

6-19-72

1. PRESIDING OFFICER (Senator Donnewald):

2. Senate will come to order. Prayer by Reverend Joseph
3. Ferriera, Zenobia Baptist Church, Pawnee, Illinois.

4. PASTOR FERRIERA:

5. (Reads Prayer)

6. PRESIDING OFFICER (Senator Donnewald):

7. Reading of the Journal. Moved by Senator Davidson that
8. the reading of the Journal be dispensed with. Seconded by
9. Senator Soper. Motion adopted. All in favor signify by saying
10. aye. Contrary minded. Motion prevails. Gentlemen, I think
11. we can proceed on the order of, not on consideration of post-
12. ponement, but the order of Senate Bills on 2nd Reading. Senator
13. Lyons is not here I see. I think we should then proceed to
14. House Bills or . . . Oh, I'm sorry. We must go on with message
15. from the House first. We have a message from the House.

16. SECRETARY:

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

18. Mr. President -- I am directed to inform the Senate that the
19. House of Representatives have passed bills with the following titles
20. in the passage of which I am instructed to ask the concurrence of
21. the Senate, to wit: HB3801, 4201, 4449, 4606, 4623, 4658, 4674,
22. 4685.

23. PRESIDING OFFICER (Senator Donnewald):

24. This...these particular bills will go to the Rules Committee.
25. Senator Clarke.

26. SENATOR CLARKE:

27. Can I inquire as to how many bills came over from the House...

28. PRESIDING OFFICER (Senator Donnewald):

29. Yes, just one moment. The Secretary advises me that there
30. are 24. Senator Clarke.

31. SENATOR CLARKE:

32. Mr. President....I was just handed a list as to these bills
33. and...a great many of them, a great majority of them are revenue

1. or appropriation bills. And I am just wondering if we wouldn't
2. save ourselves a day by advancing...placing these on the order of
3. 1st reading...suspending the Rules...placing these on 1st reading
4. so that they'd be read and then assigned to committee, because we
5. know that appropriation and revenue matters are going to automa-
6. tically be...go that route anyway...and I just wonder if we
7. couldn't save ourselves a day by taking that action at this time.

8. PRESIDING OFFICER (Senator Donnewald):

9. I think...I think that's a good suggestion. The ones that
10. are appropriation and revenue measures we'll advance those to
11. the order of 1st Reading right now.

12. SENATOR CLARKE:

13. Then tomorrow we can...you know...advance and assign them to
14. committee or advance them, whatever we want to do with them.

15. PRESIDING OFFICER (Senator Donnewald):

16. Well, they'll be assigned ...to committee today.

17. SENATOR CLARKE:

18. Today, alright.

19. PRESIDING OFFICER (Senator Donnewald):

20. Pardon me. I ...call to your attention the fact that
21. these bills have to be picked up before I can assign them. So
22. I am going to go ahead now and read the bills that we will advance
23. to 1st. You want to do it that way?

24. SENATOR CLARKE:

25. Well, let me just corner you as to procedure, because when the
26. bills are on 1st reading ...that is when they are picked up. The
27. people are looking at them.

28. PRESIDING OFFICER (Senator Donnewald):

29. Now, they will be placed on 1st reading now. They should
30. be picked up now. And I will assign them after the Session.

31. SENATOR CLARKE:

32. Well...I see...they would be read the first time.

33. PRESIDING OFFICER (Senator Donnewald):

1. That's correct.

2. SENATOR CLARKE:

3. Today.

4. PRESIDING OFFICER (Senator Donnewald):

5. That's right.

6. SENATOR CLARKE:

7. And then assigned to committee.

8. PRESIDING OFFICER (Senator Donnewald):

9. Go to committee tomorrow. Those bills...if I may have your

10. attention...HB4201, Blair, Hyde and others...appropriates one

11. million four hundred and twenty five thousand three hundred dollars

12. for...ordinary and contingent expense of the office of the Governor.

13. Send that bill up.

14. PRESIDING OFFICER (Senator Donnewald):

15. That's 4201. It's a appropriation measure...Senator Clarke.

16. SENATOR CLARKE:

17. Could you give us a few minutes? Could we go on to some-

18. thing else and come back to this order so that we could arrange

19. assignment of sponsors on these bills.

20. PRESIDING OFFICER (Senator Donnewald):

21. We can do that.

22. SENATOR CLARKE:

23. Yea. We're going to...

24. SECRETARY:

25. House Joint Resolution 144. It's an adjournment Resolution

26. from last week that we didn't get adopted.

27. PRESIDING OFFICER (Senator Donnewald):

28. We'll have to ask leave of the Body to adopt that at the

29. present time. I'll make the Motion. Seconded by Senator Course.

30. All those oppose...all those for...all those opposed. The ayes

31. have it.

32. SECRETARY:

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

34. Mr. President -- I am directed to inform the Senate that

1. the House of Representatives has concurred with the Senate in
2. the passage of a bill with the following title: SBI363....and
3. also it carries an amendment....House Amendment No. 1...this is
4. Senator Mohr's bill.

5. PRESIDING OFFICER (Senator Donnewald):

6. It goes to the Secretary's desk. Senate bill second...there's
7. a bill by Senator Lyons, 1607...he isn't present, but I am sure
8. that Senator Dougherty, would you move that bill and then with
9. the understanding that if there is any objection we could bring
10. it back. Senator Dougherty.

11. SENATOR DOUGHERTY:

12. Mr. President, that's the omnibus bill on all commissions.
13. Move it.

14. PRESIDING OFFICER (Senator Dougherty):

15. 3rd reading. Senator Nihill, for what purpose do you arise?

16. SENATOR NIHILL:

17. On a point of personal privilege. Is there any way of knowing
18. well when we're going to leave here? Bills being introduced and
19. pick them up...pick them up here...we're supposed to be out here
20. three weeks ago. We can't make any arrangements...no place what
21. to do or how...we're in Session here today at 1:00 o'clock...
22. where they all at? What is this?

23. PRESIDING OFFICER (Senator Dougherty):

24. Obviously, Senator, there are enough here to conduct a Session.
25. There's probably a traffic jam from Chicago and downstate Illinois
26. delaying some of the members.

27. SENATOR NIHILL:

28. That's enough.

29. PRESIDING OFFICER (Senator Dougherty):

30. Senate bill, 2nd reading. Are there any amendments to
31. 1607? Committee amendments. Are there any amendments from the
32. Floor? 3rd reading. Let's go to House bills on 2nd reading.
33. HB2222, Senator Mitchler. Senator Mitchler.

1. SECRETARY:

2. 2nd reading of the bill. One committee amendment from
3. Welfare.

4. PRESIDING OFFICER (Senator Dougherty):

5. You wish to explain the amendment, Senator?

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate, the amendment that
8. we worked out, originally worked out, on this it's Amendment No. 1
9. in the committee we have a change to that to have the...lead
10. poisoning act conform to the federal standards. And, therefore,
11. I would move that the committee Amendment No. 1 be it Tabled and
12. I am prepared to submit another amendment to replace that that
13. has the provisions to conform to the federal standards.

14. PRESIDING OFFICER (Senator Donnewald):

15. The Motion is that committee Amendment No. 1 be Tabled.
16. Those in favor say aye. Those opposed. Senator Savickas.

17. SENATOR SAVICKAS:

18. Mr. President, if I am in order at this time I would like to
19. make the Motion to strike all bills, House and Senate, that are not
20. appropriations or revenue bills and ask for a roll call vote.

21. PRESIDING OFFICER (Senator Donnewald):

22. I think that's out of order, Senator, we'll...you'll have to
23. make that Motion tomorrow. We're in the middle of other business
24. at this time. Senator Mitchler, was it your desire to introduce
25. an amendment? No. 2?

26. SECRETARY:

27. Mr. Albritton...Bob Albritton has the other one.

28. PRESIDING OFFICER (Senator Donnewald):

29. Now, this is Amendment No. 2.

30. SENATOR MITCHLER:

31. This will be Amendment No. 2 with the change. This is on
32. the lead poisoning ...bill and the federal standards ...had
33. to be met and this includes the conforming to the federal standards

1. so that all states will be uniform. I move adoption of the amendment.

2. PRESIDING OFFICER (Senator Donnewald):

3. Senator Dougherty.

4. SENATOR DOUGHERTY:

5. Do I understand that Senator Mitchler has already Tabled

6. a previous amendment to this bill?

7. PRESIDING OFFICER (Senator Donnewald):

8. Tabled Amendment No. 1.

9. SENATOR DOUGHERTY:

10. And what did that do, sir?

11. PRESIDING OFFICER (Senator Donnewald):

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. Yes, Amendment No. 1, Senator Dougherty, as we had in

15. committee, that set forth the lead bearing substance that would be

16. contained in a lead base paint. And it did not conform to

17. the federal standards, which was one of the things that we wanted

18. to work out. And now this amendment has that contained in there

19. so that it conforms to federal standards. I believe it's .06

20. in weight for this year and then it drops down in 1973.

21. PRESIDING OFFICER (Senator Donnewald):

22. Senator Dougherty.

23. SENATOR DOUGHERTY:

24. Mr. Mitchler..Senator Mitchler, logic conforms to federal

25. standard. However, the City of Chicago has ordinances regarding

26. these standards. Are these in contraventions in the Chicago

27. ordinances?

28. PRESIDING OFFICER (Senator Donnewald):

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Senator Dougherty, if the City of Chicago would have more

32. stringent standards this would not apply. But as far as the State

33. throughout the State I mean having to conform to federal standards

1. and be it conforming and your, your Chicago standards will drop
2. down by 1973 and then the federal standards will be conforming to
3. what you have in Chicago now.

4. PRESIDENT:

5. Is there further...Senator Dougherty.

6. SENATOR DOUGHERTY:

7. Mr. President...seems to be some...confusion regarding these
8. amendments. Senator Saperstein and Senator Smith are a bit con-
9. cerned about the...the Tabling Amendment No. 1 that was adopted
10. in committee and for the substitution of this new amendment to
11. confirm with the American...the national standards...I think there
12. ...I would suggest that Senator Mitchler hold this amendment up
13. for the time being.

14. PRESIDENT:

15. Senator Mitchler, what is your desire?

16. SENATOR MITCHLER:

17. Well...it's a late date...I held it up until today...I...I'd
18. like to move it and get it taken care of...I...I move the adoption
19. of Amendment No. 2.

20. PRESIDENT:

21. Senator Smith.

22. SENATOR SMITH:

23. May I say to the Senator that if he persists in this...what
24. to me appears to be a peculiar situation. There's been no adoption
25. of the committee amendment which was accepted...the members on
26. this side who are anxious to get away from here anyway and I
27. would...be tempted to question a quorum, Mr. President. I question
28. the lack of a quorum.

29. PRESIDENT:

30. The question...quorum has been questioned. And the Secretary
31. will call the roll of the members of the Senate.

32. SECRETARY:

33. Arrington, Baltz,

1. PRESIDENT:

2. Just a moment...the Senators who do not respond the Chair is
3. going to rule that they are present. Senator Baltz, is he here?

4. SECRETARY:

5. Berning, Bidwill, Bruce,

6. PRESIDENT:

7. We're voting on a measure the question of a quorum. You
8. simply suggest that you are present.

9. SECRETARY:

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

18. PRESIDENT:

19. 33 present. The quorum of the Senate is present, Senator Smith.
20. Senator Smith.

21. SENATOR SMITH:

22. I request that the amendment be printed and placed on the
23. desks of Senators. I have not seen their amendment. I do recall
24. that in committee the committee did adopt an amendment.

25. PRESIDENT:

26. The request is that the amendments be printed and on the
27. desks of all Senators...or...is Senator Smith, joined by four
28. other members in that request? He is...alright...if the Chair
29. may just toss the question at both Senator Mitchler and Senator
30. Dougherty and I know nothing about the amendment. Is it possible
31. that the two of you could get together today and we can save some
32. time on the Senate Floor? Senator Mitchler.

33. SENATOR MITCHLER:

1. The amendments are being printed and they should be distributed.
2. Why don't we go down the list of the 2nd reading and then come back.

3. PRESIDENT:

4. We'll go down the list in the meantime maybe you and Senator
5. Dougherty can get together. Senator Donnewald.

6. SENATOR DONNEWALD:

7. I think that probably, in all fairness to all the members of
8. the Body, we should place this particular bill back in the position
9. that it was prior to the ...striking of Amendment No. 1 and
10. consider the matter tomorrow.

11. PRESIDENT:

12. Well...

13. SENATOR DONNEWALD:

14. ...and I'll make the appropriate Motion to reconsider that
15. vote by which Amendment No. 1 ...I'll make that Motion.

16. PRESIDENT:

17. Alright. Senator Clarke.

18. SENATOR CLARKE:

19. Mr. President, I think in the orderly course of business
20. we do things and we...were to come into Session at 1:00 o'clock
21. we came into Session. We started doing business ...just because
22. we're in the midst of business doesn't mean we should backup...
23. the amendments are being printed and if the sponsor wants to
24. go ahead with the bill I think he has every right to.

25. PRESIDENT:

26. He has every right to. There's no question about that.
27. If we can on it matter save some time to Senate by Senators
28. getting together and discussing their businesses...their diff-
29. erences privately obviously we can save some time. We'll continue
30. down the list and then when we get back, Senator Donnewald, we can
31. recognize you for your Motion if you wish to make it at that time.
32. 2648, is someone handling that for Senator Harris? Wants to hold
33. that. 2653, Senator Fawell. Senator Knuppel here? 4298, Senator

1. Mohr. 4298.
2. SECRETARY:
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor? 3rd reading. 4085, 4085.
6. SECRETARY:
7. 2nd reading of the bill. No committee amendments.
8. PRESIDENT:
9. Any amendments from the Floor? 3rd reading. 40...is
10. Senator Latherow on the Floor? 46..4260, Senator Mohr.
11. 4260.
12. SECRETARY:
13. 2nd reading of the bill. One committee amendment from ap-
14. propriations.
15. PRESIDENT:
16. Senator Mohr moves the adoption of the committee amendment.
17. All in favor signify by saying aye. Contrary minded. The amendment
18. is adopted. Any further amendments? 3rd reading. 4308, Senator
19. Clarke. 4308.
20. SECRETARY:
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any amendments from the Floor? 3rd reading. 4387, is Senator
24. Savickas on the Floor? He was here just a moment ago. Senator
25. Dougherty.
26. SENATOR DOUGHERTY:
27. Call it.
28. PRESIDENT:
29. You requested that be advanced.
30. SENATOR DOUGHERTY:
31. Yes, I do.
32. PRESIDENT:
33. 4387.

1. SECRETARY:

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

3. PRESIDENT:

4. Any amendments from the Floor. 3rd reading. 4466, Senator
5. Gilbert. 4466. 4466.

6. SECRETARY:

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

8. PRESIDENT:

9. Any amendments from the Floor? 3rd reading. 4662, Senator
10. Donnewald. 4662.

11. SECRETARY:

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

13. PRESIDENT:

14. Any amendments from the Floor? 3rd reading. Senator Mitchler,
15. have those amendments been distributed yet?

16. SENATOR MITCHLER:

17. Mr. President, ...coming back to HB2222, I move adoption of
18. Amendment No. 2.

19. PRESIDENT:

20. Motion is for the adoption of Amendment No. 2. Senator
21. Donnewald.

22. SENATOR DONNEWALD:

23. Point of order...Mr. President, the amendment isn't printed.
24. We don't have it on our desk and we're moving to the order...next
25. order of business which would be House bills ...er...Senate bills
26. on 3rd that are noncontroversial.

27. PRESIDENT:

28. Is the...

29. SENATOR DONNEWALD:

30. Has the amendment been printed and on the desk, Senator?

31. PRESIDENT:

32. Alright. We'll return to it when you're ready. House bills
33. on 1st reading. 4129, Representative Burditt. Appropriation for

1. the Pollution Control Board. Senator Clarke, do you want to assign
2. these to...pardon...Coulson...Senator Coulson. 4131, Senator Coul-
3. son. 4244, Representative Merlo. Senator Rock. Senator Coulson.
4. SENATOR COULSON:

5. Mr. President, if 4129 and 4131 have had attention from the
6. task forces then I would move that they be advanced to the order of
7. 2nd reading.

8. PRESIDENT:

9. Is there objection? There's a request that if we hold
10. just for a moment before we take that up. 4302, Senator
11. Dougherty. 4373, Senator Sours. Senator Sours.

12. SENATOR SOURS:

13. If that has been, Mr. President and Senators, the subject
14. matter of the task force review I'd like to move it...to 2nd
15. reading without reference. I don't see Senator Lyons here, how-
16. ever, maybe the task force would know.

17. PRESIDENT:

18. Senator Donnewald.

19. SENATOR DONNEWALD:

20. No, I'll object to that...and also as to 4129 and 4131. We
21. want to look at them again.

22. PRESIDENT:

23. Alright. There is objection on those...Senator Sours.

24. SENATOR SOURS:

25. Will you be coming back to this order yet today, sir?

26. PRESIDENT:

27. We will not be coming back to this order...but...we will be
28. getting to the order of Motions so that if you wish to advance it
29. to 2nd reading later you probably can. 4422, Senator Fawell.
30. 4437, Representative Glass. 44...Senator Carroll. 4452, Senator
31. Carpentier. Senator Carpentier.

32. SENATOR CARPENTIER:

33. I would like to ask if the task force on the other side of

1. the aisle has had a chance to look at this one yet?
2. PRESIDENT:
3. 4452, Senator Donnewald. What is your...would you...
4. SENATOR DONNEWALD:
5. 4452...that goes to committee.
6. PRESIDENT:
7. 4452, there is a request to go to committee. 4504, Senator
8. Gilbert. Senator Gilbert.
9. SENATOR GILBERT:
10. I believe that we have passed this bill...identical bill
11. out of the Senate...I don't have...would like to move it with-
12. out reference, if there is any question comes up later, when the
13. rest of the leadership is here, why, I certainly would back off
14. from it...but...
15. PRESIDENT:
16. Senator Donnewald.
17. SENATOR DONNEWALD:
18. We better send it to committee.
19. PRESIDENT:
20. There is request that it go to committee. 4610, Senator Clarke.
21. SENATOR CLARKE:
22. Now, this is a bill that has been passed in Senate...version
23. identically, this divides the income part-time resident. So I
24. would ask that this be advanced to 2nd reading...
25. PRESIDENT:
26. Are you the Senate sponsor?
27. SENATOR CLARKE:
28. I was the Senate sponsor, and I will be of this one.
29. PRESIDENT:
30. Alright. Is there objection? Leave is granted. 4628, 4628,
31. Representative G. L. Hoffman, Senator Knuepfer, is that...Senator
32. Knuepfer.
33. SENATOR KNUEPFER:

1.

2. PRESIDENT:

3. 4640, Senator Baltz. 4640. Senator Baltz.

4. SENATOR BALTZ:

5. Mr. President and members of the Senate, SB4640 deals with
6. some changes on the Public Water Commission statutes that are
7. now on the books. It raises the...the amount of interest that
8. can be paid to 7% which puts it in to...conformity with other bonded
9. interest and the other statutes. There is another change in it.
10. It simply allows a municipality to advance money to a Public
11. Water Commission and then...get these moneys back...when the
12. bonds are sold. This is very important to my district. I would
13. like to advance it to 2nd reading without reference, if I may.
14. I do have an amendment that has been prepared by Chapman and
15. Cutler that seems to make sure that all the legal requirements
16. of bond sales are satisfied.

17. PRESIDENT:

18. Is there objection? Leave is granted. 4650, Senator Mohr.
19. Senator Mohr, wishes to move it...advance it. Leave is granted.
20. It is advanced to 2nd reading without reference. 4669, Senator
21. Rock. 4670, Representative R. A. Walsh. 4670. 4682, 4682,
22. Representative . . . Senator Graham.

23. SENATOR GRAHAM:

24. Mr. President and members of the Senate, this is a bill that
25. doesn't seem to be surrounded with too much controversy. If not,
26. I would like to advance it to the order of 2nd reading.

27. PRESIDENT:

28. Is there objection? There is a request that it go to Committee,
29. Senator Graham. Senator Coulson.

30. SENATOR COULSON:

31. Mr. President, I would like to have the Journal show that
32. I formally request that 4129 and 4131 be set before the
33. Appropriations Committee, at the earliest proper date, which is
34. now more than six days away. The chairman of that committee is

1. not even here today. But he has taken it upon himself on many
2. previous occasions to accuse me of being dilatory in seeking these
3. engagements. So I would like to have the Journal show that I do
4. formally request action as promptly as possible within our Rules
5. and that will mean that we will be here in Session for two more
6. weeks due to his inattentence.

7. PRESIDENT:

8. The staff will convey to Senator Vadalabene the request on
9. this. Senator Donnewald.

10. SENATOR DONNEWALD:

11. Senator Vadalabene is the vice-chairman of that committee
12. and I am sure that he will set up a meeting as soon as conven-
13. iently possible.

14. PRESIDENT:

15. Senator Coulson.

16. SENATOR COULSON:

17. I have not asked for any waiver of the Rules. If you want
18. a committee hearing, it shall be upon six-day notice as your Rules
19. require.

20. PRESIDENT:

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. I believe Senator ...we've waived those Rules...that...that's
24. been done two weeks ago.

25. PRESIDENT:

26. That is correct. So you can have a hearing as soon as you work
27. it out with Senator Vadalabene. Senator Mitchler, are you...

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Mr. President and members of the Senate, HB2222, on 2nd read-
31. ing...the amendment has now been distributed....

32. PRESIDENT:

33. Just a minute...for what purpose does Senator Donnewald arise.

1. SENATOR DONNEWALD:

2. That amendment has not been placed on the members' desk. It
3. has not been placed in the book. I think they have to be punched and
4. properly placed in the book before we can consider the measure.

5. PRESIDENT:

6. Well, ...the Chair...the Chair is going to rule that as long
7. as they have been distributed even though the Rules technically
8. say they have to be in binders that we can consider amendments
9. because we're going to be in that this last few days where
10. we're going to have to be a little practical here...Senator...
11. Mitchler moves the adoption of Amendment No. 2. Is there any
12. discussion? Senator Donnewald.

