

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

June 20, 1972

1. PRESIDENT:

2. Senate will come to order. Prayer by the Chaplain, Reverend  
3. Joseph Ferriera, Pastor of the Zenobia Baptist Church at Pawnee.  
4. Pastor Ferriera.

5. PRAYER BY PASTOR JOSEPH FERRIERA.

6. PRESIDENT:

7. Reading of the Journal moved by Senator Neistein that the  
8. reading of the Journal be dispensed with. All in favor signify  
9. by saying aye. Contrary minded. Motion prevails. Committee  
10. reports.

11. SECRETARY:

12. Senator Donnewald, Chairman of Assignment of Bills, assigns  
13. the following to committee: Education, House Bill 4465; Executive,  
14. House Bills 4656, 4657, 58 and 59, 4674 and 4675; Local Government,  
15. House Bills 4302, 4682; Appropriation, House Bills 3763, 4112, 4139,  
16. 4210, 4244, 4374, 4448, 4468, 4628, 4677.

17. PRESIDENT:

18. We have some messages from the House.

19. SECRETARY:

20. Message from the House, Mr. Selcke, Clerk: Mr. President--  
21. I am directed to inform the Senate that the House of Representatives  
22. has passed bills of the following titles, in the passage of which  
23. I am instructed to ask concurrence of the Senate to wit: House  
24. Bills, 3074, 4133, 4668, 4681.

25. PRESIDENT:

26. We will just hold those in abeyance for right now.

27. PRESIDING OFFICER (Senator Rock):

28. Messages from the House.

29. SECRETARY:

30. Message from the House, Mr. Selcke, Clerk: Mr. President--  
31. I am directed to inform the Senate that the House of Representatives  
32. has refused to concur with the Senate in the adoption of their  
33. amendment to the bill of following title: House Bill 1954 . . .  
34. and this is Senator Mohr and Senator Dougherty.

1. PRESIDING OFFICER: (Senator Rock)

2. Senator Mohr.

3. SENATOR MOHR:

4. We would request a Conference Committee on this one.

5. PRESIDING OFFICER: (Senator Rock)

6. Senator Bruce. For what purpose does Senator Bruce arise?

7. SENATOR BRUCE:

8. I thought we had an agreement yesterday there would be a  
9. brief explanation of what the bill does and what the amendment  
10. does that they would not agree to and if thats possible from  
11. Senator Mohr it would be appreciated.

12. PRESIDING OFFICER: (Senator Rock)

13. I think the point is well taken. Gentlemen I am asked to  
14. inform you that the proceedings are being recorded. You're on  
15. candid camera live. Senator Mohr.

16. SENATOR MOHR:

17. Yes Senator. I don't have a copy of the amendment and I'm  
18. told that Senator Dougherty's bill, I'm told what this bill does.  
19. It affects the appointment of the police and fire chief and they  
20. want to put a home rule amendment on that and that's it. We  
21. just requested a Conference Committee on it. I don't know where  
22. Senator Dougherty is. It's not a controversial matter as far as  
23. this Body is concerned. I'll get you a copy of the amendment shortly.

24. PRESIDING OFFICER: (Senator Rock)

25. Is there any objection for a request of a Conference Com-  
26. mittee? So ordered.

27. SECRETARY:

28. And the House Bill 3619 they refused to concur in the amend-  
29. ments and this is Senator Walker's.

30. PRESIDING OFFICER: (Senator Rock)

31. Just hold that one if he's not on the floor.

32. SECRETARY:

33. House Bill 4149 they refused to concur in the amendments

1. and this is Senator Carpentier's.

2. PRESIDING OFFICER (Senator Rock):

3. Is Senator Carpentier on the Floor? You better just hold  
4. that one, too. Resolutions. Senate Bills on Third Reading.  
5. Senate Bills on Third Reading. Hold 1154. 1304, Senator Clarke.  
6. Senator Clarke, no. I'm sorry, you want to hold that whole series.  
7. 1343, Senator Knuppel. 1382, Senator Chew. 1403, 1408, 1423,  
8. 1432. Senator Saperstein, no. 1546, no. 1592. 1605, 1607. If I  
9. can have your attention we will now proceed to the order of House  
10. Bills on Second Reading. House Bills on Second Reading. House  
11. Bill 2648, hold that. House Bill 2653, Senator Fawell. Yeh, move  
12. it, please. We're on the order of House Bills on Second Reading.  
13. House Bill 2653, Senator Fawell.

14. SECRETARY:

15. Second Reading of the bill, one committee amendment from Welfare.

16. PRESIDING OFFICER (Senator Rock):

17. Senator Fawell.

18. SENATOR FAWELL:

19. Mr. President and members of the Senate, this is a contro-  
20. versial amendment and I would like to have the attention of the  
21. Body. Perhaps a number of you have received calls from doctors  
22. in your area in regards to this particular bill, House Bill 2653,  
23. which establishes the qualifications for persons establishing  
24. hospital or long-term care facilities. It is the legislation which  
25. attempts to set up a procedure whereby the establishment of new hos-  
26. pitals or the construction of additions to existing hospitals and  
27. long-term care facilities will be done in accordance with the compre-  
28. hensive health planning scheme and there is quite frankly a difference  
29. of views between those of the administration, and this is an admin-  
30. istration bill, and the Illinois Medical Society which supports House  
31. Bill 2653 in the form in which this legislation passed the House. Now  
32. what occurred is when this bill was heard in the Public Welfare  
33. Committee, an amendment was offered and adopted at that time and

1. that is the Amendment No. 1 which is before the Body at this time  
2. which had as its basic function to transfer to the area Comprehensive  
3. Health Planning agency in a given area to transfer the function  
4. of determining or actually giving an advisory opinion as to whether  
5. a new hospital will or will not be constructed. In other words,  
6. the basic difference suggested by Amendment No. 1 is to authorize  
7. the area Comprehensive Health Planning entity of a particular  
8. area to, in effect, have the authority of determining or making a  
9. recommendation to the Director of the Department of Public Health  
10. as to whether a new hospital will or will not be constructed or a  
11. significant addition made to that. Under the administration's bill  
12. in the form in which Representative Epton had it presented to the  
13. Senate, there would be a regional board made up of 7 members appointed  
14. by the Governor that would actually make this decision. The Com-  
15. prehensive Health Planning entities would certainly be consulted,  
16. but it was and is the feeling of Representative Epton and the admin-  
17. istration and the Illinois Medical Society that, at this point of  
18. time at least, to grant to the various area Comprehensive Health  
19. Planning agencies and in some parts of the State there are none  
20. whatsoever to grant to them the significant authority of making  
21. these determinations is premature and therefore I repeat the Illinois  
22. Medical Society and the Governor's office the sponsor, the chief  
23. sponsor, of the bill, Representative Epton have asked me to at  
24. this time present a motion to Table any motion for the adoption  
25. of the amendment. I do not make a motion to adopt the amendment.  
26. I assume somebody will, but . . .

27. PRESIDENT:

28. Your motion is to Table the Committee amendment.

29. SENATOR FAWELL:

30. My motion is to Table the Committee amendment.

31. PRESIDENT:

32. That's in order. Motion is to Table the Committee amendment.

33. Is there any discussion? Senator Partee.

1. SENATOR PARTEE:

2. Well, just let me ask the Senator this question. We're going to,  
3. I think, get involved here in about a two or three hour debate on this  
4. question. Yes, we are. We are also going to have additional debate  
5. on the bill when it comes up. Is it absolutely imperative from your  
6. point of view that something be done on the 2653 during this Session  
7. of the Legislature or could we refer it to the Health Licensure  
8. Commission where it could be studied until we come back in January.

9. PRESIDENT:

10. Senator Fawell.

11. SENATOR FAWELL:

12. Senator, I'm not sure just how to respond to that. I personally  
13. am not that deeply involved. It is Representative Epton's bill, but  
14. the administration has made a request to me to see that this legislation  
15. is passed and hopefully in its unamended form. I have had a number  
16. of calls from those interested in the delivery of health services  
17. both pro and con, that some type of legislation they feel to dovetail  
18. into the comprehensive health planning responsibility in the State  
19. would be necessary during this Session. I know that the House  
20. sponsor feels strongly about it. I know the administration and the  
21. Illinois Medical Society feels strongly that something should be  
22. done, but I am, to a degree, repeating some hearsay to you, because  
23. I am not that deeply and specifically involved in it.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. Well, I appreciate your candor in saying that you didn't know  
28. how to respond to that and I can only say that I don't know how to  
29. accept your answer, 'cause I still really don't know whether or  
30. not this is of such a momentous nature that during these final days  
31. we should spend probably 3, 4, 5 hours debating this amendment and  
32. the bill itself in combination. I personally feel that this is a  
33. matter that the members really don't really understand in full  
34. detail. I think that votes cast on it at this point would

1. be sort of done on faith rather than on examination and analysis  
2. of the bill. This whole field has so many components that many  
3. people don't understand. I just wonder if we would not be better  
4. if it was studied by the Health Licensure Commission so that when  
5. we came back, we would be able to cast intelligent votes on it.

6. PRESIDENT:

7. Senator Fawell.

8. SENATOR FAWELL:

9. Senator, you may be right, really, for all I know. I will  
10. say this, though, that the basic premise of the bill of granting  
11. to a entity the authority to pass bond, the expansion of hospitals  
12. or long-term health delivery entities is one that isn't quite as  
13. complicated as at first blush, I suppose the bill might lead  
14. one to believe. But I do think this. I don't believe that the  
15. debate here should take more than 15 minutes. I basically said  
16. what I feel I would have to say and I think that the bill, whether  
17. the amendment is on or off, is a bill that can render service to  
18. the people of the State of Illinois. I think that the bill in its  
19. unamended form would be much better, but I would hesitate to see  
20. that the matter just put over, as you know I am a member of the  
21. Commission to which you have referred, because I do think it's  
22. long overdue that we tie in with our comprehensive health planning  
23. the ability to control the growth of these health long-term  
24. institutions so that they will dovetail in and serve comprehensive  
25. health planning rather than have duplicate services, et cetera.  
26. I would hope that we could just move ahead and I don't believe  
27. the debate should be much more than 15 minutes at the most.

28. PRESIDENT:

29. Is . . . You wish to move ahead, then, Senator Fawell.

30. All right, Senator Baltz. The motion is to Table the amendment.

31. Is there . . . Senator Baltz.

32. SENATOR BALTZ:

1. Yes, I'd like to address myself to that. I've studied both  
2. the amendment that is being offered by Senator Fawell and the one  
3. that was put on in Committee and...

4. PRESIDENT:

5. Just a moment. There is no amendment being offered by Senator  
6. Fawell. His motion is to Table.

7. SENATOR BALTZ:

8. I'm speaking against Tabling the amendment.

9. PRESIDENT:

10. Alright.

11. SENATOR BALTZ:

12. Gee whiz, I already blew my speech. Now I studied both the  
13. amendment that was put on by Committee and the one that Senator  
14. Fawell intends to put on and I do, I guess, have a prime interest  
15. in this particular subject because I fathered the Comprehensive  
16. Health Planning Agency in the last Session of the legislature  
17. in Senate Bill 475. And it is my personal feeling that the amend-  
18. ment that was put on in Committee enables comprehensive health  
19. planning to certainly assume their responsibility that I intended  
20. for it when Senate Bill 475 was drafted and I explained it and you  
21. people passed it and the Governor signed it and I would have to  
22. rise in opposition to Tabling this amendment because I think the  
23. one that was put on in Committee better suits the operation of the  
24. Comprehensive Health Planning which is a new agency and should be  
25. allowed to function with full responsibility.

