

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

MAY 17, 1972

1. CHAPLAIN: Reverend Phillip A. Desenis, Trinity Church of  
2. Deerfield, Deerfield, Illinois.

3. PRESIDENT:

4. Reading of the Journal. Moved by Senator Palmer that the  
5. reading of the Journal be dispensed with. All in favor sig-  
6. nify by saying aye. Contrary minded. Motion prevails. Com-  
7. mittee reports.

8. SECRETARY:

9. Senator Romano, Chairman of Labor and Commerce Committee,  
10. reports out House Bills 2019 and 3588, with the recommendation  
11. Do Pass. HB2472, with the recommendation Do Pass as Amended.  
12. Senator Course, Chairman of Revenue Committee reports out Sen-  
13. ate Bills 1353 and 1540, with the recommendation Do Pass. SB  
14. 1472, with the recommendation Do Not Pass as Amended. Senator  
15. Donnewald, Chairman of Assignment of bills, assigns the follow-  
16. ing to committee. Agriculture and Conservation, House Bills  
17. 2443, 2733, 4458 and 4508. Education, House Bills 4168, 4291,  
18. 4326. Elections, House Bill 4547. The Executive, House Bills  
19. 4476, and 4509. Financial Institutions, House Bills 4123, 4189,  
20. 4329, 4379, 4479. Judiciary, House Bills 1324, 2683, 4169,  
21. 4484. Labor and Commerce, House Bills 4171, 4436, 4541, 4577.  
22. Local Government, House Bills 3619, 4107, 4309, 4319, 4637.  
23. Appropriation Division of Committee on Public Finance, HB4276.  
24. Revenue, HB3620. Transportation, House Bills 3537, 4176,  
25. 4278, 4428. Welfare, House Bills 3061, 4359, 4385. The Com-  
26. mittee on Rules met and directed that the following procedure  
27. be followed until further notice. A House Bill, when received  
28. by the Senate shall be placed on the order of 1st reading. If  
29. a bill remains on the order of 1st reading for three days with-  
30. out a Senate sponsor, the bill will be automatically be re-  
31. ferred to the Committee on Rules.

32. PRESIDENT:

33. Senator Partee. This is a report from the Rules Com-

1. mittee. Do you wish to make a Motion, or have comments...

2. SENATOR PARTEE:

3. Yes, Mr. President...In conforming with the suggestion  
4. which we had yesterday those bills which languish on the  
5. Calendar at first reading stage, which come from the House  
6. without a Senate Sponsor, we propose to ask for adoption of  
7. this rule, which would say, that if a bill was on the Sen-  
8. ate Calendar, a House bill at the order of 1st Reading, with-  
9. out a Senate sponsor for three consecutive days that that  
10. bill would then be removed from the Calendar and placed in the  
11. Rules Committee. I've sent a notice to the Speaker of the  
12. House, so that he could communicate this rule to his member-  
13. ship and I think this is a very fair approach and I would ask  
14. for the adoption of this Motion.

15. PRESIDENT:

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

17. SECRETARY:

18. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
19. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
20. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
21. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
22. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-  
23. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
24. O'Brien,

25. PRESIDENT:

26. Just a moment....I...understand that some pictures are  
27. being taken without authorization. Is that...Senator McBroom...

28. SENATOR MCBROOM:

29. Mr. President...I talked with Senator Partee's office and  
30. they cleared the pictures...that they are of me and there'd  
31. only be a few taken, Mr. President.

32. PRESIDENT:

33. Alright. Would you let the parliamentarian know when that is

1. being done...

2. SENATOR MCBROOM:

3. That is being done right now, Mr. President. And I

4. believe your office was notified, Senator Partee.

5. PRESIDENT:

6. Continue the roll call. Senator Partee.

7. SENATOR PARTEE.

8. Is this the group from Hollywood, sir?

9. PRESIDENT:

10. Senator McBroom.

11. SENATOR MCBROOM:

12. This is the group from Hollywood, Senator Partee.

13. SENATOR PARTEE:

14. I have no objections.

15. PRESIDENT:

16. Alright.

17. SECRETARY:

18. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,

19. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-

20. bene, Walker, Weaver.

21. PRESIDENT:

22. Groen aye, Bidwill aye, Graham aye. On that question the

23. yeas are 45. The nays are none. Recommendation of the Rules

24. Committee is adopted. If you will turn to your Calendar. House

25. bills on 1st reading. House bills on 1st reading. Go to the

26. introduction of bills and then to the House bills on 1st read-

27. ing.

28. SECRETARY:

29. SB#1570 introduced by Senator McCarthy, is a bill for an

30. Act to make an appropriation to the Office of Superinten-

31. dent of Public Instruction to establish a Pilot Program in De-

32. catur, Illinois, for the purpose of improving the interperson-

33. al relationships and social behavior of schoolage youths.

1. PRESIDENT:

2. To the committee...first...first reading. House bills  
3. on 1st reading. What we're going to do is attempt to go down  
4. the line and I've called Senator Partee and Senator ....  
5. Clark's attention to these bills on 1st reading...called the  
6. membership's attention to the rule that was just adopted....  
7. by this Body that unless the House bills are identified by a  
8. Senate sponsor within 3 days they would revert to the Rules  
9. Committee. Will try to go as....slowly to accomodate the mem-  
10. bers, but yet still try to ....dispose of them. And if you're  
11. ready, if everybody has got the place the third column in the  
12. first page. House bills 179 et al, by Representative Juckett.  
13. That's Senator Carroll. The whole series. The next one is  
14. 2315, by Regner...2215, Regner and Blair. Senator Berning.  
15. Next one is 2346, P. W. Collins. Don't have a call on 2346.  
16. Alright. 2545, Senator Mohr. Next one is 3018. Yes, Sena-  
17. tor Graham.

18. SENATOR GRAHAM:

19. ...Mr. President and members of the Senate, I wouldn't  
20. for the life of me violate the Rules of the Senate only to  
21. indicate that behind us are 17 or 18 members of the Elk Grove  
22. Village High School students, who are down here. This is my  
23. first privilege this year to violate the Rules of the Senate.  
24. I would like to have them stand with their instructors and take  
25. a bow...in the President's gallery, please.

26. PRESIDENT:

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. Yes, Mr. President, I want a chance to violate the Rules  
30. also. This morning we have Gary Dobbs of the Salem High School  
31. with the American Political Practice's class of the senior class  
32. of Salem High School. I'd like to have them rise and be  
33. recognized.

1. PRESIDENT:

2. 3018, Representative Giorgi. Alright. Next one is  
3. 3626, Representative Carroll...bicycles. Gentlemen, we'll  
4. come back of course on some. But the more that can be picked  
5. up the better we . . . off we are. HB3663, by Representative Nowlan.  
6. No takers. HB3745, Representative Regner. Show Senator  
7. Graham as sponsor on 3745. 3772, Representative DiPrima...  
8. Senator Mitchler...3779. I understand that's...excuse me, 3779  
9. Representative Regner on the Condominium Property Act. Sena-  
10. tor Graham. 3781, Representative J. Y. Carter, the Vehicle  
11. Code, Senator Course. 3788, Representative Randolph, Chicago  
12. hotel operators'. Senator Partee, 3789, also Senator?

13. SENATOR PARTEE:

14. Oh, I'm sorry. Was 3781 assigned? That's what I want to  
15. know.

16. PRESIDENT:

17. 3781, was assigned to Senator Course.

18. SENATOR PARTEE:

19. Fine, thank you.

20. PRESIDENT:

21. I'm sorry, I made an assignment of 3788 to you, Senator  
22. Partee, perhaps it was inadvertant. I'll have another call  
23. on 3788, Representative Randolph's bill on...Senator Dougherty  
24. and also 3789, Senator Dougherty? Alright...show those two.  
25. 3797, Terzich, Madigan, blood banks. Do we have a call on  
26. 3797? Show Senator Rock on that and also on 3798. Yes, Sena-  
27. tor Egan.

28. SENATOR EGAN:

29. The next bills in line House bills 3806 through 3877,  
30. 3879, etc., I would like to be recorded as the Senate sponsor  
31. and I would like to move to discharge the committee or make  
32. the appropriate Motion to by-pass committee. These are house-  
33. keeping bills. They were on the consent Calendar in the House..

1. ...they ...they changed...words...in the..in the old law...  
2. magistrate to associate judge, associate judge to circuit judge,  
3. at law, at chauncery to the appropriate language, so that there  
4. are no substitutive changes in these bills.

5. PRESIDENT:

6. Alright then, on 3806, show Senator Egan as the sponsor and  
7. the Motion to move to 2nd reading without reference. Leave is  
8. granted. No objection being heard, 2nd reading. Next one is,  
9. 4074. I understand Senator Carpentier has indicated a request.  
10. Oh, alright, Senator Carpentier on 4074. Senator ParTEE.

11. SENATOR PARTEE:

12. ...If this is a bill that I think it is, it relates to one  
13. particular member of the House, as I recall...could we move this  
14. bill...2nd reading without reference for Senator Carpentier.  
15. I don't think it has to go to committee.

16. PRESIDENT:

17. There's a Motion on 4074 to move the bill to 2nd reading  
18. without reference to committee. Any objection to that Motion?  
19. Leave granted to 2nd reading. Carpentier sponsor. Next one is  
20. 4124, Shapiro, Nowlan, et al, used tax act amendment to list of cer-  
21. tain exemptions. Alright. No sponsor on that. 4136, Sevcik,  
22. prohibits employment of aliens, Senator Rock. Assign 4136 to  
23. Senator Rock. 4160, Representative Regner, Senator Harris, on 4160.  
24. and also 4161 for Senator Harris. Next bill is what? Oh, yea,  
25. next bill is already been assigned to Senator Harris. We reaf-  
26. firm your previous action, Senator. Senator Harris is recognized.

27. SENATOR HARRIS:

28. Mr. President, members of the Senate, 4179 is a bill iden-  
29. tical to a Senate bill that is on ...3rd reading. Might I have  
30. leave of the Body to have this read the first time and advanced  
31. to 2nd reading without reference. An identical bill has cleared  
32. the Transportation committee. I've consulted with Senator  
33. Chew. He has no objection to it. Also discussed it with

1. Senator Partee.

2. PRESIDENT:

3. Senator Partee is recognized.

4. SENATOR PARTEE:

5. No, that's probably alright. I just wanted to have these  
6. bills posted as they're called, so they'll be easier for  
7. us to know what's going on. Is the poster working?

8. PRESIDENT:

9. Oh, ah...I understand that the Senator wants to have the  
10. the bill numbers, of course, upon the board. Maybe, I'll slow  
11. down to get the numbers up. This was 4179...The Motion is,  
12. that the bill be advanced to 2nd reading without reference.  
13. There appears to be no objection, 2nd reading. Alright, number  
14. 4188, McMaster, Krause, et al, amends the Illinois Highway Code.  
15. Alright, there's no taker on that. Next one is 4191, Represent-  
16. tative Chapman, et al, School Code, Senator Saperstein around?  
17. Senator Gilbert...anyone on 4191. Alright, Senator Vadalabene.  
18. 4191, is the Senator Vadalabene. 4207, Senator Bartulis, Repre-  
19. sentative Bartulis...assign that to Senator Knuppel. 42...4207  
20. Senator Knuppel. 4220, series of bills through 39, Representative  
21. McGah, Londrigan, et al, goes to Senator Egan. Yes, Senator  
22. Rock.

23. SENATOR ROCK:

24. Yes, Mr. President, Senator Egan had to step off the Floor.  
25. This is another series of revisionary bills exactly the same as  
26. the other set. Senator Egan did move that they be placed on the  
27. order of 2nd reading without reference. I would make that same  
28. Motion with regards to this series. I don't think there's any  
29. problem with these bills.

30. PRESIDENT:

31. Any objection? There is none, 2nd reading. 4268, Schlick-  
32. man, Juckett, Senator Carroll. 4270, Representative Blades,  
33. grants municipalities power to acquire, construct and op-



1. erate electric power lines. Next case is 4279, Jones, Williams,  
2. et al, amends the Revenue Act to make the \$1500 Homestead.  
3. Senator Knuppel has asked for 4279. Assign that to him. We're  
4. on page 2...your ready...4283, Representative North and Schis-  
5. ler, permits persons to qualify for relocation assistance to  
6. discontinuance of business. Alright, no taker on 4283. Move to HB  
7. 4289...Representative Hirschfeld, assigned to Senator  
8. Weaver. Next one is 4296....4296 is assigned to Senator Mohr.  
9. 4300, McMaster, et al, 4300 amends county acts to provide  
10. that state law prevails over county ordinance. No sponsor on  
11. 4300. 4331, Representative Moore, amends the Pension Code to  
12. change references to Department of Labor to Department of Public  
13. Aid. Senator Carroll, do you want to take 4331? It's a name  
14. change from the ....So, on 4331, 32 and 33, Senator Carroll.  
15. 4337, assign that to Senator Saperstein. Next one 4348, Moore,  
16. you want to be recognized, Senator McBroom?

17. SENATOR MCBROOM:

18. No, just take the bill.

19. PRESIDENT:

20. Okay, we'll recognize you for taking that bill. Assign  
21. 4348 to McBroom. Next one is 4361, Senator Knuppel. Next bill  
22. is 4363 by Representative McCormick. Senator Harris, are you in-  
23. terested in that 4363?

24. SENATOR HARRIS:

25. Yea, Yea.

26. PRESIDENT:

27. Assign Senator Harris that bill. 4364, Capuzi, that's to  
28. go to Senator Groen. 4393, Senator Mitchler. 4394, Senator  
29. Mitchler. 4397, Representative Katz, Duff, amends distribution  
30. of Township Funds. No Senate sponsor on 4397. 4423, Repre-  
31. sentative Houde and Cunningham, amends Revenue Act to increase  
32. maximum salary payable to township officers. Anybody on 4423?  
33. 4426, Representative...I'm sorry...What on 4426?...4426 goes

1. to Senator Ozinga. 4429, Cunningham, Blair, ...Timber buyers  
2. license, Senator Latherow. 4429, goes to Senator Latherow and  
3. 4426, Senator, goes to you, Senator Ozinga. Excuse me. Al-  
4. right, we're now ready to move on 4430, Senator Latherow. 4431,  
5. P. W. Collins, et al. No sponsor. 4434, amends the act with  
6. relation to fireworks manufacture for the prohibit the sale of  
7. fireworks. Any sponsor on 4434? No sponsor. 4435, another  
8. fireworks. No sponsor. Yes, Senator Johns.

9. SENATOR JOHNS:

10. Mr. President, on yesterday's Calendar, of May the 16th, there  
11. was a bill listed 4436, it is not on today's Calendar and that  
12. does not have a Senate sponsor and I would like very much to be  
13. that sponsor. Would you check on that for me, please, sir.

14. PRESIDENT:

15. Yes, we'll have the Secretary's desk...look into 4436 to  
16. see if it's been assigned. Alright, we're up to 4438, assign  
17. that to Harris, also, 4439 to Harris. Next one is 4447, Sha-  
18. piro, Blair, junior college...Senator Gilbert, you inter-  
19. ested in that? 4447, no sponsor on 4447. Alright, thanks.  
20. Alright, calling your attention back, if I may, to the bills  
21. posted, 4454...Representative Miller's bill...44...no sponsor...  
22. no sponsor on 4454...4456, no sponsor...4469, Representative  
23. Hoffman, Clabaugh, Senator Gilbert, 4482, Representative  
24. Waddell....83...I'm sorry, Senator Graham for 4483 the 1st  
25. one on the second column. 4490, Representative D. J. O'Brien, Sena-  
26. tor Rock. 4495, Representative Glass, goes to Senator Fawell  
27. also 4496, Senator, show Senator Fawell on 4496. 4506,  
28. Jones, Blair, et al, Senator Knuppel on 4506 as well as 4507,  
29. both bills, oh...4533, no sponsor. Alright...Thank you. 4533,  
30. Representative Tipword. 4536 Representative Barry. 4543,  
31. Senator Groen. 4544, Representative Nowlan. 4551, Represen-  
32. tative Shea, Senator Cherry, you want to grab 4551? 4544...  
33. no...4544, Senator Chew...Senator Hynes, 4551. 4573, 4574,

1. Senator Collins, 4590, Senator Rock, Senator Rock...oh...  
2. 4592. Now I have Senator Mitchler, as the sponsor on that.  
3. Senate bills on 2nd reading. Senator Walker.

4. SENATOR WALKER:

5. ...Mr. President, I wonder if we could have a fast run-  
6. down. I think I have everything marked, it'd only take  
7. 50, 60 seconds and I noticed some bills on there, particularly,  
8. of Phil Collins, that weren't picked up. Just take 50 seconds,  
9. or maybe less than that and I'd like to have a run down as to  
10. the ones that were not picked up.

11. PRESIDENT:

12. Alright...I'll just go through...I'll just read the num-  
13. bers, real quickly, of bills that were not picked up now.  
14. 2346, 3018, 3626, 3663, 4124, 4188, 4270, 4283, 4300, 4283,  
15. Senator Dougherty, 4300, 4397, 4423, 4431, 4434, Senator Sa-  
16. vickas is taking 4434...4434, Savickas, 4435, Senator Savickas  
17. you want 4435, also? Senator Savickas, 4447, 4454, 4456,  
18. 4533, 4533, Senator McCarthy, 4536, 4543, 4543, Senator Groen,  
19. Okay, 4543, 4573, and that's it. Senator Groen.

20. SENATOR GROEN:

21. ...May I inquire to who, to whom was assigned 4364. To  
22. me, alright, fine, very well.

23. PRESIDENT:

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. ...Mr. President, I've spoken with the President Pro tem-  
27. pore and the minority leader in regard to Senate...rather HB3772.  
28. That is a bill to change the date of observing Veterans Day back to  
29. November 11th. We passed a similar bill and I would ask leave  
30. to have the bill advanced to 2nd reading, without reference to  
31. committee.

32.

33.

1. PRESIDENT:

2. Is there objection? Leave is granted. 3772. Senate  
3. bills on 2nd reading. Is Senator Knuepfer, on the floor?  
4. Senate bills on 3rd reading. 82, Senator Harris, 889, Sena-  
5. tor Laughlin.

6. SENATOR LAUGHLIN:

7. Well, Mr. President, may I preface my calling this bill  
8. by moving to discharge the Judiciary Committee from further  
9. consideration of HB2382 and then move to Table the bill.

10. PRESIDENT:

11. The bill is Tabled. Senator...

12. SENATOR LAUGHLIN:

13. SB889, establishes the office of State Appellate Defender,  
14. as an agency of the State. The courts have held that free de-  
15. fense council must be provided by the State to handle criminal  
16. appeal of indigence. For the last two years and for the com-  
17. ing year, fiscal '73, the Illinois Defender project has assumed  
18. this responsibility and has been funded federally through the  
19. Illinois Law Enforcement Commission. Therefore, there is no  
20. appropriation in this bill, however, it does establish this

21. ....

22. PRESIDENT:

23. Just a moment, please, gentlemen....please...Senator  
24. Laughlin, listens to his colleagues, his colleagues deserve  
25. to give him the same respect...Senator Laughlin.

26. SENATOR LAUGHLIN:

27. Thank you, Mr. President...in addition to the State Ap-  
28. pellate Defender, this bill provides for five chief deputies  
29. on a regional basis corresponding to the five appellate court  
30. districts, jurisdiction comports with the present jurisdiction  
31. of the defenders projects. Ultimately, the State's going to  
32. have to pick up this financial burden and it would appear that  
33. this project, which has received ...much praise from courts,

1. states attorneys and public defenders for the way in which  
2. they've gone at this job...could be codified...I don't know  
3. any other explanation I can make, ultimately, it will mean an  
4. appropriation. Presently, and for the coming year at least,  
5. it does not.

6. PRESIDENT:

7. Is there any discussion? Senator Rock.

8. SENATOR ROCK:

9. Yes, Mr. President and members of the Senate..I will...  
10. Senator, we've discussed this in the committee in Judiciary  
11. and I am certainly not opposed to the concept of a State Pub-  
12. lic Defender at the Appellate level. The thing that distrubs me  
13. about this bill, is that here we are creating or will create if  
14. assuming passage of this a major state agency, which we are  
15. not funding. We are proposing to create a major state agency  
16. and hopefully, hopefully the money will come from the Illinois  
17. Law Enforcement Commission. Now, as well intention and as good  
18. a body as that is and I don't deny it's goodness, it seems to  
19. me that as responsible people we just cannot create a major state  
20. agency on the come. We have to provide, it seems to me, provide  
21. money for this agency and we have what purports to be a pledge  
22. from the Law Enforcement Commission that they will in fact fund  
23. it. Now, what happens in the event that they don't. Then, we have  
24. created an agency that is virtually nonexistent because it  
25. doesn't have any money. I just think that we're, we're rushing pell  
26. mell into this thing. The current Public Defender project is  
27. funded for another year. I don't see, personally, the necessity  
28. of this at this time, unless we are willing, willing and able to  
29. fund it properly at this time. Now, presumably, we are not  
30. willing and able to do that and therefore, I rise in opposition to  
31. this bill.

32. PRESIDENT:

33. Is there further discussion? Senator Groen.

1. SENATOR GROEN:

2. Would Senator Laughlin, I know you will yield. You  
3. always do...at the present time, is the position of Public  
4. Defender at the county level a mandatory position to all.  
5. Do all counties have a public defender?

6. PRESIDENT:

7. Senator Laughlin.

8. SENATOR LAUGHLIN:

9. I think the answer to that is no.

10. PRESIDENT:

11. Senator Groen.

12. SENATOR GROEN:

13. I'm wondering why we do not by some means allow the  
14. public defenders that are in existence to handle these Ap-  
15. pellate cases on some additional per diem pay perhaps or  
16. something over and above the amount, which they get as the  
17. Public Defender at the present time. Wonder why we need a  
18. special...a special council, when you already have a trial  
19. lawyer, who has gone through the case and it seems to me  
20. should be competent and capable to take the case to the Ap-  
21. pellate court.

22. PRESIDENT:

23. Senator Gilbert...just a moment...let's please...gentle-  
24. men..lets maintain some order. Will the sergeant at arms...make sure  
25. that those who are not entitled to the Senate Floor are not on  
26. the Floor...Senator Gilbert.

27. SENATOR GILBERT:

28. In answer to that, I think, Senator Groen, the testimony  
29. was to the effect and for my personal knowledge of the Pub-  
30. lic Defender in our county and the problems that we have...  
31. now that nearly every case is taken up...they do not have the  
32. time to do both the...work of the public defender in the trial  
33. representing the people in the matters before the court and

then to also take the appeals and as a practical matter it's difficult to get even assistant...public defenders in the sum that they can pay. There was a feeling of the public defender's association as I understood it in committee and if I'm wrong the other members of the Judiciary can quote...can correct me on it, but that it was the feeling that if this was handled by people who were expert in appeals that you would have...that you would have better records...that... things could be expedited and in the long run it would be cheaper financially and get through into the courts much more quicker than if it's handled by each individual public defender who may be burdened down with matters in his own country and not have the time to do it. Is that correct?

