.
2. A conference committee will be appointed by the committee on
3. committees. Oh...Oh...e...ex...ah...made a mistake...the Ho...the
4. Senate does refuse to c...ah...concur...more messages from the
5. House.

6. SECRETARY:

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

8. Mr. President---I'm directed to inform the Senate that
9. the House Representatives has passed a bill with following title
10. the passage of which I am instructed the House to concur...con-
11. currence of the Senate to wit: House bills...there's about
12. 5 of them Senator Partee an I assume you want those to go to
13. Rules.

14. SENATOR PARTEE:

15. Rules committee.

16. PRESIDING OFFICER (Senator Egan)

17. Rules committee. Senator Partee. You're recognized.

18. SENATOR PARTEE:

19. Move we adjourn until 10:00 o'clock Tuesday morning. Ten
20. o'clock.

21. PRESIDING OFFICER (Senator Egan)

22. Alright, there's a motion that the Senate...ah...meet perfunc-
23. torily tomorrow an reconvene at 10:00 o'clock next Tuesday.
24. That Motion... ah...those in favor signify by saying aye. Contrary
25. nay. Motion is carried.