

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

MAY 10, 1972

1. CHAPLAIN: Reverend Rudolph S. Shoultz. Pastor of the Union
2. Baptist Church of Springfield, in Springfield, Illinois.

3. PRESIDENT:

4. We have...ah...a distinguished visitor with us here. It's..I'm
5. sorry, Miss S...Soya, who is...are the soya princess, Susan
6. Burger, from Senator McBroom's district. Senator McBroom is
7. oridnarily on the Floor, he's a faithful member I want cha know...
8. ah...Princess an her mother with us, Mrs. Burger. We're happy
9. to have both of you with us. Reading of the Journal, moved
10. by Senator Romano that the reading of the Journal be dispensed
11. with. All in favor signify by saying aye. Contrary minded.
12. The Motion prevails. Committee reports.

13. SECRETARY:

14. The Rules Committee met with...an authorized the following
15. House bills to be placed on the order of 1st reading.36...3645,
16. 3786, 3787, 3790, 3802, 3152, fi...4200, 4634, 3728. Senator
17. Knuppel chairman of Agriculture an Conservation committee reports
18. out SB1509 with the recommendation Do Pass as amended. HB2659
19. with the recommendation Do Not Pass. Senator Course chairman
20. of Revenue Committee reports out Senate bills 1334 an 1345 with
21. the recommendation Do Pass. SB1437 with the recommendation
22. Do Pass an re-referred to the Appropriation's division of the
23. committee on public finance. Senator...ah...Romano chairman
24. of labor...no...that's Senator Dougher...ah... McCarthy isn't
25. it...labor an commerce...no that's Romano...Senator Romano chairman
26. of labor an commerce reports out HB2033 with the recommendation
27. Do Pass. Senator Donnewald chairman of assignment of bills assigns
28. a the following to committee: Ta education, Senate bills 1547,
29. 1548, an 1556. Judiciary Senate bills 1543, 1544, an 1545.
30. Appropriation division a committee on public finance Senate
31. bills 1546, 1549, 1550, 51, 52, 53, 54, an 55.

32. PRESIDENT:

33. Resolutions. Messages from the House. Ah...b...we have
a Motion. I'm sorry before we have a message from the House.
We have a

1. Motion.

2. SECRETARY:

3. Pursuant to Rule 13...rules of the Senate of the 77th General
4. Assembly, I move to take SB#1506 from the Table, Senator ...ah...Sours
5. May the 9th, 1972.

6. PRESIDENT:

7. Will the Senators be in their seats? Senator Sours is
8. making a Motion to take from the Table. Senator Sours.

9. SENATOR SOURS:

10. Ah...Mr. President, Senators, yesterday I filed a proper
11. Motion to take from the Table SB#1506, which was heard in Local
12. Government Committee last Thursday.

13. PRESIDENT:

14. I'm sorry Senator.

15. SENATOR SOURS:

16. This...ah...this bill would deprive a home rule unit from
17. taxing cigarettes and would also preclude the city of Chicago
18. from that tax. I should say in ...ah...ne...nevertheless a
19. very serious vein that the possibility of getting this bill
20. on the Floor to day is a little like that new weight reduction
21. pill called fat chance.

22. PRESIDENT:

23. Je...Jest a moment...let's ...Senator Soper, Senator Carroll,
24. Senator Harris, Senator Davidson, Senator Clarke, Senator Course,
25. McCarthy, et al, gentlemen...proceed...Senator Sours.

26. SENATOR SOURS:

27. The bill would, as I have stated, provide for the exclusive
28. exercise by the State of Illinois of the power to tax cigarettes
29. and deny the power to all units of local government, including
30. home rule units. Now, we hear from both sides of the Chamber
31. the dire need of the...of the State of Illinois for tax money
32. and as the matter now stands the State of Illinois stands to
33. lose about 14 million dollars a year due to bootleg cigarettes
from Indiana, where at six

1. cents tax per pack an Kentucky three cents tax per pack. While
2. we're talking about it today in the Chamber just beyond the
3. boundary of the State of Illinois over in the district of Sena-
4. tor Ozinga there is a truck dispensing approximately 7 thousand
5. cases of cigarettes a day wherein the state has no tax, no reven-
6. ue. What is the gain of the City of Chicago is the loss of
7. the State of Illinois. This is a good bill for other good reasons
8. such as stamping, an the price differential among all the varie-
9. ties of cigarettes. This bill ought to get a full airing here
10. on the Senate floor an I so move that the bill be taken from
11. the Table an placed on the Calendar for appropriate action.

12. PRESIDING OFFICER (Senator Donnewald)

13. Senator...Senator Dougherty.

14. SENATOR DOUGHERTY:

15. As chairman of the commis...committee on Local Government
16. last Thursday we did kill this bill. The only testimony we
17. heard was from a representative of the ta...tobacco industry...an
18. he did testify that their was a truck dispensing some 7 thousand
19. cartons of cigarettes per day per week, every day of the week
20. rather. Senator it's not located in...ah...Oz...Senator Ozinga's
21. district. It's right outside the boundaries a my district in
22. Indiana. I don't know, I haven't checked on it, I don't think
23. that those figures are exactly accurate but I don't quarrel
24. with em an I don't quarrel with the Senator even if he furnished
25. those figures. Nevertheless, this act of Senator Sours's in
26. seeking to remove this bill from the Table after it had been
27. defeated in committee is the... one of another acts of preemption,
28. if you will please. Chicago is a...a home rule government,
29. county of Cook is a home rule an it was provided in the constitution
30. that we would have the right to tax. Therefore I'm gonna object
31. to taken this bill from the Table an ask my colleagues to join
32. with me.

33. PRESIDING OFFICER (Senator Donnewald)

Senator Sours.

1. SENATOR SOURS:

2. If there's...if there's no other comment, I'd like to close
3. the debate on this. If there is, I'll wait.

4. PRESIDING OFFICER (Senator Donnewald)

5. Is there any further discussion? Takes 30 votes, Senator
6. Neistein.

7. SENATOR SOURS:

8. I would..I would like to say then, Mr. President....un-
9. taxed cigarette sales, for example, are costing New York City
10. an the State of New York, 70 million dollars a year in lost
11. revenue. The source of that information is state government
12. news. All...ah... all the Senators receiving a copy of this
13. everytime it comes out an this is the March 1972, volume 15,
14. numer 3, page 5. Going on the article says, organized crime
15. is increasingly taking over the lucrative but illicit business
16. of bootlegging cigarettes from lower taxed eastern sea board
17. states to New York. Organized crime is also indulging in hijacking
18. of legitimate dealers, trucks, an in counterfeiting of tax stamps.
19. To eliminate racketeering in the sale of cigarettes, Governor
20. Rockefeller requested the reintroduction of bills to make it
21. a federal crime to transport contraband cigarettes in interstate
22. commerce. Representative Emanuel Seller, joined by 36 other
23. New York congressmen, introduced House HR12184. The bill would
24. make it a felony subject to a 10 thousand dollar fine. Now,
25. what I'm trying to tell this Chamber..ah...is that the State
26. of Illinois is in the process right now of losing million of
27. dollars at a time when the pressures are all around us to increase
28. aid for the mentally ill people, mental health programs, the
29. public schools, all of which are in dire financial trouble.
30. The...ah...higher educational facilities an everything we talk
31. about down here is coming in for increased appropriations.
32. In one of our committees this morning I heard of...ah...one
33. of the members comment that the state could not afford to lose
a 120 thousand dollars in a certain bill being heard at that
time. Here, is a

1. situation, gentlemen an lady, where the State of Illinois is
2. going ta lose an is now losing at least 14 million dollars a
3. year. If there ever were a case, where the bill ought to be
4. brought onto the...onto the Floor for full consideration an
5. passage an signed into law by the Governor, this is one.

6. PRESIDENT:

7. Secretary will call the roll.

8. SECRETARY:

9. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
10. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
11. Donnewald, Dougherty, Egan

12. PRESIDENT:

13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. The good Senator referred to a sum of 14 million dollars
16. that he said the State was going to lose. I don't know how
17. he arrived at the figure I...it's probably con...conjecture
18. I would say, but nevertheless this is another invasion of home
19. rule that it was so recently granted to the City of Chicago
20. an there are other cities in the State who...ah...would benefit
21. by...the...ah...the property...the problem of having a tax on
22. cigarettes. I could sight one or two but I'm gonna refrain
23. from doing so. However, I think this is a bad measure to take
24. away an dispell from committee which is a...in com...complete
25. violation of something that the people approved of, home rule.
26. I vote no.

27. SECRETARY:

28. Egan, Fawell, Gilbert, G...Graham,

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President an members of the Senate, being a suburbannite
33. I should vote no on this bill. The people in suburbia love
this. The treasurer of the City of Chicago recently referred
to it in

1. that regard, that people in suburbia loved it because they go
2. out there to buy their cigarettes an then they buy their groceries.
3. Then they pay their sales tax an then the suburban municipal-
4. ities reap some benefits from that, so indirectly what Chicago
5. is doing is effecting the whole state in that regard. However,
6. I have never been thrilled with the product ...of the old gentle-
7. men's convention when they turned out the home rule provision
8. I've never been completely thrilled by the number of people
9. that overwhelmingly voted for that document, never been over-
10. whelmed by some of the action taken there after, so I vote aye,
11. on the Motion.

12. SECRETARY:

13. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
14. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
15. Merritt, Mitchler, M...Mohr, Neistein, Newhouse, N...Nihill,
16. O'Brien, Ozinga, Palmer, Partee, Rock...

17. PRESIDENT:

18. Cherry no, Palmer no, Senator Rock.

19. SENATOR ROCK:

20. Yes Mr. President, an members of the Senate, when this
21. bill was heard in the committee on Local Government, I made
22. the Motion Do Not Pass an I rise in opposition to this bill
23. right now. The enforcement of the revenue that Senator Sours
24. talks about is a peculiar statute. It is the only statute on
25. our books that's a criminal statute an that is not v...vested
26. within the jurisdiction of the respective states attorneys of
27. the 102 counties. This is a criminal statute that is directly
28. under the full control of the Attorney General of this State
29. an I said then an I say now, if in fact there is this bootlegging
30. going on, if in fact the State is losing revenue I would suggest
31. that we pass a Resolution calling on the Attorney General to
32. enforce the statute that's on the books. I don't see...I don't...
33. I...I particularly don't see why if people in Chicago wanna
pay an extra nickle for a package of cigarettes

1. what that has to do with the state revenue. They're still paying
2. the state tax. The state doesn't lose a nickle, if in fact the
3. people in Chicago wanna pay an extra nickle. I rise in opposition
4. to this an I vote no.