12. PRESIDENT:

13. Senator Gilbert.

14. SENATOR GILBERT:

15. It seems to me, Mr. President, that if we are ever going to reach equality in..in the..the abilities of both sides in these criminal cases. Now, we have a State's Attorney in the county, who is paid far more than the public defender is paid. I think without exception the States Attorney has staff. He has investigating people and this sort of thing. Public Defender is not provided with these things. It seems to me that perhaps we ought to take the public defender and pay him adequate salary and give him the staff that he needs and then turn the entire case over to him and let him take it to the appellate court. Perhaps deny him the right to a private practice. It seems to me that we've got to ultimately reach a basis of equality here or we are in effect creating a jam and not giving the indigent criminal the kind of representation in the criminal courts of this state to which he is entitled and I don't think that this is going to help it materially.

31. PRESIDENT:

32. Senator Gilbert.

33. SENATOR GILBERT:

Well...I differ with you, Senator Groen, that it's not going

1. to help. I think it is going to improve the position of  
2. the indigent in that he is going to have an expert. A per-  
3. son well qualified in appellate work to handle his case  
4. and not someone who is appointed public defender. I don't  
5. think it's going to matter a great deal what you pay, in fact  
6. the matter is, in many downstate counties we can't even get  
7. a person to serve as State's Attorney with the salary that we  
8. give them. We have people serving in more than one county  
9. as State's Attorney, I think we need eventually to go  
10. to that philosophy of a district ...criminal prosecutor and then  
11. let each county have its own officer to advise...to repre-  
12. sent the county officers. But the point that I am trying to  
13. make, sir, is that even if you give additional salary to the  
14. public defender it's going to be difficult to get the per-  
15. sonnel at the local level to handle the work of the public  
16. defender's office because...predicted you're going to borrow  
17. the public defender from the practice of law...you're  
18. either going to have a greater problem to have a public de-  
19. fender to serve than they have now when it's difficult and  
20. many of the public defenders are young fellows who come out  
21. of law school or young people looking for work...in the course  
22. when you and I started we used to be appointed by the judge to  
23. defend the indigents as to part of our training program and  
24. learning the practice of law...the situation now is that...  
25. these young fellows work at this a while and then as soon as  
26. they get a little better practice or get a better offer, get  
27. some experience they move on. You'd have a great turnover in  
28. the public defenders, I think, if you would check the records  
29. throughout the State. You do not have a stable group and this  
30. is one way to have the people who have their appeal taken  
31. to have it done by people who know what they are doing and I  
32. think that the very thing you're wanting will be accomplished  
33. if these people are taking the appeal rather than...Jim, John



1. or Joe who has not had much experience in appellate court  
2. work.

3. PRESIDING OFFICER.

4. Senator Groen.

5. SENATOR GROEN:

6. Well, Senator Gilbert....if..if I understood what you  
7. said, I think it's a very sad commentary on the state of  
8. the Judiciary and the protection afforded to indigents in  
9. our courts. Now, I know very well that if you were accused of  
10. a crime you wouldn't want the public defender of your county  
11. or the public defender of my county to represent you in the  
12. defense of that case and it seems to me that what we should do  
13. is to bolster and beef up the original defense rather than try  
14. to get him an expert on appeal. Let's get him acquitted if he  
15. is entitled to be acquitted in the first level of the court's  
16. proceedings rather than give him some expert help at the second  
17. level. I...think were...I'm not opposed to this ....having ad-  
18. equate appeal counsel, but I think we've got great repair work  
19. to do at the circuit court level before we start worrying about  
20. the appellate court.

21. PRESIDENT:

22. Senator Gilbert.

23. SENATOR GILBERT:

24. In answer to that, Senator Groen, I agree with you. I'm  
25. not trying to belittle ....trial work, I'm just trying to say  
26. that we're having a difficult time getting competent people  
27. to serve as public defender, I think you're right. We should  
28. try to get the best possible representation at the trial level  
29. but...this is just another step to try to help those that have  
30. been fined.

31. PRESIDENT:

32. Senator Walker.

33. SENATOR WALKER:

1.           ...Thank you, Mr. President, I think it was last week,  
2. I found on my desk...this information sheet on SB889 and it  
3. seemed to be consensus among the five appellate districts  
4. from interviews held with judges, states attorneys, defense  
5. lawyers in fifty counties and a questionnaire being sent to  
6. the remainder and I might mention this that my attention was  
7. again brought to it by an attorney from Galesburg, Illinois,  
8. that is in my friend Senator Knuppel's district and I still  
9. haven't caught his ear. He personally contacted me in regards  
10. to this bill and it seems to be the consensus here and I am  
11. being repetitious of the judges, the State's Attorneys...even  
12. the public defenders, and this is what caught my eye and I think  
13. it would be of particular interest to the lawyers. Trial on  
14. the appellate court judges found it difficult to find attor-  
15. neys willing to accept the appointment on an individual crim-  
16. inal appeal. Prior to the creation of the Illinois Defender  
17. project, many lawyers who were appointed to a criminal field  
18. took over a year and you lawyers including myself, who are dil-  
19. atory in your practice, well know what they're talking about  
20. here and I think this bill would cure that remedy. Again,  
21. when I see the number of cases and the increase in them over  
22. a period of five years, the first district is gone from 310  
23. to 603, second district from 38 to 185, third district is tripled,  
24. fourth district 43 to 156, the fifth district 48 to 186. In  
25. other words the number of cases the total number in the five  
26. districts has increased from four hundred seventy-three to  
27. twelve hundred thirty-four over a period of five years. I  
28. think it's something that is necessary and I think it's some-  
29. thing that the attorneys sitting here should particularly take  
30. a good look at it before they cast their vote and I would suggest  
31. that you vote aye. Thank you very much.

32.           PRESIDENT:

33.           Senator Laughlin may close the debate.

1. SENATOR LAUGHLIN:  
2.            ...Very briefly. Number one. The employees of this of-  
3.            fice...the attorneys will work....  
4.            PRESIDENT:  
5.            Just a second...  
6.            SENATOR LAUGHLIN:  
7.            ...full time...  
8.            PRESIDENT:  
9.            Just a moment let's...please....proceed Senator.  
10.           SENATOR LAUGHLIN:  
11.           I would like to tell you, also, that from the inception  
12.           of the Illinois Defender project, through December 31st, 1971,  
13.           the project was appointed to 901 appeals, filed briefs in 560  
14.           cases, represented 516 defendents of the trial level on the  
15.           first judicial circuit and 46 defendents and trial level post  
16.           conviction cases in Cook County. Project received 917 in-  
17.           vestigative cases and interviewed twenty six hundred and one  
18.           witnesses during the year 1971. Now, I say to you, therefore,  
19.           filling a very important needed vital function and I think Sena-  
20.           tor Walker is absolutely right. Now, to address myself to the  
21.           objection raised by Senator Rock. I...can see why someone might  
22.           object. I can only say this. That the Illinois Law Enforcement  
23.           Commission has...has approved continued federal funding for the  
24.           fiscal year '73 and conditionally approved maybe some funding,  
25.           if the legislature enacts this or similar type legislation es-  
26.           tablishing this kind of agency. Now, it is not designed to do  
27.           anything more then I have described today. It does fulfill a  
28.           needed function and the duty is there and I think even if at  
29.           the trial level counsel hasn't been the most skilled it's all  
30.           the most more important that the appeal work be handled by  
31.           people who are expert in it and if that's all they do they are  
32.           bound to become expert. I'd appreciate your favorable vote.  
33.           PRESIDENT:  
              Secretary will call the roll.

1. SECRETARY:

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

6. PRESIDENT:

7. Senator Groen.

8. SENATOR GROEN:

9. Mr. President, I'm going to vote for this bill and I  
10. do it reluctantly and I think that the reason we've got 900  
11. cases that are in the appellate courts...is due to the system  
12. which we now utilize for public defenders in this state and  
13. I would hope that something is done at the local level to al-  
14. leviate and improve that situation, which I think will take the  
15. somewhat the load off the appellate work that is involved here.  
16. There is a bill that I understand that's going to be before  
17. us regarding state's attorneys and I am convinced that state's  
18. attorneys are underpaid. They are understaffed, I don't be-  
19. lieve they have the..the...means to do the job that we expect  
20. them to do. It's my opinion that they do a lot more work  
21. than the judges and ought to be paid better than the judges..  
22. I reluctantly vote aye.

23. SECRETARY:

24. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
25. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-  
26. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
27. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
28. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-  
29. bene, Walker, Weaver.

30. PRESIDENT:

31. Fawell aye, Weaver aye, Laughlin aye. On that question  
32. the yeas are 35. The nays are 4. The bill having received  
33. the constitutional majority is declared passed. 1062, is

1. Senator O'Brien on the Floor? 1334, Senator Egan - 1334

2. SENATOR EGAN:

3. ...Mr. President, members of the Senate, this bill has  
4. passed the Senate last May...the Governor vetoed the bill...  
5. its...it's the State School Lottery Study Commission, an ap-  
6. propriation of 15 thousand dollars. I've reintroduced the  
7. bill and passed the...the committee...without objection ex-  
8. cept for those that felt that any type of lottery would be an  
9. anathema...This will in my opinion...educate the General As-  
10. sembly on the details of all of the lotteries, which are being  
11. conducted throughout the State and I have an indication that  
12. the Governor has changed his mind and that's why I reintroduced  
13. the bill and I would appreciate a favorable roll call.

14. PRESIDENT:

15. Is there any discussion? Secretary will call the roll.  
16. Senator Clarke.

17. SENATOR CLARKE:

18. Before we get into this I wonder if the pro tempore has...  
19. we haven't talked at all about commissions. Are we going to  
20. just start passing commission bills as they come along or are we  
21. going to take an overall view of them. I wonder what your feel-  
22. ing is on it this year?

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. Well, Senator, my stated position has not changed in terms  
27. of being opposed to the pilferation of committees...commissions  
28. wherever, an existing committee, which is already staffed could  
29. handle the problem. I think reason, however, dictates that  
30. there are some instances where the problem is of a peculiar  
31. nature and does not lend itself to our regular committee struc-  
32. ture. I've had some difficulty making a decision about some of  
33. the bills in that...vein...I do know, however, that this is a

1. subject, which has caused a great deal of cogitation and  
2. conversation in many areas of our State. There have been  
3. editorials. There have been editorials both in newspapers  
4. and on television on...in which this subject has been dealt  
5. with at length. I think on the other hand that there is a  
6. situation with respect to lottery or any other form of what  
7. we would normally refer to as gambling...that there are some  
8. States, out east, particularly, that have had some experiences  
9. which experiences should to be known to us prior to taking any  
10. final action in the matter. For example, I am told that in  
11. New York state for example for their educational fund, they  
12. permitted off track betting on the race horses. I am told  
13. that 40 million dollars was gained...rather 39 million dollars  
14. was gained by that process for their school funds. I am also  
15. told that concomitantly 40 million dollars was lost by the  
16. tracks in terms of the amount of money that would have gone to  
17. the State. I think these are subjects and these are areas,  
18. which do need some delineation, which do need some study by  
19. some group...I am personally going to vote for this one as  
20. being an exception to what I would consider to be a rather  
21. steadfast rule as to the nonpilferation of commissions.

22. PRESIDENT:

23. Senator Clarke.

24. SENATOR CLARKE:

25. Can I ask a question of the sponsor, then, before we  
26. start to vote? As I recall, the reporting date is when?  
27. Early next year.

28. PRESIDENT:

29. Senator Egan.

30. SENATOR EGAN:

31. December 15th.

32. PRESIDENT:

33. Senator Clarke.

1. SENATOR CLARKE:

2.           So you're talking really about a six month period...you  
3. contemplate that we are going to have to send people out to  
4. New York and these other states...to observe or...in terms of  
5. studying it or...isn't 15,000...rather exorbitant just to do  
6. a compilation of facts that could be done through the mail,  
7. etc.

8. PRESIDENT:

9.           Senator Egan:

10. SENATOR EGAN:

11.           ...It's...it's one of the smallest appropriations of any  
12. commission bill that's ever been introduced. I...no...I don't  
13. think it's excessive. I think that...in order to do a thor-  
14. ough job...we're going to need at least 15,000 dollars and...  
15. and I think that...it...it's a...I think it's moderate.

16. PRESIDENT:

17.           Secretary will call the roll.

18. SECRETARY:

19.           Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
20. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
21. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
22. Groen...

23. PRESIDENT:

24.           Senator Graham.

25. SENATOR GRAHAM:

26.           Mr. President and members of the Senate, I was one of  
27. those, who in committee, opposed this legislation as referred  
28. to by the sponsor. I opposed it then and I oppose it now. I  
29. think past history, with regard to who does the larger part  
30. of gambling in the State of Illinois, particularly in some  
31. areas, would indicate that they are those individuals who can  
32. least afford it and in most cases are on public aid. You know  
33. and I know that those who prey on people selling lottery tic-  
kets prey on those people and I am going to vote no on this

1. study commission because I'm sure that after they make their  
2. little study, regardless of some of the deficiencies that they  
3. certainly will find in New York and New Jersey and other places,  
4. where they have experimented in this field will be back here,  
5. asking for a state lottery, because some of those who'll be  
6. chosen for this task are in favor of state lottery now. So I  
7. am glad to rise in opposition to this proposition, not only to  
8. study it, but ever to end it and I vote no.

9. SECRETARY:

10. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
11. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,...  
12. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
13. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Sap-  
14. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,  
15. Walker, Weaver.

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. ...Mr. President, members of the Senate, it's...it's not  
20. surprising to me that...the result of this vote. I...I...I did  
21. not anticipate that...Senator Clarke would take opposition to  
22. the bill after he voted for it in the committee and I didn't  
23. anticipate that...Senator Clarke would raise the...point that  
24. 15,000 dollars is an exorbitant amount of money for a study  
25. commission. To put our heads in sand...in the sand regarding  
26. one possible source of revenue which would satisfy...which  
27. would perhaps relieve the over burdened real estate taxpayer...  
28. to me is...something that you will have to wrestle with your  
29. own conscience. But let me say this. That of all the commission  
30. bills that have been introduced and passed this Session, this  
31. bill could result in the savings of a great many dollars to  
32. every real estate taxpayer in the State of Illinois and if  
33. that's what you want on your conscience just to be able to



1. study this problem, then so be it.

2. PRESIDENT:

3. On that question the yeas are 20. The nays are 15. The  
4. bill having failed to receive the constitutional majority is  
5. declared defeated. 1363, Senator Mohr.

6. SENATOR MOHR:

7. Yes Mr. President, members of the Senate...I see Senator  
8. Lyons on the floor...each Senator has a summary of SBL363 on  
9. his desk. There's a table or scale that will give you all the  
10. facts and figures that are needed...I suggest that you take it  
11. home, because you will hear from constituents on it. Senator  
12. Lyons has a similar bill...both have them on...third reading  
13. today. We're all aware of the serious problems that our senior  
14. citizens have. Those that are living on fixed income and this  
15. is a new program that will give them...tax relief, not only to  
16. the senior citizen, but...through an amendment that I put on  
17. in committee. It will...also take care of the disabled person.  
18. In the committee, we also put an amendment on there raising the  
19. maximum grant from 300 dollars to 500 dollars which was in the  
20. original bill. The state would pay a...that portion of any senior  
21. citizen's property tax bill which exceeds 7% of his household  
22. income, up to a maximum of 500 dollars. The maximum grant will  
23. be 500 dollars minus 7% of the claimant's household income. This  
24. you will see on the table that I mentioned. We included ...in  
25. this bill an amendment to take care of some 54,000 disabled...  
26. people who are also on a fixed income. This plan as it is now  
27. amended...provides that...a...the real estate...tax on a house-  
28. hold residence which exceeds 7% of the household income, the State  
29. will offset the amount above 7% in the form of a grant. It...  
30. also will take care of renters, which is important. The...grant  
31. will be equal with the amount of property tax paid of...500  
32. dollars or whichever is less. The original estimate on this bill  
33. as proposed by the Governor was 16 and a half million dollars

1. and with the two amendments that have been added, we are at...  
2. between 22 and 23 million dollars. The Bureau of the Budget...  
3. does not anticipate any problem...with this increase as the  
4. appropriation..for fiscal year of '73 will...not be needed...will  
5. not need to exceed the original 16 million dollars until Janu-  
6. ary of '73...The only difference in my bill and...Senator  
7. Lyons' is the disabled portion which, he agrees is an amend-  
8. ment that he would like to put on, which he will talk...talk too,  
9. I'm sure and we...have a difference of...a hundred dollars in the  
10. ...maximum grant. I'd be happy to answer any questions, or  
11. ask for a favorable roll call.

12. PRESIDENT:

13. Is there...is there any discussion? Senator Knuepfer.

14. SENATOR KNUEPFER:

15. Do...do you have any estimate...from the Governor's office  
16. on the cost of administration...for the forms to fill...to fill  
17. the justification for it?

18. PRESIDENT:

19. Senator Mohr.

20. SENATOR MOHR:

21. No, I don't have that...Senator. All I have is the total  
22. cost of the program. I don't have a breakdown...on administra-  
23. tion cost.

24. PRESIDENT:

25. Senator Lyons.

26. SENATOR LYONS:

27. ....Mr. President and members...this bill, as Senator Mohr  
28. has said, is very similar to a bill which I am going to call in a  
29. few minutes...The...the thrust of both bills is identical, as  
30. Senator Mohr has pointed out. The idea is to give relief...  
31. to a class of people which...as has been singled out by Governor  
32. Ogilvie, himself, as one of the most in need of the kind of re-  
33. lief that both this bill and SB1508...seek to provide. I think  
that Senator Mohr's bill is a commendable one. I hope that the

1. members on this side of the aisle will...support it and I  
2. hope that...the same treatment is accorded my bill, SB1508,  
3. which will be called in a few minutes.

4. PRESIDENT:

5. Is there further discussion? Senator Mohr may close  
6. the debate.

7. SENATOR MOHR:

8. No debate. I'd just ask for a favorable roll call, sir.

9. PRESIDENT:

10. Secretary will call the roll.

11. SECRETARY:

12. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
13. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-  
14. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,  
15. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosin-  
16. ski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,  
17. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,  
18. Ozinga...

19. PRESIDENT:

20. ...Just a moment...Please...proceed.

21. SECRETARY:

22. Palmer, Partee, Rock, Romano, Rosander, Saperstein,  
23. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,  
24. Weaver.

25. PRESIDENT:

26. Graham aye. Hynes aye. Bruce aye. Weaver aye. Romano  
27. aye. Savickas aye. On that question the yeas are 46. The nays  
28. are none. The bill having received a constitutional majority  
29. is declared passed. 1364, Senator Mohr.

30. SENATOR MOHR:

31. 1364, Mr. President, provides...for the establishment of  
32. a state airport system...plan which would...be coordinated with  
33. the national airport systems plan. It's just...to conform with

1. the federal...program. This bill is endorsed by the Illinois  
2. Public Airports Association...who are recognized as the  
3. leaders...throughout the State of Illinois. I don't know  
4. of any opposition to the bill.

5. PRESIDENT:

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

8. SECRETARY:

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

18. PRESIDENT:

19. Donnewald aye. Lyons aye. McBroom aye. On that question  
20. the yeas are 39. The nays are none. The bill having received  
21. a constitutional majority is declared passed. 1388, Senator  
22. Harris. 1389. 1391, is Senator Chew on the Floor? Senator  
23. Chew, do you wish to call that? 1391.

24. SENATOR CHEW:

25. ...Mr. President and gentlemen of the Senate,...1391 is  
26. a bill to amend the Metropolitan Transit Authority...authori-  
27. ties act, authorizing the transportation...to put it in con-  
28. formity with the Chicago Police Department of the Cook County  
29. Sheriff's sworn personnel. The...Chicago Transit Authority,  
30. as you're probably aware of, has had many, many incidents of  
31. murder and mugging, robbery and every other kind of act of  
32. violence and...

33. PRESIDENT:

1. PRESIDENT:  
2. ...Just a moment, please. Gentlemen, this is one of our  
3. noisy days...  
4. SENATOR CHEW:  
5. ...Partee...  
6. PRESIDENT:  
7. Just a moment...please...gentlemen. Will the Senators  
8. be in their seats. Let's have some order. Senator Chew may  
9. proceed.  
10. SENATOR CHEW:  
11. Yes, and it's ...we feel that it would be added protection  
12. for the Chicago Transit Authority, if these sworn personnel  
13. were able to...be of assistance in helping to reduce crime on  
14. the CTA. That's all it does. No other personnel of that of-  
15. fice, other than sworn and armed personnel and I would ask for  
16. a favorable roll call.  
17. PRESIDENT:  
18. Is there any discussion? Senator Soper.  
19. SENATOR SOPER:  
20. Senator Chew, would you...yield to a question?  
21. PRESIDENT:  
22. ...Just a moment. Senator Graham is correct. Let's get  
23. some order...gentlemen. Senator Romano, Senator Dougherty...  
24. please.  
25. SENATOR SOPER:  
26. ...Senator Chew, is this bill put in by request of the  
27. CTA. Do they want this bill?  
28. PRESIDENT:  
29. Senator Chew.  
30. SENATOR CHEW:  
31. A representative of the CTA...came down and testified on  
32. the bill and there was an amendment put on the bill, accord-  
33. ing to Senator Dougherty, at the request of the representative

1. of the CTA and the amendment was...accepted on yesterday and  
2. ...what the amendment did, it restricted the personnel and  
3. made the language very clear, Senator Soper.

4. PRESIDENT:

5. Senator Soper.

6. SENATOR SOPER:

7. I heard from some Representatives of the CTA and they tell  
8. me they don't want the bill.

9. PRESIDENT:

10. Senator Chew.

11. SENATOR CHEW:

12. Well, I'd be glad to...if you would like to reveal that  
13. Representative...the name of that Representative...maybe...  
14. we're off course...Senator, what...what we're trying to do here,  
15. and you live in close proximity to Chicago...I don't know whe-  
16. ther the CTA runs out to Cicero or not...I doubt seriously whe-  
17. ther it does...but as I said the CTA now runs in many areas of  
18. the Chicago metropolitan area and...it was totally restricted by  
19. the amendment whereby...only sworn, armed personnel would be  
20. able to...to board the CTA and...if you want to reveal the...  
21. the persons that were instrumental in...and informing you that  
22. they did not want the bill...I wish you'd reveal them to me. You  
23. may do it in private...however, the bill's on the Floor.

24. PRESIDENT:

25. Senator Soper.

26. SENATOR SOPER:

27. ...I...understand Senator Chew. But you know...we...we have  
28. ...the CTA comes in and they ask for money. Now if we're going  
29. to allow this to happen and...and they're not in fully accord  
30. with this thing all we're going to do is have...have them say  
31. to us we need some more money and then we're going to have to  
32. appropriate some more money for them. Now I...I feel that they  
33. ...a lot of protection is needed on the CTA and if I thought that  
this would help and if the sheriff would put his men on the CTA.,

1. and just have them ride the CTA., fine but...just to give...  
2. another free ride to somebody...I...I think you say all  
3. peace officers...that's what this bill says...I...I...I think  
4. you're opening up the avenue here for...another request for  
5. a lot of money and...with no protection.

6. PRESIDENT:

7. Senator Clarke.

8. SENATOR CLARKE:

9. Mr. President, I'd like to ask a question...the present  
10. police force that the CTA has...is their purpose to protect the  
11. property or to protect the riders of the CTA?