26. PRESIDENT:

27. Senator Groen.

28. SENATOR GROEN:

29. Mr. President, members, I would rise and join Senator Baltz  
30. in the opposition to this re-consideration. We have the comprehensive,  
31. as Senator Baltz has said, we have the Comprehensive Health Planning  
32. Agency. Now we want to set up, I do not have my file on this, but now  
33. we want, as a member of the Committee, we want to set up same identical



1. regions with 7 people, 49 appointees by the Governor..we've already  
2. got 49 appointees by the Governor from the 7 identical regions ;  
3. under the Comorehensive Health Planning Act. Now why in the name  
4. of Heaven should we have the same regions appointing more people,  
5. 49 more people to do what we already decided the Comprehensive  
6. Health Planning Agency should do. If that isn't duplicity, if  
7. it isn't a duplication of governmental function, if it isn't having  
8. 2 agencies performing ostensibly the same thing because the  
9. Comprehensive Health Planning Agency must get involved in this  
10. whether you create these new things or not and it just seems to  
11. me when I read the bill it was utterly incredible that anybody  
12. would be proposing these new districts, the same geographic  
13. districts they will be, with the same number of people, only different  
14. I suppose, and that to do this thing. I just don't understand the  
15. logic behind this. I have asked people who were involved in this,  
16. why do you want to do this and they say it's an internal struggle  
17. apparently for power. Now this was the only answer I could get  
18. from anybody. Well I'm not about to stand here and perpetuate or  
19. assist in the continuation of that kind of internal operation of  
20. government. We have the Comorehensive Health Planning Agency, it  
21. has started its operation. Let it perform the function as Senator  
22. Baltz said that he intended it should perform. Let's not create  
23. another agency to try to do the same thing in competition with them.  
24. This is utter folly and you should defeat this motion.

25. PRESIDENT:

26. Senator Walker.

27. SENATOR WALKER:

28. Thank you, Mr. President, members of the Senate. I move the  
29. previous question.

30. PRESIDENT:

31. Motion for the previous question. All in favor signify by  
32. saying aye, contrary minded. Motion, motion prevails. For what  
33. purpose does Senator Sover arise?

1. SENATOR SOPER:

2. Well, parliamentary inquiry. What are we voting on now. Are  
3. we voting to Table an amendment. I don't even have the amendment  
4. here. What are we voting on?

5. PRESIDENT:

6. We voted to stop debate. The question now before the Body  
7. is the amendment. Those.....

8. SENATOR SOPER:

9. I want a copy of the amendment, I don't know what we're voting  
10. on.

11. PRESIDENT:

12. It is a....

13. SENATOR SOPER:

14. A long time ago, long time ago...I don't see it in my book  
15. a long time ago...If it was here, then put it in the book.

16. PRESIDENT:

17. Are there...for what we have voted to close debate now. For  
18. what purpose does Senator Smith arise?

19. SENATOR SMITH:

20. To inform the Senator, I'm not informed myself. I don't know  
21. whether Senator Fawell is now moving to Table the amendment that  
22. I offered in Committee or not. Is that your amendment?

23. PRESIDENT:

24. That is the motion.

25. SENATOR SMITH:

26. To Table the amendment that I offered in Committee.

27. PRESIDENT:

28. That is correct.

29. SENATOR SMITH:

30. May I simply appeal to members on this side of the aisle to  
31. vote no.

32. PRESIDENT:

33. The Chair is going to rule such an appeal out of order right

1. now. For what purpose does Senator Cherry arise?

2. SENATOR CHERRY:

3. Just to inquire who took Senator Soper's book and I'm sorry  
4. he can't find anything on any bill because I look at his desk and  
5. it's absolutely clean. And he wants his book so I would suggest that  
6. the person who took his book, return it to him.

7. PRESIDENT:

8. Well, the Chair suggests that Senator Soper and Senator Cherry  
9. get together and work that out. For what purpose does Senator Soper  
10. arise...unless it's a parliamentary...

11. SENATOR SOPER:

12. Mr. President, my name was brought up here now and if Mr. Cherry  
13. goes behind my desk he'll find I've got my books behind my desk. If  
14. he can't see that far I'll lift them up in the air, except for my hernia.

15. PRESIDENT:

16. The Chair...question before the body is the motion to Table  
17. the amendment. Senator Fawell may close the debate.

18. SENATOR FAWELL:

19. Well I hope I can briefly clarify what the basic issue is  
20. here. If I may have the attention of the body for just a minute..  
21. so I'll try to do that. The amendment which is before this Body,  
22. and I have a motion to Table that amendment, has basically changed  
23. the Bill by, in effect, stating that the determinations of whether  
24. a hospital will be constructed and when and where will be made by  
25. area Comprehensive Health Planning Agencies rather than by regional  
26. boards which are statutorily set up in this bill. Now that's the  
27. sole issue which we are talking about here and it is true that there  
28. is some battling going on, I guess, behind the scenes by those  
29. individuals who are professional concerned about the delivery of  
30. health care services. As I understand the issue, however, when  
31. you come right down to it what the Illinois Medical Society is saying  
32. and what the administration is saying is that today there, in at  
33. least 50 or 60% of the state, there are no area Comprehensive Health

1. Planning entities. And under this amendment those entities would,  
2. not be given the absolute power to make this decision. They would  
3. only be given advisory power and the Department of Public Health,  
4. one man would make the final decision in Springfield. What the  
5. administration's bill, in its unamended form says, is that there  
6. will be created, immediately, regional boards throughout the state  
7. and these regional boards at a local level under a home rule decision  
8. will make the decision, not the Director of Public Health. And they  
9. will call upon the Comprehensive Health Planning entities, if  
10. indeed one exists, to give them recommendations but as I have said  
11. in many areas of the state they don't even exist so it is premature  
12. in the view of the Illinois Medical Society and the administration  
13. to have the bill amended in the form which it is amended which does  
14. away with the regional boards altogether and gives vital decision  
15. making powers to entities that don't even exist at this time at  
16. least in many parts of the state, in which event the decision would  
17. have to be made by, as I've indicated, the Director of the Department  
18. of Public Health after going through the state board. That's the  
19. issue. I hope I haven't confused you more but those of you who  
20. do side with the Illinois Medical Society and the administration in  
21. regard to this and are opposed to the amendment would vote yes on  
22. the motion to Table and those who are opposed and believe that the  
23. amendment is sound and that this authority ought to be given to  
24. the Comprehensive Health Planning entities would vote no on this  
25. motion.

26. PRESIDENT:

27. Is the division satisfactory or do you wish a roll call?

28. SENATOR FAWELL:

29. I think a roll call.

30. PRESIDENT:

31. Roll call is requested. Secretary will call the roll. Those in  
32. agreement with Senator Fawell will vote in the affirmative. Those in  
33. agreement with the position of Senator Smith will vote in the negative.  
Senator Smith.

1. SENATOR SMITH:

2. I think the Senator who just made the motion will agree that  
3. he can live with the amendment that I offered in Committee. In spite  
4. of the fact that it was hoped that an agreement might be had between  
5. the Senator and members on this side of the aisle, no conference has  
6. been sought nor any attempt made to alleviate whatever, if any,  
7. differences that do exist.

8. PRESIDENT:

9. For what purpose does Senator Clarke arise?

10. SENATOR CLARKE:

11. I just wonder what order of business we're on. Hasn't  
12. Senator Fawell closed the debate?

13. PRESIDENT:

14. Debate has been closed.

15. SENATOR SMITH:

16. No, he spoke in support of his motion.

17. PRESIDENT:

18. Well yes, he was closing the debate on the matter.

19. SENATOR SMITH:

20. Alright.

21. PRESIDENT:

22. The point is well taken, Senator Clarke. We do get into this  
23. area where who ought to close the debate is a question when the amend-  
24. ment is offered by one Senator and motion to Table by another and we,  
25. by tradition, have let the person who makes the motion close the debate.  
26. Secretary will call the roll. Those in agreement with Senator Fawell  
27. will vote in the negative. Those in agreement with Senator Smith will  
28. vote in the negative.

29. SECRETARY:

30. Arrington, Baltz...

31. PRESIDENT:

32. Senator Baltz.

33. SENATOR BALTZ:

I rise in opposition to the motion made by Senator Fawell to

1. Table the motion, or Table the amendment made in Committee. Senator  
2. Fawell said that his amendment would allow decisions as to new health  
3. care facilities to be made on a regional basis because Comprehensive  
4. Health Planning local areas were not equipped to do it because there  
5. were very few of them in the state. I have here in my hand a map  
6. that shows that on January 1, 1972 what Senator Fawell said is no  
7. doubt true. In fact, in much of '71, there were only 2 areas in  
8. the state that had local "B" agencies. In June 22nd, let's see  
9. here, in January 1 of '72 they had spread to where they had five,  
10. in February 1st of '72 a month later they were about one half of  
11. the state geographically is covered. The aim of the Comprehensive  
12. Health Planning Agency is by June 30th of 1973 to have the entire  
13. state covered. There are now 8 additional areas that are working  
14. to organize raising their part of the money so that they can get  
15. a matching grant under the CHP agency and I have no doubt but what  
16. the state will be 100% covered by June of '73 or close to 100%  
17. covered. Now in my final remarks on this I, very definitely, feel  
18. that no one knows their health needs better than the local people  
19. at home where they have a local "B" agency consisting of 1, 2 or  
20. 3 counties or more in the Southern part of the state. These people  
21. better know what their health needs are, they better know where a  
22. new hospital should be provided or not provided than a large regional  
23. approach that would be had under Senator Fawell's ultimate amend-  
24. ment if this one was Tabled. So I not only rise in opposition to  
25. his Tabling motion but I want to vote no.

26. SECRETARY:

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

PRESIDENT:

1. For what purpose does Senator Mitchler arise?

2. SENATOR MITCHLER:

3. How am I recorded?

4. PRESIDENT:

5. How is Senator Mitchler recorded? You're not.

6. SENATOR MITCHLER:

7. The best way to explain my aye vote on this is to direct  
8. your attention to the Girl Scouts seated in the gallery behind me  
9. and point out this is a group of Girl Scouts from Oswego, Illinois,  
10. in beautiful Kendall County. I'd like to have them rise & be recognized  
11. by the Senate. I vote aye.

12. PRESIDENT:

13. On that question the yeas are nine. The yeas are 30. The motion  
14. to Table does not prevail. Senator Smith moves for the adoption  
15. of the amendment. All in favor signify by saying aye, contrary  
16. minded. The amendment is adopted. Senator Smith offers Amendment

17. No. 2. For what purpose does Senator Neistein arise?

18. SENATOR NEISTEIN:

19. Well I don't want to ignore the beautiful group of Girl Scouts  
20. that are sitting right behind me; they come from Mt. Prospect and  
21. they're led by Mrs. Jenks.

22. PRESIDENT:

23. And meaning no disrespect to the Girl Scouts from Mt. Prospect  
24. or Oswego I hope the Senators will refrain from violating the rules  
25. as we proceed into these final days. Senator Bidwill.

26. SENATOR BIDWILL:

27. I hope that Senator Neistein made that introduction by the  
28. compliments of Senator Graham who's district these young people  
29. are in.

30. PRESIDENT:

31. Senator Smith.

32. SENATOR SMITH:

33. I offer the amendment that's in the Secretary's hand. This

1. amendment seeks to, on page 10, it strikes lines 31 thru 32. It  
2. merely completes the deletion that we had sought in the original  
3. amendment. These--these words that I now have in this amendment  
4. follow exactly the wording in the previous amendment. I said  
5. lines one thru 32. I move their adoption.

6. PRESIDENT:

7. Is there...Senator Smith moves the adoption of Amendment No.  
8. 2. Is there any discussion? Senator Baltz.

9. SENATOR BALTZ:

10. Well, Senator Smith, getting back to what Senator Partee said  
11. about the great importance of this bill, I would like to have an  
12. opportunity to see what this amendment does. Your brief explanation  
13. might be adequate but I'm more concerned about seeing the amendment.  
14. I think if it's possible... if it's that short we should have it  
15. printed and put on our desk and come back to it a little later.