5. SECRETARY:

6. Romano, Rosander...

7. PRESIDENT:

8. Senator Rosander.

9. SENATOR ROSANDER:

10. Mr. President an members of the Senate, SB1506...ah...had
11. a full hearing in the committee. It was defeated in committee,
12. an that's where the democratic process should take place. Other-
13. wise...ah...why have committees if we're going to...if all the
14. sponsors of various bills are going to ask that the...the action
15. of the committee be overruled. Rockford has...ah..not exercised
16. the privilege of...ah...levying a cigarette tax although under
17. the previous constitution it had this...ah...had this right
18. an they often times have...ah...considered levying a cigarette
19. tax to provide some of the municipal services an I think one
20. of the things that is paramount in the...in Winnebago County
21. in the City of Rockford is that they have considered the construction
22. of the civic center an this is one of the areas of revenue.
23. Now if are going to preempt this right of the cities...that
24. they no longer can levy if they so choose the cigarette tax
25. who is ta say that this could be extended to other areas whether...
26. a...a motel tax or any other type of a tax an for that reason
27. I voted against this bill an I do so now.

28. SECRETARY:

29. Saperstein, Savickas, Smith, Soper, Sours, Swin..

30. PRESIDENT:

31. Senator Sours.

32. SENATOR SOURS:

33. By way of explaining my vote may I say this is just another

1. horrible examples of the work product of what I referred to
2. euphemistically at times as the old gentlemen's convention.

3. I vote aye.

4. SECRETARY:

5. Swinarski, Vadalabene, Walker, Weaver.

6. PRESIDENT:

7. R...request for call a the absentees. The absentees will
8. be called.

9. SECRETARY:

10. Arrington, Bruce, Chew, Collins, Course, Donnewald, Hall,
11. Hynes, Knuepfer, Knuppel...

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. I want to concur in the remarks of Senator Rock. I person-
16. ally...ah...feel that at the present time it's units of local
17. government that er most hard pressed for revenue an not the
18. State because of the income tax that's collected each year.
19. A certain proportion of that is returned to units of local government.
20. Secondly I would again like to defend the...those people who
21. drafted the constititution. Apparently the people a the State
22. of Illinois approved of it because they voted overwhelmingly
23. in that direction an I believe that the average age of that
24. Body was somewhat less than the average age a this Body an particu-
25. larly that of the Republican side of this aisle.

26. SECRETARY:

27. Lyons, Merritt, Newhouse, Savickas, Swinarski,

28. PRESIDENT:

29. Swinarski no. On that question the yeas are 25, the nays
30. are 20, the motion having failed to receive the necessary 30
31. votes, is declared defeated. Message from the House.

32. SECRETARY:

33. A message from the House, by Mr. Selcke, Clerk:

May 10, 1972
SB 1487

1. Mr. President---I'm directed to inform the Senate that
2. the House of Representatives has passed bills of the follow
3. titles in the passage of which I am instructed to ask the concurrence
4. of the Senate, to wit: House bills 4090, 4101, an 4282.

5. PRESIDENT:

6. Ah...m...motion by Senator Partee that these bills be re-
7. ferred ...that..from...in the House Message be referred to
8. the rules committee. All in favor signify by saying aye.
9. Contrary minded. Motion prevails. Senate bills on 2nd read-
10. ing. 1370 Senator Horsley. Hold. 1423 Senator McCarthy. Hold.
11. 1467 Senator Knuepfer. Senator Knuepfer.

12. SENATOR KNUEPFER:

13. Yea...y...yes move that please. I now have an amendment...ah
14. ...that was a package with 1468. I have an amendment to 1468
15. which was in truth a committee amendment. It's one that I agreed
16. to put on in the committee so if you could move 1467, that has
17. no amendment an then I've got an amendment for 1468.

18. PRESIDENT:

19. 1467

20. SECRETARY:

21. 2nd reading of the bill. No committee amendments.

22. PRESIDENT:

23. Any amendments from the Floor? 3rd reading. 1468.

24. SECRETARY:

25. 2nd reading of the bill. No committee amendments. One Floor
26. amendment offered by Senator Knuepfer.

27. PRESIDENT:

28. Senator Knuepfer offers amendment No. 1. Is there any dis-
29. cussion? All in favor signify by saying aye. Contrary minded.
30. The amendment's adopted. Any further amendments? 3rd reading.
31. 1485 Senator Groen. Alright. 1487 Senator Soper. 1487.

32. SECRETARY:

33. 2nd reading of the bill. No committee amendments.

PRESIDENT:

1. Any amendments from the Floor? 3rd reading. 1512 Senator
2. Harris, 1512.

3. SECRETARY:

4. 2nd reading...2nd reading of the bill. No committee amendments.
5. One floor amendment offered by Senator Harris.

6. PRESIDENT:

7. Senator Harris offers Amendment No. 1. Can you explain
8. the amendment, Senator?

9. SENATOR HARRIS:

10. This amendment...ah...was requested by Senator...ah...ah...Ro-
11. sander an the members of the...ah...committee on local government.
12. It...ah...ah... deletes in it's entirety section 9.4 which...ah...
13. had some real broad language delegating authority to airport
14. authorities. Frankly I didn't understand...ah...ah...why the...ah
15. ...ah...Bloomington airport authority needed that section.
16. I agreed to striking it an that's what this amendment does.

17. PRESIDENT:

18. Is there any discussion? All in favor signify by saying
19. aye. Contrary minded. The amendment's adopted. Any further
20. amendments? 3rd reading. Senate bills on 3rd reading. 841
21. Senator Palmer. Do... do you wish to call the bill Senator?

22. SENATOR PALMER:

23. Ah...Senator Berning, are we ready on this? Ah...yes your
24. honor...Mr...P....

25. PRESIDENT:

26. 841.

27. SENATOR PALMER:

28. Ah...Mr. President an members of the Senate, SB841...ah...passed
29. out of local government's committee in our fall Session an d...was
30. deliberated on the Senate Floor. There were no objections to
31. the concept of the bill but there were some suggestions...ah...
32. corrections an it was referred back to committee for further
33.

1. study. What this bill does is creates a statute of limitations
2. on real estate taxes levied...ah...levied an provides that taxes
3. that have been delinquent in excess of 30 years shall be recorded
4. on a treasurer's an county clerk's books as uncollectable an
5. shall no longer be a lien on the property. Under the present
6. status in the State of Illinois, real estate taxes are a lien
7. on... on property forever an this creates a cumbersome records...ah
8. ...requires storage space which is...could be released for better
9. use at a savings to many county clerks throughout the State
10. and also avoid the cost an necessity of searchers in back taxes.
11. Now, I...ah...i...have conferred with the Senator Berning on
12. this an we have done some quite a bit of research on it an we
13. have conferred with the Chicago Bar Association, county experts,
14. an county clerks throughout the State an they are in favor of
15. this bill. I also would like to advise the Senate that I requested
16. a research of the Illinois legislative council and this concept
17. is not...ah..alone in this State...I mean this bill is not alone.
18. We have several states that do have various different types
19. of statute a limitations. There are about 23 states in this...ah...
20. that have some statute of limitation eliminating an...an ah...setting
21. a definite period when taxes shall no longer be a lien on real
22. estate. Now real estate taxes an special assessments are the
23. only taxes that remain a lien forever an I think this...this
24. bill is long coming an it shall be a benefit to...to the...ah...gov-
25. ernments of the different counties in the entire State. I move
26. for a favorable roll call on this.

27. PRESIDENT:

28. Senator Soper.

29. SENATOR SOPER:

30. Would...ah...Senator Palmer yield to a question?

31. PRESIDENT:

32. He indicates he will.

33. SENATOR SOPER:

1. Ah...Senator it comes to my mind...ah...first...ah...first
2. question is this...ah...if...

3. PRESIDENT:

4. Jes...jes...jest a second...let's...we got...Senators Harris,
5. Sours, Walker, gentlemen let's take our caucuses off the Floor.
6. Proceed Senator Soper.

7. SENATOR SOPER:

8. Now, under your bill if a piece of property is delinquent
9. in taxes for 30 years then all the taxes are wiped out: Is that it?

10. PRESIDENT:

11. Senator Palmer.

12. SENATOR PALMER:

13. Only those taxes beyond 30 years...not..not 30 years forward.

14. PRESIDENT:

15. Senator Soper.

16. SENATOR SOPER:

17. Then...then there remains a lien of 30 years taxes on...on
18. every piece of real estate. Now how...if tha...you answer that
19. question in the affirmative how does that help the...help any...ah
20. ...any...ah...Sa...help for any saving in...in...ah...bookkeeping?

21. PRESIDENT:

22. Senator Palmer.

23. SENATOR PALMER:

24. At the present time...ah...all county clerks in the State...
25. county treasurers must keep these warrant books on hand when
26. ever there is a need for a search on property like...ah...you
27. request a...a...ah...redemption...ah...like in Cook County they'd
28. have to go back...a as far back as...as...maybe 1900. Under
29. this bill they would not have to go back more than 30 years.
30. Now this would release ..ah..storage space. They would not
31. have to keep these warrant books on their shelves an also they
32. would release certain employees... ah...ah...to do other work
33. rather than ta go beyond these years an I certainly think that
to the people it would also re...save

1. them some money for payment that they'd have to pay title companies
2. who charge for every year that they search. So it's a saving
3. to the county , it's a saving to the...ah...state, an it's a
4. saving to the people itself an we...an...an...an one more thing...
5. ah...it...ah...the percentages I cannot give you Senator Soper
6. but it's likely that many, many pieces of property would be
7. put back on the tax rolls that are now just laying dormant an...
8. an serving no purpose to anybody but just building up that accumula-
9. tion of taxes upon taxes.