12. PRESIDENT:

13. Senator Chew.

14. SENATOR CHEW:

15. ....They are more or less designed to protect the out-  
16. side property for the CTA...you do have a contention of the  
17. Chicago Police Department, as you probably have read of the  
18. many arrests that's been made by using methods of decoys...  
19. There's a policeman in Chicago by the name of Humphrey, who  
20. has done a tremendous job, but it has been on the platform.  
21. Just the other day, Senator Clarke...there was a murder com-  
22. mitted on a L train with 20 persons aboard that one car and  
23. this kid happened to be an honor student at Loyola University  
24. and he was shot in the head by some thugs on the train, not on  
25. the platform and when the train came to a halt, the conductor  
26. called the police and every person allighted from that car with  
27. the exception of the injured person who subsequently died the  
28. next day. So in last week's papers, the Chicago Police De-  
29. partment was making a plea for some person on that particular  
30. car to come forth to try and give some...information to...help  
31. them...make an arrest and possibly a subsequent conviction.  
32. These...sworn personnel will not be designated on CTA pro-  
33. perty, but that will give the CTA added official protection, be-

1. cause I will say very frankly in my community and I do have  
2. the newest equipment that's running...from 95th...street...  
3. goes all the way down to the loop and I also have...  
4. and that is the medium strip surface line. I have in my  
5. community, Senator Clarke, the elevator track going west  
6. to Ashland Avenue...Senator Newhouse, has in his community  
7. the elevator trains going east to Stoney Island Avenue and  
8. Mr. Partee...Fred Smith, and many other Senators here, have  
9. the services of the rapid transit line...the elevator tracks...  
10. and we all have services of the CTA buses and the statistics  
11. on...on...crime, not only in my community, but throughout  
12. Chicago, the statistics are very, very discouraging and any-  
13. thing that would help to reduce crime, in my opinion,  
14. would be a total asset to the CTA.

15. PRESIDENT:

16. Senator Clarke.

17. SENATOR CLARKE:

18. Well, that was a long about answer to a simple question,  
19. but I think, that the answer that you did give, and I'm aware  
20. and read with horror of the shooting a couple of weeks ago, but  
21. I do recall that there were special...plain clothesmen as you  
22. indicated on these trains and that they were subsequently re-  
23. moved, as I recall, and I read a couple of weeks ago, that the  
24. CTA is in some financial difficulty. It would seem to me this  
25. is a rather scattershot way of approaching that problem, and it  
26. is a serious problem and I'd like to suggest that maybe our  
27. municipality committee should set up a subcommittee to look at  
28. this area of the CTA operation in terms of what can or should be  
29. done in terms of security.

30. PRESIDENT:

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, Mr. President, I think a large number of things a-  
bout this...



1. PRESIDENT:

2. ...Just a moment, please. Senators Harris, Senator  
3. Welsch, Senator Cherry...

4. SENATOR PARTEE:

5. I don't shrink from the idea which has just been sug-  
6. gested by Senator Clarke, but I think, there is something  
7. else that ought to be said here and that is that it is a  
8. demonstrated fact that the Chicago transit trains need more  
9. protection in terms of persons riding them to prevent some  
10. of the rather heinous crimes that are taking place. I suppose  
11. the most direct way to provide that kind of safety for passen-  
12. gers, is the hiring of more guards. With their present fin-  
13. ancial posture, I think that is not indicated as being the  
14. route to go. They simply do not have the money to do this.  
15. Hence this bill, as I read it, seeks to provide some addition-  
16. al help, some additional personnel at a minimum cost to the  
17. CTA and the cost would be the nonpayment of the transit fares  
18. by deputy sheriffs with guns, who would be riding these trains.  
19. Unfortunately, Mr. President, we're living in a age of nonin-  
20. volvement. Some very serious things have happened, not only  
21. on the CTA, but throughout this country. I can recall, just a  
22. few years ago, where a lady named...Genevieve...is my recol-  
23. lection..was killed in the presence of...with 30 or 40 people in  
24. New York, watching from the safety of their apartments. None  
25. of them, because of this noninvolvement concept, did anything a-  
26. about it. None of them even called the police from within the  
27. safety of their own apartments. Now, certainly, people riding on  
28. a train are not going to become...with this syndrome taking...ob-  
29. taining in our country today...are not going to become involved  
30. and some terrible things have happened. I recall, one incid-  
31. ent of a young man going to the museum and was subjected to  
32. some sexual molestation in the presence of 40 riders on that  
33. train and not a soul said a word. Now all this...says is that

1. a deputy sheriff riding to or from work can be on that train  
2. with his gun and perhaps we can save the humiliation, the em-  
3. barrasment, or perhaps the life of some person, who is in-  
4. nocently riding the train. Now, I see nothing wrong with it.  
5. I think possibly it would be best, if we had the money to tell  
6. them to go out and hire people, but if they can't hire them,  
7. this seems to be...to be the next best way to go at the mini-  
8. mum lack of...payment of these transit fees by those persons  
9. who are deputy sheriffs...I can understand...some of the op-  
10. position here and I think probably it's misguided, but this is  
11. the only way that I can think of at the moment, without spend-  
12. ing a lot of money to give a greater measure of protection to  
13. the riders.

14. PRESIDENT:

15. Senator Rock.

16. SENATOR ROCK:

17. Yes, Mr. President and members of the Senate, I rise  
18. in support of this legislation. I just want to correct what  
19. I think was a...misstatement made by Senator Soper. The  
20. bill as originally introduced called for the nonpayment by all  
21. peace officers. The bill was amended and the amendment reads  
22. that it now pertains only to deputy sheriffs...Cook County de-  
23. puty sheriffs, as a matter of fact...and I think that...even  
24. if...assume there are 200 of these deputy sheriffs...assuming  
25. they all get on the train at the same time, I can't see where  
26. that's a burdensome cost to the Chicago Transit Authority, in  
27. terms of the ultimate salutary effect that the presence of a  
28. police officer does have on these elevated trains. I have one...  
29. too, that go right smack through my district and Senator Nei-  
30. stein's district and I rise in support of this.

31. PRESIDING OFFICER : (Senator Partee)

32. Senator Gilbert.

33. SENATOR GILBERT:

1. Well I...I can't see there's anything wrong with this  
2. legislation. This is a may...The...the board may do it.  
3. I don't think they're in a position to come back to the leg-  
4. islature and say that we've mandated them to let these people  
5. ride and I can see some advantage...to this and I can't see very  
6. many people are going to be riding it..all of the time and when  
7. they do, I think, as Senator Rock has said, it does have a salu-  
8. tary effect upon...someone who might want to commit a crime, if  
9. he sees a police officer on the...the train, whether he's paid  
10. his fare or whether he hasn't. I assume the police officer would  
11. act, but...this is a may. The board may do this...we're al-  
12. ready doing it for the firemen and others and...certainly the  
13. firemen are much less position to protect the people than the  
14. police officers would be and...I don't think that this is any  
15. burden upon the...CTA and I don't believe there'd be any justi-  
16. fication for them to come down and ask us for more money since  
17. they do not have to do it. And if it's costing them too much  
18. money, then they can decide not to do it.

19. PRESIDING OFFICER : (Senator Partee)

20. Senator Egan.

21. SENATOR EGAN:

22. ...Senator Chew, I...there's only one valid objection  
23. that I...that comes to my mind. Perhaps you could...straight-  
24. ten me out. Are the...are the process servers in the sheriff's  
25. office deputy sheriffs?...It comes to my mind that they...  
26. that there is a fee paid for the service of process on a mile-  
27. age basis. Is there some way to take them out, so that they  
28. don't have free rides? I...that...that would be my only ....

29. PRESIDING OFFICER: (Senator Partee)

30. Senator Chew.

31. SENATOR CHEW:

32. Senator, the process servers...you see, you must show your  
33. identification and...the office will furnish identification and  
and

1. it's only to deputy sheriffs and sheriff's police and not pro-  
2. cess servers or no other employee of the...of the sheriff's of-  
3. fice, so they will have credentials from the sheriff's office  
4. in conjunction with credentials from the CTA.

5. PRESIDING OFFICER: (Senator Partee)

6. Senator Egan.

7. SENATOR EGAN:

8. ...I appreciate that...but that isn't what the...bill says.  
9. The bill specifically provides that all deputy sheriffs can ride  
10. free of charge and then my question is, is there some way in  
11. the law that we can remove the process servers, who are already  
12. paid a fee by the...litigants and disallow them from the pro-  
13. visions of the act.

14. PRESIDING OFFICER: (Senator Partee)  
Senator Chew.

15. SENATOR CHEW:

16. Senator Egan, the best I can give you is the fact that  
17. these...authorizations will be issued...by the sheriff's office  
18. in conjunction with CTA. Just like we have many personnel on  
19. the police department, that are not sworn personnel that do  
20. not have that privilege of riding and I'll assure you that pro-  
21. cess servers will not be...given those credentials.

22. PRESIDING OFFICER: (Senator Partee)

23. Senator Egan.

24. SENATOR EGAN:

25. ...Senator Chew, I respect that very much...I...I...I...  
26. don't mean to belabor this but if you could...if you could...if  
27. you could provide for that in the bill, I can support it...to  
28. allow the...the bill to allow all deputy sheriffs does not do  
29. that and is there some way you can amend it, Senator...

30. PRESIDING OFFICER: (Senator Partee)

31. Would the Senator amend the bill in the House, if it passes  
32. here to do that?

33. SENATOR CHEW:

1. Mr. President, any objection that you have of the bill,  
2. I would...or you may amend it in the House, however...how-  
3. ever, Senator Egan, and I want you to listen to this very care-  
4. fully, if a process server is armed, he could very well be the  
5. one man...the one man, sir...we're talking about a fare of 45  
6. cents...if he is armed he could be the...the one man that could  
7. prevent a crime, who may not be afraid to get involved, so I  
8. wouldn't get so hung up on a process server. Yes, he is a de-  
9. puty sheriff, but suppose he's the man that's on the CTA, when  
10. your brother gets aboard and somebody wants to rob him. I think  
11. we can get hung up here in semantics and...and really do damage  
12. to a cause in which we're trying to do and the cause is to pre-  
13. vent crime. If a private guard were aboard a CTA train, he is not  
14. afraid to get...involved whether he is paying or whether he isn't.  
15. We're talking about a form of protection, Senator...Egan, not just  
16. some person to ride the train simply because he has that auth-  
17. ority. Every employee of CTA, every employee, has a pass to  
18. ride CTA. We are not talking about revenue. We are talking a-  
19. bout protection and if your son got on it and he could contri-  
20. bute to the prohibition of a crime, I think, your son deserves  
21. to be aboard CTA, whether he paid or not or whether he was any-  
22. thing else. We are trying to alleviate the heavy crime statis-  
23. tics, that's piled up because of the mugging, the murders, the  
24. rapes, the...the...the..the purse snatching and etc., and etc., so  
25. please don't get hung up on a process server, because I think  
26. that's trivial.

27. PRESIDING OFFICER: (Senator Partee)

28. Senator Carroll. Pardon me...were you finished?...Senator  
29. Egan....Senator Egan.

30. SENATOR EGAN:

31. ...Senator Chew, don't misunderstand me. I...if deputy...  
32. if the process servers in fact carry guns, then I'm all in favor  
33. of them riding the CTA. I'm in favor of them riding the CTA any-

1. way. I ride it every day myself. But my problem is they have  
2. been paid a fee, a mileage fee by the litigants already and  
3. to charge the CTA with the responsibility of providing the  
4. transportation for litigants, I think you're in trouble and  
5. that's why I'm asking if somehow that...will...will litigants  
6. then be...be allowed a...credit for the mileage that they will...  
7. that the deputy sheriff will ride on the CTA? That's the problem  
8. and if you can...if you can arrange to have that corrected in  
9. the House, I can support your bill.

10. SENATOR CHEW:

11. ....that, that is amended in the House and you and I will  
12. get together and draw up the amendment and have it offered in  
13. the House. Is that satisfactory?

14. PRESIDING OFFICER (Senator Partee)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Well, I just had one question to ask...Senator Chew and I  
18. probably should know this, but I don't. The Chicago Police De-  
19. partment are the ones that are mostly responsible for law and  
20. order in the City of Chicago. Isn't that correct?

21. PRESIDING OFFICER: (Senator Partee)

22. Senator Chew.

23. SENATOR CHEW:

24. Every law enforcing agent is responsible for law and order,  
25. if he is within the boundaries of his jurisdiction. Now, as I  
26. stated before, the CTA runs in Cook County and many routes take  
27. it out of the City of Chicago per se, so a Chicago policeman  
28. does not have the authority beyond the city limits, Senator, and  
29. we're trying to make it safe for those persons that ride, say to  
30. the suburbs...to Evanston, that's still in...in...in the county  
31. and...and that's all we're trying to do.

32. PRESIDING OFFICER: (Senator Partee)

33. Senator Carroll.

1. SENATOR CARROLL:
2. Do the Chicago police ride the CTA free, the same as you
3. are trying to do for the sheriff's office?
4. PRESIDING OFFICER: (Senator Partee)
5. Senator O'Brien.
6. SENATOR O'BRIEN:
7. I move the previous question.
8. PRESIDING OFFICER: (Senator Partee)
9. Senator O'Brien has moved the previous question. All in
10. favor...Senator...Chew, may close the debate.
11. SENATOR CHEW:
12. ...Mr. President...I have tried to give the best explana-
13. tion. I know I've given a true explanation and I would ask
14. for a favorable roll call on this and as I promised Senator
15. Egan, if that is what he wants, I will certainly work with
16. him to amend it out in the House.
17. PRESIDING OFFICER: (Senator Partee)
18. Secretary may call the roll.
19. SECRETARY:
20. Arrington, Baltz, Berning...
21. PRESIDING OFFICER: (Senator Partee)
22. Senator Berning.
23. SENATOR BERNING:
24. Thank you, Mr. President, I'm sorry I was preempted from
25. asking a question of the sponsor before but...now, I will ex-
26. plain my vote by saying; Number 1, I agree with the concept that
27. a man in uniform may be a deterrent to any unlawful act. But this
28. bill also provides for a person not in uniform, so I think that
29. it fails to...achieve what is...intended here, perhaps, but a
30. matter of concern for me, if my understanding is correct, is
31. that the CTA's own...police force has been instructed not to
32. protect their passengers and if that is the case, it would
33. seem that this is just a nice avenue to impose an additional

1. burden on the city police and the sheriff's office, by saying  
2. we will provide rides for you and you can take over the job  
3. of protecting our passengers. One other comment, it's my un-  
4. derstanding that the chief sponsor is a ...officer in the  
5. sheriff's office of Cook County. I wonder if this represents  
6. a conflict of interest?

7. PRESIDING OFFICER: (Senator Partee)

8. Is that question rhetorical, or are you...

9. SENATOR BERNING:

10. I...I think under the terms of the bill, as it now reads...

11. PRESIDING OFFICER: (Senator Partee)

12. We're on the roll call now.

13. SENATOR BERNING:

14. ...I would have to vote no, Mr. President.

15. PRESIDING OFFICER: (Senator Partee)

16. Continue with the roll call.

17. SECRETARY:

18. Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke,

19. Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan,

20. ...

21. PRESIDING OFFICER: (Senator Partee)

22. Senator Egan.

23. SENATOR EGAN:

24. Mr. President...members of the Senate, Senator Chew, I...

25. with the understanding that...the bill will be amended in the

26. House, so that there's no duplication of...of the litigant's

27. fees being borne by the CTA, I'll vote aye.

28. PRESIDING OFFICER: (Senator Partee)

29. Continue with the roll call.

30. SECRETARY:

31. Fawell, Gilbert...

32. PRESIDING OFFICER: (Senator Partee)

33. Senator Gilbert.



1. SENATOR GILBERT:

2. Well, I'm going to vote aye. I would like to point out  
3. to the membership that the present law allows firemen and  
4. public health nurses to ride the CTA, free. I certainly do  
5. not see why you would not want the policemen, who could really  
6. ...prevent a lot more crime and have a lot more service to the  
7. CTA. If the statement is correct, which I've heard from two  
8. or three sources that the CTA police are only to protect their  
9. property and not to protect the people, then I think, the CTA  
10. better get a good airing and find out what's wrong with them.  
11. I'm going to vote aye.

12. PRESIDING OFFICER: (Senator Partee)

13. Continue with the roll call.

14. SECRETARY:

15. Graham, Groen...

16. PRESIDING OFFICER: (Senator Partee)

17. Senator Groen.

18. SENATOR GROEN:

19. ...Mr. President, members...Senator Chew, I know you  
20. will yield. You always do. Is the practice still in effect,  
21. where the sheriff is authorized to grant...shall we say hon-  
22. orary deputyships to...to people?

23. PRESIDING OFFICER: (Senator Partee)

24. Senator Chew.

25. SENATOR CHEW:

26. Senator, there is no such animal in Cook County.

27. PRESIDING OFFICER: (Senator Partee)

28. Senator Groen.

29. SENATOR GROEN:

30. It used to be the practice and I am not sure that it has  
31. been stopped. I know that it has not been stopped in some  
32. downstate counties and...it...it...it seems to me that the  
33. practice does still exist in Cook. Now, a second question.  
Does the CTA want this bill?

1. PRESIDING OFFICER: (Senator Partee)

2. Senator...

3. SENATOR CHEW:

4. Senator, there was a representative here directly from  
5. the CTA and according to Senator Dougherty, and I don't know  
6. whether he's on the Floor, offered the amendment that satis-  
7. fied the CTA. Instead of the bill, saying peace officers,  
8. it confined it and I want to reiterate there's no such thing  
9. as a special or honorary deputy in Cook County. Not one and  
10. to answer...further answer the question...it's generally  
11. known that... well...I...I think I've answered your question  
12. ...there....there...there are...aren't any.

13. PRESIDING OFFICER: (Senator Partee)

14. Senator Groen.

15. SENATOR GROEN:

16. Well, now the third point, I'd like to make is this.  
17. We have a bill here, where Senator Egan, in my judgement has  
18. pointed out what constitutes a very valid defect in this bill...  
19. I don't know what power either Senator Egan or Senator Chew  
20. has over the House, but if we pass this bill out of here...

21. PRESIDING OFFICER: (Senator Partee)

22. Will the gentlemen in the aisle...let's clear the aisle...  
23. gentlemen. Continue Senator Groen.

24. SENATOR GROEN:

25. ....and the House does not accept the amendment, that  
26. they would propose, then we would have this bill passed by  
27. the House and it would be placed on the Governor's desk  
28. for decision without the amendment that we would like to have  
29. on it. It seems to me to be the proper thing. It seems to me  
30. to be the astute thing that we hold this bill, put the amendment  
31. on here in the Senate and then send it to the House in the manner  
32. and in the condition and containing the provisions that we want  
33. in the bill and not rely on House action to correct a bill,

1. that we admit is defective. I think, this is a mistake and  
2. unless Senator Chew is willing to do that, I will cast my  
3. vote in the negative.

4. PRESIDING OFFICER: (Senator Partee)

5. Continue with the roll call.

6. SECRETARY:

7. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
8. Kosinski, Kusibab, Latherow, Laughlin...

9. PRESIDING OFFICER: (Senator Partee)

10. Senator Johns votes aye.

11. SECRETARY:

12. Lyons, McBroom, McCarthy, Merritt, Mitchler...

13. PRESIDING OFFICER: (Senator Partee)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. ...I have a question, we were discussing over here...would  
17. this apply only to peace officers of the City of Chicago, or  
18. would this...Senator Chew...I have a question. Would this  
19. apply only to peace officers residing in the City of Chicago  
20. or would it extend to Cook County and down to Kendall County?

21. SENATOR CHEW:

22. Senator, if we didn't have so damn many lobbyists and  
23. people all over this Senate Floor, maybe we could of under-  
24. stood my explanation, in the beginning, but you'd think that  
25. I'm something good to eat the way people have gathered around  
26. me and not one of them are able to cast a vote and I...I'm go-  
27. ing to suggest to the President to clear this Senate Floor  
28. of everybody that's not authorized to be on it. And that ques-  
29. tion would not have been asked, because I know you've had dif-  
30. ficulty trying to hear, because of all of this noise. Now,  
31. I'm going to ask the President to hold up everything, until every-  
32. body gets off this Floor, that's not authorized to go on it and  
33. I'll be glad to answer your question.

1. PRESIDING OFFICER: (Senator Partee)

2. Senator, don't speak so softly and maybe...they can hear  
3. you. Let's clear the aisles, please...unauthorized persons  
4. ...please go to the places, where you are expected. Senator,  
5. continue.

6. SENATOR CHEW:

7. Now, if you would repeat your question, Senator, I can at-  
8. tempt to answer it intelligently.

9. SENATOR MITCHLER:

10. ...Thank you, Senator Chew. The question, I had, we were  
11. discussing here whether this would apply to transportation for  
12. peace officers in the city of Chicago only or Cook County, or  
13. other counties in the State?

14. PRESIDING OFFICER: (Senator Partee)

15. Senator Chew.

16. SENATOR CHEW:

17. This would apply to peace officers...deputy sheriffs, of  
18. Cook County...only and when...if there is a CTA line that ex-  
19. tends beyond the boundaries of Cook County, this bill does not  
20. cover it.

21. PRESIDING OFFICER: (Senator Partee)

22. Continue with the roll call.

23. SECRETARY:

24. Mohr, Neistein, Newhouse, Nihill...

25. PRESIDING OFFICER: (Senator Partee)

26. Senator Nihill.

27. SENATOR NIHILL:

28. Mr. President, I rise and support this bill. If they're  
29. going to quibble about a process server or a deputy who handles  
30. prisoners in the county jail...the vicious kind you've ever seen  
31. in your life riding free on a bus, I think we're getting down  
32. to pennies. Now, in other words, I don't believe the sheriff  
33. of the...county of Cook is going to give mileage with automo-

1. biles and give them car fare alike. I think he will separate  
2. that and...I can't see this where anybody can quibble at any-  
3. thing like that. In other words, we need as many men, women,  
4. or anybody else...law officers riding the els...buses...any-  
5. thing you see. Mr. President and gentlemen, the Senate  
6. here, come into Chicago and ride these buses. Ride the els.  
7. Someone will sit along side of you. One or two in the back.  
8. Empty your pockets out and give that man the money along side  
9. of you. Don't let this go down the drain. This is a good bill.  
10. We need something like this. The more men you have...law of-  
11. ficers watching what's going on, is going to be a good thing  
12. for every city...every big city...it might...you might be in  
13. here next year looking for it, where you live. This is a good  
14. bill. There's nothing wrong with this. Quibble about pennies,  
15. nickles...we give millions away here...millions...and then  
16. you're...talking about somebody going to get, maybe, car fare,  
17. where he gets automobile allowance. That won't happen. The  
18. sheriff will look into that and I vote aye.

19. PRESIDING OFFICER: (Senator Partee)

20. Continue with the roll call.

21. SECRETARY:

22. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
23. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-  
24. bene, Walker...

25. PRESIDING OFFICER: (Senator Partee)

26. Senator Walker...Just a minute, Senator. Will the members  
27. be in their seats.

28. SENATOR WALKER:

29. ...Thank you, Mr. President, members of the Senate, as much  
30. as I admire the sponsor of this legislation, I have to vote no  
31. because I think the proponents have brought up something...what  
32. I would consider a rather specious argument in favor of this  
33. bill. As I catch the intent, if we give these deputy sheriffs

1. a free pass on the CTA and they see some untoward incident oc-  
2. ccurring they're going to step in. I have confidence in the  
3. deputies of Cook County. I do now, as I did, perhaps more so  
4. in the previous administration. I have every confidence in  
5. the world in them. I believe they're going to do their duty,  
6. whether they've dropped the fare in the box or whether they  
7. haven't dropped the fare in the box and over a number of years  
8. down here, we've all seen them come in and I'm referring now  
9. to the CTA. We knocked the licenses off a number of years  
10. ago, if you'll recall. We're carrying the school kids for nix.  
11. What I particularly resent is when they get out into the south  
12. end of Cook County where we don't have any CTA and they want my  
13. people in Lansing, Chicago Heights, in that area to support the  
14. CTA by gas tax. I've always opposed that and I'm going to op-  
15. pose this because I...I just can't think that if they're riding  
16. for free they're going to do any more than if they paid they're  
17. freight when they hit the fare box. I vote no.