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. Senator Baltz, I think this was a part of the concept that you  
20. are interested in that should have been included originally which  
21. was inadvertently left out. This just indelibilizes your concept.  
22. And this is in line with what we've just done with the first amendment.

23. PRESIDENT:

24. Senator Baltz.

25. SENATOR BALTZ:

26. If I may just have it a minute...I'm sorry, I don't have a  
27. copy of the bill here to see what it strikes. Senator Smith, I  
28. don't want to proceed against you here and in the light of what you  
29. said and what Senator Partee said...can I have a copy of the bill  
30. here please?

31. PRESIDENT:

32. Is there further discussion? All in...I don't want to rush  
33. you here, Senator Baltz, but unless there is opposition we're...



1. SENATOR BALTZ:

2. I understand it, it, it strikes a substantial amount of page 10,  
3. however, by striking lines 1 thru 32. I'm not sure that I'm pre-  
4. pared to vote on this until I give it a little bit of study. I'm  
5. not trying to hold the bill up and it'll be on Second Reading I'm  
6. sure or are you going to move it to Third, Senator.

7. PRESIDENT:

8. We have this and I'm advised that we have two additional amend-  
9. ments that have been offered. I wonder if the best thing, Senator  
10. Partee and Senator Fawell, isn't to have all these amendments printed?  
11. Senator Fawell.

12. SENATOR FAWELL:

13. There's no problem with this amendment because it simply  
14. eliminates wording in regard to the regional board which we just  
15. eliminated anyway in the previous amendment.

16. PRESIDENT:

17. All right. Senator Baltz.

18. SENATOR BALTZ:

19. I'll withdraw any request that I might of had.

20. PRESIDENT:

21. All in favor of the adoption of the amendment indicate by  
22. saying aye, contrary minded. The amendment is adopted. Amendment  
23. No. 3 is offered by Senator Fawell. Senator Fawell.

24. SENATOR FAWELL:

25. Mr. President, this is an agreed amendment. I believe it's  
26. been cleared on both sides and the thrust of Amendment No. 3  
27. is to insert within provisions of the bill the nursing homes within  
28. the definitions of the health care entities which are subject to the  
29. provisions of the bill. I move the adoption of the amendment.

30. PRESIDENT:

31. Motion for the adoption of the Amendment No. 3. Is  
32. there any discussion? Senator O'Brien.

33. SENATOR O'BRIEN:

1. Mr. President and members of the Senate, I'd like to see a  
2. copy of this amendment and when we started on this bill Senator  
3. Fawell indicated that it wouldn't take 15 minutes. We're on Amendment  
4. 3 right now. We've adopted one amendment most of us haven't  
5. seen. It's already taken 25 minutes. This is a comprehensive,  
6. intricate bill. I just think we're moving along in a direction  
7. we're wasting a lot of time. We're not going to take a final vote  
8. on this today. It's not revenue, constitutional implementation or  
9. anything else. Before I vote on the amendment I'd like to see a  
10. copy of it. I think we're wasting a lot of time.

11. PRESIDENT:

12. If the Senator is joined by four other Senators the we can  
13. have the amendments printed before...Is the Senator joined by four  
14. other Senators? He is? Senator Fawell.

15. SENATOR FAWELL:

16. I'll be glad to hold these off. Let it move to Third Reading  
17. with the idea of bringing it back. This is this is an Illinois  
18. Nursing Homes Assn. amendment, Senator, and as I understood it everybody  
19. had agreed to this. Now if there is any opposition I'm not going  
20. to have no strong feelings about it. I'll hold it off and not put  
21. it on if you don't want the Nursing Homes Association amendment  
22. on there. I'll just forget about it and we'll move it to Third  
23. Reading.

24. PRESIDENT:

25. Are you withholding your amendments at this time then?  
26. All right. Are there any further amendments? Third Reading.  
27. Senator O'Brien. If the Chair may suggest I think that Senator  
28. O'Brien and Senator Fawell ought to get together and discuss the  
29. matter and then tomorrow if you want to bring back from third and  
30. Second you can. 4086, Senator Fawell. Do you wish to advance that  
31. from Second to Third? 4086.

32. SECRETARY:

33. Second reading of the bill, no committee amendments.

1. PRESIDENT:  
2. Any amendments from the Floor? Third Reading. 4089,  
3. Senator Latherow. 4089.  
4. SECRETARY:  
5. Second Reading of the bill, no committee amendments.  
6. PRESIDENT:  
7. Any amendments from the Floor? Third Reading. 4286, is  
8. Senator Groen on the Floor? I think he would want that advanced,  
9. Senator Bidwill. All right. 4286.  
10. SECRETARY:  
11. Second Reading of the bill, no committee amendments.  
12. PRESIDENT:  
13. Any amendments from the Floor? Third Reading. 4610, Senator  
14. Clarke. 4610.  
15. SECRETARY:  
16. Second Reading of the bill, no committee amendments.  
17. PRESIDENT:  
18. Any amendments from the Floor? Third Reading. 4640, Senator  
19. Baltz. 4640.  
20. SECRETARY:  
21. Second Reading of the bill, no committee amendments.  
22. PRESIDENT:  
23. Any amendments from the Floor? Do you have any amendments,  
24. Senator Baltz?  
25. SENATOR BALTZ:  
26. Just a minute.  
27. PRESIDENT:  
28. All right, we'll get back to that in just a moment. 4650, Senator  
29. Mohr. 4650.  
30. SECRETARY:  
31. Second Reading of the bill, no committee amendments.  
32. PRESIDENT:  
33. Any amendments from the Floor? Third Reading. 4676.

1. SECRETARY:

2. Second Reading of the bill, no committee amendments.

3. PRESIDENT:

4. Any amendments from the Floor? Third Reading. Senator Baltz,  
5. are you ready now on? All right. 4640.

6. SENATOR BATLZ:

7. Yes, Mr. President and members of the Senate, this amendment  
8. to 4640 is one that's been prepared by Chapman and Cutler to put  
9. the bill into the type of shape that any bond sold under this bill  
10. would be perfectly legal and protect a bondholder the same way  
11. that it appears in other acts where bonds, revenue bonds, are being  
12. sold. I move the adoption of this amendment.

13. PRESIDENT:

14. Is there any discussion? All in favor signify by saying aye,  
15. contrary minded. The amendment is adopted. Further amendments,  
16. Third Reading. House Bills on First Reading. 3801, Representative  
17. Day. 4408, H.H. Hall. 4621, Representative McDevitt. We're on  
18. House Bills on First Reading. 4661, Representative Wadell. Sena-  
19. tor Latherow.

20. SENATOR LATHEROW:

21. Mr. President, I've talked to Senator Lyons about this bill  
22. and I'd like permission to move that to second without reference  
23. to Committee.

24. PRESIDENT:

25. Is there objection? Leave is granted. 4678, Senator Berning.  
26. 4685. I assume Senator Egan would want that. Senator Sours, oh.  
27. 4685, can we assign that, Senator Partee, to Senator Egan and then...  
28. all right. 4685 is assigned to Senator Egan. Senator Sours.

29. SENATOR SOURS:

30. I'll take that first one there, Representative Day.

31. PRESIDENT:

32. 3801, Senator Sours. House Bills on Third Reading. What we  
33. will do is go through all of the first priority bills and then go

1. to the second priority bills starting where we left off yesterday.  
2. So that we get to Senator Romano's bill. House Bills on Third  
3. Reading. On the first column the two to be called are 1440 and  
4. 2222. 1440, Senator Berning, hold. Senator Mitchler, 2222, hold.  
5. The next column the bills to be called are 3018, Senator Knuppel.  
6. 3068, Senator Hynes. 3078, Senator Fawell. 3608 and 3609, Senator  
7. O'Brien. That's as far as I'll announce them right now. 3018,  
8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President, an amendment has, a suggested amendment, has  
11. been tendered and we'll have to pass it for the time being and  
12. come back.

13. PRESIDENT:

14. All right. Is Senator Hynes on the floor? 3068, do you  
15. want to call that? Okay. 3078, Senator Fawell. Senator Fawell.

16. SENATOR FAWELL:

17. Mr. President and members of the Senate, this bill I believe  
18. there's no controversy in regards that it simply authorizes the  
19. Illinois School Building Commission to have the basic authority of  
20. overseeing the construction of joint agreement voc ed high schools.  
21. And I think it's a very sound bill that will lead to greater economy  
22. as in these joining agreement programs and I ask for the support of  
23. the Senate.

24. PRESIDENT:

25. Is there any discussion? The Secretary will call the...Senator  
26. Sours.

27. SENATOR SOURS:

28. Senator Fawell, is this such a bill that could sort of induce  
29. an appropriation next time we meet?

30. PRESIDENT:

31. Senator Fawell.

32. SENATOR FAWELL:

33. The appropriations have been there in the past and are there

1. now. You may recall that Senator Gilbert passed the administration  
2. bill that did contain a 10 million dollar appropriation whereby  
3. the State has matching funds that will meet the local funds which  
4. come under referendum only provisions. So in that sense they are.  
5. But what we're saying in here is that whenever these programs do  
6. take place though we will not have the local boards of education  
7. overseeing the construction but will have the Illinois School  
8. Building Commission which as you know has had phenomenal success in  
9. keeping the construction costs down have that responsibility. That's  
10. all this bill does; that if and when those building programs start  
11. let the Illinois School Building Commission do it, not your local  
12. entities.

13. PRESIDENT:

14. Senator Gilbert.

15. SENATOR GILBERT:

16. I was going to say some of the things that Senator Fawell  
17. has said and I think there's no question but what the best agency  
18. that we have given authority to supervise school buildings in the  
19. State of Illinois is the School Building Commission. This does  
20. not raise any taxes. These agencies that benefit from the money  
21. appropriated to the School Building Commission must have exhausted  
22. their bond indebtedness. They must have voted a tax rate upon  
23. themselves before they can even make application. And this merely  
24. will be a better way of spending the ten million or more which we have  
25. already appropriated through this House to the School Building  
26. Commission and an amount which I hope is increased as was recommended  
27. by the administration in the bill before it was amended down.

28. PRESIDENT:

29. Senator Hynes.

30. SENATOR HYNES:

31. Mr. President and members of the Senate, I would briefly  
32. concur on the remarks that have been made. This bill is necessary  
33. if the money which we appropriated last year and reappropriated again

1. this year is to be spent effectively. If these projects are to  
2. proceed and I would urge all members support this legislation.

3. PRESIDENT:

4. The Secretary will call the roll.

5. SECRETARY:

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

14. PRESIDENT:

15. Nihill, aye. Groen, aye. Smith, aye. Bruce, aye. Newhouse,  
16. aye. O'Brien, aye. On that question the yeas are 45. The nays  
17. are none. The bill having received the constitutional majority is  
18. declared passed. Senator O'Brien, Senator O'Brien, do you want  
19. to 3068 and 09, do you want to call them? Hold. The next bills  
20. on the list to be called are 3776, Senator Clarke. 4085, Senator  
21. Laughlin. 4087, Senator Vadalabene. And 4158, Senator Baltz.  
22. Senator Partee.

23. SENATOR PARTEE:

24. I don't know if you've ever been to Marion, Illinois, but  
25. if you have you might have seen in that city some very fine people.  
26. One is Mrs. Eve Johns, the wife of Senator Johns and her daughter, Dareda  
27. and his son, Danny, and a friend of theirs, a fellow by the name of  
28. David Molk. I don't know if you've ever been to Marion but you would  
29. have seen those people and they'll stand and be recognized by the  
30. Senate.

31. PRESIDENT:

32. 3...I've been to Marion many times, Senator Partee. 3776,  
33. Senator Clarke. Hold. 4085, Senator Laughlin.