10. PRESIDENT:

11. Senator Soper:

12. SENATOR SOPER:

13. I comes to my mind Senator, that there're various piece
14. of property throughout the state that are ...that at one time
15. were swamp land an all of a sudden a few people who know something
16. about ecology an know something about lakes an demend for lake
17. front property have dammed up these little streams and...ah...ah...
18. the ah...the...ah...the egress...or...the or...the or the resulting
19. ...ah...ah...runoff of these streams an have flooded...flooded
20. the...ah...flooded the marshlands an made lakes out of em.
21. Now if these...if there's a tax collectable an this land gets
22. more valuable I think that those people who...who...ah...who...ah...
23. who take advantage of that fact should pay all the taxes an
24. I don't think it's too much of an effort on any county clerk
25. or county treasurer to make an extension after say...ah...after
26. ta...ah...tax had been delinquent for 30 years ta make an extention
27. an show that the taxes had been uncollected for the previous
28. 10 or 15 years. Ah...I think that...ah...this would cause a
29. lot of...ah... loss, I think for different taxing bodies. I...I
30. appreciate the fact that you wanta save somebody some time but
31. I don't think the time...the time saved would be so great an
32. I don't think there'd be money saved on this thing...I...I think
33. I'd like to protect the taxpayers that do pay their taxes.

PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. Mr. President an members of the Body, I want to rise in
4. support of this bill in it's present condition. Initially I
5. took issue with it, as some of you may recall. We reworked
6. it carefully and I am now convinced after conversations an consulta-
7. tions with members of the Chicago Bar Association, the Chicago
8. Title an Trust, and officials in the Cook County Building that...as
9. well as the Civic Federation that this bill now does accomplish
10. a worth while purpose. Let me remind you that the annual tax
11. sale still prevails...any desirable real estate on which the
12. taxes are not paid will have those taxes paid by a tax buyer.
13. Then we have the scavenger sale which prevails after taxes are
14. 10 years old an anything that is delinquent 10 years is sold
15. at auction ta the highest bidder an the taxes wiped out at that
16. time. But there are thousands, literally thousands of parcels
17. that co...are carried on the tax rolls an essentially this is
18. in Cook County where there are the largest numbers of parcels,
19. old parcels with tax bills or parcels with old tax bills that
20. go back 30 an more years. Current taxes perhaps are being paid.
21. Then there are those little slivers that are the residual pieces
22. after development of a roadway or a public impovement on which
23. the taxes are not paid. The county is s...saddled with the
24. expense of extending the taxes on these, printing the tax bills,
25. an carrying the roll adinfinitum at a...at a terrific addition
26. cost. The tax paying public stands to lose nothing by the enactment
27. of this measure but does stand to gain and I urge the members
28. on this side to support this bill as good legislation.

29. PRESIDENT:

30. Senator Sours.

31. SENATOR SOURS:

32. I have a question or so...er two Mr. President, I'd like
33. to ask the Senate sponsor....ah...do you have any objection...for
example...

1. do you quarrel with the...with the usual procedure of a tax
2. foreclosure suit. That cleans it off slick as a whistle.

3. PRESIDENT:

4. Senator Palmer.

5. SENATOR PALMER:

6. Ah...I assume the...ah...honorable Senator is referring
7. to the...ah...sc... ah...scavenger act...ah...is that it?

8. PRESIDENT:

9. Senator Sours.

10. SENATOR PALMER:

11. That requires the foreclosure proceedings ...requires ten
12. years...consecutive years. That procedure still remains in
13. existence...ah...ah...M...Senator Sours. The...ah... provisions
14. that we have effective under the Illinois statutes are still
15. in effect they are not disturbed by this ...ah...bill at all.
16. You still have your tax foreclosures. You still have your annual
17. sales, an you still have your forfeitures. They're not disturbed
18. at all. You...you...you may go through your foreclosures.
19. However...ah...foreclosures you must have 10 consecutive years
20. an if...ah...ah...it does not a...does not appear...ah...ah...
21. that...if you look at the situation today you don't have those
22. knid of...ah...ah...properties that have the...ah...ten consecutive
23. years that...ah...would apply.

24. PRESIDENT:

25. Senator Sours.

26. SENATOR SOURS:

27. Well then...ah...Mr...ah...President an Senators, if there
28. is a tax buyer who interrupts the 10 consecutive years then this
29. is...ah...that's the kind of a situtation that ought to defeat
30. this bill, because I know of no situation where taxes ought
31. ta be just remitted an there be a remission to a taxpayer.
32. Now, I know you're talking about the depression in the thirties
33. when people didn't pay their taxes an couldn't pay their taxes.
We've had the same situation all over

1. the State. I paid my taxes. I presume you paid yours. Now,
2. why should we excuse anybody from the cost of the operation
3. of his government. That's what's inherently wrong in my judgement
4. with this bill. So far as the county clerks are concerned they're
5. paid to do ministerial functions. I'm not anxious to lighten
6. their...their load whatever it is. It's tax money, that's blood
7. money, that's hard money, it's money we oughta try to get instead
8. of remitting it.

9. PRESIDENT:

10. Senator Nihill.

11. SENATOR NIHILL:

12. Ah...Mr. President...ah...Senator...ah...Palmer, assuming
13. somebody has a building 40, 50, or 60 seven years of age you
14. have the Torrens System...ah...in the recorders officer, you
15. have the Chicago Title an Trust, can you go back an s...make
16. a search? Where will you go ta do that when you can't go ta
17. the county clerk? H...how can they check it out to the recorders,
18. the Torrens system or how can they check it out through title
19. an trust? Will you answer me that question, Please? We have
20. some old buildings out w...where I live an we wanta go in...make
21. a search how'll they do it?

22. PRESIDENT:

23. Senator Palmer.

24. SENATOR PALMER:

25. Under the present system...ah...I'll answer the question
26. first under Torrens. Every transaction...ah...that's...ah...started
27. or commenced in the Torrens system requires a tax search an
28. under the present system they have ta go back...back ta...back
29. off...ah... maybe into 1900 and...ah...i...i...if...these taxes
30. appear they have ta search em an they have ta keep going back
31. an back. Ah...although I would...ah...like to tell you Senator
32. that...ah...there are no such situations an I can answer your
33. question an Senator Sours at the same time...ah...in situations
that we are trying to correct with this bill ...ah...the

1. taxes are so great that it does not apply in any case to any
2. improved property. Ah...there has been quite a bit of research
3. on this an I can stand here now an say that this does not affect
4. any real property...if...ah...anything in real property does
5. not go back beyond 30 years...and...ah...what...ah...what is
6. happening on these foreclosures an the reason why they d...do
7. not institute foreclosures because it does not pay to go back
8. 30 years because the taxes are greater than the value an what
9. we're tryin ta do is to put these properties back on the tax
10. rolls an...ah...an...and then here...hereafter...ah...eliminate
11. the necessity of going back on these tax searches. Now, you
12. asked about the Chicago Title an Trust, Chicago Title an Trust
13. an any title company will make these searches for you an it...an
14. ...an they charge you I think \$2.00 for every year they search.
15. Now, this is a...a savings to the public. If they...if...ah...if
16. they don't have to go back beyond 30 years then they're saving
17. you \$2.00 for every year that they do not search. It...it puts
18. a stop gap on...ah...

19. PRESIDENT:

20. Senator Nihill.

21. SENATOR NIHILL:

22. Ah...ah...Senator Palmer, you say they go back 30 years.
23. Ah...suming there's a lien or something prior ta for...ah...
24. thirty or thirtyfive or forty years against that piece of prop-
25. erty, somebody build a back porch or done some work there an
26. there's a lien there, a carpenter's lien, or a plumber, or either
27. a bricklayer...ah...who's gonna find that then if they're only
28. gonna go back 30 years?

29. PRESIDENT:

30. Senator Palmer.

31. SENATOR PALMER:

32.stations on our books today that elim...that...ah...elimi-
33. nate those liens if they go beyond that time. Any...any kind
of a carpenter's lien, or mechanic's lien has a certain length of

1. time an it expires an it's not enforceable after a certain number
2. of years. Now that's what we're asking here...ah...instead
3. of going on forever an ever, we put a stop to it. Now there
4. are statute of limitations for men...for every type of tax, for
5. sales tax, for federal tax, any tax you...you...ah...you can
6. think of except real estate taxes.

7. PRESIDENT:

8. Senator Nihill.

9. SENATOR NIHILL:

10. Sorry ta keep on going here, but Senator Palmer, you know
11. I'm the wa...superintendent of water collection for the City
12. of Chicago. Many lawyers, real estate men they make a search
13. to the title an trust an the Torrens system, they never apply
14. themself ta check if there's a water bill due. Sometimes there's
15. a water bill due for a 100, 500, 1500, 5000 dollars. Ah...ta
16. say that any an everybody who owns a piece of property or gonna
17. buy a piece if they hire an attorney ta check these things out
18. an they don't e...ch...they don't check them out they bet...they
19. better forget that lawyer an never go back to em again an I
20. say it honestly an I mean...an what I say...ah...sometimes they're
21. diligent, sometimes they're not on the job a checking these
22. things. Now I know a lot about the office he's talkin about.
23. I worked in the county clerks. I worked what they call the
24. chain gang. I worked in the county...I start in the county
25. clerks rather...start in the assessors, go ta the board of appeals,
26. go ta the county clerks, an then go down ta the collection department.
27. Three months in each office. It was a hard job all year around.
28. In other words, I know these office from A to Z. Now, if this
29. is gonna help the taxpayer, fine. If it's gonna hinder em ta
30. make a search through the...redemption department of second
31. floor an the county clerks office that's another story. I didn't
32. read this bill thoroughly, but if...Senator Palmer, he knows
33. this so I just want to find out these things about this, but
wish someday they would get a...they say you can't pass a lien

bill here...ah...regarding everything...would you make a search
1. in your piece of property, check everything along the line,
2. so you make sure you get you the right...ah...the right answers.

3. PRESIDENT:

4. Senator Latherow, Senator Dougherty.

5. SENATOR DOUGHERTY:

6. Mr. President I'd like ta ask the sponsor a question.
7. Senator does this apply to special assessments?

8. PRESIDENT:

9. Senator Palmer.

10. SENATOR PALMER:

11. Mr. President an Sena...Senator Dougherty...I would like
12. to tell this Body that in reviewing this entire matter, the
13. matter of special assessments came up an I would like to tell
14. you that all people concerned were very much interested in including
15. ...in including special assessments in this bill. In my opening
16. remarks I told this Body that the only two taxes that are on
17. our books forever are real estate taxes an special assessments.
18. However, I had decided with council an with the...ah...legislative
19. staff of the Republican side there an..an...a...an after research
20. we find, Senator Dougherty, that special assessments requires
21. a separate approach. The reason for that is, special assessments
22. are sold... the warrants are sold to private investors. Now,
23. we cannot initiate a statute of limitations against these private
24. investors because we do not have any remedy on the books whereby
25. these owners of these s...special assessments can collect the
26. tax...their special assessments, so in order to have a statute
27. of limitations we haveta have one bill setting forth the remedy
28. that these owners have a right to...to enforce their lien.
29. Now the only remedy that an owner of a warrant of special assessment
30. has is a mandamus proceedings. In other words, they have to
31. mandamus the...the village or the...the city to collect that
32. tax. They themselves do not have a right to enforce their lien.
33. Therefore, we cannot set up a...ah...statute of limitations

1. ah...for them when we don't have a remedy. An...ah...I thought...
2. that it would be wiser not to complicate this bill because we'd
3. have ta have a separate bill creating this remedy. I hope that
4. some day in the future this body will..ah..attack the...ah...
5. special assessment problem in a separate bill.