18. PRESIDING OFFICER: (Senator Partee)

19. Senator Walker votes no. Continue with the roll call.

20. SECRETARY:

21. Weaver.

22. PRESIDING OFFICER: (Senator Partee)

23. On this question the yeas are 34. The nays are 8. The  
24. bill having received the constitutional majority is declared  
25. passed. 1508, Senator Lyons. Senator Chew. Senator Chew, hav-  
26. ing voted on the prevailing side moves to reconsider the vote  
27. by which the vote was...Senator Rock moves to table it. All  
28. in favor. Aye. ...Senator Lyons, 1508. We're going out of  
29. order here, because this is a bill that has normally followed  
30. Senator Mohr's bill and we want to keep them together. Sena-  
31. tor Lyons.

32. SENATOR LYONS:

33. That's correct, Mr. President, as I mentioned...during the

1. discussion of SB1363, which was Senator Mohr's bill, the pro-  
2. perty...old age...property tax...senior citizens property tax  
3. relief act. This bill is designed to accomplish the same  
4. ends. It has a slightly different approach. We felt in  
5. committee, and Senator Mohr and I have had discussions about  
6. this, that the best thing to do was to pass both bills out of  
7. the Senate and get them into the House, so that such differences  
8. as there might be, can be composed over in the House. I'll be  
9. glad to answer any questions on the bill...I should point out,  
10. that the chief difference between the bill as it...as it...  
11. this bill and SB1363 as it presently...is...constructed is  
12. that the trigger percentage in this bill is 7%, whereas, in  
13. SB1363 it's 6%. It's just the other way around. It's 6% in this  
14. bill and 7% in SB1363. I'd ask for a favorable vote of the  
15. membership, if there are no questions.

16. PRESIDING OFFICER: (Senator Partee)

17. Any further discussion? Senator Mohr.

18. SENATOR MOHR:

19. Yes, what Senator Lyons said is...true Mr. President. I  
20. would urge all members of the...this side of the aisle to sup-  
21. port...Senator Lyons's bill. There is one other difference...  
22. too and that is the amendment that we put on that would take  
23. care of the disabled people, which I think is...is most import-  
24. tant. Senator Lyons said he was going to try and have that a-  
25. mendment put on in the House and I would urge him to do so, so  
26. if all members of this side would support it, we would all ap-  
27. preciate it. Thank you.

28. PRESIDING OFFICER: (Senator Partee)

29. Secretary will call the roll.

30. SECRETARY:

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

1. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-  
2. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
3. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
4. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-  
5. bene, Walker, Weaver.

6. PRESIDING OFFICER: (Senator Partee)

7. Knuppel aye. Walker aye. On this question the yeas are  
8. 45. The nays are none. On this question the yeas are 45. The  
9. nays are none. This bill having received the...constitutional  
10. majority is declared passed. 1408, Senator McCarthy. Hold.  
11. 1409, now we'll get back to that as soon as he gets back. 1419,  
12. Senator O'Brien.

13. SENATOR O'BRIEN:

14. Mr. President and members of the committee...I'd like to  
15. have SB1419 moved back to second reading for purposes of an  
16. amendment. Senator Harris had the amendment.

17. PRESIDING OFFICER: (Senator Partee)

18. Senator O'Brien moves to move this bill back to second read-  
19. ing. Any objections? The bill is now on second reading. Sena-  
20. tor Harris is going to present an amendment. Senator Harris is  
21. recognized.

22. SENATOR HARRIS:

23. Mr. President, members of the Senate, the effect of this  
24. amendment is to reduce the total appropriation from 50,000 to  
25. 35,000. The cuts are made in personal services, retirement  
26. contributions, social security contributions, and a slight...  
27. reduction in...the travel line item. This is acceptable to  
28. Senator Cherry and Senator O'Brien. I've discussed it with  
29. others. I...move the adoption of the amendment.

30. PRESIDING OFFICER: (Senator Partee)

31. Any further discussion on the amendment? Senator Harris  
32. moves it's adoption. All in favor. Opposed. The amendment's  
33. adopted. Any further amendments? Back to third reading. 1420,



1. Senator Horsley....For what purpose does Senator...Sours seek  
2. recognition? Senator Sours.  
3. SENATOR SOURS:  
4. You were...Mr. President, you were just on amending. I  
5. have two bills on postponed, I'd like brought back...SB1524,  
6. SB1525.  
7. PRESIDING OFFICER: (Senator Partee)  
8. Now, this is just...now this is...these are amendments on  
9. bills on third reading.  
10. SENATOR SOURS:  
11. Oh.  
12. PRESIDING OFFICER: (Senator Partee)  
13. That was all.  
14. SENATOR SOURS:  
15. Yes, that is right.  
16. PRESIDING OFFICER: (Senator Partee)  
17. Yes, well, we'll get back to that Senator.  
18. SENATOR SOURS:  
19. Alright.  
20. PRESIDING OFFICER: (Senator Partee)  
21. Senator O'Brien.  
22. SENATOR O'BRIEN:  
23. We will get the opportunity to come back to...Senate  
24. Bill...  
25. PRESIDING OFFICER: (Senator Partee)  
26. After intervening business.  
27. SENATOR O'BRIEN:  
28. Mr. President, while I'm on my feet, a point of personal  
29. privilege...seated in the gallery, are some students from the  
30. graduating eighth grade class of St. Vincent DePaul School.  
31. Along with them is their pastor, Father Garcia, the principal,  
32. Sister Mary Bride, the two eighth grade teachers, Mary Fla-  
33.

1. rety and Ellen Gouth. Would they please rise and be recog-  
2. nized by the Senate? Thank you.

3. PRESIDING OFFICER: (Senator Partee)

4. We just passed 1420. Senator Horsley is on the Floor.  
5. And let me say we're glad to have you back, Senator.

6. SENATOR HORSLEY:

7. Thank you, Mr. President, I'll be here for about an hour,  
8. ...an hour and a half...I'm on leave..then I have to go back.  
9. I just ask that nobody slaps me on the back and says hello,  
10. cause if you do, I'll probably jump over three desks. I got  
11. a big cut on my back. 1420 is a bill that implements the con-  
12. gressional action taken by Congress to take over Lincoln's  
13. Home and the four block square area and turn it into a nation-  
14. al shrine and a national park. Because of the...fact that we  
15. need legislation to turn this over to the federal government is  
16. why this bill is introduced. We've all seen the plans and it's  
17. going to cost about 8 million dollars, that the federal govern-  
18. ment will spend in this four block area, restoring it to its  
19. original condition at the time...when Lincoln lived there and I  
20. would appreciate a good vote on this bill.

21. PRESIDING OFFICER: (Senator Partee)

22. Senator Neistein.

23. SENATOR NEISTEIN:

24. Senator, in this four block area are there...private homes,  
25. there...now?

26. SENATOR HORSLEY:

27. Yes, sir, there are...for the...and there still is some  
28. private property there and as part of this package deal, the  
29. City of Springfield had to agree to acquire certain properties  
30. that run up in the neighborhood of several hundreds of thousands  
31. of dollars and they have kept part of that bargain and they  
32. are in the process of acquiring the other property that...will  
33. also go to the...federal government by deed from the City of

1. Springfield, but since the State holds title to just the lot  
2. itself upon which the home is located is why this is needed.

3. PRESIDING OFFICER: (Senator Partee)

4. Senator Neistein, have you concluded?

5. SENATOR NEISTEIN:

6. Isn't the block where Lincoln's home is situated suffi-  
7. cient to set up a national shrine? Do they...what's the pur-  
8. pose of having three more blocks added to it?

9. PRESIDING OFFICER: (Senator Partee)

10. ...Senator Horsley. Gentlemen...please ...gentlemen.

11. SENATOR HORSLEY:

12. I...I'm sorry. I couldn't hear the question, sir.

13. PRESIDING OFFICER: (Senator Partee)

14. The question...Senator Neistein.

15. SENATOR NEISTEIN:

16. I asked, isn't it sufficient for a national shrine to  
17. take the block where Lincoln's home is situated? What's the  
18. purpose of taking three more blocks and dislocating all the  
19. people?

20. SENATOR HORSLEY:

21. Well, the purpose of it is that you have one square block  
22. now that is all Lincolnia. The square block across the street  
23. from it is all Lincolnia, practically, except for a private  
24. museum that is there and they need that area and the man who  
25. was here to testify before committee had the full scale draw-  
26. ing of the entire area. For example, it will accommodate thou-  
27. sands of school children, who come in here on buses, because  
28. it will provide a staging area for buses. It will provide car  
29. parking for the tourists, who come in here that is not now a-  
30. vailable and will provide also museums that will be constructed  
31. by the federal government on Lincolnia and will have other park  
32. services that have never been available in this area before, so  
33. the area's needed. The man was here before committee with all

1. of his papers, charts, drawings to show the plans and the  
2. committee approved it unanimously.

3. PRESIDING OFFICER: (Senator Partee)

4. Any further discussion? Call the roll.

5. SECRETARY:

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

15. PRESIDENT:

16. McBroom aye. Smith aye. Merritt aye. On that question  
17. the yeas are 35. The nays are none. The bill having received  
18. a constitutional majority is declared passed. 1419, Senator  
19. O'Brien.

20. SENATOR O'BRIEN:

21. ...Mr. President and members of the Senate...SB1419 is  
22. the Spanish Speaking People's Study Commission...appropriation  
23. bill. We just pulled this back from third reading, amended  
24. it, Senator Harris, put the amendment on that dropped the ap-  
25. propriation from 50,000 to 35,000...I'd be happy to answer any  
26. questions...the appropriation is line item...appropriation type of  
27. an amendment and...I'd ask a favorable roll call.

28. PRESIDENT:

29. Is there any discussion? Senator Sours.

30. SENATOR SOURS:

31. ...Precisely, what does this commission do, Senator?

32. PRESIDENT:

33. Senator O'Brien.

1. SENATOR O'BRIEN:

2. Senator...Sours, the Spanish Speaking People's Study  
3. Commission first of all is a permanently created Commission  
4. by the General Assembly of the State of Illinois. It repre-  
5. sents some 800,000 people, who are Spanish speaking people,  
6. who reside in the State of Illinois. The commission right  
7. now has approximately 240 to 50...members, who are Democrats  
8. and Republicans from across the State, who go out and interpret  
9. ...and...talk about some of the problems that are peculiar to  
10. Spanish speaking people....For instance, what do they do...  
11. last year...there's been some good legislation that has come out  
12. of this Commission. There were some 30 bills that were put in  
13. by the Commission last year and I think about 18 of them passed.  
14. One of them, I...I think you probably even voted for it, Senator,  
15. was a bill that required interpreters in the courts, when the  
16. judge and the attorneys were speaking in English and the indivi-  
17. dual didn't have any knowledge of the English language. There  
18. was another bill that was passed that was sponsored by the com-  
19. mission. Many children come here from Puerto Rico or from Mex-  
20. ico and...they're put into the first, and second, and third  
21. grade and they're given an examination, their knowledge of the  
22. Spanish...the...English language is...very minimum...they were  
23. tested and came out retarded. Actually these children weren't  
24. retarded, they were put in the retarded classes, because they  
25. were given an examination in a foreign language. Now, they can't  
26. do that unless the examination is given in both Spanish and Eng-  
27. lish. This week, Senator, the Commission wrote a letter to Superin-  
28. tendent Conlisk, Mayor Daley, and Dr. Punyun...asking to deter-  
29. mine how many of the applicants for the Chicago police officers  
30. examination...out of the 8,000, how many were Spanish speaking?  
31. How many of the Spanish speaking applicants passed the exam?  
32. Of those that passed the exam, how many of them met the heighth  
33. requirement? One of the characteristics peculiar to Spanish

1. speaking people is that their men are shorter than the aver-  
2. age American individual, so we tried to get the height re-  
3. quirement lowered, so that we could get more Spanish speaking  
4. police officers in some of the Spanish communities in the City  
5. of Chicago. These are some of the things that the Commission  
6. has been working on.

7. PRESIDENT:

8. Senator Sours. Is there further discussion? Secretary  
9. will call the roll. For what...Senator Bidwill.

10. SENATOR BIDWILL:

11. Isn't this the commission that...Senator DeLaCour, I be-  
12. lieve, first sponsored...for 7,500 dollars?

13. PRESIDENT:

14. Secretary will call the roll.

15. SECRETARY:

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

25. PRESIDENT:

26. Groen no. Sours no. Horsley no. Newhouse aye. Request  
27. for a call of the absentees. The absentees will be called.

28. SECRETARY:

29. Arrington, Baltz, Bidwill...

30. PRESIDENT:

31. ....Just a moment. For what purpose Senator Berning arise?

32. SENATOR BERNING:

33. Well, perhaps it would be a point of personal privilege,

1. since I have already cast my vote and...did so not anticipating  
2. the...hesitancy on the part of many of the members to support  
3. this bill..this...commission bill. I merely want to point out  
4. that we do have a large population in our State, which is  
5. unable to comprehend and cope with the English language. We  
6. are hoping that through the aids we have given to the extension  
7. of the bilingual educational programs that this sort of a commis-  
8. sion will work itself out of a job within the next two or per-  
9. haps three years, but there is a good deal of significant labor  
10. that ought to be carried on in an effort to put these people in-  
11. to a position to support themselves as integral parts of this  
12. society, with complete facility in the English language. This  
13. is essentially what the Spanish Speaking People's Commission is  
14. for.

15. PRESIDENT:

16. Continue with the call of the absentees.

17. SECRETARY:

18. Bidwill, Bruce, Carpentier, Carroll, Clarke, Coulson,  
19. Davidson, Fawell, Graham, Knuepfer, Kusibab, Laughlin, McBroom,  
20. Merritt, Mohr, Ozinga, Rosander, Soper, Swinarski, Walker and  
21. Weaver.

22. PRESIDENT:

23. ...Senator Walker.

24. SENATOR WALKER:

25. Although I understand there are 30 down there, I still feel  
26. inclined to express myself and I intend to vote no. If you'll  
27. recall last spring or last fall, this commission came in here  
28. and we passed, as I recall it...appropriated over a million  
29. dollars. Now, that's the kind of results they come in with.  
30. Now, we're appropriating another 50,000 dollars and they'll come  
31. back, perhaps wanting another. What...Senator O'Brien said is  
32. true. He named what they did but let's go back a number of  
33. years ago. Who did it for the Germans, the Poles, the Irish,

1. the Scandinavians, the other ethnic groups? I say it's not  
2. only the initial plunge here, the 50,000, it's the subsequent  
3. reports that they come in with requiring more money and I  
4. frankly think the taxpayers...I don't think, I know they're  
5. becoming a little unenamored with some of this legislation  
6. we're passing down here. I'm always hesitant to get up, es-  
7. pecially after a bill has the required number of votes, but  
8. I just couldn't live with myself, if I did not express myself  
9. in regard to this particular type of legislation. Thank you.  
10. PRESIDENT:

11. On that question the yeas are 32. The nays are 5. The  
12. bill having received a constitutional majority is declared  
13. passed. 1409, Senator Partee.

14. SENATOR PARTEE:

15. Now, Mr. President and members of the Senate, I would  
16. be grateful and appreciative for your attention, on this ex-  
17. planation, because it may obviate some questions later. I'll  
18. try to say this in as few words as possible. But this is a  
19. bill that relates to the primary election for judges. I'm ask-  
20. ing that we pass this bill, which in essence implements an  
21. earlier bill, which we passed that judges be nominated in a re-  
22. gular primary. Let me just give you a brief sketch of the his-  
23. tory of this entire concept. In 1970, more than a million people  
24. voted to elect judges in the State of Illinois. The new Illinois  
25. state constitution provided that this General Assembly should  
26. implement by law procedures to provide for the election of judges,  
27. including judicial vacancies. The General Assembly last year  
28. passed a House Bill, number 3623, which provided that judges were  
29. to be nominated in a regular primary and provided that judicial  
30. vacancies were to be filled by a circuit court committee. The  
31. Governor vetoed this bill and then this General Assembly over-  
32. rode the Governor's veto. Unfortunately, however, our action  
33. came after the deadline for filing for primaries, so some 30



1. vacancies in the judiciary, which are presently filled by  
2. appointment were not filled during the primary. This bill to-  
3. day simply does this, it implements HB3623, by providing for  
4. a special party primary on the fourth Tuesday in August of  
5. 1972, to allow the voters to fill these 30 present judicial  
6. vacancies. If this bill is not passed, these 30 appointees  
7. by the Illinois Supreme Court will serve until 1974. Those  
8. appointees include 3 appellate court judges, and 27 circuit  
9. court judges, scattered throughout the State. The Attorney  
10. General issued an opinion in response to an inquiry from  
11. Senator Arrington. In it he said that there is no statutory  
12. or constitutional way in which any judicial office can be  
13. filled in the November, 1972 election in the absence of leg-  
14. islative action. I think that the will and the intent of this  
15. general assembly was stated when we passed HB3623, and this  
16. bill implements that concept for this election. Let me em-  
17. phasize again...these points...this is a one time situation.  
18. In 1974 there will...there will be a primary and there will be  
19. a general election under the provisions of HB3623, which is  
20. now law. The people of this State voted, overwhelmingly, in  
21. 1970 for the election of judges as opposed to appointment. The  
22. people in these 30 offices were appointed on the assumption that  
23. the office would be filled by election in 1972. Hence, if there's  
24. no election under this bill these judges will be in for a period  
25. of over 3 years by appointment in express contravention of the  
26. expressed will of the electorate of this State, and to not pro-  
27. vide for an election will provide a great hardship for these  
28. 30 judges, who will have to run in any event in contested elec-  
29. tions in 1974. These judges had to quit their law practices.  
30. If they were to loose in 1974, it would clearly be much easier  
31. for them to resume their practice this year than to have to re-  
32. sume it after having been away from it for more than 3 years.  
33. For these reasons I urge your support for this bill.

PRESIDENT:

1. Senator Gilbert.

2. SENATOR GILBERT:

3. Senator Partee, I'd like to pose 2 or 3 questions to you.  
4. I possibly...you may have covered them, I was talking with one  
5. the staff on some other bills and did not hear the beginning  
6. remarks. I like you, supported the concept of Senator...I  
7. mean Representative Hart's bills, that were here. I regretted that  
8. the Governor vetoed them...I...supported the override, because  
9. I feel as you, that we should elect the judges. Now, the pro-  
10. blem that has arisen here, of course, is the expense of it. Do  
11. you have any information as to what would be the approximate  
12. cost, and how many counties would be involved as far as you know  
13. at the present time...in the...if we pass this...election for a  
14. special primary.

15. PRESIDENT:

16. Senator Partee.

17. SENATOR PARTEE:

18. I don't have a definite answer to that question...to either  
19. part of that question. I cannot really say what the cost will  
20. be and I cannot tell you exactly how many...counties it would  
21. cover. But, there are 30 appointed judges presently and they are  
22. all over the State.

23. PRESIDENT:

24. Senator Gilbert.

25. SENATOR GILBERT:

26. Would this...if we pass this bill, would we be able to...I  
27. mean would the judges, who have resigned, for example in William-  
28. son County...Judge Cagill resigned recently...now, this was  
29. after the nomination...would have been under the Hart Bill. It  
30. is my understanding in Judiciary Advisory Council and we discussed  
31. this that it was the opinion of Representative Shea and the of  
32. the Court administrator that the only people who would be sub-  
33. ject to this special primary at that time...were those...who

1. were...the vacancies that had been created prior to the filing  
2. date..in January of this year. Is it your opinion, now, that  
3. if we pass this legislation that any vacancies that may have oc-  
4. curred by death as Grafton Dennis in Saline County, and there  
5. may be others would be on the ballot for this November or would  
6. it merely go back to those people ...in the...under the provi-  
7. sions of the Hart bill.

8. PRESIDENT:

9. Senator Partee.

10. SENATOR PARTEE:

11. My understanding would be that any and all vacancies...  
12. would be within the orbit of this legislation.

13. PRESIDENT:

14. Senator Gilbert.

15. SENATOR GILBERT:

16. Prior to the filing date for the special...primary. Well,  
17. I think you're right on it. I just wanted to point that out.  
18. Now, I am talking primarily because Senator Laughlin is not here...  
19. some of the things I am saying and questions I am asking I know he  
20. would purport to propose. From the information I have...at the  
21. present time, not counting any new counties that might be brought  
22. in strictly because of the appellate court vacancies, which com-  
23. prise many counties. There would be 76 of the counties who would  
24. have to have...election...if this was done. I am also told by the...  
25. our staff who have checked with the Index Division, that based  
26. on that that the cost would be somewhere between ...one million  
27. six hundred thousand and two million dollars. Now, I know  
28. that in Judicial Advisory Council, Senator Cherry in talking  
29. about this stated that there was some thought of possibly  
30. combining precincts and having fewer than an election in every  
31. precinct. Has there been any thought to that, or is that cov-  
32. ered in this bill, sir.

33. PRESIDENT:

1. Senator Partee.

2. SENATOR PARTEE:

3. Yes, there has been some thought and consideration given  
4. to that. It has been suggested and I would feel that we could  
5. add such an amendment in the House. That in areas throughout  
6. the State, we could combine precincts for the purpose of this  
7. election, where you may have 3 precincts combined and you would  
8. thereby cut the expense one-third. On the other question, we  
9. unfortunately don't have it broken down by counties. We had it  
10. broken down by judicial districts and that was the reason I could  
11. not give you the specific county question.

12. PRESIDENT:

13. Senator Gilbert.

14. SENATOR GILBERT:

15. Well...could it be, Senator Partee,...could it be...if  
16. there is such an amendment that it not be necessarily limited to  
17. combining of three. As I recall in previous judicial elections  
18. or previous special elections, and say in a county like  
19. in which I live, we have had only a few polling places not one  
20. for every 3 precincts...for example in our county ...we could  
21. have a couple of polling places in Carbondale...one in Murphys-  
22. boro or two and one in the smaller communities...you wouldn't limit  
23. it just to one in every three, necessarily. Would you leave  
24. that up to the local county board?

25. PRESIDENT:

26. Senator Partee.

27. SENATOR PARTEE:

28. We would do exactly that. We'd leave it up to the local  
29. county election authorities. As a matter of fact there's ample  
30. precedent for the combining of precincts. In Springfield, for ex-  
31. ample, in a particular school election, they had 10 precincts,  
32. as one polling place. So I would leave it, I really don't think  
33. we need an amendment quite frankly, I think if the local election

1. authority has the authority to combine precincts in a manner,  
2. which would accommodate that particular area. So that could  
3. be done without any limitation as to three. That was just  
4. a suggestion. But there are many places where you might  
5. have 10 or more...depending upon what the local county au-  
6. thorities thought would be best for that area.