13. SENATOR DONNEWALD:

14. Well, I am sure that the Senator will explain the amendment.

15. PRESIDENT:

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. Be glad to. Amendment No. 2 to HB2222...has the bill conform
19. to the federal standards by inserting that lead bearing substance
20. means any paint, plaster or other material or substance contain-
21. ing more than one-half of one percent, that's .5 percent lead by
22. weight calculated as lead metal in the total nonvolatile content
23. of liquid paints, on or before January 1, 1974. Or more than
24. six hundredths of one percent (.06%) lead by weight ...that would
25. be the immediate ...amount of...lead. Now, the federal standards
26. have been worked out with the paint industry so that we can have
27. a nationwide ...standard set up to eliminate the lead bearing
28. substance contained in paint. The paint industry is willing
29. to go along on this, but there's only certain paints on which
30. they can do this. And this has been worked out at the federal
31. level. And it would seem that the State of Illinois should conform
32. to do that. The big problem that we have is not in the new paint
33. manufacturer. It is in the old paint that has been used many,
34. many years ago. And it still remains on the walls in certain

1. homes and business places and that is what is causing the
2. problem. So by extending and cooperating with the paint industry
3. and working this out to conform to federal standards in no way,
4. no way would jepordize the...substance of the bill. And I move
5. the adoption of Amendment No. 2.

6. PRESIDENT:

7. Is there any discussion? Senator Donnewald.

8. SENATOR DONNEWALD:

9. Well, Senator, very briefly, could you tell me the difference
10. and maybe you have explained it, but I would like to know the
11. difference between the amendment that you just struck, Amend-
12. ment No. 1, and this amendment that you're attempting to adopt
13. now, Amendment No. 2.

14. PRESIDENT:

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Well, basically, it changes a percentage of .06% to a lag
18. of .5% in the lead weight. That's calculated as lead metal
19. in the total non-volatile content of liquid paint on or before
20. January 1, 1974.

21. PRESIDENT:

22. Senator Dougherty.

23. SENATOR MITCHLER:

24. Then it goes to .06% after.

25. SENATOR DOUGHERTY:

26. Mr. President, I would ask Senator Mitchler to withhold
27. this amendment. because as you know we have had considerable
28. trouble in the City of Chicago regarding lead paint. Now, if
29. he wishes to assure the safe passage of this bill at least give
30. our people time to take a look at it. I know what the federal
31. standards are. I know it does not apply to newly manufactured
32. paint, but let's take a look at it. This bill just got over here.
33. Let's take a look at the amendments...they are Tabling...Tabling

1. and there's no amendment. There's no immediate rush.

2. PRESIDENT:

3. Senator Donnewald.

4. SENATOR DONNEWALD:

5. Well now, Amendment No. 1, as I have been told, provided for
6. 1/2 of 1 percent...or no six hundredths of one percent and
7. this amendment provides for five percent...or 1/2 of 1 per-
8. cent...I'm sorry. And that of course allows the industry to
9. increase the amount of lead in the paint. Is that correct,
10. Senator?

11. PRESIDENT:

12. Senator Mitchler...Just a moment...please let's...

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. This amendment would provide for 1/2 of 1 percent that's
16. .5% on or before January 1, 1974 after which it would be six
17. hundredths of one percent or .06%, which conforms to the federal
18. standards.

19. PRESIDENT:

20. Senator Donnewald.

21. SENATOR DONNEWALD:

22. Isn't that...your amendment is providing for a nine and
23. one-half times the amount of lead as we had in the original Amend-
24. ment No. 1...is that correct?

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. That...that's the federal standards that I am having this
29. conform to.

30. PRESIDENT:

31. Senator Donnewald.

32. SENATOR DONNEWALD:

33. You didn't answer my question, Senator?

1. PRESIDENT:

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. I believe it was brought out in the original amendment. It
5. was originally talked about that we should have a .06%, but if
6. you're acquainted with it, Senator Donnewald, you know as well as
7. I do that the paint industry just cannot ...meet this...it's just
8. very similar to passing something and then, for example, on the
9. safety glazing. Sure, it all sounds good and you're big heroes if
10. you want to do it but the actual implementation of it when it
11. gets down to the doing of it in industry, industry is only capable
12. of doing certain things and that's what, and then you'll be back
13. here amending it right back again. And the federal standards
14. that have gone into great length in working with the paint industry
15. throughout the entire State of Illinois have come up with it
16. and you're eventually going to get down to the .06%, but only after
17. they can properly address themselves and clear it. And as I
18. pointed out this is not the cause. New paint is not the
19. cause of this lead poisoning. It's the paint that has been on
20. these halls for years, 3, 4, 5, 6, 8, 10, layers of paint that
21. starts to peel off, the children eat it and you get into the
22. lead poisoning. That's the basis of it all. So what we're con-
23. fronted with here and arguing about setting up these standards
24. really has nothing to do with the crux of the problem.

25. PRESIDENT:

26. Senator Donnewald.

27. SENATOR DONNEWALD:

28. Well, now...I think we have come to a traverse as far as
29. the lead is concerned, Senator, but how about your Amendment No. 2
30. provides that the deadline be January 1, 1974. What is Amendment
31. No. 1, provided that it was immediate. Is that correct? Upon
32. the adoption of the act?

33. PRESIDENT:

1. Senator Mitchler.

2. SENATOR MITCHLER:

3. I believe your...the amendment...No. 1 amendment had .5%
4. immediately. This...

5. PRESIDENT:

6. Senator Donnewald.

7. SENATOR DONNEWALD:

8. I'm not asking about the 5% or the six hundredths of one
9. percent. I'm asking about the effective date of the act. The
10. effective date of the act in Amendment No. 2, the amendment you're
11. attempting to adopt ...provides that the...it be effective
12. January 1, '74, which the original amendment, which you did strike
13. provided that it would be immediate upon the adoption of the act.
14. What's the reason?

15. PRESIDENT:

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. The effective date of this act if it would include this
19. amendment would be January 1, 1973.

20. PRESIDENT:

21. Senator Laughlin.

22. SENATOR LAUGHLIN:

23. Well, Mr. President and members, I was just wondering, it
24. seems to be taking an awful lot of time to decide who's going
25. to be able to get the lead out.

26. PRESIDENT:

27. Is there...Senator McBroom.

28. SENATOR MCBROOM:

29. Previous question.

30. PRESIDENT:

31. Motion for the previous question. All in favor signify by
32. saying aye. Contrary minded. Motion prevails. Senator Mitchler
33. may close the debate.

1. SENATOR MITCHLER:

2. Roll call.

3. PRESIDENT:

4. Roll call has been requested. Secretary will call the roll.

5. Those in favor of the adoption of the amendment will vote aye.

6. Those opposed to the adoption of the amendment will vote no.

7. SECRETARY:

8. Arrington, Baltz, Berning,

9. PRESIDENT:

10. Senator Berning.

11. SENATOR BERNING:

12. Seems quite simple to me. We either adopt this amendment

13. and get into conformity with the federal standards or we have

14. nothing and it seems as though there is no choice but to adopt

15. this amendment. I vote aye.

16. SECRETARY:

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

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

19. PRESIDENT:

20. Senator Dougherty.

21. SENATOR DOUGHERTY:

22. Senator Mitchler, I'm not opposing this amendment blindly,

23. however, you don't have any paint problems in Oswego. We have

24. them in south Chicago and every area of Chicago. We also have

25. the largest paint manufacturers in my district. I haven't heard

26. from none on this bill. Why don't you please wait another day?

27. And it's just upon this that I'm not going to vote for the amend-

28. ment or the bill. No.

29. SECRETARY:

30. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,

31. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,

32. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,

33. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,

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

3. PRESIDENT:

4. Horsley aye. Hynes no. For what purpose does Senator Mitchler
5. arise?

6. SENATOR MITCHLER:

7. While they are tallying the votes, I would like to respond.
8. One of the interests that I have in this...

9. PRESIDENT:

10. That is not in order. No. Request for call of the absentees.
11. The absentees will be called.

12. SECRETARY:

13. Arrington, Egan, Fawell, Harris, Knuppel, Lyons, Latherow,
14. O'Brien, Ozinga, Rosander, Swinarski, Walker.

15. PRESIDENT:

16. On that question the yeas are 22. The nays are 21. The
17. amendment having received the necessary majority of those voting
18. on the question is declared adopted. Senator Mitchler.

19. SENATOR MITCHLER:

20. Reconsider the vote.

21. PRESIDENT:

22. Motion to reconsider the vote by Senator Mitchler...all...
23. Motion by Senator Knuepfer to Table. All in favor of Motion to
24. Table signify by saying aye. Contrary minded. The Motion to
25. Table prevails. Further amendments. Just a moment. Are there
26. further amendments on that bill? 3rd reading....437...the
27. Chair has a House bill on 1st reading has been assigned to Sena-
28. tor Carroll is to be assigned to Senator Graham...4437. Senate
29. bills on 3rd reading...Senate bills on 3rd reading. 1154, Sena-
30. tor Kosinski. Hold. 1304, Senator Clarke. Senate bills on 3rd
31. reading. Hold. 1382, Senator Chew. Hold. 1403, Senator Car-
32. pentier. Hold. 1405. Hold. 1408, Senator McCarthy. Hold.
33. 1423. Hold. 1432, Senator Saperstein. Hold. 1541, Senator

1. Newhouse...15...no...160...no...he's not there. House bills on
2. 3rd reading. These will be bills called first. Senator Groen.

3. SENATOR GROEN:

4. Mr. President, if I may, before proceeding to that order,
5. I have been conferring with Senator Bruce, regarding two bills
6. HB4286, which is the key bill and HB4676, which is the companion
7. bill carrying the appropriation for the first bill. This goes
8. back to the matter we discussed last week and the bill which we
9. sent to the House dealing with the Illinois Commission for Econ-
10. omic Program and Analysis and Economic Advisors and the contro-
11. versy that exists in the House over the thrust of that bill. I
12. have conferred with Senator Bruce and he is in accord that to
13. save time, there were full hearings in committee on this and not
14. knowing what the final content of the bill will be that hopefully
15. will be adopted, I would move for suspension of the Rules and
16. that these two bills be placed on the order of 2nd reading and
17. Senator Bruce has no objection to this procedure.

18. PRESIDENT:

19. Where are they now?

20. SENATOR GROEN:

21. They were reported out of the Rules Committee on Thursday
22. and will be on 1st reading tomorrow.

23. PRESIDENT:

24. Well, let's read the committee report and we will have read
25. it the first time and then we can....Senator Neistein.

26. SENATOR NEISTEIN:

27. Did I hear you right, Senator Groen, you said that Senator Bruce
28. has no objection. Is he the new leader of the Senate here?

29. PRESIDENT:

30. If the Chair can interject here...well..the Chair's going to
31. interject, nevertheless, Senator Neistein. The Chair's going to
32. rule that that's not germane and to solve this discussion we can....
33. solve this problem by reading the committee report and we'll take

1. the committee report and read it at this time.

2. SECRETARY:

3. The following bills were reported out of Rules Committee:
4. HB3763, 3782, 4102, 4112, 4134, 4139, 4159, 4210, 4211, 4215,
5. 4286, 4293, 4384, 4408, 4621, 4676, 4677.

6. PRESIDENT:

7. They will be on 2nd reading tomorrow then; Senator Groen.
8. The House bills that are first priority bills are 1440, Senator
9. Berning. 3078, Senator Fawell. And Senator Fawell I don't see
10. here yet. 3608 and 3609, Senator O'Brien. 3776, Senator Clarke.
11. Well, let's just take those two columns first. 14....and 1742,
12. Senator Bruce, is also on that list. 1440, Senator Berning.

13. SENATOR BERNING:

14. Mr. President, there is an amendment being prepared. It
15. hasn't come to my desk yet, I beg leave to come back to 1440
16. after we have gone on a ways....

17. PRESIDENT:

18. You let the Chair know when the amendment is ready. 1742,
19. Senator Bruce. Hold. Senator Fawell is not here. Senator O'Brien
20. is not here. Senator Clarke, 3776. Hold. Alright, on the next
21. column. 4087, Senator Vadalabene. 4158, Senator Baltz. 4164,
22. Senator Harris. And perhaps someone else will handle that for
23. him. 4087, Senator Vadalabene.

24. SENATOR VADALABENE:

25. Thank you, Mr. President and members of the Senate,...4087
26. is just what the digest reads; makes the various appropriations
27. for the ordinary and contingent expenses of the Illinois Arts
28. Council and I'd appreciate a favorable vote.

29. PRESIDENT:

30. Is there any discussion? Secretary will call....Senator
31. Neistein.

32. SENATOR NEISTEIN:

33. How much money are they appropriating? And will you give

1. me a brief statement of the good they have done for the people
2. in the sovereign State of Illinois.

3. PRESIDENT:

4. Senator Vadalabene.

5. SENATOR VADALABENE:

6. Approximately \$600,000 is the appropriation and they have done a
7. tremendous good for the people of the sovereign State of Illinois.

8. PRESIDENT:

9. Senator Neistein.

10. SENATOR NEISTEIN:

11. How much of that amount goes for the payroll and the expenses
12. and how much of that goes for artists, if you know, Senator Vadala-
13. bene.

14. SENATOR VADALABENE:

15. I really don't know, Senator Neistein. I'll just hold the
16. bill until I can get the answers for Senator Neistein.

17. PRESIDENT:

18. The bill will be held. 4158, Senator Baltz. Hold. 4164,
19. is Senator Clarke or someone handling that for Senator Harris?
20. Senator Knuepfer, 4164.

21. SENATOR KNUEPFER:

22. ...Senator...Senate bill...House bill rather 4164...sets up
23. a..oh...wait a minute. I take it back. I have an amendment on
24. that bill...I wonder if I can bring that back to 2nd reading?

25. PRESIDENT:

26. You have the amendment ready?

27. SENATOR KNUEPFER:

28. I think the amendment is...yea...can I have a copy of the
29. amendment? Let me explain the amendment.

30. PRESIDENT:

31. Alright....called back to 2nd reading for purpose of amend-
32. ment. Senator Knuepfer will explain the amendment.

33. SENATOR KNUEPFER:

1. ...The amendment, and I offer this amendment simply because
2. it was given to me, I have nothing to say either pro or con for
3. it and I would be hopeful that this Body would be helpful in that
4. respect. The amendment I think comes to me courtesy of Senator
5. Cherry. It comes to him as I understand it courtesy of the
6. judiciary. And the amendment would provide greater representation
7. by the judiciary on this commission. It adds three more members
8. of the judiciary. One the appellate judges...it adds one of
9. the members of the chief judges of the circuits outside of Cook
10. County and one member, the chief judge of the circuit court of
11. Cook County. Perhaps Senator Cherry could speak to the amendment
12. better than I am, better than I can since it was authored by him.

13. PRESIDENT:

14. Senator Cherry. And I might inform the members that I have
15. been advised that the proceedings are being recorded here today.
16. Senator Cherry.

17. SENATOR CHERRY:

18. There's just one incorrect statement made by Senator Knuepfer
19. who is not completely familiar with the amendment, because I
20. gave it to him. The amendment does not add anymore members,
21. Senator. In the original bill it provided that the Supreme
22. Court appoint four members to this Judiciary Commission or
23. Committee. Now, we're taking away their right to...appoint four
24. and we're reducing their right to appoint the number of one.
25. We're giving the others three judicial departments, namely the
26. downstate courts, Cook County and the appellate court, the
27. right to appoint the other three. One to each and one to the
28. Supreme Court. That's all the amendment does.

29. PRESIDENT:

30. Is there any discussion? All in favor signify by saying a
31. ye. Contrary minded. The amendment is adopted. We'll get back
32. to your bill shortly here. In the next column the following
33. measures are on the priority list. 4256, Senator Latherow.

1. And I don't see him here right...He's holding that I am advised.
2. 4266, Senator Clarke. 4330, Senator McCarthy. Senator Clarke,
3. you wish to take 4266? 4266.

4. SENATOR CLARKE:

5. Mr. President...I've got the wrong file, but...fundamentally
6. this is the, last week we had a discussion on the ...problems
7. involved in the digest in the subscription to the digest and
8. this is ...a furthering of that idea that Representative Schlickman
9. had that the Journals should also be available to the public.
10. Previously this has never been the case. They are making a sur-
11. vey of the various states; only a very few states provide any
12. type of formalized...distribution or subscription service to
13. the Journals. It's the feeling that if the digest is important
14. to the public in terms of what bills are introduced that certainly
15. the public should be able if they care to get a copy of the Journal
16. other than stopping at the Clerk's office and picking up a mis-
17. cellaneous copy and this bill provides for ...that type of for-
18. malized service and it does appropriate twenty thousand for
19. the House and twenty thousand for the Senate to start. But the
20. bill also provides for a fifty dollar fee. So that I think this
21. would be self-sustaining but we would not know for sure until we
22. really found out what the demand was. I think it's an excellent
23. concept. I think it's something in terms of anything right here
24. in the Legislature we should make available and as accessible
25. to the public if they are interested as we possibly can.

26. PRESIDENT:

27. Any discussion? Secretary will call the roll.

28. SECRETARY:

29. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
30. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
31. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,

32. PRESIDENT:

33. Senator Graham.

1. SENATOR GRAHAM:

2. Mr. President, in explaining my vote I'd like to . . . I
3. just had a telephone call from Senator Latherow. I'd like the
4. Journal to show that his absence here today is due to the fact
5. that he is attending Representative McClain's funeral. I vote aye.

6. PRESIDENT:

7. The Journal will so show. Senator Donnewald. Senator
8. Donnewald.

9. SENATOR DONNEWALD:

10. I would ask that the Journal show the same in regard to
11. Senator Knuppel.

12. PRESIDENT:

13. The Journal will so show.

14. SECRETARY:

15. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
16. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
17. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
18. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
19. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

20. PRESIDENT:

21. Neistein aye. Nihill aye. On that question the yeas are
22. 37. The nays are 1. The bill having received the constitutional
23. majority is declared passed. 4164, Senator Knuepfer.

24. SENATOR KNUEPFER:

25. This is a bill that I am handling for Senator Harris, but
26. I can as well say that I am committed to the concept in this
27. bill. About four years ago Senator Alan Dixon, now State
28. Treasurer, and I got very much disturbed ...by way of the methods
29. by which salaries were being established by this Body. We es-
30. tablish all kind of salaries. We establish salaries for county
31. officials, township officials, state officials, a variety of
32. boards and commissions. And the thing that upset Senator Dixon
33. and myself was the fact that there was seemingly very little re-

1. relationship ...between the salaries for the various office and the
2. salaries were set more by way of who had the most political clout
3. than by who performed or their performance in the kinds of service
4. that they performed. So Senator Dixon and I coauthored at the
5. tail end of a Session, I think three years ago it was, a bill
6. which in it's inception was his idea which set up a Governor's
7. Commission. And the only purpose of the Governor's Commission,
8. it was five people I believe, and its major purpose was to try
9. to make some kinds of recommendations to this Body, so that, for
10. example, the kind of situation would not happen where the re-
11. corder got twice as much as the county clerk. And this Body of
12. five citizens was intended to give the Legislature some kind of
13. overview, some kind of unbiased look, at what State and local
14. salaries ought to be. I regret to say that to the best of my
15. knowledge that Commission has not been working I don't know
16. whether it's even functioning anymore. This bill addresses ex-
17. actly the same question. And that is how do we set salaries? If
18. you come in with a bill for the coroner and I come in one for the
19. Governor and somebody comes in with another one for the sheriff,
20. how does this Body make a determination that the sheriff doesn't
21. get quite as much as the Governor, or the county clerk doesn't
22. get quite as much as the Secretary of State. Well, we have no
23. method. And this is what was disturbing. This legislation would
24. establish a Commission. Now, we just amended this legislation
25. if you remember to change the judges. The members of this commission
26. are four appointed by the Governor, four members of the Judiciary
27. and this was the Section that we just changed, one would be
28. appointed by the President of the Senate, one by the Senate
29. Minority Leader, one by the Speaker of the House and one by the
30. House Minority Leader. The sole purpose of this Commission,
31. and the Commission does not make a final decision, the sole pur-
32. pose of this Commission is to recommend salaries to this Body
33. that I suggest to you could provide some kind of order out of

1. this chaos that I think we're presently in. Supposedly and I
2. suspect that the Commission would obviously recommend that the
3. Governor is the number one man, and on down the line in accordance
4. with the responsibilities and duties of the office. I think
5. it's a better way than the way that's presently on the books,
6. which the Governors to the best of my knowledge are not utilizing,
7. I think it makes sense. I understand there is some opposition.
8. But I can only point out to you, gentlemen, that I come out of
9. a different world and that is a corporate world. And in the corporate
10. world that I come out of ...we have a hierarchy of positions
11. with the president at the top and on down. That hierarchy does
12. not exist frequently in the political arena and rather it is
13. the political influence that determines the salary. I'm suggesting
14. to you that even though as long as we are a legislative Body,
15. it will be political influence that establishes various salaries,
16. at least this Body ought to have the benefit of some independent
17. board taking a look at the whole question of salaries and if
18. we contravene their wishes, we do have that option. But I do
19. think we need a greater degree of independence. We need an outside
20. look which I don't think we have now and on that basis I recommend
21. this legislation to you.