6. PRESIDENT:

7. Senator Partee.

8. SENATOR PARTEE:

9. I move the previous question.

10. PRESIDENT:

11. Motion for the previous question. All in favor signify
12. by saying aye. Contrary minded. I think you carried it, two
13. votes ta nothing. The Motion for the previous question prevails,
14. Senator Palmer may close the debate.

15. SENATOR PALMER:

16. Well...I...ah..I think I...ah...spoke enough on this but
17. I want to... ah..repeat an say that this was not done hastily.
18. There were many, many conferences with the...ah...staff on the
19. other side...that this bill does several things. It eliminates
20. the searches for archaic taxes an it saves the taxpayers the
21. cost of storing these warrant books an also releasing employees
22. that could use their efforts to better work an it directly saves
23. money to the public who have to pay whenever they require a
24. tax search... An also it is in research it is definitely found
25. that the properties that we are talking about now, the taxes
26. are greater than the value an with the..with this bill it is
27. very likely that many, many of these properties will be put
28. back on the tax rolls which will also be a benefit to the community.
29. Again I will say I've taken this up with the Chicago Bar Association
30. an the amendment is now the..the bill itself. It has...ah...removed
31. all objections. Ah...I have conferred with many county experts...
32. an county clerks an they op...approve this bill....

33.

1. ...an I move for a favorable roll call.

2. PRESIDENT:

3. Secretary will call the roll.

4. SECRETARY:

5. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
6. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
7. Donnewald, Dougherty,

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. I join in support of this bill because I know what the..the
12. objection...the objection of the Senator is. There are many,
13. many pieces of vacant property lying in every part of the state
14. for the which taxes are uncollectable. Through this instrumental-
15. ity is my very firm belief that these properties will...they
16. be go... again be on the tax rolls if this measure is followed.
17. I vote yes.

18. SECRETARY:

19. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
20. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
21. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
22. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
23. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
24. Sours.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. Mr. President, Senators, I can't help feel that a bill
29. like this is gointo benefit greatly A,B,C, an D, whoever they
30. are, in delegation of the tax monies that ought to be lawfully
31. collected in a tax foreclosure suit or any other way rather
32. than excuse the taxpayer from liability. There's just something
33. about this, when

1. I hear about the Chicago Title an Trust. When has the Chicago
2. Title an Trust helped anybody, except the Chicago Title an Trust?

3. I vote no.

4. SECRETARY:

5. Swinarski, Vadalabene, Walker,

6. PRESIDENT:

7. Senator Walker.

8. SENATOR WALKER:

9. Ah...thank you Mr. President, this section 3 of the bill
10. intrigues me. Ah...the provision of this act shall apply to
11. all taxes whether such property has been assessed for any given
12. year or years an such cases the delinquent date of the taxes
13. against property not assessed etc. It comes to my mind that
14. perhaps, an as we all know as the result of area surveys in
15. Cook County an I assume elsewhere in the state, we've picked
16. up some properties that have not been on the rolls an have not
17. been assessed and...ah...this would apply to them as well as
18. to those properties that have been assessed and...ah...sue to
19. that one provision an certain other reasons, I'm going to vote
20. no. Thank you.

21. PRESIDING OFFICER: (Senator Partee)

22. Continue with the roll call.

23. SECRETARY:

24. Weaver.

25. PRESIDING OFFICER: (Senator Partee)

26. On this question the yeas are 30. The nays are 15. The
27. bill'll be so reported. Senator Palmer. Senator Palmer moves
28. to reconsider the vote. Senator Smith moves to Table. All in
29. favor. So order it. For what purpose does Senator Soper arise?

30. SENATOR SOPER:

31. I'd like ta verify the roll call.

32. PRESIDING OFFICER: (Senator Partee)

33.

Senator Soper moves to verify the roll call. Ah...which one, the affirmative or the negative one?

SENATOR SOPER:

The affirmative...sir...

1. PRESIDING OFFICER: (Senator Partee)

2. Very well.

3. SENATOR SOPER:

4. ...please.

5. PRESIDING OFFICER: (Senator Partee)

6. Call the...affirmative roll call, please.

7. SECRETARY:

8. Berning, Bruce, Carpentier, Cherry, Coulson, Course, Donnewald,
9. Dougherty, Egan, Fawell, Hall, Hynes, Johns, Knuepfer, Knuppel,
10. Kosinski, Lyons, McCarthy, Neistein, Nihill, O'Brien, Palmer,
11. Partee, Rock, Romano, Saperstein, Savickas, Smith, Swinarski,
12. Vadalabene

13. PRESIDING OFFICER: (Senator Partee)

14. 1267 Senator Coulson.

15. SENATOR COULSON:

16. Mr. President, 1267 introduces a rather new concept...ah..
17. which has not been tried anywhere so far as I can discover an
18. it will take a few moments to explain. It proposes to set up
19. an agency of the state, which would apply for the charity racing
20. dates now being allocated to various private charities throughout
21. the State. I have some figures here which indicate to me that
22. last year the Sun Times Daily News Charity Trust had six days
23. at Arlington, which netted 552 thousand dollars, six days at
24. Sportsman's, 599 thousand, six days at Washington Park, 537
25. thousand. Chicago Tribune Charities had six days at Arlington
26. which netted 806 thousand. Chicago Today Charities had six
27. days at Sportsman's which gave them 776 thousand. Chicago Daily
28. Defender Charities....

29. PRESIDING OFFICER: (Senator Partee)

30. Will the members be in their seats...please? Continue sir.

31. SENATOR COULSON:

32. Chicago Daily Defender Charities had six days at Belmoral

33.

1. which netted 79 thousand an some organization called Southern
2. Illinois Charity had three days at Cahokia which netted 71 thousand.
3. In addition I understand that his year the racing board has
4. allocated 9 or 10 days to the Horseman's Breeders Protective
5. Association at Southern Illinois. I have no quarrel with any
6. of these particular charities. I think it's wonderful that
7. the Chicago Newspapers an all of these funds send boys to summer
8. camp an spend their money on many worth while causes, but I
9. think the State of Illinois and it's financial needs are also
10. a worth while cause. I see no reason why a State licensed agency
11. shall raise money an then had it to a particular charity. So
12. this bill proposes to set up an entity consisting of the Governor,
13. the Attorney General, the Superintendent of Public Instruction,
14. the Director of Revenue an simply authorizes them to apply for
15. charity dates. It's up to the racing board whether these dates
16. are given them or not. I may tell you I have no assurance from
17. the racing board that they like the idea. This is not the Governor's
18. program. It does not amount to the State entering into the
19. business of operating horse races. It simply says that if there
20. are dates to be given for charitable purposes our children are
21. part of the charity. Here is a method of raising approximately
22. 5 million dollars according to these figures I have, which does
23. not increase any tax, which requires only that we say to all
24. of the Chicago newspapers an other funds, bless you, welcome...ah...
25. to your charitable endeavors, but raise your funds like anybody
26. else does. Ah...that's really all the bill involves. I have
27. no assurance the racing board will give the dates. I will be
28. pleased to answer if I can any questions you might have upon
29. it. It looks like an easy way for the state to add 5 million
30. dollars.

31. PRESIDING OFFICER: (Senator Partee)

32. Senator Groen:

33. SENATOR GROEN:

Ah...Senator Coulson, if you would yield? Did you give
1. any thought to a bill which would simply abolish charity dates
2. for all charities, irrespective of where they are or the pur-
3. pose involved?

4. SENATOR COULSON:

5. No sir..

6. PRESIDING OFFICER: (Senator Partee)

7. Senator Groen.

8. SENATOR GROEN:

9. I'm caught in some what of a paradoxical thinking here
10. that...ah... it would seem to me that perhaps there is no justification
11. for the continuation of charitable dates for anyone. Ah...I
12. don't see any reason why if we are going to have horse racing
13. in this State an we're going to have parimutuel betting in this
14. State an of course we are going to, it seems to me that the
15. revenues ought to come to the State of Illinois rather than
16. to private charities...and...ah...I...I...I...I question the
17. the advisability of extending further what I deem to be an already
18. bad practice. I could certainly vote for a bill that would
19. abolish them entirely an I think that's what...ah...I think
20. that's the approach we should take.

21. PRESIDING OFFICER: (Senator Partee)

22. Any further discussion? Senator Hynes.

23. SENATOR HYNES:

24. Mr...Mr. President would the sponsor yield to a question?

25. PRESIDING OFFICER: (Senator Partee)

26. Senator Coulson will you yield?

27. SENATOR HYNES:

28. Senator..what...ah...what would be your estimate of the
29. revenue that this might raise for the...the State of Illinois?

30. SENATOR COULSON:

31. I think...I think sir it would depend on which dates were
32. given to the State and how many dates and at which track an
33. whether it included the 4th of July week, etc. Ah...it's...it's
impossible to cal-

1. culate except to project it based on last years income 3 mil-
2. lion 6...3 million 4 hundred an 24 thousand was the total par-
3. ticipation an more dates are being given this year. I'm not
4. saying we'd take it all or even be given any of it.

5. PRESIDING OFFICER: (Senator Partee)

6. Senator Hynes.

7. SENATOR HYNES:

8. Well...what would be the upper limit, let's put it that
9. way: Is it possible...is it possible for you to estimate under
10. the most desirable set of facts in your view what..what the
11. upper limit would be? I'd like to have an idea what we're...what
12. we're talking about.