1. SENATOR LAUGHLIN:

2. Well, Mr. President, I can't say anything about this and  
3. members of the Senate, I can't say anything more about it except that  
4. it appropriates this money mentioned on the Calendar to the Law  
5. Enforcement Commission. I understand there's no objection to it.  
6. It's been through the task force. I haven't heard of anything,  
7. I'd ask for a favorable roll call.

8. PRESIDENT:

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

10. SECRETARY:

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

19. PRESIDENT:

20. Smith, aye. Savickas, aye. On that question the yeas are  
21. 42. The nays are none. The bill having received the constitutional  
22. majority is declared passed. 4087, Senator Vadalabene.

23. SENATOR VADALABENE:

24. Thank you, Mr. President and members of the Senate. The 4087  
25. is the ordinary & contingent expenses of the Illinois Arts Council.  
26. It's in the Governor's budget. I held it up yesterday and I'd  
27. appreciate a favorable roll call.

28. PRESIDENT:

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

30. SECRETARY:

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



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

6. PRESIDENT:

7. Senator Walker.

8. SENATOR WALKER:

9. Thank you, Mr. President, I just wonder what the amount of  
10. the appropriation is on this Illinois or for this Illinois Arts  
11. Council?

12. PRESIDENT:

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. 600,000.

16. PRESIDENT:

17. Senator Walker.

18. SENATOR WALKER:

19. What's the increase over the prior appropriation?

20. PRESIDENT:

21. Senator Vadalabene.

22. SENATOR VADALABENE:

23. I believe it's the same, Senator Walker. I talked to Senator  
24. Hynes who approved this on a Task Force Committee.

25. PRESIDENT:

26. Senator Walker.

27. SENATOR WALKER:

28. This is like the similiar to an appropriation we had here the  
29. other day. From memory I think this...

30. PRESIDENT:

31. Just a moment. Let's get some order, please. Gentlemen,  
32. let's break up the caucuses. Proceed, Senator.

33. SENATOR WALKER:

1. Thank you, Mr. President. From memory I think when this appropriation  
2. first came before the Budgetary Commission perhaps six or eight  
3. years ago it was either 25 thousand or fifty thousand and here we  
4. are up to 600 thousand. Again that's my reason for on occasion  
5. and most occasions voting against the creation of these new  
6. commissions, these new councils. They seem to grow, used to be bi-annual  
7. now it's annually. And I just can't see how you can go from 50  
8. thousand to 600 thousand a period of six, eight at the most ten  
9. years. I'm going to vote no not because I do not feel that we're  
10. entitled to the culture that their purportedly providing but just  
11. the protest over the increase over the past few years. Thank  
12. you.

13. SECRETARY:

14. Weaver.

15. PRESIDENT:

16. For what purpose does Senator Horsely arise?

17. SENATOR HORSLEY:

18. How am I recorded?

19. PRESIDENT:

20. How's Senator Hor...you're not.

21. SENATOR HORSLEY:

22. I vote no.

23. PRESIDENT:

24. Horsely no. On that...Senator Mitchler.

25. SENATOR MITCHLER:

26. I would just like to make one comment in explaining my negative  
27. vote on this. All of the time now we're trying to freeze taxes at  
28. the local level. We're talking about reducing the cost of govern-  
29. ment. Now this is an example of something that has value. It's  
30. wonderful for the State of Illinois to appropriate money and give  
31. out money in doles to various art council and projects throughout  
32. the State. But if we're going to reverse the trend on the cost of  
33. government and be able to cut back on the unnecessary things in

1. government and things that we can do without because we have such  
2. a need for the revenue that we collect in the tax dollars for those  
3. things that have a higher priority. This is an example of one and  
4. as pointed out by Senator Walker that has grown from a mere  
5. 25 thousand up to 600 thousand dollars and if it continues to grow  
6. it'll soon be approaching a million dollars a year. And this has  
7. received alot of flack from alot of the editorials. Although, you  
8. have to admit alot of these appropriations to music programs and  
9. art programs and the cultural programs in the State have been good.  
10. But we have to stop and realize what government is suppose to do  
11. for people and maybe alot of this appropriation can be done through  
12. grants and donations at a local level. And I'm going to join those  
13. in the protest to this and vote no.

14. PRESIDENT:

15. On that question the yeas are 30. The nays are 6. The bill  
16. having received the constitutional majority is declared passed.  
17. Motion by Senator Johns to reconsider, motion by Senator Palmer  
18. to Table. All in favor of motion to Table signify by saying aye,  
19. contrary minded. The motion to Table prevails. Chew, aye on the  
20. last one. In the next column these are the bills which will be  
21. called next. 4256, Senator Latherow. 4260, Senator Mohr. And  
22. 4298, Senator Mohr. 4256, Senator Latherow. You want to hold  
23. that? 42...is Senator Mohr on the Floor? 4...I don't see Senator  
24. Mohr here right now. Move on to the next column. 4308, Senator  
25. Clarke. 4330, Senator McCarthy. 4387, Senator Savickas. 4420,  
26. Senator Fawell. And 4455, Senator Harris. I think Senator Groen  
27. is handling that one. Senator Mohr is here now. 4260 and 4298 are  
28. on the list here, Senator. Senator Mohr.

29. SENATOR MOHR:

30. 4260, Senator Bruce are you ready with that one or do you want  
31. me to hold that?

32. PRESIDENT:

33. Senator Bruce.

1. SENATOR BRUCE:

2. Could we pass it for about five minutes?

3. PRESIDENT:

4. 4298, do you want to call that, Senator?

5. SENATOR MOHR:

6. Yes, I'd like to call that back for the purpose of amendment,

7. Mr. President.

8. PRESIDENT:

9. 4298 is called back to Second Reading for the purpose of amend-  
10. ment.

11. SENATOR MOHR:

12. There are there are two amendments on the Secretary's desk.  
13. This is the senior citizens' tax bill. This these two amendments  
14. put the bill on the same form as Senate Bill 1363 that passed this  
15. Body. Amendment No. 2 includes the disabled people under the  
16. act and number Amendment No. 2 changes the trigger point from  
17. 7 to 6 per cent for income under three thousand dollars. It's an  
18. agreed amendment with Senator Lyons and those interested in the  
19. senior citizen bill. And I move the adoption.

20. PRESIDENT:

21. Is there any discussion? All in favor of the adoption of  
22. the amendment indicate by saying aye, contrary minded. The amend-  
23. ment is adopted.

24. SENATOR MOHR:

25. There are two amendments.

26. PRESIDENT:

27. Motion is for both amendments, is that correct? All in favor  
28. of the adoption of the second amendment indicate by saying aye,  
29. contrary minded. The amendment is adopted.

30. SENATOR MOHR:

31. I'd like to come back to that one.

32. PRESIDENT:

33. We'll come back after intervening business. 4...Senator

1. Partee.

2. SENATOR PARTEE:

3. Just this, Senator Mohr, it is my understanding that the various  
4. sponsors of bills on this subject which bills are House Bill 4298  
5. which you've just called House Bill 4295, Senate Bill 1363 which is  
6. bill and Senate Bill 1508, that all four of these bills are going  
7. to be passed and that you're all going to support all four of them.  
8. Is that an agreement?

9. PRESIDENT:

10. Senator Mohr.

11. SENATOR MOHR:

12. That is the agreement. I haven't seen 4295 as yet, that's still  
13. in the House.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. I think it has just come over today but that is the agreement,  
18. I just wanted to make sure that my information is correct. Okay,  
19. thank you.

20. PRESIDENT:

21. 4308, Senator is Senator Clarke on the Floor? You wish to  
22. call that, Senator? 4308.

23. SENATOR CLARKE:

24. Senators, this is bill is just a transfer within two funds  
25. in the General Service Department just as indicated on the Calendar.  
26. The General Service Department as you know charges other departments  
27. for these services, gasoline so forth services for their automobiles.  
28. And for various reasons they need to have this transferred to this  
29. fund. I'd appreciate a favorable vote.

30. PRESIDENT:

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

32. SECRETARY:

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

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

8. PRESIDENT:

9. On that question the yeas are 38. The nays are none. The bill  
10. having received the constitutional majority is declared passed.  
11. 4298, Senator Mohr.

12. SENATOR MOHR:

13. Yes, Mr. President, 4298 as I mentioned is the senior citizens' tax  
14. bill and it now conforms with Senate Bill 1363 and I ask for a  
15. unanimous favorable roll call.

16. PRESIDENT:

17. Is there any discussion? The Secretary will call the roll.  
18. Just a moment, Senator O'Brien.

19. SENATOR O'BRIEN:

20. I'm going to vote for the bill. I'd just like to ask one  
21. question of Senator Mohr. Can you give me an approximation of just  
22. exactly how much money this is going to cost the State of Illinois?

23. PRESIDENT:

24. Senator Mohr.

25. SENATOR MOHR:

26. This will be about 30.2 million dollars, Senator.

27. PRESIDENT:

28. Senator O'Brien.

29. SENATOR O'BRIEN:

30. Is there any means that you've thought of right now that you  
31. can replace this revenue with?

32. PRESIDENT:

33. Senator Mohr.

1. SENATOR MOHR:

2. I don't know what you have in mind, Senator. Any ideas that you  
3. have I wish that you would pass on and get them into the right places.

4. PRESIDENT:

5. Secretary will call the roll.

6. SECRETARY:

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

14. PRESIDENT:

15. Hall, aye. Savickas, aye. Newhouse, aye. On that question  
16. the yeas are 48. The nays are none. The bill having received the  
17. constitutional majority is declared passed. 4330, Senator McCarthy.  
18. Hold. 4387, Senator Savickas, hold. 4420, Senator Fawell. Is  
19. Senator Fawell on the...4420, do you wish to call that? Senator  
20. Fawell.

21. SENATOR FAWELL:

22. I would like to ask leave to revert to the order of Second  
23. Reading for the purposes of affixing an amendment.

24. PRESIDENT:

25. 4420 is called to Second Reading for the purpose of amendment.  
26. Can you explain your amendment, Senator?

27. SENATOR FAWELL:

28. Yes, this bill, 4420, Representative Schlickman's bill, it per-  
29. tains to special grants to teachers who are not certified but  
30. teaching in poverty areas. The amendment would put a limitation on  
31. the scholarship aid so that it would not exceed the maximum amount  
32. to which a student enrolled in that institution would be entitled  
33.

1. to under the scholarship sections of our our present Statute and  
2. also sets forth the necessity their signing a note which could  
3. be utilized by the Superintendent of Public Instruction and enacts it  
4. against these people if they were to subsequently cancel their  
5. commitment to teach at least two years in a poverty area upon  
6. receiving this educational aid. So I do move the adoption of the  
7. amendment.

8. PRESIDENT:

9. Motion for the adoption of the amendment, all in favor signify  
10. by saying aye, contrary minded. The amendment is adopted. Any  
11. further amendments. Third Reading. Do you wish to call that after  
12. intervening business, Senator? Senator Fawell, do you wish to  
13. call that after intervening business? 4455, is, Senator Groen, are  
14. you handling that for Senator Harris? Who is, someone is handling  
15. that for Senator Harris and I the Chair doesn't recall who is.  
16. Senator McBroom, you're not. Well it will remain there temporarily anyway  
17. Senator Mohr, on 4260 are we ready? Oh. On the..in the next page  
18. the following bills will be called. 4508, Senator Latherow.  
19. 4523, Senator Hynes. 4551, Senator Dougherty. 4557, Senator  
20. Dougherty. 4622, Senator Davidson. 4647, Senator Latherow. And  
21. 4662, Senator Donnewald. 4508, Senator Latherow. Senator Latherow.  
22. 4508, you want to hold that. 4523, Senator Hynes. Senator Hynes.