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Well, Mr. President and members of the Senate, I am impelled
26. to make just a few remarks. For a period of years, some ten, I
27. have been a member of the Judiciary Advisory Council and that
28. is the Body that has usually brought in recommendations as to the
29. salary levels to the Judiciary of the State of Illinois. And
30. many of you members will know and you will become angry from
31. time to time when Alan Dixon was in the Senate there were
32. many times that he and I together with other members such as
33. John Gilbert and others...attempted to restrain annual increases
34. in judicial salaries. At the same time there were times when

1. we certainly worked to get raises for the judges when we thought
2. they were fair. But one thing that we did was to insist that all
3. judicial salaries be handled in one package so that we didn't
4. get in the business of one set of judges playing leap frog with
5. another because if that happens there is no end until you get
6. yourself one dollar underneath the salary of the chief executive
7. of the State of Illinois. Last year you will recall for example
8. on judicial salaries that the members of the Advisory Council
9. stood on this Floor and despite quite a bit of opposition on
10. the part of some of you, helped pass a bill which did give
11. increases to all levels of the judiciary. It pegged the Supreme Court
12. salary at forty-two five, the appellate court salary at thirty-nine
13. five, downstate circuit judges at twenty-nine and downstate then
14. magistrates at twenty-one five. The Governor vetoed the bill
15. as because of the increase for the magistrates the lowest level.
16. This Body then acquiesced in the Governor's amendatory veto,
17. but the House did not. And so the judiciary did not get that
18. raise. Some time ago it was asked on the Floor of this Senate
19. if the Judicial Advisory Council had considered judges salaries.
20. And I don't think Senator Bruce directly responded at that time.
21. I don't think it was required that he make an exposition. The
22. fact of the matter is though that the Judicial Advisory Council
23. has considered judicial salaries this year and their recommendations
24. carried by a vote of eight to four in the Council. The thing
25. that upset myself, and there were three others besides myself
26. who did not vote for the recommendations, was that the appellate
27. court wanted to go from thirty-nine five to forty thousand and
28. the circuit judges wanted to go from twenty-nine to thirty and
29. I felt that if we did for them what we did last year and take
30. care of the magistrates we done a great plenty. In fact I thought
31. that was quite petty, because you have to consider pensions at
32. the same time. And there's nothing in this commission bill that
33. has anything to do with pensions. We've raised the judicial

1. pensions for example to a maximum of eighty-five percent; whereas,
2. ten years ago...they were sixty...so we're doing very well.
3. It isn't only salary. It's pension too. And I think it's interesting
4. the makeup of this commission. Now, to get myself back to this
5. bill. We have the Governor with four. That takes care of the
6. executive branch. We have the legislative leaders with four.
7. That takes care of the legislative branch. And whereas, the
8. supreme court had four now we have broken them down so each member
9. of the hierarchy can appoint someone. Everyone has a pipeline
10. into the commission. Each special interest group has, I don't
11. care if they're public members or not, if the appellate courts
12. appoint somebody to represent them on this commission...they're
13. going to be represented on this commission...you've gotta believe
14. it. So this is a self-serving commission in my judgment...It's
15. interesting also to note that it provides that there shall be
16. a continuous review of the rates of pay and expenses of elected
17. state officers. Now it doesn't say when they report. Now, I'm
18. no Jean Dixon, but I'll predict for you right now when they report.
19. They'll report right after the election this Fall so that their
20. recommendations can be acted on before the next General Assembly
21. meets. Now that's what I predict will happen with this commission.
22. I'd also like you to know that the lowest level of the judiciary
23. are not elected state officials; they're appointed...so they
24. are not covered by this commission approach. And you're sitting
25. in an odd position of finding that when a recommendation comes
26. back here, which I am sure it will, on associate judges' salaries
27. on an amendment proposed to SB915, you're going to peg the low
28. level. And when we peg the low level here, everybody's going
29. to go up from there, up to the place where the Governor's salary
30. is set. Now I don't think this is good legislation. I don't
31. think that this is an approach that should be taken. I have
32. never voted for a salary increase after an election in my life.
33. I don't intend to do it again. I think it violates the spirit

1. of the Constitution and if you want a raise you ought to come
2. in here and say you want a raise and then run for office. That's
3. the way it's supposed to be done. This is an indirect way of
4. accomplishing something rather than the direct way. I've always
5. found that the voters appreciated candor. I think most candidates
6. find that to be true. And for these reasons I must oppose this
7. bill.

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. Yes, would Senator Knuepfer stand for a question?

12. PRESIDENT:

13. He indicates he will.

14. SENATOR BRUCE:

15. Senator Knuepfer, I have been given amendment to SB1566
16. which is the state officer's pay bill. Are you aware of that
17. amendment and what they have done to state officer's pay bill
18. in the House?

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well my question is, and just to explain to the members
23. perhaps, because I believe the two are related. The House has
24. taken action on SB1566 which sets the salaries for all state
25. officers in the State of Illinois. The amendment has been adopted
26. in committee which strikes every state officer's salary in half,
27. including the Governor. For those of you who will be returning in
28. January, it strikes the entire appropriation for the legislators,
29. so unless something is done you won't get your first check in
30. January. Somehow I believe the two may be related. And that's
31. Representative Regner may have offered the amendment to cut the
32. salaries in half of all state officers, and thereby, make this
33. commission..their work worthwhile. I rise in opposition to

1. this commission. It's just...it's relatively frivolous because
2. the time we drafted this bill, had someone review it, we've
3. spent more than five thousand dollars in the mere drafting and
4. getting it to this stage. Senator Laughlin, has pointed out
5. very aptly that twenty-five thousand dollars a year has already
6. been spent by the Judicial Advisory Council on which he and I both
7. sit. And that Advisory Council sets the salaries for all judges
8. in Illinois in cooperation with them. Therefore, you're going to
9. create a commission which is in conflict with the Judicial
10. Advisory Council. I would point out that our staff for that
11. council, recently placed on the desks of all the members a
12. relatively lengthy study of judicial salaries in Illinois back
13. some ten years. That's already been done. I don't believe we
14. have to study judges salaries again. If anyone is tremendously
15. interested in what legislators and judges make throughout the
16. State, Senator McCarthy, who is always well informed, has dredged
17. out of his desk the Book of the States, 1972-73. We have
18. interns and, as a former intern, I know that they have some free
19. time. This book costs some fifteen dollars. I would be glad
20. to buy one for the interns on our side that they and I am sure
21. that Senator McCarthy would loan them his in fact and they can
22. turn to page 62 and look at all of the legislative salaries and
23. the pensions of all legislators throughout the United States, and
24. in Guam, if perhaps, they are paid more. They can also compare
25. teachers' salaries throughout the States. If you'd like to
26. compare judges, you can turn to page 128 of this book and look at
27. all the judges' salaries. On page 132 you can find all the judges'
28. pensions. I would guess that one of the interns who we pay
29. six hundred dollars a month with a little prodding from leadership
30. on either side could perhaps strike out a fairly meritorious study
31. of both legislative and judicial salaries by the end of this week.
32. Therefore, with one fell swoop we may be able to save the State
33. five thousand dollars and at the same time give one of the legis-
lative interns something to do.

PRESIDENT:

Is there further discussion? Senator Horsley.

1. SENATOR HORSLEY:

2. I think always when you look at these matters you have
3. to look at what your repealing. And if you'll notice the last
4. section of this act repeals the act now on the books. Present
5. law says there are five members of the commission appointed by
6. the Governor with advise and consent of the Senate, not more
7. than three shall be of the same political party. Now, the only
8. difference in the present law that you are repealing and this
9. new law is you give the courts...you give everybody a piece of
10. the action and say well you get in here and appoint somebody to
11. get in and fight for a salary increase for you. I think you've
12. got enough on the books now when you got a five member commission
13. to study this matter. And if we don't have the courage here in
14. this Body to set our salary and the judges salary and all the
15. other salaries then we better get out. I think this bill ought
16. to be defeated.

17. PRESIDENT:

18. Senator Gilbert.

19. SENATOR GILBERT:

20. Well, I adopt the comments made by Senator Laughlin, parti-
21. cularly in relation to the act of the Judicial Advisory Council
22. study where we have worked and studied upon this, and as Senator
23. Horsley has said we have a commission now that can act and can
24. do thisand I feel that there's no question that appointing
25. this commission is an attempt to put off the salary increase until
26. after the election. And that's the sole purpose of it. And that's
27. why it was originated in the House after we had already started
28. the bill through in the Senate in relation to judges; salaries.

29. PRESIDENT:

30. Senator Knuepfer, may close the debate.

31. SENATOR KNUEPFER:

32. Well, I think one what I would call smoke screen has been
33. thrown up on this that I don't think is the issue at all. And
that is the question what's going to be done after the election

1. 'cause I assure you if somebody is going to do something after
2. the election they're going to do it whether this bill passes
3. or not. It makes absolutely no difference to that and this
4. bill isn't going to change that one iota. We had this happen
5. two years ago after an election. I wouldn't be the least bit
6. surprised if it happened now...I don't think this bill or if that
7. happened in November or December I don't think this bill is
8. going to make a darn bit of difference. I want to suggest to
9. you that I think, and I recognize that this Judicial Advisory
10. Council is setting the salaries or is making recommendations
11. for those salaries now, I want to point out two things about
12. those recommendations however. Number one, those recommendations
13. are made only for the judiciary and therefore there may or may
14. not be any relevance to the salaries for other county officials,
15. state officials, township officials, etc., and secondly,
16. and I think this is the most important, those recommendations
17. are made by a group of lawyers who every day are required to
18. practice in some judge's court. Now, I don't say that you
19. gentlemen on the Judicial Advisory Council...have not done
20. a good job, but I suggest to you that when you've got to
21. make recommendations on a salary of a man whose court you may
22. be in the next day, there is going to be some temperance to the
23. kinds of decisions. And the kinds of decisions that you are going
24. to come to, I think, are the kinds that essentially will say
25. that the judiciary is perhaps in it's relation to the legisla-
26. tive Body and the executive body a more responsible body simply
27. by the nature of your being closer to this kind of a situation.
28. Senator Bruce, we don't need a book of legislators' salaries.
29. We don't need a book of Governors' salaries. What we need is
30. more order to the process. When I set the salary of the personnel
31. manager of my plant or the comptroller, those are not set in
32. limbo. They are set in reference to all other salaries. And
33. I suggest to you and I will close very simply by suggesting that

1. the judiciary, the legislative body and the executive are all
2. related. And the salaries of one effect the other. And I don't
3. think it makes sense to have one body recommending the salaries
4. of the judges, another body that of the legislators, and a third body
5. that of the executive. I think it makes even less sense to do
6. what we are doing and will be doing in November regardless of
7. this law; and that is, becoming...whether this passes or not,
8. coming ...coming in for salaries for judges, for legislators, for
9. county officials, perhaps, for state officials, all of which will
10. be totally unrelated to one another And that's the only pitch I
11. make for this bill and I simply ask for a roll call.

12. PRESIDENT:

13. For what purpose does Senator Gilbert arise?

14. SENATOR GILBERT:

15. Wondering...I was wondering is Senator Knuepfer would accept
16. an amendment to make the effective date of this until 1973 then.

17. PRESIDENT:

18. Senator Knuepfer.

19. SENATOR KNUEPFER:

20. I certainly would...I don't have any...I'm not trying to
21. pull any...I'd be happy to accept that amendment if that will
22. make the bill sweeter to anybody.

23. PRESIDENT:

24. You wish to hold...Senator Knuepfer, what's your wish?

25. SENATOR KNUEPFER:

26. Call the bill and let's be done with it...if it's '73...
27. if it does go down, the bill can be reintroduced in '73. Let's
28. let her go this way...I think we're already too late in the Session
29. to be fooling around with the kinds of things that make it
30. smell a little better or make it smell a little worse. So
31. let's try it and see what happens.

32. PRESIDENT:

33. Secretary will call the roll.

1. SECRETARY:

2. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
3. Carroll, Cherry, Chew, Clarke...

4. PRESIDENT:

5. Senator Clarke.

6. SENATOR CLARKE:

7. Mr. President, I would just like to say that I have had a
8. little bit of experience with a commission outside the legis-
9. lature, which is made up of appointees of the leadership and I
10. want no part of any further commissions. I vote no.

11. SECRETARY:

12. Collins, Coulson, Course, Davidson, Donnewald, Dougherty,
13. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
14. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
15. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
16. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
17. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
18. Sours, Swinarski, Vadalabene, Walker, Weaver.

19. PRESIDENT:

20. Hall aye. Nihill aye. On that question the yeas are
21. 17. The nays are 12. The bill having failed to receive the
22. constitutional majority is declared defeated. Senator Laughlin
23. moves to reconsider. Senator Gilbert moves to Table. All in
24. favor of the Motion to Table signify by saying aye. Contrary
25. minded. Motion to Table prevails. 4330, is Senator McCarthy
26. on the Floor...Senator McCarthy on the Floor? Well...he was
27. here a moment ago. On the next page of the first column the
28. following bills are the first priority bills, will be considered
29. next. 4420, Senator Gilbert. 4445, Senator Sours. 4508,
30. Senator Latherow. 4523, Senator Hynes. And 4528, Senator
31. Gilbert. 4420, Senator Gilbert.

32. SENATOR GILBERT:

33. I believe that there is a misunderstanding on this. I think

1. this bill is to be handled by Senator Fawell. I thought that
2. I was handling it but...Representative Schlickman, I believe,
3. has asked Senator Fawell to handle it and....

4. PRESIDENT:

5. Senator Fawell's name will be shown. We'll bypass the
6. bill right now. Senator Neistein.

7. SENATOR NEISTEIN:

8. How many times are we going to go up and down these columns
9. and hold and come back or once we pass them are they going to be
10. Tabled?

11. PRESIDENT:

12. We're not Tabling them at this point, at least until there's
13. a Motion to that effect, Senator.

14. SENATOR NEISTEIN:

15. Well, we'll keep going up and down with the same bills...

16. PRESIDENT:

17. We're going to keep going up and down until we get rid of the
18. Calendar and until there's a Motion of the contrary. That's correct.
19. I can see that that meets with your approval, Senator.

20. SENATOR NEISTEIN:

21. It doesn't. It doesn't meet with my approval. But I don't
22. want to make my Motion yet...

23. PRESIDENT:

24. It's alright...

25. SENATOR NEISTEIN:

26. ...I have in mind.

27. PRESIDENT:

28. Senator Sours, 4445.

29. SENATOR SOURS:

30. Could we come back in about thirty seconds? I'm looking
31. for my file on that,,Mr. President.

32. PRESIDENT:

33. Alright...4528, Senator Gilbert.

1. SENATOR GILBERT:

2. SB4528 is amended. The appropriation is stricken from it
3. and is in another bill. It has an appropriation of \$590,000.
4. This is known as the Higher Education Cooperation Act and is
5. a direct result of a Joint House Senate Resolution...it was a
6. House Joint Resolution..I'm sorry, 94, which was approved in
7. January of this year. This bill establishes a Higher Education
8. Act and provides that our public and private institutions of
9. higher education, junior and senior, colleges and universities,
10. may enter into cooperative programs with each other. This is
11. under the Board of Higher Education. The Board of Higher
12. Education approves this. I have received numerous correspondence
13. and telegrams, even as late as today, from the federation of
14. private universities, who...support this program, and...I think
15. this is an attempt to allow all of the institutions within the
16. State, both public and private, to enter into cooperative agree-
17. ments of each other. Of course, the private ones can now with
18. each other and of course the public can, but this allows the
19. private and public to work together and it is a...recommendation
20. of the Board of Higher Education on this. And they are supporting
21. the House Joint Resolution, which we adopted this last year.

22. PRESIDENT:

23. Senator Knuepfer.

24. SENATOR KNUEPFER:

25. Well...Senator Gilbert, I appreciate the desirability of
26. cooperation, but if you and I cooperate, why do we need a
27. financial incentive to cooperate? Now, I understand that was
28. stricken from this bill, but it's obviously in some other bill,
29. I take it.

30. PRESIDENT:

31. Senator Gilbert.

32. SENATOR GILBERT:

33. I...I pointed that out, sir. The original appropriation was

1. \$1,000,000 on that and in the House the appropriation was reduced
2. to \$590,000.

3. PRESIDENT:

4. Senator Knuepfer.

5. SENATOR KNUEPFER:

6. My question still stands. You and I can cooperate, or you
7. and Senator Laughlin can cooperate, but why do you need an appro-
8. priation to get together? Why can't you cooperate without an
9. appropriation?

10. PRESIDENT:

11. I think that there are certain programs that would require
12. financial assistance...in this institution of cooperation, which
13. the higher board would allot. For example, the Quad City Program,
14. now the Graduate Study Center...is being funded. Now, this is
15. recommended the \$50,000 be given to the Quad City Graduate
16. Center, which has to be done by the approval of the board...and
17. this is the type of...money which would be needed in this program.

18. PRESIDENT:

19. Senator Knuepfer.

20. SENATOR KNUEPFER:

21. Now, this gets a little more interesting. The new constitu-
22. tion provides for...cooperation among all kinds of units of
23. government, but we don't to the best of my knowledge provide funds
24. for municipalities who cooperate. We don't provide funds for
25. public health districts who cooperate. We don't provide funds
26. for counties that cooperate. Why do we need to provide funds
27. for higher education to cooperate?

28. PRESIDENT:

29. Well, I would presume that this would be, as far as the public
30. institutions, are concerned money that would be given to them
31. directly. We have before us appropriations. We are attempting
32. to fund...both public and private higher education institutions,
33. as we are the...private elementary secondary with the parochial

1. aid bills. This is an attempt to keep these institutions
2. working together for the best interest of higher education.
3. And at times there are funds which are needed to be given back
4. and forth within these institutions. And as I state this is
5. under the direction of the Higher Board and must have their
6. approval. So it's just not a question of some institution
7. saying they need something and going to some commission or
8. committee and getting it.

9. PRESIDENT:

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. I'm not...I'm not...I'm not going to belabor it anymore.
13. But I want to provide...I want to point out that...the cooperation
14. I'm not in opposition to one iota. There is however, another
15. aspect of this and in effect this is simply another program
16. added on to all the others and I think it ought to be looked at
17. as that.

18. PRESIDENT:

19. Senator Laughlin.

20. SENATOR LAUGHLIN:

21. Well, Mr. President and members of the Senate, I know better
22. then to think that I can defeat this bill. But I have never
23. voted, except in the instance of permitting state scholarships
24. to be used at private colleges, for the intermingling of funds
25. and functions between private and public universities. And I
26. have tried to look at this bill and while I usually do, Senator
27. Knuepfer, cooperate with Senator Gilbert, in this particular case
28. without any money changing hands I simply can't cooperate with
29. him because I think this is designed to further hybridize
30. our private institutions of higher education. Now, you can
31. say they're going to become quasi-public, and your probably
32. right, but I am not going to cast a vote while I am here to
33. make what is a private institution, in effect, a public institu-

1. tion. I think that the interchange of monies here, would be my
2. guess, is always, always going to go one way. And that is to the
3. private institutions to help them in the tight financial bind in
4. which they find themselves. So very respectfully, I wish to be
5. recorded no when the time comes.

6. PRESIDENT:

7. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, although Senator Gilbert mentioned in this particular
10. bill the appropriation has been removed, he has pointed out
11. another bill for 4...\$590,000 dollars is on the way. Because I
12. believe it's in the interest of the membership to understand
13. how the \$590,000 is spent, I have before me the Board of Higher
14. Education Grants that are going to be made. And I think the
15. membership should be apprised of how the money is going to
16. be spent. For instance, we're going to spend money on the
17. Collegiate Common Market to establish the principles for inter-
18. institution, interprogram, interagency cooperation, a proposal
19. for an Urban Semester Program, a proposal for an interinstitution-
20. al telecommunication consortium for \$125,000 this year, \$1,786,634
21. over the coming years with a possible 7-link microwave system.
22. We're going to have a two-way media link between Bradley, ISCC,
23. ISU, Wesleyan, WILL, Parkland and U of I, that's link 1...goes to
24. 8 - 7 links. We're also going to buy, I think, it's interest-
25. ing that in link 6, we're going to buy the former WJJY T. V. station,
26. in Jacksonville, which the educationalists have told me is now
27. not going to be a T. V. station, but will become a media dispersal
28. unit. We need one of those. We're also going to create an Auto-
29. mative Information Dissimination in Education, a center agency to
30. acquire and screen educational information and assistance resources.
31. Also there's a proposal for an interagency collaborative arrange-
32. ment in inter-city teacher training. There is a proposal for an
33. interinstitutional cooperative for regional emphasis in domestic

1. and industrial pollution...\$75,000, in the coming year for
2. that. An Interinstitutional Cooperative to collaborate on
3. whatever activities are deemed feasible, \$25,000. An Area
4. Higher Educational Instructional Television Network Consortium,
5. \$25,000, next year. A proposal for a Women's Center for con-
6. tinued education. A proposal, a second proposal, for a Women's
7. Center for continued education to encourage community residents
8. to undertake further studies towards the AA degree. A coopera-
9. tive proposal for a college student health services, and I
10. would alert the membership to this that we are going to buy
11. a micro wave linkage system for diagnosis of student health
12. problems, \$100,000, beginning next year, so that the students could
13. go and talk to and through a walkie-talkie they could diagnose
14. their problems. Special education for Cooperative Institutions,
15. \$70,000. Cooperative graduate center, \$45,000. An intercollege
16. conference on foreign relations, where we are going to have
17. powers on local college levels that influence foreign policies,
18. take a trip to Washington, conduct a simulation experience at
19. De Paul University. Proposal sixteen is to develop an inter-
20. campus networks and programs for teacher preparation. That's
21. not all the programs we have...there's also a proposal for a
22. regional consortium, not just a statewide, but a regional con-
23. sortium to better inform each institution about instructional
24. methods. On a cooperative program in cinematography, which
25. is only \$15,000. And a proposal for a center for continuing
26. prison education for \$59,000. All of these projects no one can
27. say are inappropriate, but in a year in which the State Treasurer
28. is saying we are going to run out of money in January, in which
29. the Governor is saying he has presented to us a budget which has
30. no fat, I think...we should take a second look at a program that's
31. going to cost us \$590,000 next year, a program that was intro-
32. duced this year at \$1,000,000, a program that next year will be
33. more then that. Each of these institutions can come to this

1. Body and have them approve an interinstitutional grant to have
2. the Board of Higher Education, whose Director already is one
3. of the highest paid officials in the State of Illinois, admin-
4. istering this program leaves to have pause as to whether or not
5. they should also have control over a program that could lead to
6. a substantial expenditure of state money.