13. SENATOR COULSON:

14. Yes...ah...suppose this bill passed...suppose further that
15. it passed the House an the Governor signed it an the Governor
16. appoin...er the board went into operation an then sent an appli-
17. cation to racing board. If the racing board said alright, we'll
18. give you six days at Arlington Park, which includes mid August,
19. according to last year's figures the proceeds would be 5 hun-
20. dred an 52 thousand dollars. If they would say we'll give you
21. 6 days at Sportsman's in March the proceeds would be 5 hundred
22. an 99 thousand dollars an...an...from there on you see it's
23. just a matter of which days they would give us an how they would
24. allocate the dates. It would have to be done for next year.
25. It couldn't apply this year...an it depends how busy the racing
26. public is. We might have a bad racing season next year.

27. PRESIDING OFFICER: (Senator Partee)

28. Senator Baltz.

29. SENATOR BALTZ:

30. Senator Coulson, will you yield? Senator, who wants this
31. bill?

32. SENATOR COULSON:

33. I'm under the impression that when you can show a way to

1. produce 3 million dollars for the general taxpayer without raising
2. taxes, the vote ought to be unanimous. We all ought to want
3. it.

4. PRESIDING OFFICER: (Senator Partee)

5. Senator Knuppel.

6. SENATOR KNUPPEL:

7. Senator Coulson..ah...why..why is this money ear marked
8. for educational purposes?

9. PRESIDING OFFICER: (Senator Partee)

10. Senator Coulson.

11. SENATOR COULSON:

12. I...I...I'm not finicky about that at all...make it Mental
13. Health, make it General Fund...make it..make it highway improvement
14. ...make it...ah...prison rehabilitation...I'm not finicky.
15. I just think it ought to be in the public domain.

16. PRESIDING OFFICER: (Senator Partee)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. If it were...if it were ear marked for general funds I
20. believe I could vote for the bill. The way it is, I think there's
21. something wrong with the bill like the bingo bill an lotteries
22. an other bills that come through here that you have to tie some
23. good purpose on the end of it, it seems to imply that there's
24. something wrong about the means. Now, I just can't see an I
25. don't believe this Body ought to get itself in the position,
26. we're gonna have a lottery bill over here before long. We did
27. the same thing with the bingo bill, to get it passed we tie
28. it to some good purpose. Why don't we just put it in general
29. revenue? It may go for educational purposes. I can't vote
30. for a bill that contains a concept that we have to tie it to
31. some good balloon in order to carry it through this Body.

32. PRESIDING OFFICER: (Senator Partee)

33. Any further discussion? Senator Coulson may close the
debate.

SENATOR COULSON:

Ah...just...just in reply to that, my...my personal motivation
1. in putting in the educational fund was to include a member of
2. your political party in the board, which would make the allocation
3. an the only way was to do it was to put...ah...Dr. Bakalis on
4. as a member of the Board. But the bill itself doesn't limit
5. it in that way an I agree with you...I...I'm opposed to ear
6. marking also. The bill says that any proceeds shall be deposited
7. in the common school fund or any other state fund or funds as
8. the General Assembly shall direct. Now, you an I know that
9. when we're spending 7 hundred million for one purpose, an 7
10. hundred million for another purpose that to find a way to produce
11. 5 million it goes into the same pocket...ah...it's in the general
12. fund really, even if we pretend to ear mark it but I agree with
13. you an I...I would consent to any change you want if you can
14. think of a better place to put it. I don't think we'll ever
15. be troubled with a...a problem of where to spend the money.
16. They're plenty worth while purposes an I would ask for your
17. friendly vote. I...I may tell you I don't intend to postpone
18. this or belabor it or fight hard. I haven't gotten the pledge
19. from any of you as to how you wanna vote. I don't even have
20. a House sponsor. If it fails, let it fail, an I bequeath it
21. to you for your next Session, when you may be more in need of
22. money.

23. PRESIDING OFFICER: (Senator Partee)

24. Does Senator O'Brien desire recognition?

25. SENATOR O'BRIEN:

26. Like to make...

27. PRESIDING OFFICER: (Senator Partee)

28. Well you desire recognition for the purpose of a co...Senator
29. O'Brien.

30. SENATOR O'BRIEN:

31. Oh. Just briefly ah...Mr. President an members of the Senate,
32. I think that Senator Coulson is to be commended for coming up
33. with a creative measure, one of the few creative measures that
would increase revenue to the State of Illinois. I served on
the sub-

1. committee in the revenue committee that had the opportunity
2. to work on this bill. It was very difficult for Senator Coul-
3. son to get information from the different Bodies. Now, I think
4. that this would certainly be an excellent bill for the Senate
5. ta...ah...the General Assembly to pass. It would certainly
6. create a new image for the...for the State Senate. It has the
7. possibility of raising revenue whether or not it go to the Mental
8. Health Fund, or the Welfare Fund, or the Educational Fund need
9. not be important. I think it will lower taxes..ah...especially
10. i...if it went in the Educational Fund that possibility could
11. arise. I'd just urge every member of the Senate to vote for
12. this bill. Thank you very much.

13. PRESIDING OFFICER: (Senator Partee)

14. Secretary will call the roll.

15. ACTING SECRETARY: (Edward Fernandes)

16. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
17. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
18. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
19. Hall, Harris, Horsley, Hynes, Jo...Johns, Knuepfer, Knuppel,

20. PRESIDING OFFICER: (Senator Partee)

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Mine's a qualified aye and I will be back...if I'm...if
24. I'm back next Session I will...it says as the general Session
25. may provide. I'll try to have it ear marked for just general
26. revenue. I don't think it should go the other way. I'm gonna
27. vote aye...

28. (Bad tape)

29.

30.

31.

32.

33.

SENATOR GROEN:

1. Rather than put the state of Illinois in the business of rais-
2. ing money under the guise at least of charitable purpose an
3. that would seem to be what we're doing here. It seems to me
4. that a bill an I propose to introduce one next year that would
5. abolish all of these charitable dates and if the tracks can
6. afford to give this kind of money to charity an I am advised
7. that what happens in these cases is that the track simply gets
8. its operational costs an all of the profits that may accrue
9. on these respective dates...ah...innure in the benefit of the
10. charity involved. It seems to me that if they can afford this
11. they can afford to give up the revenues...ah...that accrue on
12. these specific dates. The could well afford a increase in rates
13. insofar as the take of the State of Illinois is concerned tax
14. wise an I think that's the answer to this problem. I will vote
15. aye on the bill to ...to...ah...in...increase it for this time
16. being, but it would seem to me that the other approach is a
17. far more satisfactory solution an I would propose to do something
18. about it. I vote reluctantly aye.

19. PRESIDING OFFICER: (Senator Partee)

20. On this question the yeas are 43. The nays are 3. The
21. bill having received a constitutional majority is declared passed.
22. 1279 Senator Harris.

23. SENATOR HARRIS:

24. SB1279 is a constitutional implementation bill. The 1870
25. constitution had a constitutional directive that...ah...ah...the...
26. ah...General Assembly shall prescribe maximum reasonable rates
27. ..ah.. for railroads an as a result of that directive ...ah...S...
28. section 125 of the...ah...Railroad an Warehouses...ah...chapter
29. 114 was enacted. Ah...this bill repeals...ah...Section 125
30. of that act...ah... since the new constitution...ah...does not
31. require this statutory directive. The...ah...ah...commerce
32. commission...ah...indicates that...ah... there is a great deal
33. of expense involved in keeping on file.. ah...these maximum
rates many of which are obsolete. Ah...I

1. think...ah...you could describe this as...ah...purely constitutional
2. implementation legislation. Ah would urge...ah...favorable
3. roll call.

4. PRESIDING OFFICER: (Senator Partee)

5. Any further discussion? The Secretary will call the roll.

6. SECRETARY:

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

15. PRESIDING OFFICER: (Senator Partee)

16. On this question the yeas are 43. The nays are none.

17. The bill having received a constitutional majority is declared
18. passed. 1337

19. SENATOR KNUEPFER:

20. Ah...This is not the first time that I have raised this
21. issue, but I want to point out the dimensions of the problem
22. we are going to have probably in the last two weeks of this
23. year an certainly in June of next year. Ah...I have been just
24. mentally making or...or keeping time...ah...time to go through
25. a roll call an a roll call in this Body takes, if without speeches,
26. takes approximately two minutes. Last year we handled about
27. 25 hundred bills in this Body. Ah...if we assume that a roll
28. call is only taken upon 3rd reading 25 hundred times...ah...time
29. ...times two minutes apiece comes out to 5 thousand minutes.
30. Now, that may sound like not much but 5 thousand minutes is
31. 80 hours...a...and if we assume that we work a regular four
32. hours on the floor with the balance on committee time 80 hours
33. becomes 20 days of

1. our time which will be taken next year simply to answer an to
2. go through the roll call on 3rd reading. You're all well famil-
3. iar of course with the fact that the House has this kind of
4. a system an I think there is no question about the fact that
5. we all recognize, almost universally, that without some kind
6. of more expeditious system than the roll call the House would
7. simply be unable to operate at all. Ah...this all comes about
8. of course because of a provision in the new constitution that
9. says specifically final passage of a bill shall be by record
10. vote. Ah...I'm going to be down here next year most of you
11. are going to be back here, but to me it seems that we have not
12. iner...increased the efficiency of this body if we're going
13. to spend 20 days of our time simply in the process of calling
14. the roll. I wanna point out what I think may be another advantage
15. of the electronic roll call system... ah...that advantage is...ah...
16. I think it will to some extent diminish the number of explanations
17. an I don't mean ta suggest that any Senator will be cut off
18. but as your name is called there is a natural tendency I believe,
19. to get up an add...make not a two minute roll call out of it
20. but make a five minute, a ten minute, or a 20 minute roll call.
21. I think in the interest of getting this Body's work done next
22. year knowing that what we are going to have again, as we have
23. always had, is a last minute deluge from the other House, knowing
24. that we have to meet the time tables that we've set an recognizing
25. that the time tables on the other side ...ah..on the other...in
26. the other other House have for one reason or another been violated.
27. We're going to get swamped in June again and the only way I
28. can see that we can address ourselves to this is through this.
29. We have not been afraid to use the world of electronics when
30. it comes to the microphones. Some day some of you will see
31. many additional changes in the electronic world. If you've
32. had a chance to stop in an see nay of these...ah...newer systems
33. that are available someday this Body will have on each Senator's
desk a...an information console that will enable him to prog...to...
to find out the

1. status of any job. I don't propose th...any bill at any time.
2. Ah... I think Senate will someday recognize that it is in the
3. business of getting the job done as expeditiously as possible
4. and not in the business of simply prolonging the roll calls.
5. I...you know the issues ..ah..I simply ask you to recognize
6. that if we do not do something like this next June an perhaps
7. this...this...as this June is going to be...are going to be
8. unmanageable in terms of our time.