23. SENATOR HYNES:

24. Mr. President...

25. PRESIDENT:

26. Senator Hynes.

27. SENATOR HYNES:

28. Mr. President and members of the Senate, House Bill 4523 as  
29. amended in the Senate does essentially two things. First it clarifies  
30. the situation the bill basically deals with special education joint  
31. agreements which as you know are agreements involving several  
32. school districts to provide special education programs, particularly  
33. in areas where one school district would not be able to carry on



1. such a program on its own. Presently there is provision for  
2. withdrawal from these. This would clarify the situation and per-  
3. mit withdrawal by any member school district upon approval by  
4. two-thirds of the county school trustees. Presently it appears  
5. under the statute that it would take unanimous consent for such a  
6. withdrawal to occur. Secondly it adds a third option as to how  
7. these districts can be administered. Presently the joint agree-  
8. ment which will involve multiple school districts as I said will  
9. be administered either by the county superintendent or one of the  
10. member districts will be selected as the administrator. This adds  
11. a third option which would permit the members, by agreement, to set  
12. up a governing board to operate the special education district.  
13. This governing board would be composed of one member from each of  
14. the...one school board member from each of the schools which were  
15. members of the special education agreement. This governing board  
16. is specifically prohibited in the bill from levying any taxes so  
17. that we are not creating a new taxing entity and secondly it  
18. cannot incur indebtedness except to the extent authorized in an  
19. annual budget approved by both the governing board and by the  
20. member districts. This bill has the support of the, of many groups,  
21. I just might mention a few: The Illinois Association for the  
22. Mentally Retarded, United Cerebral Palsy of Illinois, The Illinois  
23. Mental Health Association, The Illinois State Medical Society,  
24. The Illinois Association of Children with Learning Disabilities,  
25. Illinois Administrators of Special Education, Illinois Association  
26. of School Psychologists, Illinois Association of Social Workers,  
27. Council on Exceptional Children of the Department of Mental Health.  
28. There were some technical objections to the bill in the House, I  
29. believe these have all been resolved by the amendments that have  
30. been added. I would appreciate your favorable support on this legislative

31. PRESIDENT:

32. Senator Laughlin.

33. SENATOR LAUGHLIN:

1. Yes, Mr. President, members. Would Senator Hynes yield to a  
2. question.

3. PRESIDENT:

4. Senator Hynes.

5. SENATOR LAUGHLIN:

6. I don't know whether I'm right in this but the county board  
7. school trustees as I recollected are elected and their sole purpose  
8. is to hold the title to educational real estate, school district  
9. real estate. Am I wrong in that or am I right?

10. PRESIDENT:

11. Senator Hynes.

12. SENATOR HYNES:

13. I am not sure that's the sole purpose. They are elected by  
14. township.

15. PRESIDENT:

16. Senator...

17. SENATOR LAUGHLIN:

18. My point is I don't know why in the world they should be given  
19. any authority in a situation like this, absolutely no reason, no  
20. correlation. I don't think that's in the purview of their function  
21. at all. I know I'm coming late to the party with this question  
22. but it didn't occur to me before this.

23. PRESIDENT:

24. Senator Hynes.

25. SENATOR HYNES:

26. Presently that is the present law...that is the law. Under the  
27. law now for withdrawal, that is not an answer, I recognize that. Under  
28. the present law in order to withdraw you must get the approval of the  
29. county board of trustees. The reason as I see the statute, I admit  
30. it is not the most precisely drafted document I've ever seen, the  
31. original statute, not this bill. The reason is that in terms of the  
32. existing law whenever there is a boundary change that matter goes  
33. before the county board of trustees so they have that kind of

1. jurisdiction already and this, this question of withdrawal is  
2. given to them to be handled under the same rules and regulations  
3. as they would use in connection with the boundary change.

4. PRESIDENT:

5. Senator Laughlin.

6. SENATOR LAUGHLIN:

7. I appreciate your response because you did make me recollect  
8. the fact that they do act in cases where you want to change boundary  
9. lines but that's a petition by individual property owners who wish  
10. to go from one school district to another, for example, I think and  
11. if I'm wrong in that I wish you would correct me. And this is  
12. putting them into a new area, it is not, in terms of their decision  
13. making process when they left one school district get out of a  
14. contract that, that school district has entered into rather than  
15. to be dealing with the property rights of the individual owner.

16. PRESIDENT:

17. Senator Hynes.

18. SENATOR HYNES:

19. No, it is not, Senator. The existing law requires that a  
20. school district wishing to withdraw get the approval of the county  
21. board of trustees. This simply reduces it from unanimous approval  
22. to two-thirds. So the existing law does that.

23. PRESIDENT:

24. Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Simply wanted to say thank you.

27. PRESIDENT:

28. Senator Gilbert.

29. SENATOR GILBERT:

30. Well I think the advantages of this bill are the fact that it  
31. does give the smaller districts an opportunity to have something to  
32. say about withdrawal and all where you limit it to two-thirds rather  
33. than unanimous. This is permissive, of course, and the smaller

1. districts, let's say, for example, around Springfield here. Spring-  
2. field entered into the joint agreement with small districts around  
3. here under the present law Springfield can completely dominate the  
4. whole situation. This way it gives a little more voice, I believe,  
5. and I see nothing wrong with setting up a separate board where  
6. there is a representative from each of the school districts and  
7. as Senator Hynes has pointed out there is no authority to incur  
8. any indebtedness, they cannot levy any taxes and certainly withdrawal  
9. is almost impossible now in event any one of the districts of part  
10. of that joint agreement should bow their neck and say well we are  
11. going to keep you in it even though it's not realistic situation.  
12. This way you would have to have at least two-thirds of them to keep  
13. you in and I think those are some of the advantages of this piece  
14. of legislation.

15. PRESIDENT:

16. Isthere further discussion? Senator Fawell.

17. SENATOR FAWELL:

18. The only point that I wanted to bring up. I think this bill  
19. is basically a very sound piece of legislation but I think sooner  
20. or later this body is going to have to address itself, and I had  
21. planned to try to do this myself but I haven't had the time to be  
22. able to do so, to the basic question to what happens when a school  
23. district in a joint agreement program withdraws. In this bill,  
24. the reference is made back to Article VII..which is the article of  
25. the School Code that sets forth the accounting procedures when there  
26. is a change of boundaries of school district lines and as a result  
27. of the change of boundaries you have a new school district created.  
28. Then you have an accounting procedure which is set up which only  
29. comes into play if a new school district is created. Now I submit  
30. the question and I think it is something that nobody has really  
31. thought of, what happens in the joint agreement program if some  
32. district wants to pull out. And the question is asked whether they  
33. credit for their capital contributions or other accounting procedures.  
I guess really

1. one would have to construe under this bill to mean that if there is no  
2. new district created, which there isn't under these provisions of  
3. joint agreements in special education joint agreements or in  
4. vocational high school joint agreements too when somebody  
5. withdraws it would seem to me where we are making a reference  
6. to an article that doesn't really fit. I talked to Senator Hynes  
7. about this and I hope that perhaps that this is going to the  
8. House where they have to affirm the amendment which has been placed  
9. here in the Senate. I hope I can have something ready that might  
10. be constructed to give to the House sponsor and maybe we can clear  
11. that up because I think the day is coming we're going to have an  
12. awful involved law suit when a district wants to pull out over  
13. these joint agreements and the Legislature has simply given no real  
14. meaningful ground rules as to what happens under those circumstances.

15. PRESIDENT:

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

17. SECRETARY:

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

26. PRESIDENT:

27. Cherry aye, Sours aye, Partee aye, Neistein aye. On that  
28. question the yeas are 46. The nays are none. The bill having received  
29. the constitutional majority is declared passed. 4420, Senator Fawell.

30. SENATOR FAWELL:

31. I have received a request for further time to study an  
32. amendment which was affixed. I do have I won't call this again today  
33. but if I could have the indulgence of the Senate to put this back

1. on Second Reading for still another amendment I'd appreciate that.

2. PRESIDENT:

3. Right now.

4. SENATOR FAWELL:

5. Yes.

6. PRESIDENT:

7. 4420 is called back to put, have another amendment affixed

8. and then the bill will be held on Third Reading. 4420, Senator

9. Fawell, can you explain your amendment?

10. SENATOR FAWELL:

11. Yes, this simply strikes the appropriation. There's a

12. separate appropriation bill.

13. PRESIDENT:

14. All in favor of the adoption of the amendment indicate by

15. saying aye, contrary minded. The amendment is adopted...returned

16. to Third Reading. 4551, yes, Senator Soper.

17. SENATOR SOPER:

18. I'd, Mr. President, I'd like to ask, inquire of the sponsor,

19. where's that appropriation bill? What's the number of that.

20. PRESIDENT:

21. Senator Fawell.

22. SENATOR FAWELL:

23. It is in the House as I understand. Just came over this

24. morning I am told.

25. PRESIDENT:

26. Senator Soper.

27. SENATOR SOPER:

28. It's a House bill in other words.

29. PRESIDENT:

30. That is correct. 4551, Senator Dougherty.

31. SENATOR DOUGHERTY:

32. Mr. President I would like to hold that bill for a little

33. while, we're going to put an amendment on it. I have not yet

1. received the amendment.

2. PRESIDENT:

3.           Allright, how about 4557.

4. SENATOR DOUGHERTY:

5.           Well 4557, if you will give me just a minute, Sir. This is a  
6. bill that provided...in its original context it applied only to the  
7. Chicago Transit Authority. The City of Chicago provided that they  
8. can use motor fuel tax for the purpose of building adjacent to or  
9. along that line or the highway a parking facility for use of the CTA.  
10. That was in its original form. The bill passed the House in that  
11. form. When it came over here to the Senate at the request of the  
12. Department of Transportation I put an amendment on it that provided  
13. that the motor fuel taxes could be used for the same purposes in any  
14. other area of the state that has a metropolitan transit district as  
15. such. That would mean Springfield, that would mean Joliet, it would  
16. mean Pekin. It would mean any city that has a mass rapid transit  
17. district. And the amendment has been adopted. Now I do understand  
18. that the House has indicated that they do not favor the amendment.  
19. They favor the bill in its original form but they do not favor the  
20. amendment. Then there was the proposal that the private railroads  
21. would be permitted to offer an amendment that provided they too  
22. could acquire land and such facilities for a parking lot using motor  
23. fuel tax funds. That is the situation now. The amendment, the second  
24. amendment has never been offered. The bill in its amended form,  
25. as I got it out of Committee in the Senate and members approved it  
26. by this Body. Now I understand there are some objections to the  
27. original amendment. No, I'm not going to move it back at all.  
28. It's on Third Reading. Alright. Then I would now like to move it  
29. back to the Order of Second Reading for purpose of Tabling Amend-  
30. ment No. 2.

31. PRESIDENT:

32.           45...for what purpose does Senator Horsley arise?

33. SENATOR HORSLEY:

Well, before we get involved in Tabling an amendment I'm not

1. sure exactly what the amendment does that we're tabling but I'd  
2. like to inquire about this bill and the amendment. I have been  
3. sort of looking around this....

4. PRESIDENT:

5. Just a moment. Let's confine our discussion immediately to  
6. the amendment which is about to be Tabled.

7. SENATOR HORSLEY:

8. Well I have to ask a question before I can do that.

9. PRESIDENT:

10. The Chair is just suggesting that since we have...is being  
11. pulled back and the motion is for reconsideration of the amendment  
12. that we confine our remarks immediately to that.

13. SENATOR HORSLEY:

14. Now is this the bill, Senator Dougherty, that will allow the state to  
15. pay the Calument Skyway Bonds?

16. PRESIDENT:

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. Skyway in this.

20. PRESIDENT:

21. Senator Dougherty can you repeat your answer.

22. SENATOR DOUGHERTY:

23. There is no mention whatsoever the Calument Skyway. This  
24. has nothing to do with it. It has only to do with permission to  
25. give to a mass transportation district the right to use motor fuel  
26. tax funds for the purpose of building parking lots if you will.

27. PRESIDENT:

28. Senator Horsley.

29. SENATOR HORSLEY:

30. Well does the amendment have anything to do with the right,  
31. whether it mentions the Calumet Skyway Bonds or not, first question  
32. is, can the bill be construed whether it mentions the Calument Sky-  
33. way to give the authority to pay from that.