7. PRESIDENT:

8. Senator Groen.

9. SENATOR GROEN:

10. Mr. President and Senators, I will not reiterate all of
11. the things which have been said to this point regarding this bill.
12. I do want to call your attention to page two of the bill at
13. the top. Now, one of the troubles with this idea and it seemed
14. good. It sounds great. And it might work and the cost might not
15. be astronomical, if we limited it to it's application to higher
16. education institutions located within the State of Illinois. But
17. it doesn't do that. And if you will read on page 2 of the bill,
18. I am reading from the very top paragraph of Higher Education may
19. participate in interinstitutional programs, which involves in-
20. stitutions based outside this State. Now the concept of that
21. sounds very good, if it's good for those schools within the
22. State, then should they not be permitted to go outside the State
23. and enter into program relations with Harvard, Southern California,
24. Oregon, you name it. But I say to you that this is the kind of
25. a bill that has been pointed out, where the appropriation this
26. year might be called seed money. And I say to you that if this be-
27. comes the law of this State, that half a million or million dollars
28. in five years is going to be fifty million dollars. And if they
29. go beyond the boundaries of the State of Illinois and enter into
30. these arrangements or agreements with schools located outside of
31. this State, I can certainly envision within a short period of five
32. to ten years a total appropriation and involvements commitments
33. which we have started and can't wind down. They can do nothing

1. but go on and grow and grow and grow, and you're going to have an
2. appropriation here for this purpose in the billions of dollars
3. within the next ten years. I think you should examine very
4. carefully whether you want this kind of a program to start now
5. ...with your knowledge and experience of what happens to such
6. programs once everyone builds his own private empire. And
7. that's what will happen here in every higher educational institu-
8. tion. Unless we can at least limit it to the State of Illinois
9. as a starter, I can't support the bill.

10. PRESIDENT:

11. Senator Gilbert may close the debate.

12. SENATOR GILBERT:

13. Well, I think that many of the things that Senator Bruce
14. has said...that...others who oppose this have said...point out
15. the very reason for which this bill is being proposed. And that
16. is to attempt to eliminate duplication. I certainly hope that Senator
17. Bruce is not opposing the youth of educational T. V. We are making
18. great strides in our elementary, secondary schools, both in closed
19. circuits and otherwise, in use of it. They have an educational T. V.
20. station in his own area that's a part of Southern University,
21. which has been of great service to all of that part of the State
22. of Illinois. The idea that we in Illinois cannot enter into
23. agreements with other institutions seems to me to be rather narrow
24. in attempting to get the benefit of programs that have been developed
25. at the expense of the taxpayers of other states or at the expense
26. of other institutions be they private in other states without
27. having to try to go through the same experimental program or the
28. same research here in our own state. You must realize that what-
29. ever this agency spends they must come to this legislature just
30. as they are right now, that they cannot spend anything without
31. the approval of the Board of Higher Education. The Board of
32. Higher Education have asked for this. They feel that it is an
33. attempt to make better service available. And I feel that it is

1. not going to mushroom into an expense. And certainly if the
2. program is advocated that each one of the institutions come in
3. and develop their own program and ask for this money, lady and
4. gentlemen of the Senate, your going to have many times the amount
5. of money that this program would cost...when you add up what each
6. of the state-supported institutions asked when you go through the
7. various ones. This is the one way to control the very thing that you
8. are worrying about...is to have it under the control of the Higher
9. Board that no expenditures can be made without their approval.
10. And certainly no expenditures can be made until this legislature
11. makes an appropriation in years to come. This is an advance in
12. education. It is not a step backward and I urge your support.

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

24. PRESIDENT:

25. Senator Gilbert.

26. SENATOR GILBERT:

27. Well, I apparently have done a very poor job in explaining
28. to a lot of people here what this bill means because the people
29. that support this very concept have either sat on their hands or
30. voted in the negative. I'm not going to call this bill up unless
31. I can find that there is a better understanding of it. But I
32. am going to move for postponed consideration. This is too im-
33. portant an item to have failed because of my lack of being able

1. to explain the purpose of it.

2. PRESIDENT:

3. Motion to postpone consideration. All in favor signify by
4. saying aye. Contrary minded. The Motion to postpone considera-
5. tion prevails. 4445, Senator Sours.

6. SENATOR SOURS:

7. Mr. President and Senators, this bill meets with the en-
8. thusiastic approval of the Illinois Hospital Association, the
9. Illinois Medical Society, the Department of Public Health, Dr.
10. Yoder, and it concerns the labeling of blood. In order to insure
11. the proper medical care for people in Illinois, it is necessary
12. that there be an adequate supply of the highest quality blood.
13. The increasing demand for blood and the lack of donor interest
14. has created an increasing number of persons who donate for
15. monetary compensation, and thus are paid donor fees. Now, the
16. mandatory labeling of blood is long in coming. The problem of
17. serum hepatitis it is hoped, and it is a rather grave one, may be
18. solved. The bill requires that blood donors meet criteria of
19. the Department of Public Health. It allows Illinois Blood
20. Facilities to obtain blood from other states. After July 1, 1973,
21. if this becomes the law no purchased blood may be used for
22. transfusions except as provided by the Department of Public Health.
23. The bill is designed primarily to produce a statewide Volunteer
24. Blood Donor Program and to slow down the incidents of serum
25. hepatitis. That is precisely what the bill does.

26. PRESIDENT:

27. Is there any discussion? Secretary will call the roll.

28. SECRETARY:

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

31. PRESIDENT:

32. Senator Cherry.

33. SENATOR CHERRY:

1. Senator Sours, answer a question. We have had many of
2. these bills, Senator, some of which have the effect of reducing
3. the liability of a person who administers a blood transfusion
4. from...negligence or in some instances we have had bills that
5. would eliminate liability for gross negligence. Does this bill
6. have any effect upon the liability of the person who uses blood
7. to give to another for transfusion in his professional
8. standing.

9. SENATOR SOURS:

10. My information, Senator, is that it has nothing to do with
11. that.

12. SENATOR CHERRY:

13. Okay.

14. SENATOR SOURS:

15. ...This simply creates the minimum standard for blood.

16. SECRETARY:

17. Chew, Collins, Coulson, Course, Davidson, Donnewald,
18. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
19. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
20. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
21. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
22. Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,
23. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

24. PRESIDENT:

25. O'Brien aye. Nihill aye. On that question the yeas are
26. 40. The nays are none. The bill having received the constitutional
27. majority is declared passed. On the next column these are the first
28. priority bills. 4551, Senator Dougherty. 4457, Senator Dougherty.
29. 46...okay...4622, Senator Davidson. 4630, Senator McCarthy. 4642,
30. Senator Ozinga. 4644, Senator Sours. 4647, Senator Latherow.
31. 4622, Senator Davidson. Not at this time Senator Davidson? Okay,
32. it will be held. 4642, Senator Ozinga.

33. SENATOR OZINGA:

1. I'd like to bring that one back for amendment, if you'd
2. please?

3. PRESIDENT:

4. 4642 is brought back to 2nd reading for amendment. Can you
5. explain the amendment?

6. SENATOR OZINGA:

7. To Table the Amendment. I'm sorry.

8. PRESIDENT:

9. Oh, to Table the Amendment.

10. SENATOR OZINGA:

11. I'd like unanimous consent to suspend the rules to
12. Table the Amendment on 4642. Now, this is the amendment that
13. was put on here the other day. We took it up with the House
14. members, and by agreement with the President pro tem and other
15. members over in the other side of the aisle and this side of
16. the aisle too, we agreed to take off the amendment. So
17. therefore, I would like to Table the amendment at this
18. time.

19. PRESIDENT:

20. 4642, Motion is to reconsider the vote by which Amendment
21. No. 1 was adopted. All in favor...Senator Savickas.

22. SENATOR SAVICKAS:

23. What does the amendment do?

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. The amendment added 88 thousand dollars for data processing
28. personnel to the Legislative Council, but they after a thorough
29. discussion with it we've decided to hold it in abeyance for the
30. time being. This was in accordance with Toby Barry and all
31. the other members over there.

32.

33.

1. PRESIDENT:
2. All in favor of the Motion to reconsider indicate by saying
3. aye. Contrary minded. Motion...prevails. All in favor of
4. Tabling indicate by saying aye. Contrary minded. Motion pre-
5. vails. We'll get back to to your bill in a short time. 4644,
6. Senator Sours.
7. SENATOR SOURS:
8. ...for about five minutes, I'm finding my notes again.
9. PRESIDENT:
10. We will defer it temporarily. 4630, Senator McCarthy.
11. SENATOR MCCARTHY:
12. Yes, Mr. President and members of the Senate. HB4630
13. is the regular appropriation to the Commission on Intergovern-
14. mental Cooperation. It's identical to a bill that passed the
15. Senate that I and Senator Harris sponsored. And that bill is
16. in committee so Senator Walsh asked this one be sent on to you.
17. I recommend a favorable vote.
18. PRESIDENT:
19. Is there any discussion? The Secretary will call the roll.
20. Senator Dougherty.
21. SENATOR DOUGHERTY:
22. Senator McCarthy, would you answer a question for me on that
23. bill?
24. PRESIDENT:
25. He indicates that he will.
26. SENATOR DOUGHERTY:
27. That's the bill, it transfers funds from the reconstruction
28. fund of the Metropolitan Affairs to the General Revenue Fund,
29. doesn't it?
30. PRESIDENT:
31. Senator McCarthy.
32. SENATOR MCCARTHY:
33. The...this is just a regular appropriation to the Commission

1. on Intergovernmental...

2. PRESIDENT:

3. Secretary will call the roll. Senator Horsley.

4. SENATOR HORSLEY:

5. Well, I'd...I want to inquire of the sponsor about this bill.

6. Is this the commission that tells you where to go to get hand-

7. outs and..studies that type of thing between one unit asking

8. another for money?

9. PRESIDENT:

10. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Well, I think the commission has in the past presented some

13. studies involving federal programs, Senator Horsley...they've

14. done research work on that...they've tried to ...assimilate for

15. State Government a compilation of the growing federal program...

16. they've worked hand in hand, I believe, with the Department of

17. Local Governmental Affairs, insofar as giving them that informa-

18. tion. Is that what you mean by handout?

19. PRESIDENT:

20. Well, they had a fellow, who had his office right across

21. from my office on the 5th floor, and he was the executive secretary

22. of this. He was a fellow that represented himself to be a

23. Senator, and we had to get the police in the act. He even ran

24. into cars here in town. We had all kinds of trouble with him.

25. And he told me and I watched his day by day activities, up there,

26. of course, I'm not in my office very much, but what time I was there

27. and I watched him operate, he wasn't having much to do with hand-

28. outs except for himself that I could find out. Now, when I did

29. ask him just what in the world this outfit did, he was supposed

30. to prepare catalogues. So if you wanted to get some federal money

31. here, or some state money there, he'd tell you where to go to get

32. it and he was the man that would have the key to where to get your

33. handouts. Now, I think it, it's just bad enough...bad enough that

1. we have these handouts, but we can't let well enough alone
2. and kind of keep them a secret until people find us and take
3. them away from us, but we have to publish indexes and hire
4. a big group of people to go out sell them and try to get
5. these people to apply for the handouts, and I think the best place
6. to stop it is to abolish this commission, and then we could
7. abolish the group that's selling the handouts and try to convince
8. people that they ought to come in and get more money. Though, I,
9. just for one, don't believe in advertising free like the bank that
10. gave you a hundred cents on the dollar the other day. They gave
11. you dollar bills for eighty cents. Now, I don't believe, if they
12. would advertise that very much they'd make much of a profit.
13. But here in the State of Illinois for us to hire people to do
14. nothing but publish booklets, and encourage the people to come
15. and get it...I think we better kind of hide our light under a
16. bushel basket somewhere, and let people find us to get the money.
17. And I want to be recorded no on this whole appropriation.

18. PRESIDENT:

19. Senator McCarthy.

20. SENATOR MCCARTHY:

21. ...Senator Horsley...you described the man that formerly
22. was the executive...formally...executive director, I think, of
23. the commission...I know there was...Senator Harris had a sub-
24. committee and he's gone on to, I think, non-governmental fields.
25. The man that's in there now, John Latimer, I've heard no
26. comments about his work, except that it's excellent. I might
27. mention that this is the commission that is the component of the
28. Council of State Governments. The bulk of the appropriation, or
29. a large portion of the appropriation, is for sustaining that
30. Council of State Government, amongst the fifty states...I don't
31. know if there is substantial opposition, Senator Laughlin served
32. on the commission. This bill was passed, I think, by fifty-two
33. votes...as a Senate bill. I...I think it is a commission that

1. should be funded.

2. PRESIDENT:

3. Senator Laughlin.

4. SENATOR LAUGHLIN:

5. Mr. President and members, I've served on the Intergovern-
6. mental Cooperation Commission and it is true that there was a
7. work published about funds, and one of the reasons it was pub-
8. lished is because...the prolific way in which these funds are
9. developed. However, the commission does other things, such
10. as coming in here, studying and making recommendations for com-
11. pacts between the states. And you have passed on a good many
12. of these compacts and it is one way that state governments are
13. attempting to keep themselves as a viable form of government.
14. In my humble judgment they are losing the battle and some day
15. before I leave this Floor I'm going to tell you what I think is
16. going to happen to state government or has already happened to
17. state government. But this is an effort to do that. In
18. addition there is...there are committees, there's a sub-committee
19. on Law Enforcement of the Midwest Council of State Government.
20. There's a...taxation committee it was called, I think it's
21. changed. When I served on it, it was the Taxation Committee of
22. the Midwest Council of State Government, in which people from
23. the various states get together and discuss their tax problems
24. and endeavor to work them out...in the field of income tax...
25. and sales tax, the compacts are very important...so that, I
26. think it's unfair to judge...any commission and particularly this
27. commission on the basis of the fact that they published a book that
28. said you could get money, because I think they do much more
29. than that.

30. PRESIDENT:

31. Secretary will call the roll.

32. SECRETARY:

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

1. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
2. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
3. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
4. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
5. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
6. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
7. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

8. PRESIDENT:

9. Walker, aye. Mitchler, aye. Bruce, aye. On that question
10. the yeas are 40. The nays are 2. The bill having received the
11. constitutional majority is declared passed. 4642, Senator
12. Ozinga.

13. SENATOR OZINGA:

14. Mr. President and members of the General Assembly, members
15. of the Senate, this is the ordinary and contingent expenses of
16. the Legislative Council. I'd appreciate a favorable 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,
22. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
23. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
24. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
25. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
26. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
27. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
28. Weaver.

29. PRESIDENT:

30. Johns, aye. Newhouse, aye. On that question the yeas are
31. 45. The nays are none. The bill having received the constitutional
32. majority is declared passed. 4644, Senator Sours.

33. SENATOR SOURS:

1. Mr. President and Senators, this bill results from the
2. clerical backwash of the Illinois State Income Tax. I think
3. most of you have received correspondence on the subject. It
4. excises from the...act, the provision making deduction of
5. certain pension income from base income applicable only to
6. benefits accrued during the plan years prior to August 1,
7. 1969. From the literature on the subject and the correspondence
8. I have received, apparently it is a backbreaker for any company,
9. whose employees ...are the beneficiaries of a company pension
10. plan. Brian Duff of the House advises me that there will be
11. a loss and I am quoting him of a hundred and eighty-three thousand
12. dollars, in the fiscal year coming up. There was distributed
13. to the Senators here today a brochure describing the remarks of
14. Willard A. Hartman, made to the Revenue Committee of the House.
15. ...Mr. Harry Allenbrand has discussed this with me today, and
16. I understand that he handles the Park District Pension Fund, the
17. City Police Pension Fund, that's Chicago, the City employees and the
18. Cook County pension fund. Apparently, by excising, if you will
19. examine the bill, you will notice that there are two places where
20. certain section numbers are deleted. It will permit not only the
21. private employers, but the government employees, governmental em-
22. ployers also to make the form...rather make the return in such
23. a way where all their useless time will not be expended. I could
24. quote from some of the comments of Mr. Willard A. Hartman, but
25. I think just a cursory examination of the bill will indicate that
26. what I have stated here is the fact. As presently constituted
27. now, this requirement is a backbreaker and it's a waste of
28. money and time of the companies and the governmental entities
29. furnishing the form information.

30. PRESIDENT:

31. Is there any discussion? Senator Clarke.

32. SENATOR CLARKE:

33. ...Senator...there's some material has just been placed on

1. our desk, I guess, because I haven't seen it before. And in
2. the second paragraph the explanation of the amendment ...it
3. indicates...but I am not able to perceive exactly what it means.
4. Is there a cutoff date...in this amendment to the bill so that
5. at some time in the future...as this loss grows...it will be
6. changed so that the state won't be losing, because I see here
7. the statement that the long run revenue loss from the original
8. bill will grow to more than two hundred million per year in
9. thirty years.

10. PRESIDENT:

11. Senator Sours.

12. SENATOR SOURS:

13. I don't know. If you'll examine the bill, on page 2 of
14. the bill, the following is deleted: But only to the extent such
15. amount is determined under regulations prescribed by the department
16. to be attributable to benefits accrued whether or not vested during
17. plan years beginning before August 1, 1969, by or on behalf of
18. the employee, with respect to whom such amounts are received. Now
19. there is a real daisy for a lawyer, for a actuary, for a certified
20. public accountant or for any office manager, believe me.

21. PRESIDENT:

22. Senator Clarke.

23. SENATOR CLARKE:

24. And I don't understand it, Senator, but going on, why, this
25. explanation says that this change and I presume referring to the
26. amendment...will eliminate the long run revenue loss of the original
27. bill. And I was just wondering, because I had heard talk of a
28. cutoff date being set...that at the present time, as you indicate
29. the figures are that the cost of figuring these...differences in
30. the valuation date are almost as great as the revenue to the State.
31. But over the long run as this grows...this bill will mean loss of
32. considerable revenue to the State. And that's the thing that con-
33. cerns me...aside from the principle of the thing, which we will

1. get to later.

2. PRESIDENT:

3. Senator Sours.

4. SENATOR SOURS:

5. I can't answer that truthfully, I do know this, that...
6. the..the income tax as enacted in 1969, had a lot more problems
7. than this. There's even another one that this doesn't even attack
8. and that is the unqualified pensions. This touches only the
9. qualified pension and by that, I can define that by telling you
10. what an unqualified pension is. It is one, for example, which a
11. company offers an employee...it is non-contributory and it is
12. voluntary...not involuntary, and they give the employee a point
13. for every year of his age, and a point for every year of his
14. employment. And then they fix a minimum number of points, where-
15. by that person will receive a pension. Now, mind you that is non-
16. contributory. That is voluntary. You don't have to and you may,
17. let's put it that way. Now those are unqualified pensions. What
18. we're talking about here are the qualified pensions which qualify
19. under also the Internal Revenue Code. Now, we're talking also
20. about a regulation that makes it almost impossible for a company
21. to make these form returns...the...and they're just talking about a
22. nickle here and a nickle there...in the case of an individual pen-
23. sioner...a very small amount. Probably, the cost of the computation
24. of some of the information on this return of an individual is
25. ten times what that person is receiving. So therein lies the
26. problem today and this cures that. Now, I have been told by
27. Representative Duff that in this fiscal year there'll be a
28. loss of a hundred eighty three thousand dollars. Now, I know
29. we're all anxious to conserve and to have the administration...
30. have sufficient funds to carry on. But to me, if we are going
31. to punish practically every bookkeeper, every certified public
32. accountant, and every office manager of every corporation from
33. U. S. Steel down to plowed ground county, then, of course, the very

purpose of the regulation is officious and ought to be eliminated.

1. PRESIDENT:

2. Senator Clarke.

3. SENATOR CLARKE:

4. Well, Mr. President, Senators, I just want to say this: that
5. regardless of the question of whether there is a provision in
6. this amendment, and we have a copy of the amendment here, but I
7. can't make out whether it has a cut-off date or not. We have a
8. principle involved here that I think is important that we recognize
9. it even though we may pass this bill. And that is that in so doing,
10. we are for the first time providing an exemption to the income
11. tax law. And I think in the...general picture that that is a
12. bad thing...even though I was one of the ones who was severely
13. concerned about the valuation date, about the income tax law
14. in terms of it's application to...assets, pensions...capitol gains
15. and other assets, bean tax, back beyond and before the August 1st,
16. '69 date, of the inception of the income tax. I felt that was
17. unfair and we took action to rectify that as did the courts in the
18. Mitchell case, which is being appealed...but it has been affirmed
19. in the lower courts, even up to the Supreme Court of this State,
20. I believe. Now, we are saying that because of the difficulty of
21. figuring out and separating out the pensions prior to and after
22. August 1st, we should therefore just exempt them. And I think
23. that this may have some merit. But I think, that we should
24. recognize that this is making an exception of a certain class of
25. income, and I would certainly strongly resist the idea that this
26. should be furthered, that we should use this as a stepping stone
27. to start looking at other things because you could make the same
28. argument, as Senator Sours has indicated, for non-qualified pension
29. plans. You could make the same kind of argument for any type
30. of capitol gains. And I think that this would be a serious
31. erosion of this income tax base, which has provided so bountiful
32. for the State.

33. PRESIDENT:

Senator Vadalabene.

1. SENATOR VADALABENE:

2. ...Yes, Senator Sours, would you yield to a question, sir?

3. PRESIDENT:

4. He indicates he will.

5. SENATOR VADALABENE:

6. I think Senator Clark alluded to the SB10 and SB1135, one
7. was sponsored by myself and one sponsored by Senator Harris, which
8. took care of the people who were taxed prior to August of '69.
9. In this bill, Senator Sours, are they exempting the people that
10. are being taxed after the state income tax or are they exempting
11. the corporations?