9. PRESIDING OFFICER (Senator Donnewald)

10. Senator...Senator Neistein.

11. SENATOR NEISTEIN:

12. I rise in opposition ta this bill on couple of reasons.
13. No. 1, I doubt if this is in the Governor's budget. Secondly,
14. in these days of the tax crunch an in rising cost I think it's
15. our duty to see that we curb the spending of money an I see
16. no reason ta spend 125 thousand for electronic voting. The
17. Senator refers to the House of Representatives. There, there's
18. 177 members. It's an unwieldy Body ta call the roll. Here,
19. we have 58. There's no problem in calling the roll an even
20. if there is a little time consum...ah...consumed, I think ta
21. save the 125 thousand ta homes that it would build for some
22. poor people or the meals it could provide for the indigent is
23. enough ta save this money an I oppose the spending at this time.

24. PRESIDING OFFICER (Senator Donnewald)

25. Senator Graham.

26. SENATOR GRAHAM:

27. Mr. Pre...Mr. President, an members of the Senate, as I
28. have spent several hours on the Floor of this Senate in several
29. years an I've watched attempts being made here...attempts being
30. made in other areas of the State Capitol complex. As we talk
31. about progress with complete disregard for tradition, begin
32. to be disturbed. I think that one of the great strong points
33. of our country has been that we are a people of tradition.

1. Especially when it's a good tradition. I know there's a use
2. for modern technology an I'm aware of the time we take down
3. here, but I might submit to this Body that if we could use some
4. modern technology an have someone develop a serum for diarrhea
5. of the mouth that might be helpful. When we think about all
6. the hours that we spend here talking for hours an hours about noth-
7. ing, redundancy galore, I'm wondering...I'm really wondering.
8. Then when we talk about all the bills that we have to consider
9. then I really wonder. All we really need to do around here
10. is to establish a policy of quit introducing bills in the House
11. an the same bill in the Senate, but more importantly there will
12. be a time with or without electornic voting device that this
13. Chamber will establish a committee that will be a committee
14. so to speak that will screen that type of legislation that comes
15. in this Senate an will knock out some of these cockeyed proposals
16. that mean nothing to...ah...ah...to hardly anyone at all an
17. to pieces of legislation that are put in for the complete embarrass-
18. ment of some people with no knowledge or purpose of passing.
19. So we get around ta that an when that fails then I'll be ready
20. ta vote to clobber up the beautiful hall that we're in now with
21. a elctronic voting device looking somthing like a toto born
22. at a race track an I rise in opposition ta this bill.

23. SENATOR GROEN:

24. Amen.

25. PRESIDING OFFICER (Senator Donnewald)

26. Senator Partee.

27. SENATOR PARTEE:

28. Mr. President an members of the Senate, I rise to support
29. this bill. The next Senate bill to be introduced i...would
30. be No. 1558, an the next House bill to be introduced in the
31. House numbered would be 4651. Now that's 6 thousand, 2 hundred,
32. an seven bills introduced in this Session of the legislature.
33. Senator Graham says that perhaps

1. we should screen the bills, those that co...can...could come
2. in. That is not escape my notice Senator, but in a democracy
3. where a man is elected by the persons in his district who is
4. to tell him what bill is cockeyed an what bill is straighteyed?
5. Every Senator has a right to introduce any piece of legislation
6. he desires no matter how silly, no matter how stupid, no matter
7. how inane, no matter how meaningless it is. It is his perogative
8. an when the day comes that a man can't introduce what he desires
9. we will all be in a very bad state.. The fact is if he did it
10. overly, I am sure the persons in his district would remove him
11. from these Chambers an would send someone here with more intelligence.
12. For the fact of the matter is with six...over six thousand bills.
13. could we have a little...ah...order, Mr. President?

14. PRESIDING OFFICER (Senator Donnewald)

15. Yes....will you break up that caucus Senator Neistein?

16. SENATOR PARTEE:

17.when we have over 6 thousand bills it just is in our
18. own best interest to have a modern voting system. I suggest
19. ta you that if we had a modern voting system such as that which
20. they have in the House which I was accustomed to for 10 years
21. before I came here, we would be able to do our work with a great
22. deal more dispatch. I would suggest to you that it might save
23. a lot of time on roll calls, a lot of explanations of votes
24. would not be given under this kind of a system. It would not
25. in any way prevent one from doing so, but I would think we would
26. save a great deal of time. I think this is a very worthwhile
27. approach. I think this is something that needs doing. I w...cer...
28. w...certainly wish it had been in existence here when I came
29. to the Senate. I think this is a good bill an I certainly support
30. it.

31. PRESIDING OFFICER (Senator Donnewald)

32. Senator Baltz.

33. SENATOR BALTZ:

1. Mr. President, an members of the Senate, I too served in
2. the House with Senator Partee an Senator Carroll, Sen...ah...Senator
3. Davis an many others. There's great advantages to electronic
4. roll call system. You could run all over the Floor an have
5. your partner push your switch. You could take a day off an
6. have your partner push the switch. Ah...with the confusion
7. that resulted you very rarely listened to...ah...the debate
8. as to whether a bill was good or bad. You could easily pass
9. a bill out a there with 135 to nothing or 165 ta nothing. When
10. I came oftento the Senate I saw what happened to those bad bills
11. that came out of there with an unanimous vote, an much of that
12. was the re...because of the electronic vote system. I think
13. that...ah... one of the reasons that...ah...we have good legislation
14. in the State of Illinois is attributable to the time an...that
15. the Senate takes in...ah... debating a bill...hear the explanation
16. of a bill. I have a...a very firm feeling that even though
17. we spend more time because there's so many thousands of bills
18. now that we are...should be perfectly willing ta spend this
19. extra time in order to thoroughly screen legislation. We had
20. a bill...ah...that we heard yesterday, a very important bill
21. that came out a the House 135 ta nothing. Nobody stopped...ah...along
22. the way on that bill to give it adequate hearings that ultimately
23. it got in the Senate. Ah...nobody...ah...would even question
24. atthat time but what that bill was a good bill an would sail
25. through the Senate, but that bill was beat in committee yesterday
26. 8 ta 3 after long oral discussion. If we had electronic voting
27. over here I think that bill would have been up on 3rd reading
28. a year ago an probably been out a here 55 to nothing or 52 to
29. nothing. If electronic voting is so good I wonder why they
30. don't have it in Washington? They have a House membership
31. down there of well over 400. This is still a voice vote. They
32. have a...a Senate membership down there of a hundred. This
33. is still a voice vote. The system a checks an balances in this
country is a good one, an I think much of the checks an balances
lie right here on the

1. Senate Floor where all bills are not only aired thoroughly by
2. oral discussion an questions being asked an answered but by
3. the fact that you can't leave your switch in your neighbor's
4. hands when you take a day off or an hour off or two hours off.
5. Ya have ta be here an when Baltz is called, Baltz answers, an
6. if Baltz isn't here Baltz vote's not counted. I think this
7. is the Chamber where we should continue with oral vote an I
8. certainly rise in opposition to this bill.

9. PRESIDING OFFICER (Senator Donnewald)

10. Amen. Senator Laughlin.

11. SENATOR LAUGHLIN:

12. 'Well, Mr. President you in the Amen corner, if you beg...if
13. you don't mind, I...I rise in support of the bill. I'm not
14. gonna be here, so it isn't gonna be any advantage to me, but
15. I'm convinced that the electronic scoreboard, if that's what
16. you wanta call it, doesn't deprive anybody of a chance to debate.
17. I don't think it eliminates any discussion at all an it certainly
18. might eliminate a lot of hot air an it might make things more
19. expeditious. An quite frankly Senator Baltz, I've been here...this
20. is the 12th year an of the men that I've served with I don't
21. think any of them would have had their neighbor work their switch
22. on the day off an if they had it wouldn't have continued with
23. verification of the roll call very long. I had occasion to
24. be in Oklahoma where my son-in-law an daughter reside an I spent
25. one full afternoon in the Oklahoma Senate, in the balcony, where
26. they have 44 members an let me tell you they have such a voting
27. scoreboard. It works beautifully. I heard a lengthy debate
28. on minimum wage law an it's extension. I heard several other
29. fine debates. They don't have people running all over the Floor.
30. They haven't got gal...aisles on the side with people tramping
31. along em all the time an they conduct their business in a very
32. order

33.

1. ly fashion. I'm convinced it's a step...ah...th...that we
2. should take. I support it.

3. PRESIDING OFFICER (Senator Donnewald)

4. Sen...Senator Sours. Any further discussion? Senator
5. Knuepfer may close the debate.

6. SENATOR KNUEPFER:

7. Ah...I...I know Senator Baltz has suggested that this is
8. a deliberated Body. I would remind Senator, however, that I
9. have stood on this Floor an I'm certain that he's stood on this
10. Floor when we have gone through the Motion of the most favorable
11. roll call when there weren't even 30 Senators on the Floor,
12. an that can hardly be said to be a deliberative act. It was
13. not deliberative. The House of Representatives in Washington
14. has... is in the process of installing an electronic roll call
15. system. They had the same kind of problems, the problems of
16. tradition.. ah...that I think bothers some people here today.
17. They designed the board that they felt fitted in with the marble
18. of the walls that only lights up at such time as the roll call
19. is actually announced. I would only remind you if you can remember
20. back just to last fall when the new constitution finally mandated
21. this roll call instead of that unanimous roll call ...the kind
22. of lengthy debate ...ah... the frayed tempers that we have had
23. and the fact that we spent many additional hours just last fall
24. in this Body for only one reason. We had to continue to listen
25. to the roll being called. I would ask...ah...for a favorable
26. roll call.