1. PRESIDENT:

2. Well let's confine.. Senator Dougherty, lets confine our re-  
3. marks to the amendment that, which we want to Table here now.

4. SENATOR DOUGHERTY:

5. I have the amendment here. If Sen. Horsley wants to take a look  
6. at it, I'll send it right over to him. And this was adopted. And  
7. this was adopted at the request of the Department of Transportation.  
8. I did it at their request. I have their letter here if you wish  
9. to see it.

10. PRESIDENT:

11. Senator Donne...Senator Partee.

12. SENATOR PARTEE:

13. Senator Horsley, I think the explanation was absolutely clear.  
14. This does not in any way, in any way, relate to Skyway Bonds. This is  
15. a bill thats related to the Chicago Transit Authority and its ability  
16. to take money from the motor fuel tax funds and build contiguous  
17. parking lots by their facilities. He explained, I probably didn't  
18. hear him, he explained that the Department of Transportation asks  
19. that the bill be amended so that every transit district throughout  
20. the state, simular situated, could accomodate itself under the terms  
21. of this bill. The proposal now is to remove the amendment suggested  
22. by the Department of Transportation and that way the bill would then  
23. confine itself in its original form only to the Chicago Transit  
24. Authority. Now do you understand that Sir.

25. PRESIDENT:

26. Senator Horsley.

27. SENATOR HORSLEY:

28. I still am trying to find out about the original bill without  
29. the amendment, after we take this amendment off. Even though it  
30. doesn't mention the Calument Skyway Bonds.

31. PRESIDENT:

32. Let's take one step at a time here. Senator Partee.

33. SENATOR PARTEE:

1. Once upon a time there was a bill. That bill provided that the  
2. Chicago Transit Authority could...see now he's still not listening.  
3. What's the reason, what's the need of it.

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. You know days are getting longer I think, Senator, but let  
8. me try once more. The original bill in the first instance let me  
9. say does not in any way relate to the Chicago Skyway, in no way,  
10. no interpretation. You could elasticize the words involved here  
11. forever and it wouldn't in any way cover, relate to the Calumet  
12. Skyway. Nothing to do with it, absolutely none. That's number one.  
13. Number two, the bill in its original form provided that motor fuel  
14. tax funds could be taken for the purpose of building parking lots  
15. contiguous to the facilities of the Chicago Transit Authority. That  
16. is the form in which the bill passed the House. It came to the  
17. Senate. The Department of Transportation asked that all transit  
18. authorities throughout the state be given the same privilege. This  
19. amendment would take off of the bill in its present amended form  
20. that amendment which would revert the bill to its original form  
21. relating only to the Chicago Transit Authority.

22. PRESIDENT:

23. Motion is to reconsider the vote by which Amendment No. 2 was  
24. adopted. All in favor signify by saying aye, contrary minded, motion  
25. prevails. Motion to Table Amendment No. 2. All in favor signify by  
26. saying aye, contrary minded. The amendment is Tabled. We will get  
27. back to your bill after intervening business, Senator. 4622, Senator  
28. Davidson, is Senator Davidson on the Floor? Hold. 4647, Senator  
29. Latherow, hold. 4662, Senator Donnewald. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President, House Bill 4662 is actually the old Senator  
32. Bill Lyons' bill which had to do with the Chamber of Commerce of  
33. Collinsville. The particular purpose of this bill was to refund the

1. monies lost to the Chamber of Commerce in Collinsville where they  
2. had originally sold the property to the State of Illinois for the  
3. construction of the state building down there which was subsequently  
4. removed to East St. Louis. Now I questioned Representative Harpstrite,  
5. the principal sponsor of the bill, and told him the ultimate outcome  
6. of the original legislation was and he advised me that he did go to  
7. the Governor Ogilvie and the Governor has acquiesced according to  
8. Representative Harpstrite to sign the bill if we see fit to pass the  
9. legislation here this morning. I don't think there would be any  
10. debate about it. I think it's been hashed over many times the last  
11. Session, and if there are any questions that you think I could respond  
12. to or answer, I'd gladly do so but I would ask for a favorable roll call.

13. PRESIDENT:

14. Is there any discussion? Senator Clarke, Senator Knuepfer,  
15. you two decide now. Senator Clarke.

16. SENATOR CLARKE:

17. Well, Mr. President, you're right we did debate this a year ago  
18. and we're debating it now and in Senator Harris' absence I'd just  
19. like to present the arguments he presented then. This is an un-  
20. budgeted item, there's a serious question as to the liability of the  
21. State, and the Court of Claims is always available for this type of  
22. action and that's where the action should be taken rather than through  
23. a legislation appropriation. I think we should defeat this bill.

24. PRESIDENT:

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

26. SECRETARY:

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

1. Vadalabene, Walker, Weaver.

2. PRESIDENT:

3. On that question the yeas are 24. The nays are 7. The bill  
4. having failed to receive the constitutional majority is declared  
5. defeated. 4557, Senator Dougherty. Senator Dougherty, do you wish  
6. to call your bill now, 4557. Senator Dougherty.

7. SENATOR DOUGHERTY:

8. I think I've explained this bill properly after taking off  
9. the amendment. This bill simply provides that the city or the county  
10. can use motor fuel tax funds for building parking areas adjacent  
11. to or on the periphery of CTA stations or anyplace where they  
12. disembark or embark on CTA facility. That's simply what it does.  
13. It provides that any revenues accrued from the parking facilities  
14. should there be parking meters there to go into the fund for  
15. further parking facilities and if there is any surpluses whatsoever  
16. should there be it would go back to the motor fuel tax fund. I  
17. ask for a favorable roll call.

18. PRESIDENT:

19. Senator Walker.

20. SENATOR WALKER:

21. Thank you, Mr. President, members of the Senate. I had a  
22. telegram around here a week or two ago. Either one of my seatmates  
23. purloined it. I have this question. I'm sorry, Senator Dougherty,  
24. if it was asked before because I had a House member over here  
25. bugging me while the previous, when the bill was previously called.  
26. This applies to CTA only, as I understand it. It doesn't do any-  
27. thing for the commuter railroad such as the Illinois Central,  
28. Northwestern, that's not in my district, Southshore, the IC and  
29. the Southshore which run out in our area. This would benefit the  
30. CTA but not the private railroads. Is that correct?

31. PRESIDENT:

32. Senator Dougherty.

33. SENATOR DOUGHERTY:

1. That is correct. It benefits only the CTA, it does not  
2. do anything for the private railroads, that's true.

3. PRESIDENT:

4. Senator Walker.

5. SENATOR WALKER:

6. Well then in my estimation again that puts a subsidized  
7. transportation system in competition with private industry insofar  
8. as I'm concerned and although your my friend, Senator Dougherty, I  
9. cannot support the bill as long as it does this.

10. PRESIDENT:

11. Is there further discussion? Senator Carroll.

12. SENATOR CARROLL:

13. Just one question. On these parking lots are we going to have  
14. meters in there, Senator?

15. PRESIDENT:

16. Senator Dougherty;

17. SENATOR DOUGHERTY:

18. I do not know that, Sir, but I just said that the bill as it  
19. reads that any revenues derived from such facilities should be used  
20. for the purpose of supplying further facilities if needed. If not,  
21. these monies will go to repay back the motor fuel tax fund. If you  
22. read the bill that's what it says, Sir.

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. Well, you know, if you go one way you are to be criticized,  
27. if you go another your to be criticized. Now, Senator Walker, if for  
28. example this would embrace private railroads, then you'd say it was  
29. socialistic because you would be taking governmental funds to  
30. subsidize a private industry. On the other hand if you do it for a  
31. corporation which is a municipal corporation you say then your doing  
32. it in competition with private enterprise. I think sometimes you have  
33. to look at the entire transportation picture in order to understand

1. how these components become important. We have as you know a great  
2. problem in moving masses of people in the metropolitan area. Now  
3. the only idea for these parking lots contiguous to the stations  
4. is that people all don't have to drive downtown. They can come, park  
5. their car, take the CTA in and get in. It doesn't mean any less  
6. people are going to be riding the IC or any less people are going  
7. to be riding the Rock Island. It probably will mean that less  
8. people will be driving in and making it virtually impossible to  
9. get in the city during what is known as the rush hours. This is  
10. all this amounts to and I'm sure you are quite concerned about  
11. the pollution from automobiles and the smaller number of automobiles  
12. which come into the city the smaller amount of pollution there will  
13. be. You know one of the things that has amazed me in recent years  
14. is when you look at the automobiles on the expressways going to and  
15. from the city in days of yore, I can recall them, there were four or  
16. five people in every car. They had riders' pools and that kind of  
17. thing. If you look at the five o'clock traffic today or the eight  
18. o'clock traffic in the morning, you'll find maybe one or sometimes  
19. two persons in every car there which makes for more cars, which  
20. makes for more people, which makes for a slower method of getting  
21. to and from work. This would serve as a component of our entire  
22. transportation problem and would be very helpful to a large number  
23. of people who would not have to drive to work but who could park their  
24. cars...I know I'm competing with the sandwich boy but I would like  
25. for you to listen if you don't mind. People could park their cars on  
26. these parking lots and you know take the transportation in that  
27. they could afford. It's a good bill.

28. PRESIDENT:

29. Senator Mohr.

30. SENATOR MOHR:

31. Mr. President, members of the Senate, I don't think we have  
32. any quarrel about the need for parking lots. Some of us question the  
33. point that we would like to know if your going to charge for people

1. parking their automobiles in the CTA lots. Will there be a charge?

2. PRESIDENT:

3. Senator Dougherty.

4. SENATOR DOUGHERTY:

5. I'll answer that, Senator, only in this way. The bill reads,  
6. "Any revenues derived from the use of these facilities shall,  
7. however, be used to maintain such facilities before motor fuel  
8. tax funds may be used, acquired or so forth". There probably  
9. is a provision there and as I would read it, it would give them  
10. the right, yes. However, any surplus funds then would be used  
11. to repay the MFT insofar as they can.

12. PRESIDENT:

13. Senator Mohr.

14. SENATOR MOHR:

15. Well, I don't know if there is a guarantee in that bill that  
16. the MFT fund would be repaid. I would like to offer an amendment,  
17. Senator, that would ask that the motor fuel tax fund be reimbursed  
18. within five years. Would you accept such an amendment?

19. PRESIDENT:

20. Senator Dougherty.

21. SENATOR DOUGHERTY:

22. In answer to that I would, before I would accept an amendment  
23. like that, I would like to consult with the people who are responsible  
24. for this bill in its original instance. Would you mind that?

25. PRESIDENT:

26. Senator Mohr.

27. SENATOR MOHR:

28. No, I'd be happy to have you look at the amendment and see if  
29. they would accept such a proposal. I think that I've had a little  
30. experience in building the municipal parking lots and they can be  
31. a revenue producing operation if they're handled right. For example,  
32. we have one that competes with the CTA that we spent \$80,000 for  
33. and we paid it off in two years so I know that these lots can be

1. self-sustaining and I like everybody else or most people in this  
2. Body are opposed to using motor fuel tax money as diversion of  
3. motor fuel tax money maybe for a short period of time but we would  
4. feel much better if there were a stipulation that would require a  
5. pay back in five years. If you would like a copy of that amend-  
6. ment, I will send one over to you.