7. PRESIDENT:

8. Senator Gilbert.

9. SENATOR GILBERT:

10. ....Just in closing...I think that the ...main objection  
11. to this bill, for those who do not support it, if they do not,  
12. is the cost of it. And the people have expressed their view  
13. that they want their judges elected...I personally would like  
14. to see them elected. The only question I have is the cost and  
15. whether we can afford to have another election at this time or  
16. not. I merely raise that question.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Well, if I thought that there was some astronomical sum  
21. involved here...I would certainly have some pause, before I  
22. presented it...I think that there is not an astronomical sum.  
23. I think that the figure which has been sighted is far in excess  
24. of what the cost would be, particularly, when we can rely on  
25. the ingenuity of the various county officials, election officials,  
26. to combine in large measures the precincts and thereby obviate  
27. the cost of individual polling places.

28. PRESIDENT:

29. Senator Knuepfer.

30. SENATOR KNUEPFER:

31. Well, Senator, I have two real problems with this bill.  
32. One is the cost of the extra election, which you and Senator  
33. Gilbert have just discussed. The dowstate counties lost 3%

1. cost of collection this year. On top of that they had one ex-  
2. tra election that they never had before. That cost my county a  
3. half of a million dollars. It was such a great election that we  
4. managed to get 13% of the electorate out to vote. at that el-  
5. ection...you call...you propose a call for an election in Aug-  
6. ust and I don't know how what kind of a combination the county  
7. court can work out of polling places, but I'm sure he can't do  
8. it for less then a hundred thousand dollars and normally our  
9. election cost run five hundred and fifty thousand. But on top  
10. of the cost I suspect in as in August election in DuPage County,  
11. we may get 3% of the people out to vote...I'm sympathic with the  
12. problem. I wish it had been resolved through without the nec-  
13. essity for a veto, but I for one, just don't think, I want to  
14. see another election. People get tired of elections. They get  
15. fed up with elections and they understand that there is a cost  
16. to elections. This isn't something that goes over their head  
17. and they want to know why they've got to have so many and I  
18. think we've got to answer to that and I think we've already got  
19. too many and I recognize that this is a one time operation,  
20. but one time after having had four...three elections already  
21. not counting school board and all the other elections. I think  
22. it is just one more additional election that I am sure the peo-  
23. ple in my county are not going to be real interested in and I'm  
24. not even sure that we're included under this.

25. PRESIDING OFFICER (Senator Neistein):

26. Senator Merritt....Oh...Senator Partee, would like to  
27. answer.

28. SENATOR PARTEE:

29. Yes, Senator Knuepfer, the last thing that you said is  
30. quite significant. I really don't think that your county is  
31. included under this and I do understand your admonition about  
32. a large number of elections and about the reaction of the pop-  
33. ulus to merit elections. This election, I think, is not a

1. matter of choice with us, but a matter of mandate. The people  
2. have said by their votes that this is what they desire. We had  
3. a referendum on the question in essence. The people said they  
4. wanted them elected. Hence, I think we have an obligation to ful-  
5. fill the desire of the people, who wants them elected and this  
6. is what the legislature said and meant, I think, when they over-  
7. rode the Governor's veto. We have given our view on this ques-  
8. tion, in conformity with the desires of the people and hence we  
9. are not here doing something of our own will or our own thought pat-  
10. tern we're doing something the people have said they wanted and this  
11. is precisely what it amounts to.

12. PRESIDING OFFICER (Senator Neistein)

13. Senator Merritt.

14. SENATOR MERRITT:

15. Mr. President and members of the Senate. Just briefly,  
16. I would reiterate once again what Senator Knuepfer alluded to, going  
17. through that March 21st primary. Followed by the County Board  
18. election first week in April. Followed in our community, at  
19. least, with the School Board election the following week, the  
20. people were sick and tired and fed up concerning it. Now, my particular  
21. question regarding this legislation alludes again to my judi-  
22. cial circuit, where we had two judges resign within perhaps a  
23. month of one another. One along in December and one in January.  
24. And both of them were filled fairly promptly by the particular  
25. Justice on the Supreme Court, representing that particular dis-  
26. trict. They were what I would consider good appointments....  
27. The people in my area are happy with it and they're going to say  
28. to me, immediately, well why the necessity of another election a-  
29. gain and I just..I want to know, Senator Partee, is that a  
30. particular situation that's peculiar to my district...or hasn't  
31. that occurred all over the State.

32. PRESIDING OFFICER (Senator Neistein)

33. Senator Partee.

1. SENATOR PARTEE:

2. Senator...

3. PRESIDING OFFICER (Senator Neistein):

4. Sergeant of arms will clear the unauthorized personnel...

5. ...

6. SENATOR PARTEE:

7. I certainly...cannot argue with what those persons to whom  
8. you have spoken have said about the particular appointment. I  
9. think the matter, however, preponderates any individual expres-  
10. sions of those few persons with whom you have spoken con-  
11. cerning the appointments in your district. I am not sure that  
12. yours...yours would be, of course, one of those...but this  
13. is a mandate from the people, who voted, who said that they  
14. wanted the judges elected. Now it may be in an isolated  
15. case that the person who has been appointed has the good  
16. favor and the approbation of the persons in the county in  
17. which he was appointed, and it would certainly seem to me  
18. that he would be a very good...he would stand a very good  
19. chance of election. But that is not really the question.  
20. The question is, do we ignore the mandate of the people?  
21. The mandate of the people says that we shall elect judges.  
22. That we sit here supinely by and wait until 1974 for this  
23. law to become effective, when the people have clearly stated that  
24. they want them elected. We have 30 vacancies now. I don't know  
25. how many we will have by 1974. They may double or triple. I have  
26. no idea. But we have overridden the Governor's veto on it. We  
27. have responded at a time of the mandate of the people and if we  
28. really meant to respond to the mandate of the people, we should be  
29. consistent now and follow through on that initial response.

30. PRESIDING OFFICER (Senator Neistein):

31. Senator Merritt.

32. SENATOR MERRITT:

33. Just one further question, Senator Partee, wouldn't this be



1. an interim appointment in these instances where they must stand  
2. election, immediately, it rights itself in 1974, wouldn't that  
3. be correct from that point on?

4. SENATOR PARTEE:

5. If this bill does not pass, those persons who have been ap-  
6. pointed or will be appointed prior to 1974 will nonetheless  
7. have to run in a general election, primary election in 1974.

8. PRESIDING OFFICER (Senator Neistein):

9. Senator Cherry.

10. SENATOR CHERRY:

11. Mr. President and members of the Senate, I'm glad Senator  
12. Merritt, brought into issue the appointment and the fact that these  
13. people would serve until 1974. Last week we had a judicial  
14. Advisory Council meeting and we had attending it, Chief Justice  
15. Underwood of the Supreme Court. And he was asked a question  
16. by the Chairman of Our Commission, Representative McDevitt,  
17. whether or not he would have difficulty in finding men of com-  
18. petence to serve in those vacancies if appointed by the Supreme  
19. Court. And whether or not they would serve until 1974, when  
20. they would need to stand for election. Justice Underwood said  
21. he is finding difficulty to have lawyers of competence and ability,  
22. take an appointment, give up their law practices, assuming that  
23. they are practicing lawyers or even judges, who would need to  
24. resign to be moved up into the higher catagories of the judiciary.  
25. That he was finding extreme difficulty in finding men, who would  
26. serve for another two and a half years before they need to stand  
27. for election and I think that made good sense and it certainly  
28. presented substantial logic. Because how can we find able men  
29. and competent men to assume an appointment by a...as a result  
30. of a... vacancy and have them serve for two and one half years,  
31. give up their law practice or give up the office of the judge  
32. to which they were elected and then stand for election. So logically,  
33. it would seem to me that we ought to have an election. I'd like to just

1. take a brief moment to go into the...logic of having an election  
2. now. We have to compare and some comments were made in respect to  
3. the cost. I don't know what the ultimate cost would be, but I'm  
4. certain that every county board would be able to consolidate the  
5. respective precincts in which the...judicial elections would be  
6. held. So there would be a substantial savings of least  
7. two thirds if they consolidated the precincts assuming into  
8. approximately one third. So that would substantially reduce  
9. it. Now, how are we going to evaluate the election of judges.  
10. I think that the cost of this kind of a situation should  
11. not be considered as an important issue. Because the people,  
12. who have been rejecting the public's voting, the citizens  
13. voting for judges, the criticism has been that the judges  
14. get lost in the general election. That we don't have competent  
15. and able men standing for election for the judiciary, because  
16. of the fact that there are many, many other offices to be  
17. elected at the same election and I think that has some merit  
18. and I think it has some value and I think we ought to con-  
19. sider that. I think that we ought to consider the fact that we  
20. want competent and able men to run for judge. I think that  
21. they should be evaluated at a judicial election where the  
22. people can consider the types of candidates that they have  
23. voting for them at the election and so that they don't have  
24. any other issues to become involved in an election where  
25. issues of national situations are in existence, where issues  
26. of state issues are in existence, whether or not the state  
27. income tax was good or bad and whether or not it's too high  
28. or too low. I think we should have judicial elections.  
29. We always have had special and separate judicial elections  
30. so that the candidates themselves can be evaluated by the  
31. people who vote on the basis of their competencies and on  
32. the basis of their abilities. I think we must evaluate these  
33. kind of things, because we are electing men who have control

1. over the lives and liberties and property rights of our citizens.  
2. So I think we ought to have the kind of election where people  
3. will be able to evaluate the candidates on the basis of their  
4. abilities and competencies and I think that the citizens  
5. of our state would prefer it that way. So I would ask you  
6. as sincerely as I can, support this bill.

7. PRESIDING OFFICER (Senator Neistein):

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President, I am astounded at the crocodile tears that  
11. are being shed on the other side of the aisle about the cost of this  
12. election and the re-reference and reference and re-reference to the  
13. fact that they had county...or board elections...county board  
14. elections this spring. It seems to me we had a bill up here  
15. in this Senate, some place, in the murky recesses of my memory,  
16. that would have consolidated that with the March 21st primary,  
17. for other offices. And it seems to me somewhere in the murky  
18. recesses of my memory that it wasn't this side of the aisle  
19. that brought about those additional elections. But that was  
20. created by the vote that was taken on the side of the aisle where  
21. all these crocodile tears are. I can...as they used to say in  
22. the service, I can feel for you, but I can't quite reach you.

23. PRESIDING OFFICER (Senator Neistein):

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Mr. President, members of the Senate, one of the very  
27. serious problems that the electorate has in my district and is  
28. experienced during 1972 are all of these different elections. And  
29. as Senator Knuepfer pointed out, they're just sick and tired  
30. of having to go to the polls every other week for an election. Now  
31. we had a congressional vacancy that we had to have a primary  
32. election for. We had the county board elections. We had the  
33. regular primary and the people were very confused. Now, this

1. idea of putting a carrot in front of our face to vote for  
2. this, by the fact that we could combine precincts and thereby  
3. save the cost which has been pointed out will exceed some 1.6  
4. million dollars is erroneous, because if we combine precincts  
5. for the purpose of voting, in my county--the little county  
6. of Kendall--and for example my precinct that I have, I'd  
7. have to tell all of my people to go someplace else to vote,  
8. because we're trying to cut down. They know their way around in that  
9. county all right, but they'd even be more confused, and  
10. they'd even look at me with more resentment for having another  
11. election. So I don't think that this combining of precincts  
12. is good, because once a person finds where they go to vote, that's  
13. the place they want to go to to vote, no matter what the  
14. election is. Now, these thirty some judicial vacancies  
15. can be appointed by the Supreme Court, they'll have to run  
16. for reelection in 1974 and I think that we're implementing  
17. the mandate of the Constitution in sufficient time. Now,  
18. I am not worried about implementing the mandate of the Constitu-  
19. tion because you know that the Constitutional vote indicated  
20. that the people of the State of Illinois mandated, if you  
21. want to know, that 18 years not be given the right to vote,  
22. yet I didn't see any hesitation in January and February  
23. the first couple months of the Session in 1971, immediately  
24. following the December 15th, 1970, constitutional election,  
25. that we ignored the vote of the people, so that doesn't  
26. move me at all, as far as implementing the Constitution.  
27. I think that there is a bill over in the House and it will  
28. be over here shortly, that will combine elections, and I'm  
29. going to give full support to that because it is the 1.6  
30. million dollars cast upon the counties. Now, we had a hard  
31. time in getting our county board to make the necessary deficiency  
32. appropriation to the county clerk in Kane County to cover  
33. the cost of special elections that we had there in conjunction

1. with the congressional election. I didn't see the State  
2. hurrying up to to alleviate the county in this very serious  
3. financial crisis. So, we are implementing the Constitution,  
4. and I think by having the election of the judges at the  
5. primary in 1974 will fulfill that requirement and I'm going  
6. to support the bill when it comes over from the House on  
7. combining these elections, and I might say that I want to  
8. go on record as such as that and I'm going to post SB 1409  
9. on those grounds.

10. PRESIDING OFFICER (Senator Neistein):

11. Senator Soper.

12. SENATOR SOPER:

13. Thank you, Mr. President. Senator Partee, I wonder if you  
14. would enlighten me on the one fact of this bill? How many judges  
15. are involved in Cook County?

16. SENATOR PARTEE:

17. Did you say in Cook County?

18. SENATOR SOPER:

19. Yea. Cook County, just . . .

20. SENATOR PARTEE:

21. Fourteen circuit and one appellate.

22. PRESIDING OFFICER (Senator Neistein):

23. If no one else wants the floor, Senator Partee, you can  
24. conclude your remarks on this bill.

25. SENATOR PARTEE:

26. Well...I'm just looking over here and I think . . . these  
27. counties, at least are not in involved in this--Lake and  
28. Champaign and Dupage and McHenry--as we see it, those counties  
29. do not have any vacancies and would not be involved. But,  
30. Senator Mitchler, when you say you'd have a hard time explaining  
31. to your people where they had to vote, if there were some  
32. combined polling places, I find that difficult to understand.  
33. Because that I'd always thought that the people in your

1. district were very intelligent people, as reflected by their  
2. sending you here as their representative to this point.  
3. So I don't understand how your people are bereft of the  
4. kind of intelligence that would cause them not to be able  
5. to find the polling places. That I find very difficult  
6. to understand. And I wondered why you mentioned, Senator  
7. Mitchler, that you had a congressional race up there and you  
8. had a congressional election. And you didn't mention, Senator  
9. Mitchler, that that Congressional election was absolutely unnecessary  
10. and it was a pure political election. You didn't mention that  
11. at that time we were languished here with one vote short over here  
12. when Senator Lyons had passed and that we had begged and cajoled  
13. and did everything humanly possibly to see that the people in that  
14. district that sent him here, 45,000 people were represented in the  
15. last Session of the Legislature and we didn't get any support.  
16. But we did get from you and from those who are connected with you  
17. an unnecessary congressional election. So when you tell me about  
18. a congressional election and your people being tired because they  
19. were subjected to a congressional election I am not sympathetic to  
20. that kind of a statement. As a matter of fact I recoil from it.  
21. It gives me almost hives when I think about the kind of deprivation  
22. the people in the 45th district had, when we couldn't get the bill  
23. passed. It sat over there in the Senate for months and in the House  
24. for months. And they wouldn't call it because we had a chance to  
25. appoint a person to a vacancy and to have a full compliment of Senators  
26. here. It bothers me. It bothers me also that you talk about the  
27. costs now. The cost here will be far less then is contemplated,  
28. far less because of the combination of precincts. But this is a  
29. cost which is mandated. The cost that you hoisted upon your people  
30. in your individual races, in the supervisors race was not mandated.  
31. It was politically designed and structured. So when you're talking  
32. about cost let's talk about whether the cost is something that you per  
33. sonally selected or something that is mandated by the people.

1. I see this as a mandate by the people as by their casting of votes.  
2. The judges should be elected. Now, Mr. President and members  
3. of the Senate, I've always been told that there are two rea-  
4. sons for everything. A good reason and a real reason. We have  
5. here a good reason. A constitutionally mandated reason, buttressed  
6. by the thought pattern of this legislature, express-  
7. ed originally in the passage of HB3623, reaffirmed and reunder-  
8. girded, if you please, by the overriding of the veto of the  
9. Governor. That was one of the first overriding of a veto  
10. in many, many years in this State and I think it was clearly  
11. explicit of the feeling and the attitude of this entire legis-  
12. lature, both sides of the aisle. I might point out that the  
13. polls that you read last Sunday don't have anything to do  
14. with this election. These candidates will be on a ballot se-  
15. parate and apart from the main part of the ballot in the State  
16. candidates and there is not the correlation which I think some  
17. of you fear between this judicial election and between the gen-  
18. eral election. The people have mandated that we do this and I  
19. solicit your vote.

20. PRESIDENT:

21. Secretary will call the roll.

22. SECRETARY:

23. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
24. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
25. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
26. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
27. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-  
28. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,  
29. O'Brien, Ozinga, Palmer, Partee,

30. PRESIDENT:

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, I'm now convinced that the emptiest most hollow,

1. most vacuous statement that I have heard in these legislative  
2. halls in all these years, is let's take politics out of the  
3. judiciary. I cannot believe that this is or should be a politi-  
4. cal issue or consideration. Many words have been written and  
5. spoken by everyone who is events and interests in our judiciary  
6. about taking judges out of politics. The people of this State  
7. have said despite the participation of bar associations and o-  
8. thers that they desire in the first instance that those persons  
9. who serve them in the Judicial capacity should be elected. They  
10. said that by the most cherished thing that any person possesses,  
11. which is his vote. Can we now deny the electorate of this State  
12. the right to see that we would implement their desire by statu-  
13. tory enactment. They said they want their judges elected. Who  
14. are we to deny them that fundamental right? Who are we to not  
15. change our minds when we have overridden a veto...where the Gov-  
16. ernor took away that right in the vetoing of 3632? Who are we  
17. now to say despite what the people want, despite the fact of the  
18. people who voted for this, that we should now stick their finger  
19. ...our fingers in their eye and deny them this fundamental  
20. right...Choosing of judges is a fundamental right and the people  
21. have so said so by their votes. I am distressed. I experience  
22. your grin and dismay ...at this legislature, refusing a mandate  
23. of the people. Have we elevated ourselves beyond the control of  
24. the people? Are we not here in a representative capacity to  
25. represent the people and to be expressive of their wishes and to  
26. their desires? Have we arrogated to ourselves some powers that  
27. preponderate the electorate? Do we say to the people that we are  
28. the decision makers and what you say counts sometime and doesn't  
29. count on others. I think not. We started in this country where  
30. everybody was his own representative in the old town hall meetings and  
31. votes were taken which were expressive of the desires of all  
32. these people. Now, we have the representative system, maybe  
33. we should go back to the town halls. I vote aye.



1. SECRETARY:

2. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,  
3. Sours, Swinarski, Vadalabene, Walker, Weaver.

4. PRESIDING OFFICER (Senator Johns)

5. Senator Partee.

6. SENATOR PARTEE:

7. Call the absentees, please.

8. PRESIDING OFFICER (Senator Johns)

9. Call the absentees...please...

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill,

12. PRESIDING OFFICER (Senator Johns)

13. Senator Berning.

14. SENATOR BERNING:

15. Yes, Mr. President...I really hesitated to..inject myself into  
16. this and I know it will serve no useful purpose, but when we are again  
17. asked to respond to a roll call, then I feel somewhat constrained  
18. to explain my vote. I do recognized that a new constitution was passed,  
19. but it was passed by 19% of our voters. I hardly recognize that as  
20. a mandate and I need only refer to the actions of a recent committee  
21. of this Body in rejecting a constitutional implementation which I  
22. presented. So this sort of argument leaves me somewhat disenchanted.  
23. Because there was such a small turnout for that and for some others  
24. I can see no possibility for a turnout of any particular significance  
25. for a judicial election. And contrary to the understanding of some  
26. on the part of this particular member of the Body there are no crocodile  
27. tears, in fact, I am finding it difficult to restrain my laughter,  
28. when I hear that the courts are in trouble, Lord help us, I knew that  
29. long time ago. If they can't find satisfactory appointees, can't  
30. find anyone to accept an appointment to the judiciary...where in the  
31. name of heaven are we going to get candidates qualified then to run  
32. for these...posts. It strikes me as somewhat of a...of an enigma  
33. .... and I must then say that the arguments haven't impressed me so  
far and

1. I would be inclined to vote no. 1.  
2. SECRETARY: 2.  
3. Bidwill, Carpentier, Carroll, Clarke, Collins, Coulson, 3.  
4. Davidson, Fawell, Graham, Groen, Harris, Horsley, Kusibab, Latherow, 4.  
5. Laughlin, McBroom, Mohr, Ozinga, Rosander, Sours, Swinarski, 5.  
6. Walker, Weaver. 6.  
7. PRESIDENT: 7.  
8. Senator Partee. 8.  
9. SENATOR PARTEE: 9.  
10. Move to postpone consideration: 10.  
11. PRESIDENT: 11.  
12. Motion to postpone consideration. All in favor signify by 12.  
13. saying aye. Contrary minded. Motion to postpone consideration 13.  
14. prevails. 1370, Senator Horsley. 14.  
15. SENATOR HORSLEY: 15.  
16. Mr. President and members of the Senate, last week I believe 16.  
17. it was, or the week before ...in Executive Committee I had this 17.  
18. bill up. It seems to be general agreement that there is a need 18.  
19. for the bill but it needs a cleaning up....I promised...Senator Neis- 19.  
20. tein that I would amend the bill and I promised someone else I've 20.  
21. forgotten whom that I would take the first paragraph out of the bill 21.  
22. which was repulsive even to me, and now, the bill says merely that 22.  
23. any extra that's going to run more than 25 hundred dollars has to 23.  
24. be approved by the architect and by the Attorney General as suggested 24.  
25. by Senator Neistein. I would therefore move to bring the bill back 25.  
26. from 3rd reading to 2nd for the purpose of amendment and offer Amendment 26.  
27. No. 1 and move it's adoption. 27.  
28. PRESIDENT: 28.  
29. The, 1370 is brought back to 2nd reading for the purpose of an 29.  
30. amendment. Is there any discussion of the amendment? All in favor 30.  
31. signify by saying aye. Contrary minded. The amendment is adopted...for 31.  
32. intervening business...Senator O'Brien was going to move to reconsider 32.  
33. ...is he on the Floor? Senator Vadalabene do you want to move to 33.  
reconsider on ....what was that number again? 1419, Senator Vadalbene

1. moves to reconsider ....Senator Dougherty moves to Table to..on...1419  
2. All in favor signify by saying aye. Contrary minded. Motion to Table  
3. prevails. 1370, Senator Horsley.

4. SENATOR HORSLEY:

5. Now, Mr. President and members of the Senate, this is a  
6. bill having to do with add-ons on contracts and it satisfies  
7. the one opponent of the bill who met in....

8. PRESIDENT:

9. Just a moment...for what purpose does Senator Bruce a-  
10. rise?

11. SENATOR BRUCE:

12. Has the amendment been distributed? I don't have one on  
13. my desk.

14. PRESIDENT:

15. Senator Horsley:

16. SENATOR HORSLEY:

17. I must confess your point is well taken and I'll have it  
18. printed and distributed immediately.

19. PRESIDENT:

20. We'll hold up...For what purpose does Senator Neistein a-  
21. rise?

22. SENATOR NEISTEIN:

23. Well, Senator Bruce is correct, but I want to assure Sena-  
24. tor Bruce, that this procedure to have the architect and the At-  
25. torney General ...the bid submitted to him...any requests for  
26. extras and have a letter from the Attorney General authorizing  
27. such condition is excellent in my estimation. I think the leader-  
28. ship will so agree and Senator Horsley is under medical care and  
29. I don't know when he can get back. So I recommend that we support  
30. this measure, whether it's printed or not. And respectfully ask  
31. you to withdraw your objection.