27. PRESIDING OFFICER (Senator Donnewald)

28. Secretary will call the roll.

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
31. Carroll, Cherry, Chew, Clarke,

32. PRESIDING OFFICER (Senator Donnewald)

33. Senator Clarke.

SENATOR CLARKE:

1. Ah...Mr. President, members of the Senate, I think...I
2. think this is something that we had better give some very serious
3. thought to in casting our vote here, because it's not just a
4. matter of...the fact that a future court test of legislation
5. could go to question as to the procedures that we have used
6. commonly in this question that the procedures that we have used
7. commonly in this Body of the same roll call in the closing days
8. ta handle the mass of legislation we've had in the past. We're
9. gonna have much greater work load obviously if we're going to
10. continue the procedure of carrying bills to the 5 an 6 thousands
11. through a two year period an I think that this is inevitably
12. in order to substantiate the work that we do an the constitutionality
13. of it gotta be an in process if we dont' do it now we're gonna
14. find ourselves in a mess next year an go to it then an I think
15. we that should be taken this step now an I vote aye.

16. PRESIDING OFFICER (Senator Donnewald)

17. Continue the roll call.

18. SECRETARY:

19. Collins, Coulson, Course, Davidson, Donnewald, Dougherty,
20. Egan, Fawell, Gilbert, Graham, Groen,

21. PRESIDING OFFICER (Senator Donnewald)

22. Senator Groen.

23. SENATOR GROEN:

24. Mr. President, members, in January of 1973 I will complete
25. my 20th year as a member of this Body. In the past several
26. months I have spent a goodly number of hours in retrospect in
27. thinking back over the years to those things of our procedures
28. an our rules which are good an those things which in my judgement
29. are not in the best interests of the people of this State an
30. the manner in which we conduct our business. Presently I have
31. some 19 major suggestions with regard to the procedures an the
32. operation of this Body that before this Session closes I pro-
33. pose to present to you on a point of personal privilege...give

1. them to you for your study an consideration between now an next
2. January with the hope that the procedures rules, the organization,
3. the method of doing business in this Body may be enhanced.
4. One of those suggestions is embodied in this bill. I believe
5. we have reached the point where the countless hours that have
6. been pointed out that are spent on roll calls...ah.. is simply
7. a waste of time. There would be no problem in regard to switches.
8. You can always ask tha...for a verification of a roll call if
9. you believe that this has happened so that adequate protection
10. could be afforded. I think this is a good bill. I think it's
11. in the best interest of this Body an the expeditious handling
12. of our business. I think it's a good bill in the best interest
13. of the people of this State an I vote aye.

14. SECRETARY:

15. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
16. PRESIDING OFFICER (Senator Donnewald)

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. This bill provides a small bandage for the problems of
20. the General Assembly. The way we're oriented with two Houses...
21. where we must hear all bills twice in committee an vote twice
22. on them ...makes this little damm across a great stream look
23. very small. One a the pieces of advise that's given t...trial
24. lawyers is to avoid small triumphs. We've patched, we've used
25. small methods to improve a procedure that is failing an will
26. continue to fail even after we put in an electronic voting de-
27. vice. We introduce three times as many bills in the House as
28. we introduce in the Senate an until we correct that by joint
29. rules of the two Bodies an divide these bills equally between
30. the two bodies or abolish one a these bodies prevent the introduction
31. of duplicate bills we will rise from 6 thousand to 8 thousand
32. bills an we'll need the electronic voting machine. I'm gonna
33. vote aye. I'm going to do so with a great many misgivings because
this is a small

1. bandaid for a large problem an certainly in no way...in no way
2. even approaches the needs of this Body ta deal with the modern
3. day society that we live in an ta think that putting an electronic
4. voting devise on this wall will solve that problem an ta hide
5. our heads an I made this same kind of a speech in a constitutional
6. convention an they thought they were writing a progressive legisla-
7. tive article an I see here all the problems an all the ills
8. the reintroduction of bills, the use of two sessions, we're
9. gonna have annual sessions. This was never intended. It was
10. believed that we would use these sessions differently. Now
11. I vote aye. I have some time yet. We're...I'm gonna vote aye,
12. but I'll say this that..an I'll say this to you all...that we
13. will not solve the problems of the General Assembly nor will
14. we alleviate the criticism that will be coming in our way.
15. I vote for this small triumph even though I realize how small
16. it really is.

17. SECRETARY:

18. Kosinski, Kusibab, Latherow, Laughlin, Lyons, Mc...McBroom,
19. McCarthy, Merritt,

20. PRESIDING OFFICER: (Senator Donnewald)

21. Senator Merritt.

22. SENATOR MERRITT:

23. Mr. President, members of the Senate, just very briefly
24. in explaining my vote. It's been pointed out here the great
25. time saving device this is going to be an how many hours it's
26. going to save us of our time. I just happen to be one, I'm
27. sure the feeling is shared with others that feel that this will
28. work absolutely in reverse. In the first place, you'll not
29. be able to explain your vote on a ...ah...electronic devise.
30. I've found many times that I've enjoyed not only the debate
31. but on the roll call vote the explanation of some votes that
32. had brought out points that I'd never had before. In addition,
33. many times it gives me an opportunity ta clarify a record on
the tape itself so I think we're absolutely kidding ourselves
when we think we're gonna save more time

1. because it'll just mean that everybody will be on their feet
2. an speaking all the time ta a bill. I vote no.

3. SECRETARY:

4. Mitchler, Mo...Mohr, Neistein, Newhouse, Nihill, O'Brien,
5. O...Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
6. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
7. PRESIDING OFFICER (Senator Donnewald)

8. Senator Walker.

9. SENATOR WALKER:

10. Ah...thank you Mr. President, quite frankly I feel that
11. the advantages outweigh the disadvantages insofar as electronic
12. voting is concerned. I have no objection ta seeing my name
13. up there on a roll call. I like to watch those red an...red
14. an green lights. I don't think it's going to make us any less
15. a deliberative Body an insofar as voting your seat mate's switch,I
16. would like to have all House members, former House members,
17. who've crossed the rotunda who haven't had their seat mate vote
18. their switch at sometime please stand an we'll give you a little
19. round of applause an you can sit down Savickas...with exceptions
20. of 3 gentlemen that stood here because you know what happens
21. when you're on the Floor, that's the time that one of your constitu-
22. ents who had all week end to call you at your home or at your
23. office decides to come to Springfield an call you off the Floor
24. of the House or the Senate, so you say ta your seat mate catch
25. my switch I wanna vote yes or no an I realize this isn't the
26. orderly procedure but if I'm standing over here talking to someone
27. an the President pro tempore here is watching I can't see anything
28. wrong with it an as speaker in the House I couldn't see anything
29. wrong with it because there's always a verification so they
30. can tell whether you're in actual attendance or not. The presiding
31. officer...I think it's quite helpful to the pri...presiding
32. officer because you don't have to try an figure out as I'm trying
33. to figure out now whether this bill has got 28 or 29 votes on
it because th...

1. lights would be up there, red an green. I'll never forget the
2. time when I was whip in the House when Doc Springer brought
3. me a pair of glasses, one red eyed glass, one green, I could
4. shut one eye if I wanted em all favorable I could shut the other
5. if I wanted all no's. It...it gives the...it gives the leadership
6. an opportunity to see what's going on. You send the whip around
7. ...as I started I believe the advantages surmount the disadvantages
8. an I'm going to support this bill an I therefore vote aye.

9. SECRETARY:

10. Weaver.

11. PRESIDING OFFICER (Senator Donnewald)

12. Senator Weaver.

13. SENATOR WEAVER:

14. Mr. President, I allude to my colleague Senator Walker,
15. here, in his...Mr. Speaker, Walker..that he never would rule
16. the board over there, so we always had to start counting one,
17. two an it was difficult to tell where we stood. Now, he had
18. a little button up on the podium that he could tell what the
19. count was but the membership never knew. I enjoy voting last
20. in the Senate...an I'd like to continue to so I vote no.

21. PRESIDING OFFICER (Senator Donnewald)

22. Lyons aye. On that question the yeas are 31. The nays
23. are 17. The bill is declared passed. Senator Partee moves
24. to reconsider. Call for a verification of the roll call. No,
25. not yet. The affir...Sentor Neistein has called for a verification
26. of the roll call. Those voting in the affirmative will be call...
27. Senator Neistein.

28. SENATOR NEISTEIN:

29. I didn't call for a verification. I just wondered with
30. my seat mate what happens to all the waltz kings if they
31. gotta put their vote up on the board an be counted instead of
32. tip toeing up with the waltz up to the Secretary there

33.

1. ta waltz up an tell him how they're voting.

2. PRESIDING OFFICER (Senator Donnewald)

3. Senator Johns moves for a verification of the roll call.

4. SECRETARY:

5. Ber...Berning, Bruce, Carroll, Cherry, Clarke, Coulson,
6. Course, Donnewald, Fawell, Gilbert, Groen, Hall, Harris, Horsley,
7. Hynes, Knu...Knuepfer...

8. PRESIDING OFFICER: (Senator Donnewald)

9. Senator Donnewald. Senator Donnewald's name will be
10. taken off.

11. SECRETARY:

12. Knuppel, Laughlin, Lyons, McBroom, McCarthy, Nihill, Palmer,
13. Partee, Romano, Rosander, Saperstein, Smith, Swinarski, Vadala-
14. bene, Walker. If I called Senator Donnewald's name that was
15. in error because he voted no.

16. PRESIDING OFFICER (Senator Donnewald)

17. On that question the yeas are 31. The nays are 17. The
18. bill is declared passed. Senator Partee moves to reconsider.
19. Senator Hall moves to Table. All in favor say aye. All those
20. opposed no...no. Senator Partee.

21. SENATOR PARTEE:

22. Ah...I suppose Mr. President this is the last bill that
23. we'll have a chance to hear today. We got a late start. Ah..we
24. have a committee of the whole scheduled. It was scheduled for
25. 1:00 o'clock. The gentlemen are here. As many of you remember
26. when we had the commercial code introduced here a couple of
27. years ago many of us almost took it on faith an Senator Arring-
28. ton was quite insistant an wanted us to have a committee of
29. the whole on a new aspect of the commercial code. I certainly
30. agree with this position because the new portion of the commercial
31. code relates to something that very few people know anything
32. at all about an that is a section relating to secure transactions
33.

1. an we've asked Virg Jenner an a group of gentlemen from the
2. Bar Association to be here today at 1:00 o'clock. They are
3. here, an we're going to have the committee of the whole. Hope-
4. fully we can h...have this over in about 40 minutes so that
5. the 2:30 committees can go on as scheduled.