12. PRESIDENT:

13. Senator Sours.

14. SENATOR SOURS:

15. You see the big problem, Mr. President and Senators, re-
16. sulted from one concept only. If the income tax went into effect
17. on August 1, 1969, and it were prospective with no retrospective
18. effect, then, of course, those values or those pensions or those
19. contract rights, annuities, for example, under insurance policies,
20. they had either been vested or they had accrued. Now, those
21. two verbs are not synonymous either. If it were vested...the
22. State of Illinois could not legally, lawfully change horses
23. in the middle the stream and start taxing them. If they were
24. accrued it would be the same way, because then the legislation
25. would be retrospective rather than forward and prospective.
26. Now, even unqualified pensions could be said to have been accrued.
27. Take a man who went to work in 1940 and worked twenty-five years
28. and when you add his age and his one point a year, when 1969 came
29. around his pension could have accrued, even though he never con-
30. tributed penny one and even though it were voluntary. Now, those
31. are your big problems that came up in the passage of the income
32. tax. And you may remember, you and I, worked on something similar
33. to this. Then there was another bill which would prohibit the

1. State from reaping the largess and the profits from a farmer
2. who say bought a farm in 1940 for ten thousand and on August
3. 1st ...or on July 31st, 1969, it was worth seventy five thousand.
4. And had...until we amended the act, that farmer would have had to
5. report as ordinary income sixty five thousand dollars. Now, to
6. me those were gross injustices. This is not a financial gross
7. injustice, this is a paper work injustice because of the con-
8. flict between vested and accrued, retrospective, prospective
9. and all that goes into it to make things legal. And it may be
10. that this form that these people have to submit is so onerous
11. that they got the wind knocked out of them and don't have enough
12. money left to bring a suit to declare it unconstitutional.

13. PRESIDENT:

14. Senator Vadalabene.

15. SENATOR VADALBENE:

16. Well, then what I am really asking is this. Are the people
17. that are now participating in pension programs and profit sharing
18. programs or saving plans or whatever they call them now, after
19. the effective date of the state income tax, will these people be
20. exempt from the state income tax on their pension program? This
21. is the question I am asking.

22. PRESIDENT:

23. Senator Sours.

24. SENATOR SOURS:

25. On the accruals and on the vested interest before August
26. 1st, 1969, yes. That was the main trouble anyway.

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. Yes, Mr. President and members of the Senate, I rise in
31. support of this bill. It seems to me, as Senator Clarke has

32.

33.

1. rightly pointed out, that this is the first and possibly be
2. the only exemption to the Illinois State Income Tax. And it
3. also seems to me that the people that we have been attempting
4. at least by virtue of the senior citizens' relief tax act, etc.,
5. the people that we are attempting and should help are the pen-
6. sioners, and this bill will do exactly that. And I would urge
7. all the members on my side of the aisle to support this bill
8. wholeheartedly.

9. PRESIDENT:

10. Secretary will call the roll. Oh, excuse me, Senator
11. Horsley had asked for the Floor. I'm sorry, Senator.

12. SENATOR HORSLEY:

13. Well, Mr. President, I wanted the sponsor to answer a
14. question. I don't know much about federal taxation or state
15. income tax, but I have just this simple question. For example,
16. several of us here are interested, let's say, in the coal miners,
17. which is a non-contributory pension where they presently get,
18. say, about a hundred seventy five dollars a month. And it is
19. actually deferred payment is what it amounts to because it...
20. it's money that is paid annually based on tonnage and it's put in
21. a pension fund to which they contribute nothing. Now, would
22. that be taxable under this bill?

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. I can answer that only to this extent. If it is a qualified
27. pension, yes. Now, if you want to know what a qualified pension
28. is, I have to get the U. S. Internal Revenue Code. Certainly,
29. in the case I just mentioned of a non-contributory voluntary
30. pension, that is not a qualified pension. I could answer the
31. question if you knew whether at the present time the pension
32. is a qualified pension under the Federal Internal Revenue Code.
33. If it is, then this won't change it.

1. PRESIDENT:

2. Senator Horsley.

3. SENATOR HORSLEY:

4. Presently, it's taxable income...under the present time.
5. But it is a business exemption for the employer, but the in-
6. come is taxable.

7. PRESIDENT:

8. Senator Sours.

9. SENATOR SOURS:

10. Then, if it is...is it a deductible business expense for
11. the employer? Then, I can't answer that. Normally if it is
12. a deductible expense for the employer it becomes a qualified
13. pension. And if it's a qualified pension you do get the bene-
14. fit of your long term.

15. PRESIDENT:

16. Did Senator Laughlin want the Floor?

17. SENATOR LAUGHLIN:

18. Well, Mr. President and members, I simply want to know
19. whether I have a conflict of interest here as somebody who is
20. going to retire from this Body. And I'm trying to find out what
21. it does to legislative pensions. And I don't know whether this
22. wipes them out...from now on or whether it doesn't ...I'd appre-
23. ciate anybody who could explain it, because I don't understand the
24. explanation up to this point as far as it applies, for example,
25. to the General Assembly Retirement System.

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. In the case of the Senators, may I say that this is a ...this
30. is a voluntary but a contributory pension, just like under which
31. we operate, just like any annuity if one were to purchase an
32. annuity from a life insurance company. It is not taxable during
33. all the payments until after the annuitant, after the pensioner,

1. has received all of his contribution. When he has received all
2. of his contribution taken from his salary, from there on it is
3. ordinary income. That's a qualified pension.

4. PRESIDENT:

5. Senator Clarke.

6. SENATOR CLARKE:

7. I just happen to have some information on that given out by
8. the Department of Revenue. And I might just read...part of...
9. the first paragraph in which they explain an amendment that they
10. propose to this bill which was not put on. And a part of that
11. amendment was to clarify the very point that Senator Laughlin asked.
12. Because they state in this first paragraph the language describ-
13. ing what pensions get the benefit of the modification of the sub-
14. traction that has been added for the purpose of making it clear
15. that governmental employees get the benefit of the modification.
16. The 400 section of the Internal Revenue Code named in the bill
17. describes qualified plan: Government plans are qualified plans.
18. And then they go on to say that normally, of course, these plans
19. don't ask for rulings from the Internal Revenue...as a private
20. plans do, because there is no tax incentive and people get con-
21. fused. But it does not change the way in which the current rules
22. are administered or effect these plan. So, I think, the answer
23. to the question would be that...the retiring Senators do have a
24. slight conflict of interest.

25. PRESIDENT:

26. Senator Laughlin.

27. SENATOR LAUGHLIN:

28. Well, I'm not sure I understand yet, Senator Clarke. I un-
29. derstand the Federal Internal Revenue Code to provide that if you
30. recover all of your cost within three years, you get that back
31. because you have already paid the tax on it and from then on you
32. start paying. Now, what your saying here, Senator Clarke, to me
33. is that it's subject to the same modification as another plan,

1. and that isn't quite the same as saying that all the tax...all
2. the pension money is received by an annuitant after retiring is
3. free from income tax...or did I misunderstand you?

4. PRESIDENT:

5. Senator Clarke.

6. SENATOR CLARKE:

7. I think the confusion comes because in this paragraph, he
8. is speaking of the modification in relation to the amendment which
9. was not adopted. And that...I would like to go into what that
10. would have done, but in effect under the bill as it now stands,
11. pensions to legislators would be exempt because they are qualified
12. or they are considered qualified plans...without any limit as I
13. understand it because other pension plans would be exempt from
14. the state income tax. Now, the Revenue Department was proposing
15. an amendment to have a cut-off date of January 1st, 1980, for
16. the purpose of recovering, when it gets to the point of a two
17. hundred million dollar loss, recovering...so that automatically
18. we would at that time reinclude these pension plans back in the
19. income tax. That amendment was refused by the sponsor and I
20. think that is an unfortunate thing, because once we pass this type
21. of bill...without that type of cut-off we are in effect saying
22. that seven or eight or ten years from now there's going to be
23. substantial loss to the State and of course your never going to
24. get that type of provision back in this bill regarding pen-
25. sions once the bill is passed. I might point out that I would
26. certainly agree with Senator Rock that we are all interested in
27. the small pensionee. But there are many large corporate executives
28. that take lump sum payments that would be included too under this
29. type of thing and I think there could be a considerable windfall
30. for certain individuals that aren't...you know...hardup.

31. PRESIDENT:

32. Senator Sours, may close the debate.

33. SENATOR SOURS:

1. Nothing more.

2. PRESIDENT:

3. Secretary will call the roll.

4. SECRETARY:

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

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. Mr. President, I am thoroughly familiar with this bill.
12. I have read it. I think it does not do the harm they say it
13. does to the State Income Tax. It puts an unendurable burden
14. on they...must in the private industry and the pension plans
15. ...the method they must use and it's going to clear up an awful lot
16. of hard work on their part, and the...revenue is infinitesimal
17. as to the benefits received. I vote aye.

18. SECRETARY:

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

24. PRESIDENT:

25. Senator Sours.

26. SENATOR SOURS:

27. Just one other very brief comment. With reference to the
28. possibility of sometime including unqualified pension plans, it
29. might not be a bad idea to include them too. Because on August
30. 1st, 1969, there were quite a number of unqualified pension plans.
31. What is wrong with the whole situation now is the Internal Revenue
32. Code. And of course the State wants to adopt its rules of
33. qualified and unqualified. I vote aye.

6/19/72

Recalled

1. SECRETARY:

2. Swinarski, Vadalabene, Walker, Weaver.

3. PRESIDENT:

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. I'd like to change my vote from no to aye on this.

7. PRESIDENT:

8. Davidson, aye. Newhouse, aye. On that question the yeas
 9. are 41. The nays are one. One present. The bill having re-
 10. ceived the constitutional majority is declared passed. Senator
 11. Rock moves to reconsider. Senator Vadalabene moves to Table.
 12. All in favor of the Motion Table signify by saying aye. Con-
 13. trary minded. The Motion to Table prevails. We will no go to
 14. House Bills on 3rd reading, the second priority list. And I
 15. will skip certain Senators who aren't here from reading their
 16. names...with the exception of Senator Harris, because he may
 17. want to assign those to some others. In the first column...6
 18. ...for what purpose does Senator Berning arise?

19. SENATOR BERNING:

20. Mr. President, may I ask leave of the Body now to consider
 21. HB1440. I do have the second amendment for which I was waiting.

22. PRESIDENT:

23. All right, 1440, I might mention we will go after 1440 to
 24. 622, Senator Chew...and, Senator Mohr, if you wish to bring up
 25. 2033...you wish to hold that..all right...1440, Senator Berning
 26. has an amendment. Can you explain the amendment? The bill is
 27. pulled back for 2nd reading.

28. SENATOR BERNING:

29. Yes, Mr. President and members of the Body, there are two
 30. amendments there, one would be Amendment No. 2...which is clarify-
 31. ing and had ...has the effect of tightening up the wording so as to
 32. be certain that there is no misunderstanding and it makes one
 33. little additional, corrective addition to accommodate Lake County

1. and they need to include the Department of Public Works. That's
2. on page 2 line 17 after highway...

3. PRESIDENT:

4. Senator Cherry.

5. SENATOR CHERRY:

6. Senator Berning, can you hold this bill for a short period
7. of time? We're awaiting information on this bill and we haven't
8. as yet received it. We should get it very shortly.

9. PRESIDENT:

10. Senator Berning.

11. SENATOR BERNING:

12. Senator Cherry, the second amendment, which I think is what
13. you're waiting for...has just been delivered by Tom Fitzsimmons,
14. and a copy is supposed to be on the over there to you. This
15. would be Amendment...No. 3.

16. PRESIDENT:

17. Do you wish to...Senator Cherry? You want to hold up on
18. the amendments too...right now...or...Senator Dougherty...

19. SENATOR DOUGHERTY:

20. I have no objection to the amendment because it was the
21. amendment was asked for by the Municipal League. However, I believe
22. the Senator should be allowed to put his bill in the shape that
23. he wishes to do it. At the same time I am opposed to the bill
24. but I do not oppose the amendment.

25. PRESIDENT:

26. Alright...Motion for the adoption Amendment No. 2. Is there
27. any discussion on that amendment? All in favor signify by saying
28. aye. Contrary minded. The amendment is adopted. Amendment No.
29. 3, Senator.

30. SENATOR BERNING:

31. Amendment No. 3, then, is the amendment that the Municipal
32. League asked for and it merely solidifies and emphasizes the
33. position of the municipalities in protecting their interest in

1. the mile and a half area surrounding them that is in the unin-
2. corporate area...so since we have no objection and this is what
3. they seem to feel that is necessary to protect their interest,
4. I would move for the adoption of the Amendment No. 3.

5. PRESIDENT:

6. Is there any discussion? All in favor...Senator Neistein.

7. SENATOR NEISTEIN:

8. Senator Berning, you made reference, this is the amendment
9. that Mr. Lieb wants, who's he?

10. PRESIDENT:

11. Municipal League, I think it was, Senator Neistein.

12. SENATOR NEISTEIN:

13. I wish he would talk in the microphone and take that gum
14. out.

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. Thank you, Senator Neistein, do you understand me now?

19. PRESIDENT:

20. Senator Neistein.

21. SENATOR BERNING:

22. I meant to say the Municipal League. And I would be glad
23. to identify them further, if you would like.

24. PRESIDENT:

25. Senator Neistein.

26. SENATOR NEISTEIN:

27. Senator Berning, I read you perfectly now. I want to com-
28. pliment you on your fine enunciation and pronunciation and your
29. diction. Thank you.

30. PRESIDENT:

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. I..I'm sorry the amendment that the Municipal League requested,

1. what does it do to the special assessment power within the mile
2. and a half, anything?

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. It does nothing to the special assessment power. It merely
7. prescribes that the municipality within the mile and a half shall
8. be notified of the impending improvement.

9. PRESIDENT:

10. Is there further discussion of the amendment? All in favor
11. signify by saying aye. Contrary minded. The amendment is
12. adopted. Any further amendments? Third reading. And then...
13. we will..we can come back to that after intervening business,
14. Senator Berning, if you wish. 622, Senator Chew.

15. SENATOR CHEW:

16. Thank you, Mr. President, and gentlemen, ...on this bill
17. it's obvious to anybody with any kind of legislative knowledge,
18. that if one agrees to sponsor a bill...that he in fact has some
19. interest in the bill, otherwise he wouldn't be a sponsor. There
20. has been some publicity given on this bill because it was Tabled.
21. It was not Tabled out of any animosity toward anybody at
22. anytime. We were attempting to cut down on the Calendar and
23. to do what we were here to do and that was to deal with budgetary
24. matters. We were able to bring this bill back on the Calendar...
25. by the request of House sponsor....and it merely requires the
26. toll road authorities to hold open meetings before they do any
27. extending. In other words all of their meetings must be open,
28. because it has been alleged that toll road authority held four
29. secret meetings...on the extension of a portion of a toll road.
30. Now, I don't know whether that is true, but for the benefit of
31. the newsman who wrote that article, I wanted to emphasize
32. that as a sponsor I had prior to the Tabling of that bill,
33. which I did not do...I had polled some of my colleagues and at

1. that point we did not have in my opinion enough votes to pass
2. it, and I didn't want to take up the time of the Senate...to
3. call it and not pass it, but I hope now that we do have enough
4. votes and...I know call it for a vote...Mr. President.

5. PRESIDENT:

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

7. SECRETARY:

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

17. PRESIDENT:

18. Chew, aye. Vadalabene, aye. Bruce, aye. Johns, aye.
19. Kusibab, aye. Mitchler, aye. On that question the yeas are
20. 34. The nays are one. The bill having received the
21. constitutional majority is declared passed. In the next column
22. these are the second priority bills that will be brought up now.
23. Senator Clarke, there are some of these of Senator Harris, I
24. don't know...like that series starting with 2780. Do you just
25. want to hold that? Or do you want to assign that to someone
26. else? The 7...the same with 2882. All right. 2881, Senator
27. McCarthy. Senator...Senator Chew.

28. SENATOR CHEW:

29. Now, I have another bill on this Calendar that I have been
30. begging to have called...during this Session...

31. PRESIDENT:

32. Well, I.....

33. SENATOR CHEW:

1. May I finish, Mr. President?

2. PRESIDENT:

3. Proceed on a point of personal privilege, Senator Chew.

4. SENATOR CHEW:

5. Now, if this bill we just passed fell into a priority
6. group...I want to know why my other bill does not fall into
7. a priority group?

8. PRESIDENT:

9. You'll have to direct that question to your leadership,
10. Senator. I think everybody understands what your saying and
11. I think you have to direct that question to the leadership.
12. Senator Baltz.

13. SENATOR BALTZ:

14. Senator Chew, there was a number of us Senators in the back
15. row here wondered how that bill got on the priority list too.
16. So if you've got a secret how you got it on I'd like to know,
17. I've got a few bills that I'd like to get on. How that one
18. got on, I'll never know.

19. PRESIDENT:

20. Senator Clarke.

21. SENATOR CLARKE:

22. It's a very simple answer. We set up certain deadlines, if
23. you'll recall. I'd remind you that the deadline for the last days
24. to hear all Senate bills on the Senate and all House bills in the
25. House was May 12th. Now, we adhered to that deadline here in the
26. Senate. That was the last day to hear all bills other than the
27. four exempt categories. The House advanced their date and kept
28. hearing bills for ten days thereafter...of roughly...ten legis-
29. lative days. And we felt that in all fairness to our Senators and
30. in all fairness to the House members who conformed to the Rules that
31. we should hear the bills on a priority basis and the second priority
32. which we are now hearing and the reason that last bill fits in that
33. priority is that it was heard and passed over in the House on or

1. before May 12th. And then we will take in the third priority of
2. the bills that were heard in the House and passed over to us after
3. they had abrogated their deadline of May 12th. And I think that's
4. very fair. It's arbitrary. There's nothing discretionary on the
5. leader's part about it.

6. PRESIDENT:

7. 2881, Senator McCarthy. Now, 2882 is another bill of Senator
8. Harris's....someone....Senator McCarthy...is supposed to take that.
9. Alright, 2882. 3080 and 3081, Senator Davidson. 3557, Senator
10. Graham. 3559, Senator Hall. 3588, Senator Savickas, 3...the
11. next one...Senator's not...present. 2881, Senator McCarthy.

12. SENATOR MCCARTHY:

13. Yes, Mr. President, members of the Senate, SB2881 as amended
14. is an amendment to the existing act relating for the payment of
15. wages. Now, what this bill does and it's been amended and put
16. in its final shape...at the request of the State Department of
17. Labor, is to give to the Department of Labor jurisdiction to
18. help enforce compliance there where the wages are not in ex-
19. cess of a thousand dollars...in each case. The present law pro-
20. vides that...the Department of Labor may help to...collect wages
21. due to an employee where the amount does not exceed three hundred
22. dollars and this elevates it to a thousand dollars. And I re-
23. commend it to the membership.

24. PRESIDENT:

25. Is there any discussion? Senator Merritt.

26. SENATOR MERRITT:

27. Mr. President, members of the Senate, I too, would rise in
28. support of this legislation. I believe that the department in-
29. dicated to me that it has been thirty-five years that that old
30. amount was left at three hundred dollars, and in light of
31. today's payrolls and so forth, a thousand dollars is certainly
32. not an unreasonable figure. I certainly would support the legis-
33. lation.

1. PRESIDENT:
2. Senator Laughlin.
3. SENATOR LAUGHLIN:
4. Senator McCarthy would you yield to a question? I'm not sure
5. the amendment deletes units ...of local government, home rule
6. units and school districts. And if it does...why does it?
7. PRESIDENT:
8. Senator McCarthy.
9. SENATOR MCCARTHY:
10. ...That amendment, which is Amendment No. 1...that's been
11. Tabled.
12. PRESIDENT:
13. Secretary will call the roll. Excuse me. Senator Knuepfer.
14. SENATOR KNUEPFER:
15. Just a question again, Senator McCarthy, in reference to
16. the query that Senator Laughlin just asked. Does this now....
17. bill now put the Department of Labor in the position of being
18. able to act as agent for anyone claiming wages...up to a thou-
19. sand dollars in behalf of a private institution, a non-for-
20. profit institution or a governmental institution? Are they
21. authorized to deal in all three of these areas now as the agent
22. of...somebody claiming lost wages?
23. SENATOR MCCARTHY:
24. Answer to the question is...nothing in this act shall apply
25. to the payment of wages of employees directly employed by the
26. State, so they can't do it where it's the State, or any department,
27. agency or any political division thereof, or any municipal cor-
28. poration or body politic within the State. I think you can do
29. it on your not-for-profit corporations, but they can't do it on
30. any governmental units.
31. PRESIDENT:
32. Senator Knuepfer.
33. SENATOR KNUEPFER:

1. I thought you answered Senator Laughlin's question to
2. indicate that those were included in the purview of the bill.
3. Now, your saying that the units of government are exempted
4. from the purview of this bill.

5. PRESIDENT:

6. Senator McCarthy.

7. SENATOR MCCARTHY:

8. That is...that is correct...these units of government are
9. no longer they just...the law does not apply to units of gov-
10. ernment. That's when I indicated to Senator Laughlin that I
11. had Tabled Amendment No. 1.

12. PRESIDENT:

13. Senator Knuepfer.

14. SENATOR KNUEPFER:

15. Then, one further question. Would this indicate that philo-
16. sophically units of government ought to be exempted because they
17. don't have wage disputes? Or it's the simple fact that we don't
18. want to involve ourself in those wage disputes?

19. PRESIDENT:

20. Senator McCarthy.

21. SENATOR MCCARTHY:

22. ...Well, Senator, I don't know what it means philosophically
23. except that the Department of Labor has worked this out to where
24. they are amending an existing act in one instance only. And that
25. the other questions I think relate to a series of bills that were
26. proposed by the Commission on Labor Laws and those bills have been
27. kind of littered along the legislative trail. They've been
28. Tabled and defeated, and this is the one where they just want
29. to amend the existing act in one instance and it doesn't show
30. any philosophy.

31. PRESIDENT:

32. Senator Sours.

33. SENATOR SOURS:

I just want to make this statement concerning this bill, Mr.