32. PRESIDENT:

33. That...that's a determination by Senator Bruce. It can be  
distributed very shortly here. It will be distributed. 1423,

1. Senator McCarthy. Hold. 1429, is Senator Hynes on the Floor?  
2. 1429, Senator Hynes.

3. SENATOR HYNES:

4. Mr. President, members of the Senate, SB1429, is the  
5. Emergency School Aid bill. It appropriates 25 million dollars...  
6. to be distributed to schools facing a financial emergency. The  
7. bill creates a four man board, consisting of the Superintendent  
8. of Public Instruction. The chairman of the House Appropriations  
9. Committee. The chairman of the Senate Appropriations Committee  
10. and a member to be appointed by the Governor. This four man  
11. board will screen applications from school districts that are  
12. in financial distress and then upon approval of the applications  
13. the funds will be distributed as provided in the bill. Basically  
14. the bill sets up 5 criteria as tests for determining eligibility  
15. and a district to be eligible under this bill must meet at least  
16. 3 of the 5 criteria established. And they are that the district  
17. must have sold its maximum amount of tax anticipation warrants. The  
18. district must be reasonably expected to issue teachers orders.  
19. The district must have made it's prior levy to July 1st 1972 and the  
20. tax rate...the local real estate tax rate must be at a above a  
21. specified minimum level. And the intention here is to only make el-  
22. igible those districts that are within the top 20% of the school dis-  
23. tricts in the State insofar as local effort is concerned. And  
24. finally that the school will be reasonably expected to have to  
25. reduce it's calendar due to a financial emergency. Now, if any  
26. three of these five can be met the school district is eligible  
27. to file a application with the board. The board will then dis-  
28. tribute the funds. If the applications exceed...the amount re-  
29. quested... the amount requested exceeds the appropriation it will  
30. be distributed on a pro rata basis. Couple questions about the  
31. source of the have has arisen. This will take 25 million dol-  
32. lars and that money is available from the appropriation for the  
33. common schools which we passed last year. We appropriated seven  
hundred sixty-three million dollars for the common schools through

1. the distributive fund. And at this point and time only seven  
2. hundred thirty-eight million will be spent. Leaving a surplus  
3. of twenty six million dollars in the common school fund. You  
4. will recall that during the debate on the school aid formula dur-  
5. ing...in the last Session, last June, the point was made that the  
6. formula would not spend the money. There was disagreement and  
7. we could not resolve it. It has come to pass that the formula  
8. did not spend the money. It was the intention of this legis-  
9. lature to appropriate the full sum to the common schools and  
10. this bill will enable that money to get to those schools that  
11. are in most desperate condition. Now, on the question of why it is  
12. so important, I think all of you are aware of the fact that  
13. schools throughout this State are in desperate financial stress.  
14. The problems of the Chicago Board of Education are well known.  
15. But the crises is not limited to Chicago, it effects hundreds of  
16. districts throughout this State. You have on your desks two  
17. handouts...which describe the plight facing many districts a-  
18. round the State. I would suggest that you look at them care-  
19. fully. This bill is of urgent importance. But I would mention  
20. just a few of the districts that are in the most serious trouble  
21. of all: Cairo district, Unit District No. 1 in Alexander  
22. County, East St. Louis School District No. 189 in St. Clair  
23. County, Crete Monee Community Unit School District in Will County,  
24. Chicago Board of Education, Champaign Community Unit School  
25. District No. 4 in Champaign County, South Beloit Community Unit  
26. School District No. 320 in Winnebago, Rock Fall School District  
27. No. 13 in Whiteside County, Chicago Ridge School District in  
28. Cook County, Thompson Community Unit School District in Carroll  
29. County, Queenbee School District No. 16 in DuPage County, Hem-  
30. brow Community consolidated School District No. 259 in Kankakee  
31. County, Fairamount School District No. 89 in Will County, Oak-  
32. lawn Community High School in Cook, Kane County Unit District  
33. 302, JoDavies County District 119 in East Dubuque and the

1. list goes on. There are many, many districts in this State  
2. that are in serious danger of closing their doors. This money  
3. was appropriated to the common schools of this State, by the  
4. Legislature and approved by the Governor. The formula did not  
5. allocate the money as we intended and this bill is an attempt  
6. to get that money where it is most needed, and I would ask for your  
7. favorable support.

8. PRESIDENT:

9. Senator Gilbert.

10. SENATOR GILBERT:

11. I...rise in opposition to this, because this bill helps  
12. only a few districts. The Governor has found for the common  
13. school fund for next year an additional 90 million dollars. If  
14. you want to take this 25 million dollars from that and not give  
15. all the other schools districts in the state any increase then  
16. that might be the way you would handle it. The fact that there  
17. was a lapse in the funds...We have had other claims against the  
18. State of Illinois for Public Aid, which means that we are going  
19. to, even with the lapsing appropriations, going to have a deficit  
20. and this 25 million dollars is not available...as far as...  
21. cash is concerned and that's what we have to look at, not  
22. what we appropriated and wasn't spent, but what is the condition  
23. of the State of Illinois now as of June 30th of this year 1972  
24. or what it will be at that time. I do not feel that this legis-  
25. lation ...should be passed...because it picks out only a few  
26. school districts of the eleven hundred plus that we have in the  
27. State to help. It has been our policy in the past when we are  
28. appropriating for the common schools to try to treat all districts  
29. the same. Some of these districts are in bad financial stress,  
30. part of it is because of their own mismanagement and some of them  
31. that you can see here. Others, of course, it is because of the  
32. economic situation that has developed at the local level and in  
33. those instances we have attempted to try to help by the school

1. formula that we have in those areas that do need special help  
2. and I think to pick out another group and put this additional  
3. criteria on for them to get additional money...is unwarranted.  
4. And I do not believe that we should support this legislation.

5. PRESIDENT:

6. Senator Hall.

7. SENATOR HALL:

8. Thank you, Mr. Chairman, members of the Senate. I rise in  
9. support of this bill, as Senator Hynes has told you, this will  
10. simply keep the doors open a hundred eighty days as required  
11. by law. We don't want the same thing to occur here in this  
12. State that happened in Gary, where the legislature had to  
13. go in Session twice, in trying to resolve this situation.  
14. Just in my area alone, as he's told you in East St. Louis.  
15. There's a serious discussion that this district may have  
16. to close its doors before the end of the school year. This dis-  
17. trict is in the lower 25% of the unit districts in terms of edu-  
18. cational tax rate of 1.91. The poll education tax rate in  
19. East St. Louis, alone, ranks 41st among 419 unit districts with  
20. a tax base of 3.27. This heavy tax rate has not kept this dis-  
21. trict out of the red, however, it has an educational fund de-  
22. ficit of over 500 thousand dollars and has issued two point five  
23. million in anticipation warrants. Gentlemen, this is a good  
24. bill and I beg and plead that you give it your most favorable  
25. support.

26. PRESIDENT:

27. Senator Mohr.

28. SENATOR MOHR:

29. Before we get on roll call, Mr. President, I'd like for  
30. Senator Romano to pay particular attention. I have a group of  
31. students...85 strong...from the Sacred Heart School, in Morrow's  
32. Park...they have a number of distinguished leaders...but the  
33. leader...the 8th grade teacher is Sister Margaret Mary and I'd

1. like for them to stand and be recognized. I don't know that  
2. that's a violation of the Rules...or not...Mr. President...may-  
3. be you can tell me.

4. PRESIDENT:

5. I...I can assure you it is a violation of the Rules.

6. SENATOR MOHR:

7. It won't happen again.

8. PRESIDENT:

9. Senator Horsley.

10. SENATOR HORSLEY:

11. Mr. President, I rise to a point of order....it's a point  
12. of order that I said the other day I was going to make on  
13. bills that are in violation of the constitution. I don't do it  
14. because it is your bill, Senator Hynes, but I do it because I  
15. feel bound to fulfill my obligation under the constitution and  
16. I will quote, if you have your Constitution there in front of  
17. you --- that it says ---appropriation bills...

18. PRESIDENT:

19. What...what section of the constitution?

20. SENATOR HORSLEY:

21. On page 26 of the book you have, Mr. President. It is  
22. article 4, would be section 8, (d). Now, for the very reason  
23. and I think this perhaps was brought up even during the conven-  
24. tion. I was not there. Do not know, but for the very reason,  
25. that in our federal government we have appropriation bills that  
26. have many things tacked on to them as riders, in order to pass  
27. an undesirable bill it's hooked on to a desirable appropriation  
28. and thereby it goes on through. But that section can not be  
29. read in any other manner than to say exactly what it says in the  
30. last sentence. Appropriation bills shall be limited to the sub-  
31. ject of appropriations. Now, I have taken this up with various  
32. people whose knowledge I respect and they agree with me. I have  
33. taken it up with the leadership and I think there has been somewhat  
of a tacit agreement that any bill that has substantive matter in



1. it like even a commission bill that creates a new commission  
2. and then has an appropriation for that commission would violate  
3. this section of the constitution. And I raise that as a point  
4. of order, that we cannot consider this bill, unless it is  
5. amended by taking the appropriation out of the bill and intro-  
6. ducing that as a separate bill all by itself.

7. PRESIDENT:

8. Senator Partee.

9. SENATOR PARTEE:

10. I would of course, await and abide the decision of the  
11. Chair, but in that intervening period, I would just like to  
12. make this comment to the point of order. I think sometimes  
13. you can not read the A B C's by starting at M. You have to  
14. start at A and go all the way to Z. Now the..line that the  
15. Senator read is in fact in the constitution. It says appro-  
16. priation bills shall be limited to the subject of appropriations.  
17. But that's like reading the alphabet starting at the letter M.  
18. You must necessarily start at A and read just the sentence a-  
19. bove it, which says, bills, except bills for appropriations  
20. and for the codification, revision, or rearrangement of laws  
21. shall be confined to one subject. I find these two sentences  
22. within that paragraph absolutely and authentic. I think they  
23. can be read another way other than the way you suggested, Sena-  
24. tor...so far as I am concerned they mean two separate and distinct  
25. things. Now with due difference to my alerted friends who served  
26. in the constitutional convention, this is an area, which cer-  
27. tainly must at some point have some clarification, by a court  
28. of law. But I do not interpret this section in the same way  
29. that you do. Now I think the word and in the first sentence is  
30. in the conjunctive. Bills, except bills for appropriations and,  
31. of course, bills for the codification, revision or arrangement of  
32. laws shall be confined to one subject. Appropriation bills shall  
33. be limited to the subject of appropriations. I think they are un-  
authentic and I don't think that what we have been doing here

1. is incorrect.

2. PRESIDENT:

3. Senator Horsley.

4. SENATOR HORSLEY:

5. Senator Partee, I respect your judgment. But I sort of  
6. respectfully disagree with you, because the and there, is mere-  
7. ly grouping the two exceptions. Appropriations and codifications  
8. and rearrangement of laws can deal with more than one subject.  
9. Now, an appropriation bill is excepted from that first sentence. But  
10. in the last sentence which is a sentence all by itself, does not  
11. need the other one for interpretation. It says very flatly, appro-  
12. priation bills shall be limited to the subject of appropriations.  
13. Now, I would even go so far as to say if maybe if you wanted in  
14. an appropriation bill to include a whole department or maybe sev-  
15. eral departments into one I don't know how we would rule on that,  
16. but I think clearly this section says unequivocally that you  
17. cannot have substance in a bill and at the same time have an  
18. appropriation in the same bill. And this bill before us is an ex-  
19. ample of absolute unconstitutionality and I think the matter ought  
20. to be called as I said I apologize to Senator Hynes, because I  
21. announced, if you'll recall, the other day, that the next bill I  
22. saw come along that had this in it, I was going to raise that  
23. point and several members have been so strong in their belief  
24. that they have introduced separate appropriation bills and they  
25. have amended to take the appropriation out of it. So I think  
26. we better settle this matter and I ask for a ruling from the Chair  
27. on my point of order.

28. PRESIDENT:

29. Well, the Chair is not in a position to immediately give  
30. a ruling on the question that will have to be researched. It is  
31. an important question and obviously if the interpretation...  
32. should be made as is suggested by Senator Horsley a great many  
33. bills that have passed in fact have violated the constitution.

1. The Chair's going to refrain from making a ruling at this time.

2. Proceed with the consideration of the bill. Senator Hynes.

3. SENATOR HYNES:

4. Then, may I suggest that a point of order is not appropri-  
5. ate here and that it is not within the province nor is it the duty of  
6. the Chair to make a ruling on this question. If that is so, how  
7. do we distinguish an alleged violation of this article of the  
8. constitution from an alleged violation of right of free speech  
9. or anything else. Can a Senator ask the Chair to make a ruling  
10. as to the constitutionality of any bill that is brought into this  
11. legislature? I certainly don't think so. So I do not think that  
12. the point of order is appropriate here ...and I...would suggest  
13. that the bill ought ...to be voted up or down on its merits....  
14. but with respect to the substance of...

15. PRESIDENT:

16. If the Chair can just respond. I think the point of  
17. order is...proper. But I don't think...the Chair simply is not  
18. in a position to give a ruling...without having researched the  
19. matter...so...I'm simply going to refrain. I think we shall pro-  
20. ceed with this ...and other bills....and in some future oc-  
21. casion the Chair will indicate a position on the matter. Senator  
22. Hynes.

23. SENATOR HYNES:

24. On..on the merits of the question...as to whether this...  
25. violates the constitutional provision sighted. I think there...  
26. is a difference of opinion on the subject. First of all, I  
27. would second the comments made by Senator Partee, insofar as  
28. he referred to the first sentence of that...subsection...which  
29. differs or seems to conflict with Senator Horsley and Senator  
30. Horsley's interpretation of the second sentence. But Secondly,  
31. may I say that I read that sentence as follows: If I could quote  
32. it again? Briefly. It says appropriation bills shall be  
33. limited to the subject of appropriations. I would also contend

1. that this bill, in fact is limited to the subject of appropria-  
2. tions, because all it does is to designate how the money will  
3. be spent and I think that is a question of appropriations and  
4. I think many bills that have been passed by this Body and many bills  
5. that we will continue to pass will do just exactly that. It  
6. sets up guidelines for the expenditure of this money. So I do  
7. think, first, that it is confined to the subject of appropria-  
8. tions and secondly that...that the sentence does not so limit...  
9. so limit us with respect to the introduction of bills.

10. PRESIDENT:

11. The Chair will rule that we can't proceed in the considera-  
12. tion of the matter at hand. Is there further...Senator Knuepfer.

13. SENATOR KNUEPFER:

14. In the process of reading off the various school districts  
15. ...to which this pertained...there happened to be one school  
16. district, at least that is in my district. Now, the reason  
17. that district is in trouble is because they've turned down four  
18. referendums. The whole premise of this bill is in truth a fas-  
19. cinating one. If you don't manage your own affairs properly,  
20. then the State is to come in and bail you out. If you are unable  
21. to keep your expenditures within your income, then we come to  
22. the State. And the day that this General Assembly adopts that  
23. premise as a philosophy of operation we're going to have govern-  
24. ments all over the State saying I've spent everything that I have  
25. and I've got to spend more, bail me out. This is not a legiti-  
26. mate method of operating. This comes about and with one possible  
27. exception that I know of, the East St. Louis School district that has  
28. some real problems. The school district in the City of Chicago,  
29. made a contract that they knew they didn't have the funds for. Now,  
30. come bail us out. I told you about my own school district, in  
31. which the local citizenry had told them time and time again we're  
32. not going to give you any more money so now we come down to the  
33. State. The proper place is a formula...formula with equity, what-

1. ever that means cause it means different things for us. But the pro-  
2. per approach is not this kind of a approach to suggest, well,  
3. I'm in trouble, now, come bail me out. And I would certainly  
4. encourage a no vote on this kind of a philosophical approach on  
5. to how to run a government and to how to keep a budget balan-  
6. ced.

7. PRESIDENT:

8. Senator Saperstein.

9. SENATOR SAPERSTEIN:

10. Mr. President, gentlemen of the Senate, I rise in support  
11. of SB1429 and I will tell you why. You know sometimes when I  
12. read the newspapers, I can't believe that I'm in America. We  
13. read the schools are going to close in Portland, Oregon. Schools  
14. are going to close in Detroit. Education is going to cease or  
15. diminish in New York...in our own States...we're on the verge of  
16. brinkmanship, as far as the schools are concerned and I really  
17. think this is one way where we will be able to and legitimately  
18. and validly prevent some of our distressed school districts from  
19. closing their schools. Now I see in response to Senator Knuep-  
20. fer and I realize that he does have a point, but seems  
21. to me that this is one of the functions of Government to help  
22. out...whether it's a school district or a municipality or any  
23. other level of Government or project to help them out and we  
24. have been doing this it seems to be, as long as I've been in the  
25. legislature and there is nothing wrong. In fact, I think it is  
26. entirely proper. We have done this several years ago, when we  
27. found that the school districts did not have enough money to  
28. build buildings. And what did we do? We created the Illinois  
29. School Building Fund so that school districts could come to  
30. the State and get money to build much needed...school build-  
31. ings...this is another way in which we can save the many school  
32. districts, which will have to close their doors. Now, we talk  
33. about Chicago. Certainly Chicago is unique, however, we for-

1. get that we have, I think about more than the proper...I think  
2. the present enrollment in Chicago is what...exactly, It's close  
3. to...more than a half of million children. This is a horrendous  
4. number of...of people to provide for...teachers, etc., etc.,  
5. And we have never...we have never yet adequately funded or  
6. presented a program that would adequately fund the Chicago schools,  
7. and there is no crime it seems to me...for Chicago people to try  
8. to save their schools. We help you save your...and solve your  
9. problems downstate. This should not be a matter of downstate  
10. versus Chicago. And I...I support this bill, because I think it  
11. will be a recognition that the State of Illinois recognizes that  
12. the schools in Illinois are in trouble and if we don't do this,  
13. we will be responsible for closing Illinois...some of Illinois  
14. schools earlier than they should. And certainly this will happen  
15. in Chicago. I urge your support of the bill.

16. PRESIDENT:

17. Senator Gilbert.

18. SENATOR GILBERT:

19. ...Senator Saperstein...this is not only a Chicago bill,  
20. in fact the matter is from the information that I have...of  
21. probably a little more than half of the money that is being requested  
22. here would go to Chicago, the rest of it would go downstate. So  
23. this is not a question of Chicago being the only one helped.  
24. There are other districts that have problems. As far as the  
25. School Building Commission is concerned, yes, we created that, but  
26. the School Building Commission merely advances the money. It is paid  
27. back by the local districts after they have voted by referendum  
28. a tax upon themselves to pay the money back. So you can't draw  
29. an analogy between this outright grant of 25 million dollars and the  
30. money we give to the School Building Commission.

31. PRESIDENT:

32. Senator Hynes may close the debate.

33. SENATOR HYNES:

1. Two points very briefly, Mr. President. First of all ...  
2. This bill is not an attempt to set up some long range perm-  
3. anent new concept in state government, as I think...might  
4. have been implied in some of the statements that were made.  
5. This is a stopgap measure. It expires by its terms on Dec-  
6. ember 31st of this year. It is an attempt to provide emer-  
7. gency funds for those districts that are in fact facing a clo-  
8. sure and now. And I think it is important to do that and  
9. I think the concept is a laudable one, while the Governor's  
10. Commission on Schools, the Superintendent's Commission on  
11. Schools and all the other commissions around this country that  
12. are studying the question...are working on their reports. This  
13. is an interim stopgap measure. It's an attempt to shore up  
14. these school systems until something can be done of a more...  
15. long range nature. In addition the point was made that we are  
16. somehow rewarding inefficiency. I do not think that is the  
17. case and in particular I would refer you to the third condi-  
18. tion in the bill, which disqualifies any district that does  
19. not have a local tax rate that puts it in the top 20%. In  
20. other words only those districts that fall in the top 20% as far  
21. as local effort is concerned can be considered under this bill.  
22. It is not an attempt to help those districts that have refused  
23. to do their part locally. Finally on the subject of the source  
24. of funding. We did appropriate seven hundred sixty-three-mil-  
25. lion dollars. This money remains in the common school fund.  
26. It should be appropriated for school purposes and I would ask  
27. for your support.

28. PRESIDENT:

29. The Secretary will call the roll.

30. SECRETARY:

31. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
32. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-  
33. son, Donnewald, Dougherty, Egan, Fawell,

1. PRESIDENT:

2. Senator Fawell.

3. SENATOR FAWELL:

4. ...Just briefly in explaining my vote...I...I'm well a-  
5. ware that much has to be done by the State of Illinois to  
6. give aid to those districts which for any number of reasons  
7. aren't giving quality education to their children. I don't  
8. quite agree with what Senator Knuepfer has said, when he  
9. states that it's strictly a matter of whether the people back  
10. home are going to vote these referendums. The important point  
11. is that a number of children aren't getting quality education  
12. for any number of reasons and the formula in Illinois is so  
13. complexed...that I don't think anybody quite...understands  
14. what is occurring. I think as a practical matter, however,  
15. we're going to come up with a final bill as we did in the last  
16. Session in one particular bill that will address itself to all  
17. of these problems. I for one do believe that we do have to  
18. give more funds for those districts that are demonstrating  
19. the fact that they have unique problems. I refer to the East St.  
20. Louis area. I refer to Chicago and I refer to to some of the  
21. fast growth areas in Suburbia, which for many reasons beyond their  
22. control are in need of additional funds. And I think the formu-  
23. la somehow has to address itself to this. I don't think, how-  
24. ever, that at this time through this particular bill we have to solve  
25. that problem. I prefer to do what we had to do in the past, and that  
26. is address ourselves to the problem, when we get to that final bill  
27. and then in one fell swoop make our decision. So for the  
28. present I am simply going to be voting present, but I do intend  
29. to vote eventually for some kind of increased aid for those dis-  
30. tricts which are poverty stricken or have unique problems that de-  
31. mand that we fulfill our constitutional mandate for quality edu-  
32. cation for all children even if you have a local district that  
33. is so apathetic that they won't vote the referenda they ought



SB 1370  
3rd Reading  
5-17-72

1. to vote to give quality education whether its due to inapted  
2. administration or whatever the problems may be, because the  
3. children must have and should have quality education.

4. SECRETARY:

5. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes,  
6. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
7. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,  
8. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Ro-  
9. mano, Rosander, Saperstein, Smith, Soper, Sours, Swinarski,  
10. Vadalabene, Walker, Weaver.

11. PRESIDENT:

12. Clark no. Carpentier no. Cherry aye. Davidson no.  
13. Request for call of the absentees. The absentees will be call-  
14. ed.

15. SECRETARY:

16. Arrington, Baltz, Bidwill, Carroll, Horsley, Kusibab,  
17. Latherow, Laughlin, Mohr, McBroom, O'Brien, Ozinga, Rosander,  
18. Soper, Swinarski, Walker, Weaver.

19. PRESIDENT:

20. Senator Hynes.

21. SENATOR HYNES:

22. I would to move to postpone consideration.

23. PRESIDENT:

24. Motion to postpone consideration. All in favor signify by  
25. saying aye. Contrary minded. Motion prevails. Senator Horsley,  
26. are you ready now with 1370?