7. PRESIDENT:

8. Senator Cherry.

9. SENATOR CHERRY:

10. In response to the comments made by Senator Mohr, I think it  
11. would be a greater depletion of our motor fuel tax fund if we were  
12. to build the highways necessary to take away the traumatic experiences  
13. that motorists presently are compelled to go into every day.  
14. Driving on our highways today is a traumatic experience in the  
15. peak hours. I think the people who use our highways now would  
16. welcome some parking areas where they could park their cars at a  
17. minimal fee and then ride in comfort on our mass transportation system  
18. but I think we have to be a little forward looking Senator Mohr.  
19. You know our highways are inadequate today and I think it's our  
20. responsibility to encourage riders to use our mass transportation  
21. system and get away from the chaotic conditions that exist on our  
22. highways. Not only do you have such a long time in which to con-  
23. clude your trip but safety of people is involved, too. We have  
24. more accidents on our highways today because of the crowded conditions  
25. than ever before. This way you're going to provide a method and an  
26. opportunity for people to use our mass transportation system and I  
27. don't think the use of motor fuel tax for the creation of these  
28. stations is not a valid or persuasive action that we're contemplat-  
29. ing at the moment. I think basically that we all understand that  
30. our highways are antiquated and archaic. Now we just don't have  
31. the highways to complete and conclude the trips in an orderly fashion  
32. or a comfortable way and I think that this bill would certainly encour-  
33. age greater use of our mass transportation system whether or not the



1. fund is presently repaid or not I think it's a good bill. I think  
2. it will be a savings to the motor fuel tax fund if we go ahead  
3. and provide these stations instead of contemplating additional  
4. miles of highways which cost anywhere from a million to eight  
5. million, I don't know what the figure is. I've heard and read many  
6. comments with respect to the cost of highways built today. So I  
7. think it's a good bill and I think it will certainly be in the best  
8. interest of our riders today whether they ride the automobile or  
9. mass transportation system. I think we want to encourage more  
10. riders today on our mass transportation system.

11. PRESIDING OFFICER: (SENATOR MCCARTHY)

12. Senator Mohr will reply to this and then we will have two  
13. other Senators that want to speak on it. Yes, Senator Dougherty.  
14. SENATOR DOUGHERTY:

15. I'd like to assure Senator Mohr I will take a good look at  
16. this amendment. I will not try to push the bill at this time.

17. PRESIDING OFFICER: (Senator McCarthy)

18. Senator Partee. Well the bill is not being called. The  
19. next order of business is 4622, Senator Davidson. Oh, you  
20. completed that, yeah, alright. In accordance with the President  
21. statement yesterday all the first priorities now have been called  
22. and if you will turn to page 1 column 3 we will start on second  
23. priority bills commencing with House Bill 4171. I'll read a  
24. few of them, I'll read five of them down. Second priorities to  
25. be called are 4171, Senator Rock, 4176, Senator Harris, 4178, Senator  
26. McBroom, 4179, Senator Harris, 4188, Senator Latherow. Senator Rock,  
27. 4171.

28. SENATOR ROCK:

29. Yes, Mr. President, members of the Senate...

30. PRESIDING OFFICER: (Senator McCarthy)

31. For what purpose does Senator Clarke arise?

32. SENATOR CLARKE:

33. Well, Mr. President, I just wanted to inquire, did we finish on

1. the priority bills? I had a bill up there that I don't recall  
2. being called that's a priority bill. Now I wondered if we've  
3. been through all of them and given the people the opportunity.

4. PRESIDING OFFICER: (SENATOR McCARTHY)

5. What number was that?

6. SENATOR CLARKE:

7. It was 4610, a very simple bill and I didn't realize we  
8. got...oh those are Second Reading, I take it back, I apologize.

9. PRESIDING OFFICER: (SENATOR McCARTHY)

10. That's alright. While we're on second priorities, if  
11. there had been first priority bills that have been overlooked  
12. you can call it to the Chair's attention after we've used a couple  
13. of these bills. Senator Rock, are you prepared to proceed?

14. SENATOR ROCK:

15. Yes, Mr. President, members of the Senate. I was kind of  
16. hoping Senator Groen would be on the floor. This is a bill that  
17. was given to Representative Epton by the Department of Insurance.  
18. It's an administration bill. It's an amendment to the Illinois  
19. Insurance Code. You will recall last session that we passed  
20. House Bill 46 which was the guarantee fund bill. It was a long  
21. complicated, involved bill, we had a subcommittee of the Committee  
22. on Labor and Commerce working with three or four House bills that  
23. had the same idea. We finally came out and amended House Bill  
24. 46 which provided for the insurance guarantee fund. One of the  
25. omissions that was concerned that bill was that when the bill  
26. was introduced there was to be an exemption and it would have  
27. exempted from that Illinois insurance guarantee provision two  
28. certain types of insurance, one being accident and health insurance  
29. written under Clause A of Class 2, the other being Marine insurance  
30. other than inland Marine. These were two specific exemptions that were  
31. to have been provided for in the bill. They were inadvertantly omitted  
32. Director Baylor then suggested to Representative Epton that he put  
33. a bill in this Session to cure that omission. That is the genesis

1. and origin of House Bill 4171 and I solicit your favorable support.

2. PRESIDING OFFICER: (Senator McCarthy)

3. You ready...Senator Clarke.

4. SENATOR CLARKE:

5. Well I just want to concur in what Senator Rock says that this  
6. bill is a technical change and clarification and it's wanted by the  
7. Department.

8. PRESIDING OFFICER: (Senator McCarthy)

9. Ready for roll call. Secretary will call the roll.

10. SECRETARY:

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

19. PRESIDENT:

20. McCarthy aye. On that question the yeas are 42. The nays  
21. are none. Bill having received the constitutional majority is  
22. declared passed. Incidentally we were having a little trouble  
23. with the numbers on the board particularly the last number. They  
24. are not quite legible from time to time .. 4176, is someone, Senator  
25. Walker, are you handling that for Senator Harris?

26. SENATOR WALKER:

27. Thank you, Mr. President, members of the Senate. House Bill  
28. 4176 amends the vehicle code...

29. PRESIDENT:

30. For what purpose does Senator Course arise?

31. SENATOR COURSE:

32. Senator Walker would you hold this bill until tomorrow. I  
33. have some more information coming over from the BOT.

1. PRESIDENT:

2. Senator Walker.

3. SENATOR WALKER:

4. Yes, I was, I ask leave the handle it for Senator Harris  
5. and for him in the Senate here. I'm happy to hold it until  
6. tomorrow.

7. PRESIDENT:

8. It will be held. Incidentally the next bills that we will  
9. call here now are 4178, Senator McBroom, 4179, Senator Harris, maybe  
10. I don't know who's handling that for him. 4188, Senator Latherow,  
11. 4189, Senator Ozinga, 4190, Senator Latherow. 4178, Senator McBroom.

12. SENATOR MCBROOM:

13. Mr. President, members of the Senate, House Bill 4178, is a...  
14. I would like to describe it as a correction in the use of dealer  
15. plates. I would hope that some of the Chicago area Senators on  
16. both sides of the aisle would pay a little attention to this bill  
17. because it pertains to them far more than it does downstate. When  
18. restrictions were put in on the use of dealer plates on automobiles  
19. the thought behind it, Mr. President, was to control use of the  
20. automobile as vacation cars, the individuals who might leave an  
21. automobile in Arizona or Florida for three or four months during  
22. the winter time or someone who might assign an automobile to their  
23. son or child and leave it at the University. It was never designed  
24. to be particularly restrictive of the dealer personnel. I understand  
25. that in areas such as Kankakee and I presume some of the other  
26. smaller towns throughout the state there's no problem because most  
27. police officials can readily identify who the individuals are that  
28. are driving these given cars, but in the Chicago area I understand  
29. many of the dealers and dealer personnel are being harrassed when  
30. they leave their place of business at 9-9:30 at night and they are  
31. driving their automobile home. There's a question as to whether  
32. or not they can use it, the automobile, and I'll be happy to try  
33. and answer any questions involved. As I said the Illinois Auto

1. Trade and the Secretary of State's Office would like the bill.

2. I...

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. Well, I understood all the reasons, like so they aren't  
7. harrassed and all but what exactly if this bill is passed does  
8. it do in terms of the use of these plates.

9. PRESIDENT:

10. Senator McBroom.

11. SENATOR McBROOM:

12. It takes language out of the present act, Senator Partee.  
13. As I understand it when particularly wouldn't apply to someone,  
14. perhaps your age or my age, but if a young salesman 21 or 22  
15. years of age is driving an automobile home at night from some place  
16. in Chicago into the suburbs if that's where he lives or vice  
17. versa is frequently picked up by the police, questioned, apprehended,  
18. taken into court, said that the car is being used for pleasure pur-  
19. poses and it's not being used in the line of business.

20. PRESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. In other words it allows him to use it on his personal car  
24. which is not a demonstrator.

25. PRESIDENT:

26. Senator McBroom.

27. SENATOR McBROOM:

28. No, it doesn't allow him to use it on his personal car as I  
29. understand the language, Senator, but let me say this, Senator  
30. Partee. As someone who is in the business it is a debatable situa-  
31. tion as to whether you're using the car for an actual demonstration  
32. to endeavor to make a sale or whether you're using it for personal  
33. reasons. And I want to assure you, Mr. President, I have no personal  
interest, it

1. doesn't affect me. I'm trying to handle the bill for the Secretary  
2. of State and the Illinois Auto Trade and as far as I'm concerned  
3. we can vote it up or down, it makes no difference to me. The  
4. original intent of the law as I said as I understand it is to try  
5. to curtail things that universities and vacation resorts throughout  
6. the country. It wasn't designed to harrass someone's wife if she  
7. happens to be using a car with dealer plates on that particular day.  
8. I discussed it, Senator Partee, if I may use this as an example. I've  
9. sold many cars in the City of Chicago when I was more active in the  
10. automobile business than I am now. I've driven into the City of  
11. Chicago with dealer plates on. I've remained there consummated a  
12. sale, done some shopping, perhaps had dinner, came home. Now am I  
13. obliged to have personal plates on when I go in on that type of thing.  
14. I don't think that was ever the intent of the law.

15. PRESIDENT:

16. Senator Partee.

17. SENATOR PARTEE:

18. I think your very right, that isn't the intent of the law.  
19. The only thing I'm concerned about is that dealers who have personal  
20. cars which are not cars which are to be used in the automobile  
21. business ought to have the regular license. I'm also concerned about  
22. a large number of dealers who are now involved in the leasing  
23. business, many of whom are leasing cars with dealer plates on them.  
24. I see them and I'm concerned about it because it costs the taxpayers  
25. money to permit them to do it. Now I know this doesn't relate to  
26. leasing but just as an aside I'm concerned about it and when I see  
27. dealers making a move in any direction I am just a little wary about  
28. it. Now if there's anyway that this can be made absolutely certain  
29. that those automobiles bearing dealers plates are used in the trade  
30. then I have no quarrel with it. But I don't think you could do it lin-  
31. guistically I don't think language could do it, it's just a matter,  
32. I guess, of enforcement. So I'm not opposed to the bill but I'm  
33. concerned about the thing that I mentioned.