1. President and Senators. This is just another step in the
2. socialization of legal services. When the original bill was
3. passed the amount was three hundred dollars, and of course,
4. many people feel that lawyers shouldn't be bothered with the
5. collection of three hundred dollar debts...their...unpaid...
6. salaries and wages. Now, by boosting it up to a thousand
7. dollars, we are making...we are putting the State in a position
8. of being a bill collector. We're also making a misdemeanor...
9. and harkening back to Charles Dickens' David Copperfield with
10. McCauber always in the debtors' prison...we abolished that years
11. ago making an offense, making a deadbeat being a criminal offender.
12. Now this makes it a misdemeanor, Senator McCarthy, and to me
13. it seems to me it also socializes the meth...the legal pro-
14. fession to that the extent that anybody who has a claim for unpaid
15. wages of a thousand dollars can have the State of Illinois collect
16. it. Now, to me that's a long way away from the way this country
17. started and what made it so great.

18. PRESIDENT:

19. Senator McCarthy, may close the debate.

20. SENATOR MCCARTHY:

21. Why...yes, Mr. President, ...let's see what we are doing
22. by this amendment. What we are doing by this amendment...is giv-
23. ing jurisdiction up to a thousand dollars of unpaid wages to
24. jurisdiction that the Department of Labor, presently has and has
25. had as Senator Merritt mentioned since 1937, to attempt to enforce
26. employers to pay that which they owe employees. There's nothing
27. new about the bill. There's no word changes in the law, which
28. you will find in your statutes from Section 39 g, all the way
29. through 39 m. The only thing that is changed is the amount of
30. the wages and it's elevated from three hundred dollars to a
31. thousand dollars. And I see nothing wrong, in fact, I think it's
32. very laudatory and I applaude the Governor of this State of
33. Illinois, who has sent his appointees from the Department of Labor

1. around to draft this legislation to attempt to give to people
2. who have wages due them the powers of the Department of Labor
3. to help in the enforcement of that which is legally theirs. W
4. have so many other instances I could recite perhaps fifteen
5. or twenty of them, where when a person is entitled to something
6. in the State of Illinois, the person that owes it to him doesn't
7. deliver it to him, we have a State agency that moves in and helps
8. the person. It's one of the reasons that we pay taxes. We've
9. got the consumer fraud...section of the powers of the Attorney
10. General, which is I think comparable to this. That the Attorney
11. General under consumer fraud is able to stop unscrupulous people
12. who are defrauding the citizens of the State of Illinois. And all
13. this bill does is grant to the Department of Labor the power to
14. intercede in behalf of the wage earner, where the amount of the
15. wage dispute is less than a thousand dollars. If it's more
16. than a thousand dollars it's attractive perhaps to have it de-
17. cided in court...under a thousand dollars a person has no prac-
18. tical remedy and this is the State putting out it's helping hand
19. to help the wage earner collect that which is his. And if the
20. employer has done something wrong, it must be proved beyond a
21. reasonable doubt, there's no change in that section. I urge a
22. favorable roll call.

23. PRESIDENT:

24. Secretary will call the roll...just...alright...Senator
25. Laughlin, then Senator Graham.

26. SENATOR LAUGHLIN:

27. One question is all, Senator McCarthy, please Are you saying
28. the misdemeanor provision is in the present statute? That's what
29. I want to know. Thank you.

30. PRESIDENT:

31. Senator Graham.

32. SENATOR GRAHAM:

33. Mr. President and members of the Senate, in the quiet of
this day you're getting ready to consider a bill allowing again

1. the heavy hand of government to interfere into the operation of
2. our country. And I want to tell you again, that if this bill
3. passes, and the Department of Labor gets involved in this, and
4. if you think their appropriation is high this year God help you when
5. you get ready to vote on it next year because they can in addition
6. to the power they have go out and hire additional attorneys and
7. have add-on fees too. And when they get through with that, members
8. of the Senate, we'll wish to God we never saw the day when we con-
9. sidered this bill. And I rise in stern opposition of this kind
10. of socialization.

11. PRESIDENT:

12. The...Senator McCarthy, you wish to add anything further?
13. ...incidentally, the Chair, we have just done this twice. And
14. we're not going to do it for the remainder of the Session. Now,
15. when the Chair calls on someone to close the debate, if you
16. wish to comment further, your gonna have to do it on roll
17. call because time is a problem here. Senator McCarthy, do
18. you wish to add anything further in closing the debate?

19. SENATOR MCCARTHY:

20. I hope I'm not redundant, but the bill doesn't do anything
21. except change the amount of the jurisdiction...all of the penalty
22. provisions. It has been the policy of the State of Illinois for
23. thirty-five years...for the Department of Labor to help out people
24. ..who are not paid that which...they are entitled to. And if an
25. employer willfully refuses to pay, the penalty section has always
26. been in there. So this legislation is designed to give a
27. realistic type of relief to people who have a need for it. And I
28. might...just...I hate to get into an argument, but Senator Graham
29. has brought something up that I think is quite important. He
30. says that if you give the Department of Labor additional juris-
31. diction your going to have to spend some money to fund their
32. department. I think he is quite true. Too many times, Mr.
33. President, legislation is passed designed to help people, but

1. then no money is ever appropriated so the help gets through to
2. them. And you can give lip service to groups of people by saying
3. this is the public policy and not give the government any money
4. of enforcement. The money on enforcement will come step by step
5. but this is a substantive change from just three hundred dollars
6. to a thousand dollars. I urge for a favorable roll call.

7. PRESIDENT:

8. The Secretary will call the roll.

9. SECRETARY:

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

18. PRESIDENT:

19. McBroom aye.....aye.....aye.....call for
20. the absentees. The absentees will be called.

21. SECRETARY:

22. Arrington, Berning, Bidwill, Clarke, Collins, Coulson, Egan,
23. Fawell, Gilbert, Harris, Knuepfer, Knuppel, Latherow, Laughlin,
24. Lyons, McCarthy, Mitchler, Ozinga, Partee, Rock, Rosander, Soper,
25. Sours...

26. PRESIDENT:

27. Senator Sours.

28. SENATOR SOURS:

29. I'm well aware of the fact, in explaining my vote, that this
30. bill, this law has been on the books. Now, there was a reason.
31. Harkening back to the date it became the law we were in a de-
32. pression. Now, as Senator Graham has said, if this bill were
33. to become the law, I can certainly envision the Department of
Labor really employing the unemployed lawyers, Republicans if

1. the Republicans are in the ascendancy, Democrats, if they are
2. in the ascendancy. Now, the trouble with this bill is...that
3. it makes the State of Illinois, and the very fear of the State
4. of Illinois, ...the tax...I mean the bill collector. I vote
5. no.

6. SECRETARY:

7. Swinarski, Walker,

8. PRESIDENT:

9. On that question the yeas are 30. The nays are 8. The bill
10. having received the constitutional majority is declared passed.
11. Verification has been requested. Senators will be in their
12. seats.

13. SECRETARY:

14. Bruce, Cherry, Chew, Clarke, Course, Donnewald, Dougherty,
15. Gilbert, Hall, Horsley, Hynes, Johns, Knuppel, Kosinski, Kusibab,
16. Laughlin, McBroom, McCarthy, Merritt, Neistein...

17. PRESIDENT:

18. Just a moment. Proceed...Senator McBroom on the Floor?
19. Senator McBroom is here.

20. SECRETARY:

21. Neistein, Newhouse, Nihill, O'Brien, Palmer, Rock, Romano,
22. Saperstein, Savickas, Smith, Vadalabene.

23. PRESIDENT:

24. On that question the yeas are 30. The nays are 8. Senator
25. Vadalabene moves to reconsider. Senator Dougherty moves to Table.
26. All in favor of the Motion to Table signify by saying aye. Contrary
27. minded. Motion to Table prevails. The...2822, Senator McCarthy,
28. you wish to...you want to hold that....3080 and 3081, you want to
29. ...Hold. 3557, Senator Graham.

30. SENATOR GRAHAM:

31. Yes, Mr. President and members of the Senate, this and some
32. other bills that are following too will allow areas to contract
33. with municipalities in our counties for police protection and

1. traffic direction. This bill is intended to correct some of the
2. problems that are existing in the areas now where we're having
3. town houses and condominium units existing near by or outside
4. of municipalities and have little or no police protection. I
5. know there is a series of bills....this is by request of the
6. owners and the condominium unit people, as opposed to 4106 and 7,
7. which I hope we get to, which is by contract. But in any event
8. some means for protection of traffic and so forth in these areas
9. is need at this time. I ask for a favorable roll call.

10. PRESIDENT:

11. Is there any discussion? Secretary will call the roll.

12. SECRETARY:

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

20. PRESIDENT:

21. Senator Rock.

22. SENATOR ROCK:

23. Yes, Mr. President and members of the Senate, I do not have
24. a copy of this bill. And I attempted to find out...it appears
25. however, that this would already be covered by our new Constitution.
26. And I would just wonder if the sponsor would yieldand answer
27. what this bill does, if anything, to Article 7, Section 10, of the
28. new Constitution. Says units of local government and districts
29. may contract and otherwise associate with individuals, associations,
30. corporations in any manner not prohibited by law or by ordinance.
31. If in fact they can do this I don't see the necessity of this bill.

32. PRESIDENT:

33. Senator Graham.

1. SENATOR GRAHAM:

2. According to the sponsor and some of the people that own
3. these units that this is not true, Senator Rock, that's all I
4. know. I have no idea. And if it's in conflict I would imagine
5. then, we're safe in having it vetoed.

6. PRESIDENT:

7. Senator...Senator Dougherty, I'm afraid we're on roll call
8. and so we're going to have to continue with the roll call.
9. Continue the roll call.

10. SECRETARY:

11. Rosander, Saperstein, Savickas, Smith, Soper, Sours,
12. Swinarski, Vadalabene, Walker, Weaver.

13. PRESIDENT:

14. Laughlin no. During the tallying of this, you may note from
15. time to time visitors from both Boys State and Girls State in
16. the Senate today, and we're pleased to have them with us. On
17. that question the yeas are 39. The nays are 1. The bill having
18. received the constitutional majority is declared passed. 3559,
19. Senator Hall. Senator Hall.

20. SENATOR HALL:

21. Thank you, Mr. President, lady and gentlemen of the Senate,
22. HB3559 amends the Public Aid Code to remove the provision re-
23. quiring a lien on all real property and its security interest on
24. mobile homes and trailers, coaches belonging to the aged, blind
25. or disabled persons who receive public assistance. Now, there's
26. several reasons for this bill. Currently, there is no lien on real
27. property owned by recipients of ADC payments. This bill...this
28. bill will bring into equity the cases of the aged, the blind
29. and disabled, so that they will be treated in the same manner,
30. as a person who receives payment under ADC. More importantly,
31. this bill is designed to restore it's sense of human dignity
32. to persons who receive aid under the aged, blind and disabled
33. program. And the very great majority of these cases the real

1. property represented on these liens are homes which are paid for
2. by long hours of work. And these people did this before they be-
3. came aged, blind or disabled. After a life time of work this
4. property is often all that these people have to show for their
5. efforts. So I would ask your most favorable support to this
6. bill.

7. PRESIDENT:

8. Is there any discussion? Senator Carroll.

9. SENATOR CARROLL:

10. Mr. President and Senators, the Department of Public Aid
11. is very much opposed to this bill. No. 1, this bill would cost
12. the taxpayers of the State of Illinois almost a million dollars,
13. nine hundred thousand dollars to be exact per year. We worked
14. very hard in this State to enact a bill such as this and now
15. we're trying to take it off. No one is really hurt by this
16. contrary to the misunderstanding. The spouse of able-bodied
17. recipients ...AD...and any minor children or other dependent
18. relatives are protected against enforcements of both the lien
19. and the estate claims under the code. The lien cannot be fore-
20. closed except in cases fraud prior to the death of the recipi-
21. ent and if there is surveying spouse or other dependent relative
22. occupying the real property as a homestead, the Illinois Depart-
23. ment has specifically directed to defer foreclosure proceedings.
24. I think this is a bad bill and I think it should be defeated.

25. PRESIDENT:

26. Is there further discussion? Senator Hall may close the
27. debate.

28. SENATOR HALL:

29. In answer to what Senator Carroll said...the program further
30. serves as the lack of incentive for these people to get off the
31. roll. The State now has a lien if these people stay on
32. the rolls until they die, and this bill does not change that,
33. it just says that if a person can get himself off the rolls and

1. no longer drain money from the Treasurer of the State, then
2. he should not have a lien upon his property. The Department of
3. Public aid indicated in the testimony that the lien program for
4. the aged, blind and disabled persons turned out about nine hun-
5. dred thousand over to the State in 1971. That figure, however,
6. was all liens from this program. It is estimated that only about
7. half of that figure is the correct amounts of people who go off the
8. program and who no longer draw funds from the State. Further
9. that figure has been going down each year, because people
10. are losing their incentive to buy property or to attempt to
11. keep it. And as a result we're losing money through this program
12. and spending more for the aid program. This bill, incidentally,
13. is a logic companion to the SB1484 passed by this Body just the
14. other day, which increased the amount of income to be disregarded
15. in determining the need for the aged, the blind, the disabled. That
16. program of Senator Mohr's, which I was proud to support, would cost
17. about fourteen million handling according to the Governor last
18. year. This program which would do much the same thing would cost
19. only about four hundred fifty thousand. I solicit your support.

20. PRESIDENT:

21. Is there...Secretary will call the roll.

22. SECRETARY:

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

31. PRESIDENT:

32.aye.aye aye On that
33. question the yeas are 18. The nays are 9. The bill having failed

1. to receive the constitutional majority is declared passed...it's
2. declared defeated. 3588, Senator Savickas. Hold. The next
3. bills to be called then, are 3648, Senator Dougherty. 3783,
4. Senator Sours, and 3786 and 7, Senator Davidson. 3648, Senator
5. Dougherty.

6. SENATOR DOUGHERTY:

7. Mr. President and members of the Senate, HB3648 is another
8. one of those series of bills that came out of the commission, and
9. made recommendations to the filling of those positions that here-
10. tofore have been done by the circuit judges, county judges, as the
11. case may be. This bill provides that each member...each munici-
12. pality comprising the water district shall appoint one member to
13. the board that would be by the president of the community or the
14. mayor as the case may be. And also the chairman of the county
15. board of the...who are in the greatest portion of the water district
16. lines shall also appoint a member. This amendment was put on by
17. myself and that's what it does.

18. PRESIDENT:

19. Is there any discussion? Secretary will call the roll.

20. SECRETARY:

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

30. PRESIDENT:

31. Walker, aye. Sours, aye. On that question the yeas are 40.
32. The nays are none. The bill having received the constitutional
33. majority is declared passed. 3783, Senator Sours.

SENATOR SOURS:

1. Mr. President and Senators, this bill concerns the famous
2. library in the City of Chicago, which was formed out of of the
3. bounty of Walter Lewis Newberry. As those who live in the City
4. know that is the north end of what used to be called, I suppose
5. still is - Bughouse Square. There's a difference, it's day and
6. night. The Newberry Library was incorporated as a free public
7. library in 1892, under the provisions of an act at that time
8. ...which allowed libraries incorporate under it to have from
9. seven to fifteen trustees. Since the amendment to that act the
10. number has been changed from 17...from 7 to 25. Now, this bill,
11. it's an amendment was made at the request of the Jon Crerar
12. Library, which so far as is known is the only other library in-
13. corporate under that act, and which is now able to increase it's
14. number of trustees up to 25. However, it does not apply to the
15. Newberry Library because it happens that the certificate of in-
16. corporation of the Newberry Library states that their shall
17. be 13. Under ordinary circumstances it might be possible to
18. amend the certificate of incorporation, except the act itself
19. makes no provision for the amendment. That's all the bill does.

20. PRESIDENT:

21. Is there any discussion? Secretary will...Senator O'Brien.

22. SENATOR O'BRIEN:

23. This is a peculiar situation, Senator, I realize that
24. Representatvie Randolph was the House sponsor. This is in my district.
25. I've had occasion from time to time to go to the Newberry Library.
26. I'd like to take a look at the bill with you, Senator, if I possibly
27. can...I just asked the Page to get me one. Will you hold it for
28. a few minutes and then come back? It does affect my district.

29. PRESIDENT:

30. Senator, is it...what is your wish...

31. SENATOR SOURS:

32. I'm very happy to accommodate the Senator, but the time is

33.

1. getting rather short. What does the Chair recommend?

2. PRESIDENT:

3. Well, if Senator Sours will hold it for a few minutes...

4. I think we can get back to it very shortly. 3786, Senator David-
5. son, can we take 3786 and 87 on one roll call?

6. SENATOR DAVIDSON:

7. Yes, sir.

8. PRESIDENT:

9. Is there objection? Leave is granted. Senator Davidson.

10. SENATOR DAVIDSON:

11. Thank you, Mr. President. These two bills pertain to two
12. pieces of property that the Department of Conservation has in
13. Bureau County. And one is the Lovejoy home in Princeton. One
14. is the old Danish Church in Sheffield. And they want to quit
15. claim these back to the one to the City of Princeton. And the
16. other one back to the City of Sheffield. The arrangements have
17. already been made for the acceptance of these two pieces of
18. property. I ask for a roll call.

19. PRESIDENT:

20. Secretary will call the roll. Secretary will call the roll.

21. SECRETARY:

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

31. PRESIDENT:

32.aye..... Hall, aye.....aye.....Baltz, aye.
33. Clarke, aye...McBroom, aye...Palmer, aye.....The question on those

1. two bills the yeas are 43. The nays are none. The bills having
2. received the constitutional majority are declared passed. Next
3. bills on the list are 3802, Senator Sours. 4105 and that series,
4. Senator Graham. 4108, Senator Graham. 4116, Senator Graham. And
5. 4152, Senator Davidson. 4802, Senator Sours. 3802, I'm sorry.
6. 3802 changes from two to five days the time in which an employer
7. may give an employee a notice, etc.

8. SENATOR SOURS:

9. Yes, I know that bill, Mr. President and Senators, it does
10. exactly what the syllabus indicates. There is a discrepancy.
11. There's a two-day and a five-day period. This makes it, I think,
12. a two day. Makes from two...changes from two to five. Yea.

13. PRESIDENT:

14. Is there any discussion? Secretary will call the roll.

15. SECRETARY:

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

24. PRESIDING OFFICER: (SENATOR ROCK)

25. On that question the yeas are 42. The nays are none.
26. This bill having received the constitutional majority is declared
27. passed. HB4105, 6 and 7, Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President and members of the Senate, last year we passed
30. a series of bills with the cooperation of Senator Dougherty, which
31. would allow municipalities to contract with the apartment of com-
32. plex owners with the regulation...no, we allowed them to contract
33. with schools and shopping centers, etc., etc. These bills allow

1. municipalities to contract with the apartment complex owners
2. for the regulation of apartment complex parking areas in the
3. same way as contracting is now allowed with hospitals, school
4. boards and shopping center owners. These contracts proposed
5. by these bills are bilateral and shall set forth the kind of
6. traffic regulation to be provided by the municipality or county
7. and the consideration to be paid by the owners. That's all the
8. way up to 4108...4108.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator, can we take ...5, 6 and 7 on one roll call?

11. SENATOR GRAHAM:

12. Yea. They can all be taken on one roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Dougherty.

15. SENATOR DOUGHERTY:

16. To cure your feelings about this...the amendment that I put
17. on, the amendatory act of 1972, is not a prohibition upon the
18. contractual and associational powers granted by Article 7, Section
19. 10 of the Illinois Constitution.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is there any further discussion? Secretary will call the
22. roll. We'll take 4105, 6 and 7 on the same roll call. Secretary
23. will call the roll.

24. SECRETARY:

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

33. PRESIDING OFFICER: (SENATOR ROCK)

1. On those bills the yeas are 39. The nays are one. These
2. bills having received the constitutional majority are declared
3. passed. HB4108, Senator Graham.

4. SENATOR GRAHAM:

5. Mr. President and members of the Senate, 4108 amends the
6. County Supervisor Safety Act to the extent that when these
7. prior agreements allowed by the preceding bills will be in
8. effect that the county board will be notified.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Is there any discussion? Secretary will call the roll.

11. SECRETARY:

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

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Collins, aye. Knuppel, aye. Hynes, aye. On that question
22. the yeas are 34. The nays are one. This bill having received
23. the constitutional majority is declared passed. HB4116, Senator
24. Graham.

25. SENATOR GRAHAM:

26. Mr. President and members of the Senate, this amends the
27. Revenue Act of 39...of 1939, by changing from 30 days to one
28. week the minimum time for giving public notice of the annual
29. budget hearing. Brings the Revenue Act in conformity with the
30. Municipal Budgeting Law. Know of no opposition.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Is there any discussion? Senator Horsley.

33. SENATOR HORSLEY:

Well, Senator, I read this bill and as you correctly
1. described it all in the world it does is change to thirty days
2. ...to the seven days. Now, but it seems to me that's very im-
3. portant to people who are interested in the budgets of our
4. municipalities. Because it..it just appears to me that we need
5. this additional time for public inspection. Now, if I read this
6. correctly, does this apply to the cities and villages, or does
7. it apply to other government units and that?

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Graham.

10. SENATOR GRAHAM:

11. Mr. President and Senators, my synopsis here says it applies
12. only to special districts, other than Metropolitan Sanitary Dis-
13. tricts, Cook County Forest Preserve Districts, Chicago schools,
14. Chicago Park Districts. It does not.

15. PRESIDENT:

16. Senator Horsley.

17. SENATOR HORSLEY:

18. But my analysis that I have had given me says that it
19. applies to special districts other than Metropolitan Sanitary
20. District, Cook County Forest Preserve, Chicago schools and the
21. Chicago Park District. But it would apply to the City of
22. Springfield, wouldn't it?

23. PRESIDENT:

24. Senator Graham.

25. SENATOR GRAHAM:

26. No, my information is that it does not, Senator. I did not
27. intend to misinform you. I don't think I have, my information,
28. synopsis and

29. PRESIDENT:

30. Just a moment, Senator...

31. SENATOR GRAHAM:

32. You know how we feel....

33. PRESIDENT:

1. Just...just a moment...let's cut down the noise...

2. SENATOR GRAHAM:

3. No...I have been informed by a person who has worked with
4. this bill that it does not affect the City of Springfield, and
5. the synopsis says it does not affect the City of Springfield,
6. unless you are a part of the Metropolitan Sanitary District
7. of Chicago.