27. SENATOR HORSLEY:

28. Mr. President and members of the Senate, I have had the  
29. amendment passed out on 1370 and I think that fulfills the agree-  
30. ment that I made with the committee that passed the bill out.  
31. As a matter of fact it even goes one thousand dollars more than  
32. was requested by Mr. Mathias on behalf of the Board of Regents  
33. of the Universities. Without going into a lot of past history

1. in what's been going on even in recent history. This bill very  
2. simply would say that if you have a contract with the State of  
3. Illinois for building project you could only add on what's ger-  
4. mane to the contract, and if it is germane you can't let it for  
5. more then 25 hundred dollars without having it approved by the  
6. architects and the Attorney General. I think this will go a  
7. long way toward stopping the criticism that we've been under  
8. here in the past. I hope that everybody can support this bill.  
9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. I have a question, Mr. President, Senators, is this a part  
13. of junior colleges, Senator Horsley?

14. PRESIDENT:

15. Senator Horsley.

16. SENATOR HORSLEY:

17. ...Junior colleges, I don't think it would, no sir...I'm  
18. not too sure about that whether their subject. The act is word-  
19. ed rather peculiarly. It says any State agency or officer is  
20. governed by the terms of the act and there has been some doubt  
21. as to exactly what that does cover and I wouldn't want to answer  
22. you erroneously about a junior college, but I didn't amend that  
23. section of the act, sir, and this bill would not be ...amenda-  
24. ble to take care of that particular section of the act.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. If it would apply...to junior colleges it would be a much  
29. better bill. I'm still going to support it.

30. PRESIDENT:

31. Senator Savickas.

32. SENATOR SAVICKAS:

33. Mr. President and members of the Senate, before we go into

1. roll call, I would like to take this opportunity to break the  
2. Rules of the Senate and introduce Mr. Ed Pflug and the 7th  
3. grade of the Markette School, from my district. Up on the left  
4. hand gallery.

5. PRESIDENT:

6. And the Chair may just add that this Rule has been gener-  
7. ally violated I'm not picking on Senator Savickas, here, now,  
8. but starting tomorrow the Chair is not going to knowingly ack-  
9. knowledge ...Senator Kosinski, says tomorrow his group is com-  
10. ing. I shouldn't start tomorrow...but ...I got to start some  
11. time, Senator, and I think tomorrow is a good time to begin en-  
12. forcing the Rule. The...Is there further discussion? Senator  
13. Horsley may close the debate. Secretary will call the roll.

14. SECRETARY:

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

23. PRESIDENT:

24. Horsley aye, Merritt aye, Mitchler aye, Hall aye, Vadala-  
25. bene aye, Baltz aye. On that question the yeas are 40. The  
26. nays are none. The bill having received the constitutional ma-  
27. jority is declared passed. Senator Horsley moves to reconsider.  
28. Senator Clark moves to Table. All in favor of the Motion to Table sig-  
29. nify by saying aye. Contrary minded. Motion to Table prevails.  
30. Senator Graham.

31. SENATOR GRAHAM:

32. ...Mr. President..I apologize for being out in the nurses  
33. quarters at the time we went by introduction of bills. I have  
a bill up there addressing itself to paramedic procedures.....

1. part of the Governor's program. Part of our over all health  
2. program in Illinois. Senator Partee, has agreed that I  
3. should ask for suspension of the Rules so we might return  
4. to the order of business for the introduction of this one  
5. bill and I so hope.

6. PRESIDENT:

7.            Alright. If there is no objection? Senator Rock.

8. SENATOR ROCK:

9.            I certainly don't have any objection with Senator Graham.  
10. I didn't realize that we had passed the order of introduction  
11. of bills, because I have a bill that's up there waiting to be intro-  
12. duced...

13. PRESIDENT:

14.            Alright. They will be introduced. 1570...We're not through  
15. with business for today. I don't want anyone to....Senator  
16. Horsley...Oh...we have to read them by titles...excuse me...on  
17. these bills that are introduced.

18. SECRETARY:

19.            SB1570, introduced by Senators Graham, Clarke and Weaver.  
20. A bill for an act to add Section 1.3, 1.4 and 1.5 to an Act re-  
21. quiring hospitals to render hospital emergency service in case  
22. of injury....

23. UNIDENTIFIED VOICE:

24.            Stop there.

25. SECRETARY:

26.            SB....

27. PRESIDENT:

28.            Yes...Senator Graham.

29. SENATOR GRAHAM:

30.            May I, Mr. President, just impose...briefly...I talked to  
31. the gentlemen on the other side of the aisle. I have asked them to  
32. join us in sponsorship of this. I know that there are some prob-  
33. lems existing with Senator Partee...pointed out...and I knew it ex-

1.           isted in this bill to be corrected by amendments. I am hopeful  
2.           that the gentlemen on the other side of the aisle will ultimate-  
3.           ly join in sponsorship of this and if there are gentlemen on this  
4.           side of the aisle who now want to join as sponsors of this para-  
5.           medic bill, would welcome you.

6.           PRESIDING OFFICER (Senator Rock)

7.           Senator Horsley.

8.           SENATOR HORSLEY:

9.           Mr. President, while we're out of order of business...

10.          PRESIDENT:

11.          Let's finish with the introduction of these bills ...that  
12.          were...

13.          SENATOR HORSLEY:

14.          Why...I'm sorry...I

15.          SECRETARY:

16.          SB1571, introduced by Senators Rock and Carpentier, is  
17.          a bill for an Act making appropriation to the Secretary of  
18.          State for a study of the feasibility of requiring photographs  
19.          on drivers licenses. SB1573, introduced by Senators McCarthy,  
20.          Arrington, and Harris, is a bill for an act to provide for the  
21.          ordinary contingent expenses of the Illinois Commission on Inter-  
22.          governmental Cooperation.

23.          PRESIDENT:

24.          Senator Horsley.

25.          SENATOR HORSLEY:

26.          Mr. President, while we're out of the order of business...  
27.          for HB4279...and 4506...4507...came over and on the Calendar and  
28.          I was not here and in order to do me a favor and move them Sena-  
29.          tor Knuppel had them moved and Senator,...Representative Jones  
30.          had sent me a note and asked for me to handle those three bills  
31.          and I think he has also given the Clerk a note to that...to the  
32.          Secretary asking that that be done. But I would appreciate if  
33.          the Calendar would show that I am the sponsor of those bills.

1. PRESIDENT:

2. The Calendar will so show. 4279, 4506 and 4507. Senate  
3. bills on 3rd reading. 1430, Senator Rock. Hold. 1432, Sena-  
4. tor Saperstein. Hold. 1475, Senator Rock. 1476, Senator Saper-  
5. stein. 4077 the same. 1489, Senator Cherry. 1490, Senator  
6. Saperstein. 1492, Senator Cherry. That whole series hold.  
7. 1509, Senator Latherow. 1521, Senator Berning. 1529, Senator  
8. Baltz. Senator Baltz.

9. SENATOR BALTZ:

10. Mr. President and members of the Senate, SB1529 was in-  
11. troduced at the request of the Department of Registration and  
12. Education. Simply delays the registration of real estate  
13. salesmen, from January 1, until March 1, ...in effect the first  
14. year it gives them two additional months of...registration of  
15. licenser ...the real reason for it is has created a real jam  
16. up in the office of R and E, because the brokers  
17. licenses and the salesman's licenses both came due at the same  
18. time...under...legislative mandate it's necessary, of course,  
19. for the department to check the validity of the broker's license  
20. before a salesman that is working for that broker can be licensed.  
21. So it...created a real log jam. This leaves the brokers lic-  
22. ensing date as January 1, but moves the date of the real estate  
23. license salesman to March 1. It will make the office operate  
24. much more smoothly. The real estate associations are for this  
25. bill and it's just merely a housekeeping bill to improve the  
26. operation of R and E and I'd appreciate a favorable roll call.

27. PRESIDENT:

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

29. SECRETARY:

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

1. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,  
2. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,  
3. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,  
4. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

5. PRESIDENT:

6. Soper aye. Hall aye. Smith aye. On that question the  
7. yeas are 41. The nays are none. The bill having received the  
8. constitutional majority is declared passed. Senator Horsley.

9. SENATOR HORSLEY:

10. Mr. President, will the Journal show that I can be ex-  
11. cused now from the...

12. PRESIDENT:

13. The Journal will show...

14. SENATOR HORSLEY:

15. I have to go back to the hospital...

16. PRESIDENT:

17. We understand....1541, is Senator Newhouse on the Floor?  
18. House bills on 3rd reading. Senator Berning.

19. SENATOR BERNING:

20. Mr. President, I apologize, I was off the Floor taking a  
21. phone call when you came to 1521. May I beg leave of the Body  
22. to call 1521 back to 2nd reading for the purpose of reconsider-  
23. ing the vote by which Amendment No. 2 was passed. For the pur-  
24. pose then of Tabling Amendment No. 2 and offering Amendment No.  
25. 3.

26. PRESIDENT:

27. 1521 is brought back from 3rd reading to 2nd reading. Sena-  
28. tor Berning moves to reconsider the vote by which Amendment  
29. No. 2 was adopted for the purpose of Tabling. All in favor  
30. signify by saying aye. Contrary minded. The amendment is re-  
31. consider. All in favor of the Motion to Table signify by say-  
32. ing aye. Contrary minded. Motion to Table prevails. Senator  
33. Berning offers Amendment No. 3. Can you explain the amendment,

1. Senator?

2. SENATOR BERNING:

3. Yes. Mr. President, the reason for Tabling the previous  
4. Amendment was that it involved the computation of additional  
5. deposits in connection with the sale bonds and it was a con-  
6. sidered judgement of the law enforcement officer's training  
7. board that this had represented a considerable additional a-  
8. mount of unnecessary and perhaps unproductive administrative  
9. work and so we are for the time being, at least, hoping that  
10. we can proceed with only the use of the additional deposits in  
11. connection with fines rather than with the bails. So then,  
12. we are asking that we have Tabled that Amendment and the Amend-  
13. ment now that we are offering, Amendment No. 3 merely sets the  
14. effective date for January 1, 1973. And I move for it's adoption.

15. PRESIDENT:

16. All in favor signify by saying aye. Contrary minded. The  
17. amendment is adopted. 3rd reading.

18. SENATOR BERNING:

19. Mr. President....I....

20. PRESIDENT:

21. Yea...

22. SENATOR BERNING:

23. I...would hope that we might get back to this for final action.

24. PRESIDENT:

25. We can after intervening business. 493, Senator Dougherty.  
26. Senator Dougherty.

27. SENATOR DOUGHERTY:

28. I would like to call that back for the order of 2nd reading.  
29. For the purpose of offering an amendment.

30. PRESIDENT:

31. 493, is called back to 2nd reading for purpose of amendment.  
32. Can you explain the amendment, sir?

33. SENATOR DOUGHERTY:



1.           The amendment merely provides that the members that are  
2.           to be appointed to the authority shall be by the Governor with  
3.           the advise and consent of the Senate. I have shown it to Sena-  
4.           tor Groen and he understands it.

5.           PRESIDENT:

6.           Is there any discussion? All in favor of the adoption of  
7.           the amendment indicate by saying aye. Contrary minded. The a-  
8.           mendment is adopted.

9.           SENATOR DOUGHERTY:

10.          Thank you.

11.          PRESIDENT:

12.          3rd reading. You wish to call it...after...

13.          SENATOR DOUGHERTY:

14.          No...Thank you.

15.          PRESIDENT:

16.          Okay. 1521...SB1521, Senator Berning.

17.          SENATOR BERNING:

18.          Thank you, Mr. President and members of the Body, I be-  
19.          lieve that SB1521, now has no major areas of dispute. Briefly,  
20.          let me remind you that the Illinois Police Training Act be-  
21.          came law way back in August of 1965, with the objective of the  
22.          Act to establish an organized State assisted program of training  
23.          for local law enforcement officers. The special fund, Local Gov-  
24.          ernmental Law Enforcement Officer's Fund was created from which re-  
25.          imbursement could be claimed by participating municipalities.  
26.          And over the years there have been a number of officers trained.  
27.          A total of 29 thousand three hundred and eighteen have completed  
28.          various approved courses. As of 5/1/72, 3 hundred eighty local  
29.          units were voluntarily participating in this program. And there-  
30.          by providing more effective law enforcement for their respective  
31.          communities. The act has presently constituted provides for the  
32.          replenishment of the fund every year by direct appropriation  
33.          by the general Revenue Fund. And for fiscal year 72 the authori-

1. zation has been to transfer 2 million thirteen thousand four  
2. hundred to this fund from general revenue. The fiscal '73 ap-  
3. propriation is 2 million eight hundred eleven thousand seven  
4. hundred. Now, SB1521 provides for an alternative method of  
5. financing the program, whereby, and I emphasize...the law  
6. violator pays for the police training...by means of an ad-  
7. ditional small deposit required according to a set formula for  
8. each fine that is assessed. And as was pointed out in committee  
9. this is similar to the law library deposit which ...attorneys  
10. make when they file a suit. By example let me point out that  
11. during fiscal year 1971, California generated 8 million four  
12. hundred seventy five thousand dollars by means of a 10% fine and  
13. of this amount five million a hundred fifty four thousand was  
14. from penalties assessed for traffic fines and the rest from crim-  
15. inal. South Carolina and Oregon both used the method that is pro-  
16. posed in SB1521. On the basis of comparative populations, it is  
17. estimated that this procedure under 1521 should generate some-  
18. where between 3 and 4 million dollars annually in Illinois. As  
19. you can see from this we would anticipate then that after this pro-  
20. cedure has become ...effective and in operation...it would no  
21. longer be necessary to appropriate monies from the General Re-  
22. venue account to support this very worthwhile training program.  
23. I would appreciate a favorable roll call. I know of no serious  
24. opposition. It is effort to make this a self-sustaining pro-  
25. gram.

26. PRESIDENT:

27. Is there any discussion? Senator Rock? Just...Just a mom-  
28. ment please...gentlemen...Senator Rock.

29. SENATOR ROCK:

30. Yes, Mr. President and members of the Senate, I rise in  
31. support of SB1521. The only objection I did have and was  
32. prepared to speak against the bill was because of that amendment  
33. which fooled around with the bail bound situation. That amend-

1. ment now has been Tabled and I would urge the members on this  
2. side to support this bill.

3. PRESIDENT:

4. Secretary will call the roll.

5. SECRETARY:

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

15. PRESIDENT:

16. Saperstein aye. Lyons aye. Bruce aye. Mitchler aye.  
17. Clarke aye. On that question the yeas are 37. The nays are  
18. one. The bill having received the constitutional majority is  
19. declared passed. 1318, Senator Latherow. 1555, Senator Rock.  
20. 1769, Senator Savickas, 7...that whole series hold. 2267,  
21. Senator Latherow. 2396, Senator Egan...Senator Egan..2396,  
22. Senator Egan. Alright. 2444, Senator Bruce. Senator Bruce.

23. SENATOR BRUCE:

24. Yes, Mr. President, I'd like to have leave of the Body  
25. to move this bill back to order of 2nd reading for the purpose  
26. of an amendment.

27. PRESIDENT:

28. 2444, is brought back to 2nd reading for purpose of an  
29. amendment. Explain the amendment. This is not to take place  
30. of the other amendment, is it an additional amendment?

31. SENATOR BRUCE:

32. No, it's an additional amendment.

33. PRESIDENT:

1.            Alright.

2.            SENATOR BRUCE:

3.            Amendment NO. 2 removes from the bill the 5 thousand dollar  
4.            appropriation agreeing with Senator Horsley that I do not be-  
5.            lieve this legislation can carry with an appropriation. That  
6.            will come at some later date. And I move for it's adoption.

7.            PRESIDENT:

8.            Motion for the adoption of the amendment. All in favor signify by  
9.            saying aye. Contrary minded. The amendment is adopted. Back  
10.           to 3rd reading. 24...60, Senator Latherow ...Senator Latherow.

11.           SENATOR LATHEROW:

12.           Mr. President and members of the Senate, this is a bill  
13.           that under consideration the livestock haulers in most of  
14.           the states...the United States are exempt from the interstates  
15.           commerce filing and this bill removes them from this regulation  
16.           by the ICC. The effect of this change is that the hauler does  
17.           not have to show evidence of insurance before getting a regula-  
18.           tion certificate. I'd appreciate a favorable roll call.

19.           PRESIDENT:

20.           Is there any discussion? Senator Savickas.

21.           SENATOR SAVICKAS:

22.           ...Senator, this bill it exempts just one class of carrier,  
23.           that's livestock, doesn't it?

24.           PRESIDENT:

25.           Senator Latherow.

26.           SENATOR LATHEROW:

27.           Right.

28.           PRESIDENT:

29.           Senator Savickas.

30.           SENATOR SAVICKAS:

31.           Well...if the livestock are the only ones that are exempt  
32.           ...wouldn't it be logical to assume then...lumber haulers will  
33.           be coming in to be exempt and maybe oil haulers will be coming in

1. to be exempt from the Commerce Commission and then...maybe the  
2. steel haulers should be exempt, why only one area...of exemp-  
3. tion?

4. PRESIDENT:

5. Senator Latherow.

6. SENATOR LATHEROW:

7. Most of them are not under any exemption under any other  
8. state. They're all under this...under this regulation. But...  
9. Illinois is one of the few states that still has it. They still  
10. have to to show the respons....their financial responsibility,  
11. etc., and no change there. One of the problems...would say the  
12. local, especially farm haulers in some of the markets adjoining  
13. these neighboring states hauling in and then they were picked up  
14. for not having their...their permits and it's merely ...will say  
15. the filing of....a piece of paper with the secretary...with the  
16. Commerce Commission. And this is supported by the Secretary of  
17. State's office.

18. PRESIDENT:

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Well, I haven't had any communication on that. I've just  
22. questioning it...it just seemed odd that one...one group is exempt  
23. from the Commerce Commission ...I would think that ...that all  
24. ...trucking then should be exempt. ...Could you answer me  
25. then, are the truckers hauling eggs exempt from this....

26. PRESIDENT:

27. Senator Latherow.

28. SENATOR LATHEROW:

29. Nothing in this ...is strictly a livestock hauler.

30. PRESIDENT:

31. Senator Latherow:

32. SENATOR LATHEROW:

33. Strictly a livestock hauler and I suppose you could get to

1. the place the egg might hatch on the road, I don't know how  
2. that would happen there, in a case like that.

3. PRESIDENT:

4. Senator Hall...oh...excuse me...Senator Savickas, are you  
5. through?

6. SENATOR SAVICKAS:

7. Yes.

8. PRESIDENT:

9. Senator Hall.

10. SENATOR HALL:

11. Mr. Chairman, Senators, I rise in support of this bill. The  
12. origin of this bill is that take an area like mine that borders the  
13. Missouri area. That livestock haulers do not come in into Illinois,  
14. they go into Iowa and other places and we lose the revenue, now,  
15. this only applies to livestock haulers only. And the State of  
16. Illinois is losing thousand of dollars of revenue from this and  
17. they still have to have their insurance. They still have to be  
18. covered and it is a great relief and we have no opposition from  
19. the truckers association or anything towards this bill, Senator  
20. Savickas.

21. PRESIDENT:

22. Senator Lyons.

23. SENATOR LYONS:

24. I'd like to ask the sponsor a question, if I may?...in the  
25. hope that it hasn't been asked before. What is the position of  
26. the Commerce Commission on this bill, Senator?

27. PRESIDENT:

28. Senator Latherow.

29. SENATOR LATHEROW:

30. They did not oppose this piece of legislation.

31. PRESIDENT:

32. Senator Lyons.

33. SENATOR LYONS:

1. Did they appear and testify on it in committee either  
2. here or in the House?

3. PRESIDENT:

4. Senator Chew.

5. SENATOR CHEW:

6. Maybe, I can clear that up for him. The Secretary of  
7. State's office has desire for this legislation...we did  
8. not get any opposition. It came through my committee and Sena-  
9. tor Latherow is correct. I think it's adequate legislation.  
10. We need it, Senator Hall, has made a...adequate assessment...  
11. of what the revenue situation is and we'd like to go on with it.  
12. And Mr. President, while I'm here on the Floor, I would like to  
13. take a point of personal privilege, if I may...the President,  
14. knows exactly where my residence is in Chicago....and just a-  
15. round the corner is one of the best schools in the City of Chica-  
16. go, the Dixon Elementary School. You've met the superintendent,  
17. district superintendent, Mr. Byron Minor, of that district and  
18. we have here in the gallery, some of the classes from Dixon Ele-  
19. mentary School, at 83rd and St. Lawrence and Mrs. Hayes is one  
20. of their accompanying teachers and I'd like for you to stand and  
21. recognize the Dixon Elementary School.

22. PRESIDENT:

23. Senator Groen.

24. SENATOR GROEN:

25. Mr. President, Senator Latherow, the syllabus states that  
26. this will exempt interstate livestock trucks from for hire re-  
27. gulations. What are the for hire regulations at are on the  
28. books today that these interstate truckers would be exempt from  
29. complying with.

30. PRESIDENT:

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Merely, their exemption is from the filing...and they're still

1. subject to all the insurance and the...coverage of the res-  
2. ponsibility clauses and so on that way...

3. PRESIDENT:

4. Just a second...please...gentlemen...lets...we don't have  
5. too much more time in this Session yet today, but lets...main-  
6. tain some order...

7. SENATOR LATHEROW:

8. They're not being exempt from any regulation, whatever.  
9. It's just a matter of the filing that...that..they have to do and  
10. this will be ceased...this paper work alone will be stopped.

11. PRESIDENT:

12. Senator Groen.

13. SENATOR GROEN:

14. Well, does it have anything to do with competition insofar  
15. as in trust state haulers are concerned?

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. None whatever.

20. PRESIDENT:

21. Senator Groen.

22. SENATOR GROEN:

23. Why do they want to be exempt from filing the papers that are in-  
24. volved here...we won't even know if they are on the highway...  
25. will we?

26. PRESIDENT:

27. Senator Latherow.

28. SENATOR LATHEROW:

29. They...I suppose the answer here could just be this...  
30. simply they don't file it in any other state and Illinois truckers  
31. can go into Missouri, etc., without to having filed...or having  
32. this permit and we felt that there's no reason why they can't  
33. operate any other way. Now in the extreme case ...would say or



1. close case of it...let's say the East St. Louis livestock  
2. market, the people in Missouri are practically eliminated from  
3. hauling their own livestock into the Missouri market. Because  
4. are subject to this provision of being registered with the  
5. State of Illinois.

6. PRESIDENT:

7. Senator Groen.

8. SENATOR GROEN:

9. Well...Senator, do I have your word that this will not add  
10. one inch to the length of the truck, one inch to the width of  
11. a truck, one ounce to the weight of the truck, involved in in-  
12. terstate commerce coming into Illinois...that...that would be ex-  
13. empt under the provisions of this proposed bill.

14. PRESIDENT:

15. Senator Latherow.

16. SENATOR LATHEROW:

17. Well, I'd put it this way. It won't shorten them any. It  
18. won't lengthen them any. It won't increase the load any. Nor,  
19. doesn't say that the load will be lessor. No, there is to be no  
20. changes in the regulations, whatever, as far as the....trucking  
21. industry is concerned itself and weight, length, width or any-  
22. thing.

23. PRESIDENT:

24. Senator Groen.

25. SENATOR GROEN:

26. Well, in view of the fact that they don't have to file  
27. in the event they do violate the weight limitation, the length lim-  
28. itation, or the width limitation ...how do we go about prose-  
29. cuting them?...if they...if they don't even have to file?