6. PRESIDING OFFICER (Senator Donnewald)

7. Senator Dougherty.

8. SENATOR DOUGHERTY:

9. If you'll recall, last week I called H...HB493 for passage
10. an by agreement that bill was ta be held. It was not to be
11. dis...dismissed from the...ah...Calendar. I would like to now
12. to have HB493 restored to the Calendar, Mr. Secretary. Did
13. ya hear my Motion?

14. PRESIDING OFFICER (Senator Donnewald)

15. The Motion is to take HB493 from the Table.

16. SENATOR DOUGHERTY:

17. From the Table an put it on the Calendar.

18. PRESIDING OFFICER (Senator Donnewald)

19. Ah...Senator ...I under.. ah. .the procedure is otherwise
20. as I understand it. Now we went through this yesterday with
21. Senator Lyons's bill, which he attempted to take from the Table.

22. SENATOR DOUGHERTY:

23. This is not on the Table. This was...bill was postponed
24. an was Journalized to be held.

25. PRESIDING OFFICER: (Senator Donnewald)

26. Senator Groen.

27. SENATOR GROEN:

28. Well, Mr. President, I'm wondering where on the Calendar
29. the bill will be placed. It...will it be on postponed consideration,
30. Senator?

31. SENATOR DOUGHERTY:

32. Position it was in when I took it off...prior to your Motion
33. being enacted upon. It was by agreement with yourself if you
will recall.

PRESIDING OFFICER (Senator Donnewald)

Senator Groen.

SENATOR GROEN:

Ah...I...I have no objection to this procedure. This was the agreement. This was the understanding. I'm just wondering where the bill is going to be on the Calendar, whether it's on postponed consideration or whether it's on 3rd reading.

PRESIDING OFFICER (Senator Donnewald)

I'm advised that it will be on 3rd reading. Is there any objection to Senator Dougherty's Motion? Motion's granted. Senator Bidwill.

SENATOR BIDWILL:

Mi...Mr. President, I wish to announce a Republican caucus at 10:00 o'clock tomorrow. 10:00 o'clock caucus...Repub...

PRESIDING OFFICER (Senator Donnewald)

Th...th...the Secretary advises me...

SENATOR BIDWILL:

Am I...

PRESIDING OFFICER: (Senator Donnewald)

that we have a couple of things we have to do here. Republican caucus. Senator Romano.

SENATOR ROMANO:

Ah...Mr. President, an members of the Senate, on a point of personal privilege, I'd like to present...ah...the 8th grade class from Our Lady of Pompay School, which is in my district. They're sitti...sitting directly behind me with Sister Mary Dora an Sister Mary Sheila. Would you stand up?

PRESIDING OFFICER (Senator Donnewald)

Sen...Senator Bidwill.

SENATOR BIDWILL:

Pr...Mr. President, I wish to change that time of the caucus. I thought we were coming in at 11, but I understand now it's 10 so our caucus will be at 9:00 o'clock in the morning sir, instead of 10...9:00 o'clock in Senator's Neistein's room.

PRESIDING OFFICER (Senator Donnewald)

Senator Cherry.

SENATOR CHERRY:

Mr. President...ah...SB1300 has been...ah...set for Education this afternoon. Ah...it was heard last week an was continued for the...ah...

1. I'm sorry SB1500 an it was continued for the purpose of...ah...
2. having a..ah...an amendment prepared which will be done. Ah...the
3. amendment is being prepared by Chapman an Cutler. It's a little
4. technical an that's why it isn't ready, but...ah...for the purpose
5. of expedition, an I talked ta the Chairman of the Education
6. Committee an have also checked this out with John Gilbert who...the
7. minority...ah... spokesman of the Education Committee. He has
8. no objection...the bill being taken from the...ah...Education
9. Committee for y...ah...consideration and put on 2nd reading
10. an I so move.

11. PRESIDING OFFICER (Senator Donnewald)

12. A motion to take SB1500 from the Education Committee an
13. place it on the order of 2nd reading. Is there any objection?
14. So ordered. Senator Lyons.

15. SENATOR LYONS:

16. Ah...I should call to th...to the attention of all interested
17. parties that there still will be a meeting of the Appropriations
18. Committee at 9:00 o'clock tomorrow morning on the Floor.

19. PRESIDING OFFICER (Senator Donnewald)

20. Senator O'Brien.

21. SENATOR O'BRIEN:

22. Mr. President an members of the Senate, I'd like to have
23. leave of the Body ta have Senate Joint Resolution 66 heard in
24. Executive today. There was a mistake...ah...they posted Senate
25. Joint Resolution 28 which is mine. They posted that for a hearing.
26. I had requested that Senate Joint Resolution 66 be posted.

27. PRESIDING OFFICER (Senator Donnewald)

28. Any objection to the waiver of the notice? The q...the
29. question before the Floor is whether or not Senate Joint Resolution
30. 66 sponsored by Senator O'Brien can be heard with leave of this
31. body in Executive this afternoon. Is there any objection to
32. that? Senator Sours.

33. SENATOR SOURS:

1. I'd like to know what the...what the resolution does, Senator?

2. PRESIDING OFFICER (Senator Donnewald)

3. Senator O'Brien..

4. SENATOR OIBRIEN:

5. Well, Senator , to begin with, I had requested that this
6. be heard but there was a mistake with the Secretary from Executive.
7. The Senate Joint Resolution 66 changes the amendatory veto powers
8. of the Governor.

9. PRESIDING OFFICER (Senator Donnewald)

10. Is there any objection? Will it be heard today? So ordered.
11. Senator Partee.

12. SENATOR PARTEE:

13. Ah...Mr. President, members of the Senate, I am quite concerned
14. that the Transportation Committee have another meeting. It's
15. chairman was away last week, Senator Chew, with the death of
16. his father. He's not here this week an I am asking for leave
17. to have a committee on Transportation in M3 at 9:00 o'clock
18. tomorrow morning. Now, Senator Mohr had a bill in there as
19. does Senator Groen, Senator Harris an I am concerned that everybody
20. have a chance ta get these bills out of the committee an we're
21. asking leave to have those bills heard tomorrow without the
22. posting of the six day notice an by waiving it that would be
23. SB1270, 1388, an 1389, an 1435.

24. PRESIDING OFFICER (Senator Donnewald)

25. Is there any objection? So ordered. Ah...Committee reports.
26. SECRETARY:

27. Senator Course chairman of Revenue Committee reports out
28. Senate bills No. 1445, 1524, an 1525 with the recommendation
29. Do Pass. Senate bills No. 1522 an 1523 with the recommendation
30. Do Not Pass.

31. PRESIDING OFFICER (Senator Donnewald)

32. Introduction of bills.

33. SECRETARY:

1. SB#1558 introduced by Senator Harris is a bill for an Act
2. to amend Section 14 of an Act in relation to the Illinois State
3. Penetentiary. SB#1559 introduced by Senators Rock and Mohr is
4. a bill for an Act to provide for the ordinary and contingent
5. expenses of the Data Information Systems Commission. SB#1516
6. introduced by Senators Harris, Arrington, Coulson, and Clarke
7. is a bill for an Act making an appropriation for certain ordinary
8. and contingent expenses of State Government. SB#1561 introduced
9. by Senators Kosinski, Rock, O'Brien, et al is a bill for
10. an Act to amend Section 30-5 of the School Code.

11. PRESIDING OFFICER (Senator Donnewald)

12. Senator ParTEE that bill for the ordinary expenses of...ah...
13. State Government was just introduced. Did you have a Motion
14. in that regard?

15. SENATOR PARTEE:

16. Ah...just number it an...ah...it...it'll have to go to
17. committee, I'm sure.

18. PRESIDING OFFICER (Senator Donnewald)

19. I...i...is it...Senator...is it...the Secretary has a question.
20. Is it to be introduced today and given over...

21. SENATOR PARTEE:

22. Yes, it's to be introduced today. That's for expenses
23. of the General Assembly.

24. SECRETARY:

25. SB#1559 introduced by Senators ParTEE, Donnewald, Cherry,
26. Arrington, Clarke, and Coulson is a bill for an Act to provide
27. for the ordinary and contingent expenses of the General Assem-
28. bly. 1st reading of the following bills.

29. PRESIDING OFFICER (Senator Donnewald)

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Senator Neistein.

SENATOR NEISTEIN:

I just wanna make an announcement, Senator Laughlin an...ah... Bert Jenner if you're listening. The Senate Judiciary Committee has scheduled a meeting for next Wednesday, at 9:00 o'clock providing we have bills to hear, an if not we'll cancel it, but hold Wednesday morning at 9:00 A M Senator Laughlin an check with...ah... Mr. Jenner if he has any bills for Wednesday.

1. PRESIDING OFFICER (Senator Donnewald)

2. Senator Saperstein.

3. SENATOR SAPERSTEIN:

4. Inasmuch as SB1500 was the only bill on the Calendar, there shall be no Education meeting this afternoon.

5. PRESIDING OFFICER (Senator Donnewald)

6. Senator Carroll, I understand has a Motion. Senator Carroll.

7. SECRETARY:

8. Pursuant to rule 13 rules of the Senate, 77th General Assembly I move to take HB2659 from the Table an place such bill on the order of 2nd reading, Senator Carroll.

9. PRESIDING OFFICER (Senator Donnewald)

10. Senator...

11. SENATOR CARROLL:

12. Mr...

13. PRESIDING OFFICER: (Senator Donnewald)

14. ...Carroll.

15. SENATOR CARROLL:

16. ...Mr. President, members of the Senate, I'd like to defer action on that due to the lateness of the hour until next week if may have permission of the Senate.

17. PRESIDING OFFICER (Senator Donnewald)

18. Is there any objection? Leave. Senator Berning.

19. SENATOR BERNING:

20. Yes, Mr. President, I'd like to ask a question of the leadership? What is our schedule for the balance of the week? Are we going be here through Friday an what opportunity will we have to address ourselves to this Calendar, which I understand has many measures that must be handled this week or they automatically die.

1. PRESIDING OFFICER (Senator Donnewald)

2. Senator Partee.

3. SENATOR PARTEE:

4. We will, it seems to me, be here Friday. We had hoped
5. that we could have gotten out earlier, but today for example
6. we didn't start until about noon because you didn't get back
7. from the caucus. We will be working tomorrow an Friday, if
8. we're going to clear this Calendar.

9. PRESIDING OFFICER (Senator Donnewald)

10. Senator Partee...is that...are we... Senator Partee moves
11. that the Senate stand in...or adjourn until 10:00 o'clock tomorrow
12. morning. All in favor. Anybody opposed?

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