8. PRESIDENT:

9. Senator Knuepfer.

10. SENATOR KNUEPFER:

11. Well, I'd like to ask Senator Sours a well known question,
12. who wants this bill? I think governments ought to, in special
13. districts in particular, ought to be subject to scrutiny. Now,
14. when you cut down the size of the time of that scrutiny to 30
15. days from one week, you cut down the scrutiny very substantially.
16.I don't...I haven't been persuaded of any reason why the
17. district can't get it's budget prepared. And I think there's
18. some very substantial reasons why the public ought to have
19. some time to take a look at these budgets before suddenly they
20. go through...if there is something wrong, if there are some
21. problems it takes more than a week to generate some public
22. feeling, and I think the thirty days was probably a very de-
23. sirable provision and cutting it down makes it less desirable
24. from the point of view of the average citizen.

25. PRESIDENT:

26. Senator Graham.

27. SENATOR GRAHAM:

28. Mr. President, I always appreciate, and I'm not Senator Sours,
29. I always appreciate the speech questions from the gentleman from
30. Elmhurst. When these budgets are prepared they are to
31. be in the office for public scrutiny during that time. So the
32. budget is not prepared and hidden and the bill so states.

33. PRESIDENT:

1. Senator Laughlin.

2. SENATOR LAUGHLIN:

3. Yes, Mr. President and Senator Graham, would you yield
4. to a question? I'm trying to remember what the law is. It
5. seems to me that this isn't a mandatory provision on the
6. notice, and if you don't give the notice you're not subject
7. to a tax objection that is purely prepatory or discretionary.
8. Now, can you advise me on that, because if it doesn't go to
9. the validity of the...budget on the levy itself, then I don't
10. see any reason why you want to speed it up from thirty days to
11. one week.

12. PRESIDENT:

13. Senator Graham.

14. SENATOR GRAHAM:

15. The Municipal Budgeting Law, so I'm told and so as I was
16. told by the House sponsor, uses this procedure and these classi-
17. fications now. And this brings the special district into
18. conformity with the Municipal Budgeting Law insofar as time
19. is concerned.

20. PRESIDENT:

21. Senator Laughlin.

22. SENATOR LAUGHLIN:

23. Well, thank you, Senator, but that isn't what I asked...what
24. I want to know is, if somebody goes ahead and doesn't comply with
25. the provisions of the Municipal Budget Law but goes ahead and
26. makes its levy and passes the tax levy ordinance in time, and
27. files it with the clerk in time, and it otherwise meets with
28. the law, isn't the provision for the publication simply directory
29. rather than mandatory, and that the levy is still good. If, when
30. you answer that question, your answer is that it is directory,
31. then there is no reason why you should try and move up the date.
32. That's what I am asking.

33. PRESIDENT:

1. Senator Graham.
2. SENATOR GRAHAM:
3. Senator Laughlin, I can tell you very specifically, I can
4. answer, I don't know.
5. PRESIDENT:
6. Is there further discussion? Senator Graham may close the
7. debate.
8. SENATOR GRAHAM:
9. Roll call.
10. PRESIDENT:
11. Secretary will call the roll.
12. SECRETARY:
13. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
14. Carroll, Cherry, Chew, Clarke...
15. PRESIDENT:
16. Senator Cherry.
17. SENATOR CHERRY:
18. In explaining my vote I wish to announce to the members of
19. the Senate, we'll be working here until 5:00 o'clock and I vote
20. no.
21. SECRETARY:
22. Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
23. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
24. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
25. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
26. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
27. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
28. Sours, Swinarski, Vadalabene, Walker, Weaver.
29. PRESIDENT:
30. Groen, no. Is there a request for call of the absentees
31. from Senator Graham?
32. SENATOR GRAHAM:
33. Request for call of the absentees.

1. PRESIDENT:

2. Request for call the absentees. You withdraw the request..

3. SENATOR GRAHAM:

4. If I read the signals, I think, I have fourteen votes.

5. I postpone.

6. PRESIDENT:

7. Motion ...postpone consideration. All in favor signify by
8. saying aye. Contrary minded. Motion prevails. Senator
9. Donnewald.

10. SENATOR DONNEWALD:

11. Yes, Mr. President, I wanted to call the attention of
12. Senator Laughlin, Senator Clarke and Senator Sours and Senator
13. Dougherty, there will be a meeting of the...Revenue Committee
14. designated by Senator Partee immediately after the adjournment,
15. in Senator Partee's office.

16. PRESIDENT:

17. Well...what...Senator Davidson, do you want to call that
18. 4152. Let's take that one and then we have some Resolutions
19. and Motions here. 4152.

20. SENATOR DAVIDSON:

21. Thank you, Mr. President and members of the Senate, this
22. is known as a..the egg act to create an act, the same as we did
23. here about a year ago, when we created the Agricultural Fruit
24. Act to help produce...to help the...apple and peach producers
25. to market their...apples and peaches. Now, this act is created
26. along the same lines as the Fruit Growers Act was. This is
27. wanted by the egg council and the egg producers in the State
28. of Illinois. This act is administered by the Department of
29. Agriculture, and the way it is handled is by a referendum of all
30. the egg producers in the State of Illinois. They have come to
31. the Agricultural...Department of Agriculture and asked for
32. this act to be drawn and presented to the legislature, because
33. we have dropped here in Illinois, we used to be No. 1 in the

1. production of eggs. We now...we're now in the position of
2. fifteenth in the State of Illinois. I can remember years
3. ago when Illinois was No. 1 in the Broiler Industry. We left
4. that get away from us. Now, eventually, what this does is a
5. check-off system. The egg council, they have a referendum and
6. then the producers ...vote on this and after they set up their
7. organization then they have a check-off system of a certain
8. percentage of a case of eggs that goes into the...egg council,
9. and then they use that too for the production of eggs in the State
10. of Illinois and which will help us out. The Fruit Council is
11. certainly happy in the organization of their's and...this is one
12. other thing that we can help in the production of an agricul-
13. tural produce in the State of Illinois.

14. PRESIDENT:

15. Is there... Senator Neistein.

16. SENATOR NEISTEIN:

17. Senator Davidson, if Illinois ranked first in the egg pro-
18. ducing business, what caused it to go down to fifty?

19. PRESIDENT:

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Just because...I can answer that... Senator Neistein, awfully
23. easy. You know it's the same thing that lost us in our broilers.
24. We didn't have a good inspection here, and the same thing that
25. we didn't have a good inspection and we didn't have the proper
26. grading of eggs and the proper grading of broilers. And under
27. this act just now, this will be an incentive for the Illinois
28. egg producers to increase and better the quality of their eggs
29. in the State.

30. PRESIDENT:

31. Senator Neistein.

32. SENATOR NEISTEIN:

33. As I read this bill twenty percent of the egg producers can

1. tie up all the egg producers to pay this tax and this assessment
2. for the promotion of the egg business. Now, first, is that
3. correct? And secondly, how much money are we talking about, that
4. you can tie up all the egg producers in Illinois.

5. PRESIDENT:

6. Senator Davidson.

7. SENATOR DAVIDSON:

8. Senator Neistein, that's incorrect. Twenty percent of the
9. producers cannot tie up all the production of eggs. Because here's
10. the thing, you take up in my area and my...county up north of me...
11. I have some Amish people and their in the production of eggs. I
12. have one man in my county that has 15,000 laying hens and another
13. one that has about 20,000. Now, you don't think that anybody is
14. going to tie up these Amish people...they...they're a type of
15. people are not easily led. But I'm telling you they're interested
16. in this bill because they want to see, they're interested for
17. a check off system, and they're willing to pay so much per case
18. of eggs to be used to...advertise Illinois eggs...and keep
19. the quality up, and that's what we've done...the same thing on
20. the...fruit...

21. PRESIDENT:

22. Senator Neistein.

23. SENATOR NEISTEIN:

24. But is it correct according to the bill that twenty percent
25. of the egg producers in Illinois can tie up the other eighty per-
26. cent and cause them to contribute to this tax...to the promotion
27. of eggs. And secondly, you didn't answer that. And secondly,
28. how much money are we talking about in the way of a tax on each
29. egg producer. I know that your county is the largest producer
30. of hogs in the state, maybe in the world, but I don't know about
31. the eggs. And I want to know the answers to this.

32. PRESIDENT:

33. Senator Davidson.

1. SENATOR DAVIDSON:

2. As far as ...any group, I don't believe that...under these
3. check-off systems, there's other states that have this...
4. Senator Neistein,...the State of Iowa has it on beef. They
5. have it on cattle..or on hogs, and the main thing of it is there
6. are some small producers in the egg industry that may not vote
7. to go in with this....this is not a compulsory thing. There's
8. no money tied up in this, but the main producers of eggs are
9. interested in having a marketing system that they can have
10. better qualified eggs, and take the money on the check-off
11. system from these eggs and put it in a pool so they can use it
12. for advertising to..advertise better Illinois eggs.

13. PRESIDENT:

14. Senator Neistein.

15. SENATOR NEISTEIN:

16. I don't want to belabor the point and I'm a great agricul-
17. turist, you know, and a farmer. But you didn't answer me, if
18. 20% according to the bill that I read...20% can tie up the other
19. 80. And how much money will it cost? Now, Senator Davidson, I'm
20. going to support you. But just for my own, if I ask questions,
21. I want to get it from a expert...that...if...it was true that
22. 20% can tie up the other 80%, and how much money are we talking
23. about? That's what I was interested in knowing.

24. PRESIDENT:

25. Senator Davidson:

26. SENATOR DAVIDSON:

27.Senator Neistein, if you said 20%, if the large producers
28. in the State, if there were, we would say a lot of egg people,
29. that don't produce a large amount of eggs and maybe that 20%
30. of the egg producers are big egg producers and these small people
31. didn't want to go in with it, well then, the 20% of the large
32. group...that...would be the ones that would be in it...and as
33. far as money is concerned, I can't answer that.

1. PRESIDENT:

2. Senator McBroom.

3. SENATOR MCBROOM:

4. I wanted to inform Senator Neistein. I talked to Senator
5. Nihill, about this, he said this bill would be very helpful in
6. the 11th Ward in Chicago, and on that basis, I'm going to
7. support Senator Davidson.

8. PRESIDENT:

9. Secretary will call the roll.

10. SECRETARY:

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

20. PRESIDENT:

21. Sours. aye. Senator Laughlin.

22. SENATOR LAUGHLIN:

23. Yes...I...I was just...I haven't voted yet, I want
24. to ask Senator Davidson one question, if I may? In the bill,
25. there's a provison for prosecuting people ...for having committed
26. a criminal offense if they don't comply with the provisions of
27. this act. Could you just real quickly tell me under what
28. circumstances somebody could be prosecuted?

29. PRESIDENT:

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. I couldn't answer that.

33. PRESIDENT:

1. On that question the yeas are 37. The nays are none. The
2. bill having received the constitutional majority is declared
3. passed. 3783, Senator Sours.

4. SENATOR SOURS:

5. That is the bill, Mr. President and Senators, that Senator
6. O'Brien...it had to do with the Newberry Library. I've explained
7. it very carefully.

8. PRESIDENT:

9. Is Senator O'Brien on the Floor?

10. SENATOR SOURS:

11. He has told me, Mr. President, to go right ahead, it's all
12. right.

13. PRESIDENT:

14. Well, since he was interested, I hesitate to go ahead.
15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Thank you, Mr. President and members of the Senate, I asked
18. Senator O'Brien and he said it was okay that Sours could
19. go with it.

20. PRESIDENT:

21. All right. 3783. 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, McCarthy,
28. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
29. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
30. Savickas,

31. PRESIDENT:

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Well, Mr. President and members of the Assembly...I'm a
2. little in a muddle here, I don't know now just who to go to
3. for my leader. First of all, bills had to be cleared through
4. Senator Bruce. Now, bills have to be cleared through Senator
5. O'Brien. I wish they'd get together and find out just who the
6. leader of the...Senate, here is...and make arrangements and let
7. us know what bills we should vote on and which are okay to vote
8. against.

9. PRESIDENT:
10. How do you vote, Senator?

11. SENATOR SAVICKAS:
12. I'll vote present.

13. SECRETARY:
14. Smith, Soper, Sours...

15. PRESIDENT:
16. Senator Sours.

17. SENATOR SOURS:
18. I vote aye naturally, and I want to suggest to Senator
19. Savickas, you ask me...I...I'll put you on the right trail.
20. Thank you.

21. SECRETARY:
22. Swinarski, Vadalabene...

23. PRESIDENT:
24. Senator Vadalabene.

25. SENATOR VADALABENE:
26. The only reason why I stated that Senator O'Brien said it
27. was okay, that I happen to be Captain of this row and Senator
28. O'Brien left his proxy with me.

29. SECRETARY:
30. Walker, Weaver.

31. PRESIDENT:
32. Berning, aye. On that question the yeas are 39. The nays
33. are none. One present. The bill having received the constitutional

1. majority is declared passed. We have some Motions, Resolutions
2. and one...Senator Cherry.

3. SENATOR CHERRY:

4. Take the next three bills and then we'll to to the Motions,
5. if you will, Mr. President.

6. PRESIDENT:

7. The next three...41...incidentally our procedure will be,
8. tomorrow when we get to second priority bills, we're going to
9. start where we stopped today, so that if 4178, for example, would
10. be the next one ...tomorrow we would start there. 4168. Senator
11. Palmer.

12. SENATOR PALMER:

13. Mr. President and members of the Senate,

14. PRESIDENT:

15. ...just a moment, for the benefit...Senator Soper, was com-
16. plaining before I'd said it was the last bill to be called and
17. request said that the....Senator Cherry said that we could take
18. three more, and...frankly the Chair's gonna go along with
19. any leader that says...stay for a while...because I think, we're
20. going to have to get our work out. 4168. Senator Palmer.

21. SENATOR PALMER:

22. Mr. President and members of the Senate, HB4168 does
23. exactly what the synopsis recites on the Calendar. It amends
24. the School Code to exclude a physical handicap as a bar to em-
25. ployment, where applicant is able to perform duties of position
26. applied for...what this....

27. PRESIDENT:

28. Is there any discussion? Senator Baltz.

29. SENATOR PALMER:

30. I just wanted to say....

31. PRESIDENT:

32. Senator Baltz.

33. SENATOR BALTZ: .

1. As a matter of information to you, our presence is being
2. graced by our Attorney General, William Scott. I think he
3. is voting for Senator McBroom over there. I thought that the
4. Body might like to know.

5. PRESIDENT:

6. Is there further discussion? Senator Berning.

7. SENATOR BERNING:

8. Well, here again, Mr. President and members of the Body,
9. I think we are loading up the Statute Book as we did here with
10. something else just a moment ago. It seems to me that this is
11. absolutely covered under the new provisions...I mean under the
12. provision of the new constitution. Now, I could be wrong, but
13. somebody point out to me where this is necessary, please.

14. PRESIDENT:

15. Senator Palmer.

16. SENATOR PALMER:

17. Going to state to the Senate that this is a constitutional
18. implementation, it...it's provided for in the Constitution. Article
19. 1, Section 19, provides exactly what this...bill asked for. But
20. the proponets believe and desire that it be made part of the
21. School Code. There's no harm done. It just makes it a part
22. of the School Code.

23. PRESIDENT:

24. Is there further discussion? Secretary will call the roll.

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
27. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
28. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen...

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. Yes, Mr. President, I'm surprised at Senator Vadalabene.
33. He's the Captain of that row. Back in our row we have five

1. Captains, and I can't hear what's going on. I vote aye.

2. PRESIDENT:

3. Just a moment...what....we...

4. SECRETARY:

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

11. PRESIDENT:

12. Mitchler, aye. Ozinga, aye. Clarke, aye. Hynes, aye. On that
13. question the yeas are 39. The nays are none. The bill having re-
14. ceived the constitutional majority is declared passed. 4169,
15. Senator Neistein.

16. SENATOR NEISTEIN:

17. HB4169 is a bill that's requested by Chief Judge Joseph
18. Power, in Cook County, and Chief Judge John Boyle, who's Chief
19. Judge of Cook County Court. There was a question about ex-
20. punging the record where there were convictions for traffic
21. violations...and this amendment to the act that we passed a few
22. years ago removes doubt and it says that the record can be ex-
23. punged except driving while drunk or driving while a license
24. is suspended or revoked or leaving the scene of an accident.
25. Drag racing or reckless driving is still a part of having your
26. arrest records expunged. But this part of having a violation of
27. making a left turn as a part to having your criminal record
28. expunged brought some doubt to the minds of the Chief Judge and
29. the Chief Judges of the Criminal Court. And that's what this
30. bill is about.

31. PRESIDENT:

32. Which category does this fall in, Senator Neistein?

33. SENATOR NEISTEIN:

1. This falls in neither of the four categories, and I...
2. wouldn't care if we Tabled all bills, including this one.

3. PRESIDENT:

4. Is there further discussion? Secretary will call the
5. roll.

6. SECRETARY:

7. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
8. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
9. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
10. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
11. Kosinski, Kusibab, Latherow, Laughlin...

12. PRESIDENT:

13. Senator Laughlin.

14. SENATOR LAUGHLIN:

15. Yes, I don't know, you've permitted this before, I don't
16. know whether you'd permit it now or not. I'd like to ask Senator
17. Neistein a question.

18. PRESIDENT:

19. That's perfectly in order.

20. SENATOR LAUGHLIN:

21. Senator, I understand you very well because you too enunciate
22. well, but I don't understand the significance of this bill. I
23. don't know what moving and non-moving traffic violations have
24. to do with barring or expunging the record of an arrest for
25. violation of a misdemeanor or a municipal ordinance. Now, that
26. isn't a motor vehicle misdemeanor, is it? That's something
27. else, isn't it? Can you explain it to me, I don't understand it.

28. PRESIDENT:

29. Senator Neistein.

30. SENATOR NEISTEIN:

31. Judge Power, in Cook County, said to me that there was a
32. question whether it is a conviction of making a left turn a
33. moving traffic violation would prevent the court there from ex-

1. punging the record of a conviction or of a misdemeanor of a
2. municipal ordinance. He said this would remove all doubt
3. as to his authority to expunge the record, providing that the
4. traffic violation complained of wasn't driving while intoxicated,
5. leaving the scene, etc., and he says, this is all he wants for his
6. authority to follow the previous law that we passed allowing
7. someone to come in to ask for his arrest record expunged.

8. PRESIDENT:

9. Senator Laughlin.

10. SENATOR LAUGHLIN:

11. But this doesn't expunge a conviction, or does it?

12. SENATOR NEISTEIN:

13. Well, I.....the conviction. Just the arrest. We're
14. not changing that part of the law.

15. SENATOR LAUGHLIN:

16. Well, having voted against the bill last year, I vote no,
17. now, but thank you, Senator Neinstein.

18. SECRETARY:

19. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neinstein,
20. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
21. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
22. Vadalabene, Walker, Weaver.

23. PRESIDENT:

24. Course, aye. Oh, only the sponsor of the bill can request
25. a call of the absentees....Request for call of the absentees.
26. I was advised by Mr. Fernandes that...you...no...there is no re-
27. quest for a call of the absentees. On...How is Senator Course
28. recorded?

29. SECRETARY:

30. Aye.

31. PRESIDENT:

32. Your recorded in the affirmative. Is Senator Saperstein
33. recorded...affirmative....yes, you are. On that question the

1. yeas are 20. The nays are one. One present. The bill having
2. failed to receive the constitutional majority is declared de-
3. feated. We have some Motions, Resolutions and other things.
4. Senator Knuppel was attending a funeral of Representative
5. McClain, was not here when 3018, HB3018...on 2nd Reading.

6. SECRETARY:

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

8. PRESIDENT:

9. Any amendments from the Floor? 3rd Reading. We have a
10. Motion by Senator Savickas.

11. SECRETARY:

12. Dated 7/16/72, pursuant to Rule No. 4, Motion to strike....

13. PRESIDENT:

14. Just a moment...yes...okay...Mr. Secretary read it.

15. SECRETARY:

16. Motion to strike all House and Senate bills on the Senate
17. Calendar, except appropriation and revenue bills, signed Senator
18. Savickas.

19. PRESIDENT:

20. ...This...Senator Savickas is recognized.

21. SENATOR SAVICKAS:

22. Mr. President and members of the Assembly, it's my under-
23. standing that we are due to adjourn Wednesday. Now, if this
24. true we..still have House bills coming over from the House...
25. Senate bills that people have been holding, holding, holding,
26. that have no intention of calling evidently. So, I move and
27. ask your support to strike all House bills and all Senate bills
28. except appropriation and revenue bills.

29. PRESIDENT:

30. Senator Knuepfer.

31. SENATOR KNUEPFER:

32. I want to speak to that before we vote on it. I would like
33. to point out to Senator Savickas that the House still as of today

1. had one house bill on 2nd reading...and a whole lot of house
2. bills on 3rd reading...and we are really at the mercy of the
3. House. Our Calendar is not bothering us anywhere near as
4. much as the House Calendar is. And until the House can get
5. these bills over here, we might just as well sit here and
6. listen to this. Otherwise, we've got to be here for the proper
7. number of days to enable the House to get their job done any-
8. way. So, we haven't lost any legislative time today, nor will
9. we tomorrow until such time as the House gets their work done
10. and lets us get out.

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. The Motion that is filed, what date does it bear?

15. PRESIDENT:

16. What is the date on the Motion that was filed...Mr.
17. Secretary...what is the date on the Motion that is filed?

18. SECRETARY:

19. 7/16/72.

20. SENATOR PARTEE:

21. I assume that it's out of order.

22. PRESIDENT:

23. The Chair would have to rule that the Motion dated July 16th,
24. is out of order. If you wish to correct that and...The Motion
25. is to Table all bills, other than appropriations and revenue.
26. All in favor signify by saying aye. Contrary minded. The Motion
27. is defeated...roll call is requested. The Chair would have to
28. rule in connection with Senator Partee's point of order, that that
29. is a valid point of order. And I assume it will be corrected by
30. the Senator here, now. Secretary will call the roll.