30. PRESIDENT:

31. Senator Latherow.

32. SENATOR LATHEROW:

33. There...their subject to any regulation of the State Police

1. of enforcement, any arrest that would be made on them and so on. They  
2. are subject to any arrest to that similar to what we'd say our local  
3. intrastate haulers could be...as far as arrests were concerned  
4. and responsibilities.

5. PRESIDENT:

6. Senator Groen.

7. SENATOR GROEN:

8. Well do other...do the haulers of other commodities have to make  
9. these filings?

10. PRESIDENT:

11. Senator Latherow.

12. SENATOR LATHEROW:

13. Only...only those that are for hire. Not the private operators.  
14. Those that are not for hire.

15. PRESIDENT:

16. Senator Groen.

17. SENATOR GROEN:

18. Then, in other words everyone who comes into this State, who  
19. is an interstate hauler for hire has to make these filings. Now,  
20. we're simply asking for an exemption in the State of livestock  
21. haulers..as compared to any other type of commodity. And I think  
22. a very valid question has been raised here that if we grant this  
23. one exception seems to me we're going to be flooded with exemp-  
24. tion requests from haulers from all other kinds of commodities,  
25. livestock dealers don't have to do it in interstate commerce why do I  
26. have to and we're going to be hard pressed to find a fair and equitable  
27. answer for them. If that's all this does...I think it ought to be a-  
28. mended to cover everybody, treat everybody alike and we're going to  
29. have to ultimately anyway. If it's good legislation, I think it  
30. should apply to all interstate haulers. If it's bad I don't think  
31. it ought to apply to livestock dealers.

32. PRESIDENT:

33. Senator Rock.

1. SENATOR ROCK:

2. Yes, Mr. President and members of the Senate, If the Sena-

3. tor will yield to a question? As I understand it, Senator, the

4. application for a certificate of operating authority is a one

5. time affair, is it not?

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Right.

10. PRESIDENT:

11. Senator Rock.

12. SENATOR ROCK:

13. One of the reasons or one of the requirements to secure such

14. a certificate is that one has adequate insurance. Is that not

15. correct?

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. That's true.

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Then...as I take...this bill would then exempt one from hav-

24. ing to carry adequate insurance.

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. No, he has to show financial responsibility...or insurance...

29. to that....

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

33. As you know, Senator, the financial responsibility law as

1. it is currently written is kind of an after-the-fact law. It  
2. only kicks in once there's an accident. This prior approval  
3. means that this truck has to have insurance accident, notwith-  
4. standing, in order to get that certificate.

5. PRESIDENT:

6. Senator Lyons.

7. SENATOR LYONS:

8. From what I have heard, Mr. President and members, I'm as-  
9. tonished that the Commerce Commission did not vigorously oppose  
10. this bill. During the time when I was attorney for the Commerce  
11. Commission, some years ago ...they always took great pride in  
12. the fact that they weren't engaged in the process of knocking  
13. gypsy operators off the highways. Here's a bill which would al-  
14. low someone from another State to come in and haul ...call mer-  
15. chandise for hire over the highways of the State of Illinois,  
16. without even having to demonstrate that he has had adequate in-  
17. surance for the protection of Illinois citizens that the truck  
18. might injure. I'm not interested in what other States  
19. require nor even interested in what the Illinois S...what the in-  
20. terstate Commerce Commission might require in this regard. We're  
21. here to protect the citizens of Illinois and this would create I  
22. think a yawning gap in the protection that I think has been very  
23. painstaking built up over years in the motor carrier for hire  
24. property act. I am astounded at the Illinois Commerce Commission  
25. didn't vigorously oppose this bill.

26. PRESIDENT:

27. Senator Neistein.

28. SENATOR NEISTEIN:

29. Senator Lyons said part of my speech. Not only astounded I  
30. am appauled. I wonder what happened, Senator Latherow, under the  
31. law interstate commerce, federal and the state interstate commerce  
32. of the Commerce Commission...tariff has to be filed with the  
33. Commerce Commission, as to the charges. The charges...

1. The Commerce Commission controls charges. Now, if you exempt  
2. this group, livestock haulers, they can charge any price un-  
3. bridled by any control. Is that true?  
4. PRESIDENT:  
5. Senator Latherow.  
6. SENATOR LATHEROW:  
7. They're not for hire. This is a not for hire...truck...it's  
8. not the ones that are for hire...  
9. PRSIDENT:  
10. Senator Neistein.  
11. SENATOR NEISTEIN:  
12. Well, as I read the act it says for hire or am I misreading  
13. it?  
14. PRESIDENT:  
15. Senator Latherow.  
16. SENATOR LATHEROW:  
17. Well...there's no tariff filed under this...under this por-  
18. tion..Senator Neistein...I am sure...no ...no interstate trucker  
19. is required to file a tariff.  
20. PRESIDENT:  
21. Senator Bruce.  
22. SENATOR BRUCE:  
23. Just this one question, Senator Latherow. You say we're  
24. talking about not for hire vehicles. If they're not for hire  
25. they wouldn't have to file with the Commerce Commission any-  
26. way, would they?  
27. PRESIDENT:  
28. Senator Latherow.  
29. SENATOR LATHEROW:  
30. They would have to file as an interstate coming across the  
31. State lines.  
32. PRESIDENT:  
33. Senator Bruce.

1. SENATOR BRUCE:

2. All right. But the way the bill is drafted, it will exclude,  
3. even if you worry about the for hire and not for hire distinction.  
4. It excludes all livestock haulers from this section, both for  
5. hire and not for hire, whatever they're doing, whether they're  
6. doing it for money or to haul their own livestock from Missouri  
7. into Illinois. Both of those are exempted from the Act.

8. PRESIDENT:

9. Is there further discussion? Senator Latherow may close  
10. the debate.

11. SENATOR LATHEROW:

12. Well, Mr. President, I think probably there's been quite a  
13. bit of discussion, I think, with Senator Bruce's last question where i  
14. says motor vehicles...I think there in a case it does not exempt any  
15. tractor trailer. It just said it would be a truck, but not any  
16. tractor trailer, so I'd appreciate a roll call.

17. PRESIDENT:

18. Secretary will call the roll.

19. SECRETARY:

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

28. PRESIDENT:

29. Merritt aye. Bidwill aye. Senator Latherow.

30. SENATOR LATHEROW:

31. Would you call the absentees?

32. PRESIDENT:

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

1. SECRETARY:

2. Arrington, Coulson, Davidson, Donnewald, Donnewald, Dougherty,  
3. Harris, Horsley, Knuepfer, Knuppel, Kusibab, Laughlin, McBroom,  
4. McCarthy, Mitchler, Mohr, Neistein, Newhouse, Nihill, Ozinga,  
5. Palmer, Partee, Romano, Rosander, Saperstein, Swinarski.

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. I move to postpone consideration.

10. PRESIDENT:

11. Motion to postpone consideration. All in favor signify by  
12. saying aye. Contrary minded. Motion prevails. We have some  
13. resolutions and some other motions to dispose of here. Senator  
14. Harris on the floor? Senator Soper, you wish to make a motion?

15. SENATOR SOPER:

16. Mr. President and members of the Senate, as to HB4454, I  
17. spoke to this bill with the President pro tempore and with the  
18. leadership on our side and I'd like to have this referred...placed  
19. on the Calendar on 2nd reading without reference to committee.

20. PRESIDENT:

21. 4454 is now a House bill on first reading. Senator Soper  
22. is the sponsor, wishes to advance it to 2nd reading without  
23. reference. Is there objection? Senator Lyons...

24. SENATOR LYONS:

25. No.

26. PRESIDENT:

27. Senator Soper.

28. SENATOR SOPER:

29. There's only...it's to change one word. There was a mis-  
30. take in the...a...insurance code, taking the word from vested to  
31. invested, and Senator Partee looked at it and he said it's okay.

32. PRESIDENT:

33. Is there objection? Leave is granted. Senator Soper, also will

1. be shown as the sponsor of 4456 and that will go to  
2. committee. Senator Cherry.

3. SENATOR CHERRY:

4. Mr. President, I'd like consent of the Body to have two  
5. bills heard in the Appropriations today, which should have been  
6. on today, but it was inadvertantly set for last week. They are  
7. simple bills for the appropriations for the Clerk of the Supreme  
8. Court and the Supreme Court, and I would ask leave of the Body  
9. to have them heard this afternoon.

10. PRESIDENT:

11. Is there any objection? Leave is granted. Senator Saperstein.

12. SENATOR SAPERSTEIN:

13. I would like to have leave to hear SB 1561. This is Senator  
14. Kosinski's scholarship bill for children of missing veterans in  
15. the Education Committee this afternoon.

16. PRESIDENT:

17. Is there objection? Leave is granted. Senator Clarke.

18. SENATOR CLARKE:

19. I'm not going to object this time, but I do think that we should  
20. start observing the six day...you know, we've been having com-  
21. mittee hearings where we haven't had the bills...and people when you  
22. say we're going to hear a bill two hours from now or fifteen minutes  
23. from now in a committee, anybody that might be interested in that  
24. bill has no notice. They have no way of knowing until the bill  
25. is out on the Calendar and I think this is a bad practice, and  
26. the next time I'm going to start objecting.

27. PRESIDENT:

28. Senator Partee.

29. SENATOR PARTEE:

30. Yea, I knew this was coming. Frankly, I think you're right,  
31. Senator. And this was of course the reason I tried to confine  
32. this Session to 4 specific categories. But when the House sends  
33. over here 100 bills a day, we don't have much choice but to



1. approach it the way we're doing. Now if we wait for six days on  
2. all the ton of stuff they're sending over here, we just simply  
3. are going to be deluged and we aren't going to be able to do  
4. it. At least I promise you this. There won't be any hearings  
5. of any bills over here, contrary to what they did over there,  
6. of bills that haven't been printed. They had committee hearings  
7. over there on bills that hadn't been printed. That is not going  
8. to happen over here and I would hope that the members would  
9. in the future try, of course, to observe the six day rule. It's  
10. going to be difficult, particularly in these last few days of  
11. the Session.

12. SECRETARY:

13. The...we have some resolutions and some motions in writing.  
14. Senator Groen...

15. SENATOR GROEN:

16. Well, Mr. President, I don't know if this an appropriate  
17. time and I realize the time is short today. I don't think this  
18. is going to entail any great amount of debate. Yesterday Senator  
19. Fawell called two bills, SB 1442 and 1443, both bills of which  
20. were defeated. You will recall that the bills provided that  
21. Park districts or municipal corporations operating parks could  
22. levy a tax without a referendum to provide facilities and pro-  
23. grams for handicapped children. I opposed that on the grounds  
24. that it carried no referendum provision. He has now submitted  
25. to me an amendment for each of those two bills, which would place  
26. a front door referendum which would allow park districts or  
27. municipal corporations who wanted to provide this to make the  
28. public aware of the need, submit it to a vote of the people and  
29. if the people wanted to provide the tax monies to pay for it they  
30. could go ahead and do it. I think this is in keeping with the feel-  
31. ing of most of us and having voted on the prevailing side I would  
32. move to reconsider the vote by which Senate bills 1442 and 1443  
33. were defeated, so that these bills may be reconsidered and Senator

1. Fawell may offer the amendments for adoption to both of these  
2. bills.

3. PRESIDENT:

4. The Motion is to reconsider the vote by which Senate bills  
5. 1442 and 1443 were defeated. Senator Neistein.

6. SENATOR NEISTEIN:

7. Just a question and nothing to do with the sponsor, Senator  
8. Fawell or Senator Groen. What's the structure of the bill? Where  
9. are they now? If we defeated them, where do they go?

10. PRESIDENT:

11. They were defeated and the Motion that he is making has to  
12. be made today or notification of the Senate today. They were  
13. defeated yesterday, as I recall. Is that correct? So that the  
14. motion is in order.

15. SENATOR NEISTEIN:

16. To reconsider.

17. PRESIDENT:

18. The motion to reconsider is in order. It will require 30  
19. votes.

20. SENATOR NEISTEIN:

21. Each Senator has a right to do what he wants, but in line  
22. with what Senator Clarke just said and Senator Partee, if each one  
23. loses and has a chance at a bill and then he wants to hear a bill  
24. a second time, we'll be here until next December, going over these  
25. bills. And I'm just against the practice, not against the right  
26. of the Senator to do it or Senator Groen to make the motion.

27. PRESIDENT:

28. Senator Partee.

29. SENATOR PARTEE:

30. That motion is being made at this time for the purpose  
31. of preserving his right to pursue at that remedy. I have no  
32. objection. I take it we're not going to take a roll call  
33. on this today...because I been...I made..this request has been

1. made to me by two other persons and I, out of fairness to  
2. them, I told them we would not have time to do this today.  
3. So if you're making it for the purpose of preserving your  
4. posture, fine, but I would hope that we would not take a roll  
5. call on it today, because it's going to invite debate. We  
6. had planned to be out at 2:30. We have two committee hearings  
7. that are waiting for hearing now. So as far as I am con-  
8. cerned the record's protective and the matter will lay,  
9. you know, in limbo until we get back to it.

10. PRESIDENT:

11. Senator Groen.

12. SENATOR GROEN:

13. With that understanding and under those conditions, I  
14. acceded to the request of the President pro tempore.

15. PRESIDENT:

16. The Journal will now show that the motion was made today  
17. and it will be considered then..on...Senator Groen has in  
18. fact given notice, by his motion, and you may restate the  
19. motion on some future occasion. Tomorrow...oh...I am advised  
20. by the parliamentarian, you must proceed tomorrow with action on  
21. the bill, under our Rules. Senator Groen.

22. SENATOR GROEN:

23. Well, then, I would require the President pro tempore,  
24. if I have his approval for that action tomorrow.

25. PRESIDENT:

26. Senator Partee.

27. SENATOR PARTEE:

28. I'm sorry. I missed part of it. I was reading something  
29. here.

30. PRESIDENT:

31. Under the rules, he can file notice today, which is in  
32. fact what he is doing under your suggestion. The Rules state  
33. that the motion, then, has to be considered tomorrow. Now we

1. can suspend the Rules, but under the Rules we would have to con-  
2. sider the motion tomorrow.

3. SENATOR PARTEE:

4. We would have to consider tomorrow or at subsequent time?

5. PRESIDENT:

6. We could...we would have to do it tomorrow unless we have  
7. leave of the Body to do it at some subsequent time.

8. SENATOR PARTEE:

9. Well, that would be my suggestion that we would ask leave  
10. of the Body to do it at some subsequent time. Because I not pre-  
11. pared to give priority to bills that have been defeated over and  
12. above bills that still remain on the Calendar, which are of a  
13. significant nature. This is not to say that this bill is insigni-  
14. ficant, but it's had its shot, and I don't think we ought to  
15. give priorities to bills that have already been debated here. We  
16. will have time during certain lulls to get back to these bills,  
17. but I am not prepared to give it priority for you at a specific  
18. day.

19. PRESIDENT:

20. As of right now the Senator has given notice. Now to-  
21. morrow we can either ask leave of the Body to continue action  
22. or take action tomorrow. Senator Groen.

23. SENATOR GROEN:

24. Now, Mr. President, this puts me, in a sense, at a disad-  
25. vantage. It would take 35 votes to suspend the Rules at a  
26. subsequent time and I want an opportunity to be heard on this.

27. PRESIDENT:

28. Well, you may do it tomorrow and it will only take 30 votes  
29. tomorrow. After tomorrow it would...you would have to suspend  
30. the rules.

31. SENATOR GROEN:

32. And this would take 35 votes?

1. PRESIDENT:

2. After tomorrow. You may do it yet tomorrow and still...  
3. one of the first orders of business for the day is the Order  
4. of Motions. Senator Tom Lyons.

5. SENATOR LYONS:

6. Mr. President, I'd like to make an announcement to the  
7. Body. I don't know what we can really do about this, but  
8. I would like to tell everybody who has bills in the Senate  
9. Appropriations Committee that the meeting of that committee  
10. next week will be held on Monday of next week, because we are,  
11. as I understand from the President pro tempore, going to be  
12. in Session on Monday of next week. That being so, we will  
13. have the meeting of the committee on Monday after the adjourn-  
14. ment of the Senate. I say this so that people who might  
15. have witnesses who might want to be heard on any of the bills  
16. that they might wish to have set can notify those witnesses  
17. and notify us to set the bills because we may have to ask leave  
18. of the Body to hear the bills and waive the six day rule.  
19. But the only time we can fit the meeting in next week is  
20. Monday after adjournment.

21. PRESIDENT:

22. Senator Cherry.

23. SENATOR CHERRY:

24. Mr. President, the meeting in the Executive Committee, in Room  
25. 212, will take place 15 minutes subsequent to the adjournment.

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. I have just filed, Mr. President, a resolution honoring  
30. the Illinois History of Magazine, for young children. I'd like  
31. to move the rules be suspended and have this concurred by the  
32. Senate very briefly.

33. PRESIDENT:

1. Congratulatory Resolution. Is there objection? All in favor  
2. signify by saying aye. Contrary minded. The resolution is adopted.  
3. We have several additional resolutions. Let's proceed with the  
4. resolutions and then we'll get the other motions and other things  
5. we have before the Body.

6. SECRETARY:

7. Senate Resolution No. 334 and 335, introduced by Senator  
8. Sours. They're both congratulatory.

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. I move for the immediate suspension of the Rules and the  
13. adoption of the Resolutions.

14. PRESIDENT:

15. Congratulatory Resolutions. All in favor signify by saying  
16. aye. Contrary minded. The Resolutions are adopted.

17. SECRETARY:

18. Senate Resolution No. 336, introduced by Senator Davidson,  
19. and Collins. It's a death resolution.

20. PRESIDENT:

21. Senator Davidson.

22. SENATOR DAVIDSON:

23. Mr. President, this is a death resolution, introduced by  
24. Senator Collins and myself, for the death of our colleague here,  
25. Senator Rosander's father. And I am sure that all members of  
26. the Senate would like to be co-sponsors of this resolution.

27. PRESIDENT:

28. All Senators will be... Will the Senators be in their seats?  
29. This is a death resolution for the father of one of our colleagues.  
30. All Senators will be shown as co-sponsors. All in favor of  
31. the adoption of the resolution, please rise. Resolution is  
32. adopted.

1. SECRETARY:  
2. We have...introduction of one bill...

3. PRESIDENT:  
4. One bill for introduction.

5. SECRETARY:  
6. Senate bill No. 1574, introduced by Senator Partee,  
7. Cherry and Donnewald, is a bill for an Act to amend Section  
8. 29a of an Act relating to civil service in park systems.

9. PRESIDENT:  
10. Have a motion...

11. SECRETARY:  
12. Pursuant to Rule 13, Rules of the Senate, I move to take  
13. SB 1472 from the Table and place it on the order of 2nd read-  
14. ing. Filed May 17, 1972. Senator Berning.

15. PRESIDENT:  
16. Is Senator Berning on the Floor? Well, he was here just  
17. a moment ago....concerns the Senator. This is a motion in con-  
18. nection with a...Can we ask unanimous consent of the Body to  
19. consider this...this is a report, came out, I understand, Do  
20. Not Pass on his bill, and, if we can have unanimous consent of the  
21. Body to take this matter up tomorrow rather than right now. The  
22. Senator is not here. In fairness...and he's been here until just a  
23. moment ago. I don't know what the bill is about at all. Is...  
24. Do we have leave of the Body to do that? Senator Clarke. 1472.  
25. Senator Berning is...made the motion. Senator Partee.

26. SENATOR PARTEE:  
27. I think it's...you're waiting for Senator Berning's return.  
28. In the meantime, I could make this quick announcement.

29. PRESIDENT:  
30. Yes.

31. SENATOR PARTEE:  
32. Tomorrow, will be the last day of this Session, so that  
33. the fellows can know in terms of checking out tomorrow and

1. we passed out the Senate schedule for next week and you will  
2. observe that we will be in Monday the 22nd at 12 noon.

3. PRESIDENT:

4. Is there...Are there other announcements pending? Senator  
5. Harris.

6. SENATOR HARRIS:

7. Mr. President, I want Senator Partee, particularly, to note  
8. this HB 4634, of which Senator Partee is the sponsor. It's the  
9. appropriation for House Chamber's renovation. I understand that  
10. it is not posted for today's meeting of the Appropriations Com-  
11. mittee. I have discussed with Senator Lyons the possibility of  
12. seeking unanimous consent. He has no objection. Senator Partee  
13. and Clarke have no objection to it being placed on the call for  
14. today's meeting of Appropriations.

15. PRESIDENT:

16. Is there objection? Leave is granted. Senator Partee.

17. SENATOR PARTEE:

18. I would like the record to show that the clerk of that com-  
19. mittee is here on the Floor and just told me in rather strong terms  
20. that it is posted. I want the record to show that. Senator Harris.

21. SENATOR HARRIS:

22. Mr. President, now, I've, in anticipation of committee action  
23. today without attempting to program the members of the committee  
24. at all, I would like to offer the appropriate motions seeking  
25. unanimous consent for it that the Senate have that bill reported  
26. today if the Senate Appropriations Committee acts favorably on  
27. it, so that it could be read a second time today, so that passage  
28. could take place tomorrow, if we proceed that way. Otherwise, a  
29. week's delay is going to be encountered and the...I learned from  
30. the Speaker...that the time table involved, insofar as the June  
31. 9th adjournment is concerned, is very critically involved here.  
32. Unfortunately, this bill didn't get moved last week, so that we  
33. have lost a week in the event we ultimately act favorably on it.



1. Now if there is objection, fine and dandy.

2. PRESIDENT:

3. Is there objection? Leave is granted. Senator Clarke.

4. SENATOR CLARKE:

5. Insofar as Senator Berning has not returned...while...  
6. I'll file the motion and then try and talk him out of it. But  
7. 1472 would have to have a motion filed today to take to the  
8. Table to be talked about at a later time.

9. PRESIDENT:

10. We'll ask leave of the body to take it up...

11. SENATOR CLARKE:

12. Right.

13. PRESIDENT:

14. ...tomorrow, or at a later date. Is that acceptable?

15. SENATOR CLARKE:

16. Yes.

17. PRESIDENT:

18. All right. The leave is granted. Is there further business  
19. to come before the Senate? We have a message from the House.

20. SECRETARY:

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

22. Mr. President--I am directed to inform the Senate that  
23. the House of Representatives has passed bills of the follow-  
24. ing titles in the passage of which I am instructed to ask the  
25. concurrence of the House, to-wit: House bills...1206, 2653,  
26. 2791, 4164, 4353, 4418, 4419, 4521.

27. PRESIDENT:

28. Senator Carpentier.

29. SENATOR CARPENTIER:

30. Mr. President, members of the Senate, and all athletes,  
31. We have baseball practice tonight at 6:30 at Lincoln Park. That's  
32. the one that's out by the State Fairgrounds, where we practiced  
33. last year. 6:30 tonight, so every get there...athletic equip-

1. ment...get out there.

2. PRESIDENT:

3. Senator Partee, moves that the Senate stands adjourned  
4. until what time...

5. SENATOR PARTEE:

6. 10:00 o'clock tomorrow morning. Oh...I'm sorry...11:00  
7. o'clock.

8. PRESIDENT:

9. Motion that the Senate stands adjourned until 11:00  
10. o'clock tomorrow morning. All in favor signify by saying aye.  
11. Contrary minded. Senate stands adjourned.

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