31. SECRETARY:

32. Arrington, Baltz, Berning . . .

33. PRESIDENT:

PRESIDENT:

1. For what purpose does Senator Hall arise?

2. SENATOR HALL:

3. Are you calling on the Motion of....

4. PRESIDENT:

5. This is on the Motion of Senator Savickas.

6. SENATOR HALL:

7. Well, I thought it was ruled out...

8. PRESIDENT:

9. Well, he has corrected the date on that. Senator Partee.

10. SENATOR PARTEE:

11. If the Motion is out of order, then there can't be no
12. roll call on an invalid Motion.

13. PRESIDENT:

14. Well, the Motion was out of order as it was originally pre-
15. sented. He has corrected it. And the Chair will give him...
16. extend that courtesy to him. But the point made by Senator Partee
17. is a valid point. Continue the roll call.

18. SECRETARY:

19. Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew...

20. PRESIDENT:

21. Just a moment...please...Senators should not even in jest
22. call out aye or nay when another Senator's name is called. This
23. is in clear violation of the Rules of the Senate and could cause
24. real legal difficulties. Proceed with the roll call.

25. SECRETARY:

26. Clarke...

27. PRESIDENT:

28. Senator Clarke.

29. SENATOR CLARKE:

30. Am I not correct, Mr. President, that it's a majority those
31. voting...of this nature.

32. PRESIDENT:

33. That is correct.

SENATOR CLARKE:

1. Well, let me just say that none of us are here by choice,
2. obviously...and I don't think that the fact that the Session is
3. going longer than we had intended or that we indicated...is of the
4. failing of the President pro tem or anybody on this side of
5. the aisle. I think we recognize that. However, as Senator
6. Knuepfer, pointed out there are appropriation bills still re-
7. siding in the House, I don't know whether they are in committee
8. or on the Floor. They require three days reading in the House
9. and three days reading over here. And I think that regardless of
10. any other actions taken this Body should show responsibility, and
11. while we are in Session we can address ourselves to these bills
12. while we are getting to the appropriation bills. We have set up
13. our priority system so that we can take those bills and give
14. them the top priority, and in many days that's the only thing
15. we get to depending upon the debate. But I think this would be
16. a very irresponsible act and as long as we're going to be here
17. we should address ourselves to the work at hand. I vote aye...
18. no.

19. SECRETARY:

20. Collins,

21. PRESIDENT:

22. Just a moment. For what purpose does Senator Savickas arise?

23. SENATOR SAVICKAS:

24. Mr. President and members of the Assembly, I think my point
25. has been made, and since it has been made, I will withdraw my
26. Motion.

27. PRESIDENT:

28. Motion is withdrawn. And we have some Resolutions. Senator
29. Walker.

30. SENATOR WALKER:

31. Thank you, Mr. President, Senators. I'm happy that Senator
32. Savickas brought this matter up. I'm getting a little curious

33.

1. myself. Before we came down here and I know this is something
2. that some of the other Senators have discussed with me...before
3. we came down here the leadership of the Senate thought we were
4. going to be here, as I recall it, until about June the 3rd...
5. that's what the papers reported. The House said we were going
6. to be here until June the 10th...myself...and some other attorneys
7. I am sureset some cases for the following week...and now the
8. week following that is here. I would like to say this. This is
9. the first time...in 15 years down here that I've come down here a-
10. long with some of the others and didn't know when we were going home.
11. And for that I blame the leadership on the...that side of the
12. aisle and on this side of the aisle and particularly in the House.
13. Now, we're willing to stay here, but I would like to have some-
14. thing definite as to when we're going to go home. I figured this
15. is the last job this week, so what have I got here, Wednesday,
16. Session at 10 A. M., rumor is that we go home after this.
17. Well, let's find out what that rumor is about...the leaders on
18. both sides. Does this week wind it up? Are we coming down here
19. next week?

20. PRESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. There are those who will always have something to say when
24. they should have had something to say earlier. When this Session
25. began, I envisioned the kind of situation which we now find our-
26. selves. I stood at this very microphone and begged and pleaded
27. and cajoled with you to help us to delimit this Session to four
28. catagories. You argued, you screamed like pigs under gates, a-
29. bout people in the other House introducing all kinds of legisla-
30. tion, and putting you in the position where you felt that you
31. had to introduce bills to prevent people from thinking that this
32. was an inertia Session as far as the Senate was concerned... And
33. you made all kinds of excuses for introducing all kinds of legisla-

1. tion other than those four categories. Had we stuck to that
2. original plan for the four categories, we would have been home.
3. Now, don't complain now about your lack of fortitude...your
4. lack of support of the suggestions we made in the first instance.
5. It's your fault, not mine. We would have been home and some of
6. the days that we have been here addressing ourselves to problems
7. that could have waited until next year in the calm atmosphere of
8. a new Session would have been treated in that fashion. But
9. you insisted that we open it up. So it's open up and we'll stay
10. here until we finish.

11. PRESIDENT:

12. Senator Walker.

13. SENATOR WALKER:

14. That doesn't answer my question. I would like to know
15. whether we're going to be here this week, next week, and I assure
16. you...that this isn't the lack of fortitude on my part, I'm will-
17. ing to stay here. The only thing I'm trying to find out just
18. when in the hell we're going home and your giving us the same
19. answer that we have been getting on this side of the aisle for
20. three weeks. We were in here a week ago Friday...what we did
21. that Friday we could have done the previous ...the Thursday be-
22. fore in an hour. We spent three hours here Friday, when we could
23. have wound it up that Thursday night. I say let's get about our
24. business, if your going to let the House run it...just let me and
25. some of the other Senators who are curious to know. But I'd
26. like to know it's going to be July the 1st, August the 1st,
27. or just when in the hell it's gonna be.

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. Perhaps, I can express myself without using the expertives
32. that you use. I take your question to be a rhetorical one.

33. PRESIDENT:

1. If the Chair can interrupt for just a moment, I think, if
2. we can avoid...the use...as Senator Partee, just suggested of
3. ...language that may offend some people in our galleries,
4. particularly when school groups are here...there aren't any
5. here right now. I think it would be good. Senator Partee.
6. SENATOR PARTEE:

7. My answer that...is that I take his question to be purely
8. rhetorical. That's my answer.
9. PRESIDENT:

10. Senator Sours.
11. SENATOR SOURS:

12. Mr. President and Senators, I certainly don't want to stir
13. anything up that's already brewing. I have 18 bills in this desk
14. right here that I abstained from filing because they were not re-
15. venue or appropriations, and I'm not sponsoring too many adminis-
16. tration bills, naturally. But, I have 18 bills here that I did
17. not file because it was my understanding then, and it's my under-
18. standing now, and I'm not putting the finger on anyone, but we can
19. do more of nothing here in this Chamber, in this Session, and as
20. Senator Horsley said one day two years ago? they ought to pay
21. us to stay home. All we're doing is loafing. We're not idle,
22. I too, making my living as a lawyer, rather than a public official
23. I, too making my living as a lawyer rather than a public official,
24. would like to kno, when I can get back in the Circuit Court. And
25. I'm darn well tired of just waiting from week to week to week. My
26. secretary has been continuing urgent matters because we are in-
27. decisive, and I don't believe that the House ought to run and
28. govern the Senate.

29. PRESIDENT:
30. Senator Horsley.

31. SENATOR HORSLEY:

32. Well, Mr. President, I think the time is very appropriate
33. for everybody to take Senate Joint Resolution 77 and 78 home

1. with them tonight and ready them carefully. And I think,
2. probably after a thorough study of what's been said here
3. today, and those two Resolutions, I believe we might be able
4. to pass both of them tomorrow.

5. PRESIDENT:

6. We have some Resolutions. Senator Bidwill.

7. SENATOR BIDWILL:

8. Mr. President, may I announce a caucus for 9:00 o'clock
9. tomorrow morning. Republican caucus at 9:00 o'clock.

10. PRESIDENT:

11. We have some Resolutions. Senator Johns is recognized.
12. Senator Johns.

13. SENATOR JOHNS:

14. Mr. President, I'd like to ask leave of the Body to con-
15. sider House Joint Resolution 134 on the order of postponed
16. consideration...and it's on the Secretary's desk.

17. PRESIDENT:

18. Senator Johns...moves the adoption of the Resolution.
19. Is there any discussion? Senator Knuepfer.

20. SENATOR KNUEPFER:

21. ...I'm not willing to jump quite that fast. What does
22. Senate...House...Senate Joint Resolution ...124...or whatever
23. its number do?

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

27. Just exactly what it says in the synopsis.

28. PRESIDENT:

29. It's on the Secretary's desk. It's the last item on the
30. Calendar...while they are looking it up, Senator Donnewald has
31. raised his hand.

32. SENATOR DONNEWALD:

33. While they're reading the Calendar, there's going to be a

1. Democratic caucus at 9:00 o'clock, 6th floor, tomorrow morning.

2. PRESIDENT:

3. House Joint Resolution 134. Is there discussion of the
4. Resolution? All in favor of the adoption...the question is,
5. House Joint Resolution 134, Representative Hyde is the House
6. sponsor, Senator Johns is the Senate sponsor. The last item
7. on the Calendar...is there any discussion? Senator Hall.

8. SENATOR HALL:

9. Is this the one...that has to do with the...Oscar Weil?

10. PRESIDENT:

11. Senator Johns.

12. SENATOR JOHNS:

13. It does indeed...and...it just...the Legislative Investi-
14. gation Committee has a report, which we want to be just a matter
15. of record.

16. PRESIDENT:

17. Is there any discusson? All in favor signify by saying
18. aye. Contrary minded. All...will the Senators be in their seats
19. ...will the Senators be in their seats? We will have a division.
20. All those in favor...Senator Gilbert.

21. SENATOR GILBERT:

22. I think that in fairness to the members of the Senate, Oscar
23. Weil's name has been brought into this and Oscar Weil is not
24. the Illinois Education Association. In fact, he's with the
25. Chicago Teachers Union and I think he's in a group that is
26. in competition with the Illinois Education Association as far
27. as unions are concerned...so I just don't...I mean I don't care
28. how you vote, that's not my point. The point is, I think that you
29. should understand that the matter that occurred over in the House
30. that Oscar Weil made certain statements is not the genesis of this
31. Resolution to my knowledge.

32. PRESIDENT:

33. All those...Senator Neistein....

1. SENATOR NEISTEIN:

2. Did this Resolution come out of Executive?

3. PRESIDENT:

4. The Secretary advises me that it did.

5. SENATOR NEISTEIN:

6. It passed out of Executive. Where was I?

7. PRESIDENT:

8. The Chair isn't in the position to answer that question.

9. All those in favor of the adoption of the Resolution, please
10. rise, Senator Clarke. Just a moment. Senator Clarke.

11. SENATOR CLARKE:

12. Well, Mr. President, in the light of Senator Gilbert's
13. remarks, I really think that whoever the sponsor is, we're en-
14. titled to know what we're voting on before we vote.

15. PRESIDENT:

16. Senator Johns.

17. SENATOR JOHNS:

18. Go ahead, Bruce....

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well, if I can just explain briefly. This is a Resolution
23. that came out of the discussion in the House by Oscar Weil, who
24. made some charges about legislators and the House members wanted
25. to conduct a study. And before the Illinois Legislative Investi-
26. gating Commission can do a study, it must be by statute, by a
27. Joint Resolution, of both the House and the Senate. I believe,
28. there are House members who wish to have this matter took...
29. taken before the Legislative Investigating Commission, so that
30. certain legislators are..their records are cleared.

31. PRESIDENT:

32. Is there further discussion? All those in favor of the
33. adoption of the Resolution, please rise. All those opposed,

1. please rise. The Resolution is adopted. We have some addition-
2. al Resolutions here...and some messages.

3. SECRETARY:

4. Senate Resolution No. 380, introduced by Senator Romano
5. and it's congratulatory.

6. PRESIDENT:

7. Senator Romano.

8. SENATOR ROMANO:

9. Mr. President and lady and gentlemen of the Senate, this
10. is a congratulatory Resolution on the Golden Wedding of a former
11. member of the legislature, Vito Marzullo, of Chicago and I move
12. for the suspension of the Rules and the immediate adoption of
13. this Resolution.

14. PRESIDENT:

15. Is there objection? All in favor signify by saying aye.
16. Contrary minded. The Resolution is adopted. All Senators will
17. be shown as sponsors. We have some messages from the House.

18. SECRETARY:

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

20. Mr. President -- I am directed to inform the Senate that
21. the House of Representatives have refused to concur with the
22. Senate in the adoption of their amendments to bills of the
23. following title: HB4270, Senator Bruce is the sponsor.

24. PRESIDENT:

25. Senator Bruce.

26. SENATOR BRUCE:

27. I move that we do not accede to the House action and a
28. conference committee be.....

29. PRESIDENT:

30. Motion is that the Senate refuse to recede from the....
31. Senator Bruce.

32. SENATOR BRUCE:

33. Yes, HB4270, perhaps Senator Mitchler can explain it to

1. it to you very quickly.

2. PRESIDENT:

3. Motion is that the Senate refuse to recede request con-

4. ference committee. All in favor signify by saying aye. Con-

5. trary minded. Motion prevails.

6. SECRETARY:

7. ...And...HB4361...they refuse to concur with the amendments.

8. And this is Senator Knupple's.

9. PRESIDENT:

10. Senator Knuppel, do you have a Motion on this?

11. SENATOR KNUPPLE:

12. Well, I take the position we should have a conference

13. committee on it and make a Motion...

14. PRESIDENT:

15. The Motion is Motion refuse...Senator Knuepfer.

16. SENATOR KNUEPFER:

17. Can we have a little further explanation than that we just

18. refuse to concur? What's the issue again? I...I think in all

19. fairness to this Body...we ought to have some advice as to what

20. the issue is on...on these concurrences or lack of them before

21. we are suddenly called upon to say yes or no.

22. PRESIDENT:

23. When ...when it is a matter of the Senate concurring, the

24. Chair always asks for an explanation. Senator Knuppel.

25. SENATOR KNUPPLE:

26. Well, the amendment that was put on here in 4361 was put

27. on with the House sponsors knowledge and his understanding in the

28. committee and it was a committee amendment that...came over from

29. the Cooperative Extension Service at University of Illinois. And

30. they changed the bill with respect to percentages and in so doing

31. failed to get it correlated some way. And it..it...just to be

32. expressed, I don't know just exactly what happened in the House.

33. But I know that when it came here Mr. Hunsicker, who was.....

1. Representative Hunsicker, said that was satisfactory. He
2. was the House sponsor and so it was put on. And it met with
3. the approval of those people who were at the University of
4. Illinois. And now, I don't know why they don't want to concur
5. in what was done here.

6. PRESIDENT:

7. Senator Partee.

8. SENATOR PARTEE:

9. Well, Mr. President, I don't want to be retrogressive, but
10. I think before we can talk about the amendment or what the
11. House's reaction to the amendment is, we have to at least give
12. a simple explanation of, first of all, what the bill's about.
13. And then what the amendment was about. And then what the House's
14. attitude was about that so that when members vote we may not
15. want to go into a conference committee, you know. So, I think
16. we have no way of knowing what's going on unless we got an ex-
17. planation of some length, brief possibly, as to what the bills
18. about, what the amendment was about and what the House's attitude
19. concerning was about. How else can we give an intelligent vote,
20. if we don't know all those things.

21. PRESIDENT:

22. Is there further discussion on this bill and on this Motion?
23. Senator Soper.

24. SENATOR SOPER:

25. Yes, now...we're coming to a time when bills are coming back
26. here like this bill. When we've amended a bill and we've sent a
27. bill over and then we send a bill back and say we concur, we don't
28. concur, we get a conference committee. And these things blow right
29. by us, a conference committee can come out and change a whole
30. bill, and we...in the...the trying to get out of here in the
31. last moments...we pass on these things. I think we should take
32. our time with these things just as the...just as the President
33. pro tempore has said...and we should know what's going on....

1. And I don't want to have anything to do with any bills that come
2. in here and go into a conference committee, and then come back,
3. we don't know what..what they...they're all about...as is
4. happening right now.

5. PRESIDENT:

6. Is there further discussion on this Motion? Senator Bruce.

7. SENATOR BRUCE:

8. Well, just to clarify this particular bill, Representative
9. Hunsicker was over. Our amendment that we adopted left out a
10. dollar sign in front of 18,000. When it got to the House, one
11. of the House members, who is a real nit-picker, found that error
12. and said that the amendment was not properly drawn. The only
13. thing that we can do now that they did not concur in our amend-
14. ment is to come back over the conference committee report that
15. I have seen from Representative Hunsicker is identical to our
16. amendment with the dollar sign in front of the 18,000.

17. PRESIDENT:

18. All those in favor of the Motion indicate by saying aye.

19. Contrary minded. The Motion is adopted. Senator Walker.

20. SENATOR WALKER:

21. I suppose this is a fact. I suppose this is a point of
22. unpersonal privilege, but I heard from Hudson that to err is human,
23. to forgive is divine. And I...really didn't see all the
24. people in the gallery. I could of just as well said, when in
25. the dickens are we going home, and if I had a chance to re-
26. phrase it, that is what I would say. Thank you.

27. PRESIDENT:

28. Thank you. We have...and if I may have the attention of
29. Senator Clarke and Senator Partee, because the Chair was not here,
30. when this matter came up. But it's the matter of referring 1st
31. reading House bills to the Rules Committee. Now, my understanding
32. is there is..there was objection to that procedure. And a request
33. that they be read a first time at this point. Is that correct...

1. Senator Clarke? Or what is...the...Chair is not real clear
2. on this.

3. SENATOR CLARKE:

4. My suggestion was that most of the House bills coming over
5. are appropriation bills or revenue bills. Now, by sending them
6. to the Rules Committee, we lose a day, as I understand it. And
7. I felt that revenue and appropriation bills, when they come over
8. on a message from the...rather the message from the Senate could be
9. read a first time and sent directly to the Assignment of Bills
10. Committee. So that...we would save a day in effect in acting
11. on these important matters, which is really what we're waiting
12. for. These are the key bills that we are waiting for, appropria-
13. tion bills coming over from the House.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. Why, I would agree. The only problem is...at what point
18. do they get a sponsor? That's the problem.

19. PRESIDENT:

20. Senator Clarke.

21. SENATOR CLARKE:

22. Well, the...the answer to that is that we have a list and by
23. delaying this part of the business of the day for a little while
24. while we work on the list, we have already assigned sponsors to
25. the bills, rather than waiting until they get on the Calendar
26. to assign sponsors to them. So that the...the Secretary now
27. has a list that they will be filled with sponsors indicated.

28. PRESIDENT:

29. Now, what is the procedure? Now, we'll read these for the
30. first time, but how does the Secretary know, or the Chair know,
31. when one is an appropriation or revenue or something else? Senator
32. Partee.

33. SENATOR PARTEE:

1. At this point I think probably, we could send them all.
2. And then you don't have that problem.

3. PRESIDENT:

4. All right...we'll just...the message from the House...
5. and these bills will be read the a first time..the...we're going to
6. read all of them. Is that correct now? We'll read all the bills
7. with the Senate sponsors. All right. I'm advised by the Secretary
8. we have some that don't have sponsors and those will go on the
9. Calendar. Is that correct? Senator Partee.

10. SENATOR PARTEE:

11. Well, at this point, if they are without sponsors, just
12. leave them on the Calendar without sponsors. That's all you can
13. do.

14. PRESIDENT:

15. All right. Okay. All right.

16. SECRETARY:

17. HB4201, Senator Clark...first...HB4294, Senator Gilbert.
18. HB4295, Senator Dougherty. HB4374, Senator Latherow. 4448,
19. Senator Knuepfer. 4449, Senator Knuepfer. 4457, Senator Knuepfer.
20. 4465...4468, Senator Gilbert. 4488, Senator Walker. 4606,
21. Senator Graham. 4623, Senator Latherow. 4636, Senator Mitchler.
22. 4656, 4657, 4658 and 4659, Senator Graham. 4663, Senator
23. Gilbert. 4674 and 4675, Senator Rock.

24. PRESIDENT:

25. Is there further...Senator Gilbert.

26. SENATOR GILBERT:

27. 4465 on that list?

28. SECRETARY:

29. Not on this one.

30. SENATOR GILBERT:

31. Yes. I'm assigned 4465. I didn't hear you read it. I'm
32. sorry. Thank you.

33. PRESIDENT:

1. Senator Knuepfer.

2. SENATOR KNUEFFER:

3. Were there some of those bills without sponsors, did the
4. Clerk say?

5. PRESIDENT:

6. Some of them without sponsors, they'll go on 1st reading
7. on the Calendar tomorrow.

8. SENATOR KNUEFFER:

9. Well...maybe...we can...you know...maybe we can get...oh...
10. oh...I see. Okay.

11. PRESIDENT:

12. Are there further announcements? Senator Merritt.

13. SENATOR MERRITT:

14. Mr. President ...just...and members of the Senate, just very
15. briefly going back to the discussion on our work load here...last
16. Thursday from leadership on the other side of the aisle, even from
17. our side of the aisle, that because of crowded hotel conditions
18. with the convention this week we would necessarily have to leave
19. our rooms. Many made plans along those lines. And again, I am
20. not trying to be critical. I, for one Senator, in completing
21. now in my eighth year here...can truthfully say, I have never
22. missed a Legislative Session. I've just been fortunate because
23. of health and deaths. I'm really trying to be serious in what
24. I am saying. But to help and convenience everyone, I would admonish
25. again the leadership from both sides of the aisle in the interest
26. of all of us who are trying to get a job done...the closer we
27. can have some kind of a work schedule, the better for all of us.

28. PRESIDENT:

29. Are there further announcements? Senator Partee moves that
30. the Senate stand adjourned until 10:00 o'clock tomorrow morning.
31. All in favor signify by saying aye. Contrary minded. Senate
32. stands adjourned.

33.