1. PRESIDENT:

2. Senator Clarke.

3. SENATOR MCBROOM:

4. Well let me ... may I response?

5. PRESIDENT:

6. A question was not directed to you, Senator McBroom, and  
7. Senator Clarke is entitled to speak now.

8. SENATOR CLARKE:

9. Well, Mr. President, with all due regard, and I have talked  
10. at some length to my seatmate here, this is where we part company,  
11. because this is a subject that has distressed me and disturbed me  
12. for ten years at least. In fact, I had a bill to try and do some-  
13. thing about it in the House when I was on the Motor Vehicle Committee  
14. in 1965 and I got nowhere. Obviously something had been done about  
15. it because if you will look at what they are deleting on page two,  
16. it says "nor any vehicle used permanently as a personal vehicle,  
17. and not as a demonstrator", and I presume that that means that maybe  
18. they can use, at least for some personal use, dealer plates. And I  
19. would like to point out that over the last few years, just a few years  
20. ago, we raised by a significant percentage, the cost of license plates  
21. to the citizens of Illinois. I think it is now thirty dollars. Dealers  
22. buy one plate at that price. Of course they pay another fee for  
23. licensing of their business. One plate at that price, and then these  
24. dealer plates are two dollars for a pair. Now, the reason for this  
25. bill, as I understand it from talking to my seatmate is that some  
26. police are cracking down, and they feel, unfairly. And I commented  
27. to the representative from the Secretary of State's office, and he  
28. tells me they are not taking a position on this bill, that I go up to  
29. Michigan, as Senator Cherry does. I drive around the end of the lake  
30. and almost every weekend, I told them this a couple of weeks ago, I  
31. see a dealer's license plate from Illinois. And I'm here to report to  
32. you that on Sunday night, the 16th, two nights ago, at 8:20 coming  
33. down on I-94 just past Sawyer was a dealer's license plate, number

1. 5454, going eighty miles an hour, which is ten miles over the speed  
2. limit. And I am sure he wasn't out taking a car to demonstrate it and  
3. sell it, and I think that is a terrible abuse. I remember a couple  
4. of years ago I was at the Kennedy Airport taking a bus out to the  
5. airport and there was a dealer license plate in front of the bus  
6. and I wondered who he was taking it out to demonstrate to at Kennedy  
7. Airport. And I have a dealer in my home town who has four cars parked  
8. in his driveway every day of the week with dealers plates on them,  
9. and I think many dealers don't have any personal plates. They just  
10. use the dealer plates and I think that's wrong. We are talking  
11. about taxation in this day and age, the people are concerned about  
12. it and I think that dealers by and large are pretty prosperous  
13. people. They can afford to buy personal plates for their own use  
14. and leave the dealer plates at the agency.

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. Yes. Thank you, Mr. President. I'd just like to comment, and  
19. I do from personal experience also, I used to be in the automobile  
20. business. May I point out to you that not only the dealer but his  
21. employees are required to drive different automobiles sometime every  
22. day. Certainly every week or every month there is a change. Part  
23. of the arrangement in securing personnel is the provision of trans-  
24. portation, rightly or wrongly that is the case. Now this might be  
25. a brand new car or it might be a used car and I remember the time  
26. when some of our fellows would have a different car every night to  
27. go home. Now I submit it would be completely impossible and impractical  
28. as well as an insurmountable administrative task to attempt to license  
29. an automobile with a normal plate and a normal title and then the next  
30. night have to take that plate off that car and put it on another car  
31. by means of a transfer which would take from a week to ten days to  
32. sometimes thirty days to get back from the Secretary of State's office.  
33. There probably is some justification for a charge that there is a loss



1. of revenue. On the other hand, we must recognize that one of the  
2. most significant sources for generation of sales tax is the sale  
3. of the automobile. This is a large item. By the very fact that we  
4. are allowing mobility with new and used cars to the personnel as well  
5. as the owner of a place of business, we are generating sales tax in-  
6. come, so this might be a factor. There probably is some justification  
7. again for increasing that license fee just a bit, which would help  
8. to offset this, but getting back to what Senator Clarke commented  
9. about seeing a dealers license plate in Wisconsin or at the airport.  
10. This doesn't distress me nearly so much as seeing the same thing as  
11. one of our Illinois automobiles with an Illinois State plate on it  
12. some place out in Iowa or Wisconsin, which I had seen. That distresses  
13. me a great deal more.

14. PRESIDENT:

15. Senator Cherry.

16. SENATOR CHERRY:

17. I don't know why we have to consider being so nice to automobile  
18. dealers. As far as I am concerned I think they are getting an ex-  
19. tremely good break now by being allowed to purchase dealers plates.  
20. I see no difference between the man who sells automobiles and the man  
21. who sells groceries who takes his personal car to the market to place  
22. orders for supplies in his business, but we have done that. Now we  
23. want to water it down more by giving the automobile dealer another  
24. opportunity to buy license plates for less money for cars that he can  
25. and may be able to use in his personal affairs. Senator Clarke and  
26. I have traveled the same highways, and maybe and perhaps we have seen  
27. the same cars, but I continuously see on see-en Saturdays and Sundays  
28. and Friday nights when people are going to their summer homes and summer  
29. cottages, automobiles that use dealers' license plates, and I think  
30. that's a wrong concept. I don't see why they should be given any ad-  
31. vantage over the other citizen of our State who use their cars in  
32. their business or going about their personal affairs and I see no reason  
33. to pass this bill whatsoever. I think it's being abused now and as  
far as

1. I am concerned I would eliminate all Dealers plates and make these  
2. people who are in the automobile business pay the same fees as  
3. people in other businesses.

4. PRESIDENT:

5. Senator McBroom may close the debate.

6. SENATOR MCBROOM:

7. Mr. President and members of the Senate, I appreciate Senator  
8. Cherry and Senator Clarke's kind comments about the automobile  
9. dealers and how prosperous we are. I'd like to point out, Mr. President,  
10. that I don't have a summer home in Michigan as Senator Cherry and  
11. Senator Clarke do. The fee is five dollars rather than two dollars  
12. and, Senator Cherry, I will just response this way; this does not  
13. change the people that go to Michigan with their cars or take them to  
14. the University of Illinois, that's a matter of enforcement. When I  
15. started this bill Senator Clarke said the Secretary of State's office  
16. wasn't interested, well I identify Mr. Pappas here behind me as being  
17. with the Secretary of State's office. As I understand it, the problem  
18. is in the City of Chicago and the suburbs. As far as my Senate district  
19. is concerned I don't care what happens with this particular bill.  
20. Senator Berning is absolutely right, there is many times that I have  
21. used six or seven automobiles in one day's time. It is impossible to  
22. transfer personal plates that rapidly. You gentlemen do whatever you  
23. want to on it, vote it up or down, I think it is a good bill. Thank you.

24. PRESIDENT:

25. Secretary will call the roll. For what purpose does Senator Cherry  
26. arise?

27. SENATOR CHERRY:

28. On a point of personal privilege to Senator McBroom's remark. I  
29. have owned my summer home for twenty five years ... long before I came  
30. into the Senate of this State.

31. PRESIDENT:

32. Secretary will call the roll. For what purpose does Senator Partee  
33. arise?

1. SENATOR PARTEE:

2. Just to say to Senator McBroom that in route to some summer  
3. homes you see them, but in route to other summer homes, like in  
4. Jamaica, you can't drive.

5. PRESIDENT:

6. Secretary will call the roll.

7. SECRETARY:

8. Arrington, Baltz, Berning, Bidwill, Bruce ...

9. PRESIDENT:

10. Senator Bidwill.

11. SENATOR BIDWILL:

12. I think the reference to a summer home is a decoy. I can  
13. understand where people might get caught up in Michigan or Wisconsin  
14. or Indiana from the Illinois area, but when you see hundreds of them  
15. down in Florida, which is quite a spell, I think it is an attestation  
16. that either the automobile owners are doing awfully well or something  
17. is a little nuts. I vote no.

18. SECRETARY:

19. Bruce, Carpentier, Carroll, Cherry, Chew, Clarke ...

20. PRESIDENT:

21. Senator Clarke.

22. SENATOR CLARKE:

23. Rather a point of personal privilege, I just want to state that  
24. I married into my summer home. It doesn't belong to me.

25. SECRETARY:

26. Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan,  
27. Fawell, Gilbert, Graham, Groen, Hall ...

28. PRESIDENT:

29. Senator Groen.

30. SENATOR GROEN:

31. I thought this Chamber was becoming a summer home. I vote no.

32. SECRETARY:

33. Hall, Harris, Hynes, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,

1. Laughlin, Lyons, McBroom, McCarthy, Merritt....

2. PRESIDENT:

3. Senator Merritt.

4. SENATOR MERRITT:

5. Mr. President, just very brief in explaining my vote, I didn't  
6. speak before to this particular bill, but not particularly trying  
7. to look after the interest of automobile dealers, but yet by the  
8. same token I believe we would be doing them a great disservice to  
9. have to change those plates on most every occasion from a personal  
10. plate each time. I vote aye.

11. SECRETARY:

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

15. PRESIDENT:

16. Senator McBroom.

17. SENATOR MCBROOM:

18. I don't believe I will call the absentees. I vote aye.

19. PRESIDENT:

20. On that question, the yeas are fifteen, the nays are seven. The  
21. bill having failed to receive the constitutional majority is declared  
22. defeated. 4179, Senator Harris. Senator Walker, are you handling that?

23. SENATOR WALKER:

24. Will you hold that?

25. PRESIDENT:

26. It will be held. 4188, Senator Latherow.

27. SENATOR LATHEROW:

28. Thank you, Mr. President. 4188 does exactly what it says on the  
29. Calendar. This House Bill 2621 failed to carry this implementation with  
30. it that allows the Board of Auditors now to O.K. the Township Highway  
31. Commissioners Levee.

32. PRESIDENT:

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

1. SECRETARY:

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

10. PRESIDENT:

11. Donnewald, aye. Carroll, aye. Palmer, aye. Kosinski, aye.  
12. Smith, aye. Soper, aye. Course, aye. On that question, the yeas  
13. are 42, the nays are none. The bill having received the constitutional  
14. majority is declared passed. 4189, Senator Ozinga.

15. SENATOR OZINGA:

16. Mr. President, this bill is a bill that commends the administration  
17. of Township and District roads article of the Illinois Highway Code.  
18. All right, let's have a roll call. It's supposed to be a good bill.  
19. That's all I can say.

20. PRESIDENT:

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

22. SECRETARY:

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

31. PRESIDENT:

32. Graham aye. On that question, the yeas are 40. The nays are  
33. none. The bill having received a constitutional majority is declared

1. passed. The next bills to be called up now are 4190, Senator Latherow,  
2. row, 4209, Senator Harris, 4243, Senator Hall, 4260, Senator Mohr,  
3. 4261, Senator Gilbert, 4278, Senator Course, 4301, Senator Weaver  
4. and 4307, Senator Knuepfer. 4190, Senator Latherow.

5. SENATOR LATHEROW:

6. Mr. President and members of the Senate, this bill allows the  
7. Department of Transportation to specify on what occasions they will  
8. have the inspections of second division vehicles. Also, in the  
9. amendment...

10. PRESIDENT:

11. If I may interrupt, Senator Latherow, the Chair will announce  
12. the numbers twice. They're working on the numbering system so you  
13. don't see the numbers on the electric board up here. We're on 4190.  
14. Proceed, Senator Latherow, I'm sorry.

15. SENATOR LATHEROW:

16. And that is the main part of what this section did and then  
17. the amendment took care of vehicles that are being moved from the  
18. place of origin, transported, would not have to have this inspection.  
19. I'd appreciate a favorable roll call.

20. PRESIDENT:

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

22. SECRETARY:

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

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. Just to conserve this moment of time while they are tabulating,  
2. I would like to tell the membership that yesterday when I was in  
3. Washington, I met a gentleman that many of you know who is from the  
4. Springfield area and his name is Harlington Wood. He served on  
5. the Crime Commission with me. I suppose he was one of the original  
6. members of the Crime Commission and I'm happy to report to you that  
7. within his office in Washington, it's a beautiful, spacious, com-  
8. modious office, and he is awaiting tomorrow at which time he goes  
9. before the Senate committee for confirmation as Chief of the Divi-  
10. sion...Chief of the Civil Division of the Attorney General's office  
11. for the United States of America, an Illinois boy who is making  
12. good down there and he's getting along quite well. He introduced  
13. me to his boss, a gentleman who you've read about a lot in the paper,  
14. a gentleman by the name of Kleindiest, and I met him also.

15. PRESIDENT:

16. Thank you, Senator. On that bill, the yeas are 39. The nays  
17. are none. The bill having received a constitutional majority is  
18. declared passed. 4209, is someone handling that for Senator Harris?  
19. Senator Gilbert, do you want to check into that and see who is  
20. handling that and...all right. 4243, Senator Hall.

21. SENATOR HALL:

22. Thank you, Mr. President. On this particular bill, it authorizes  
23. the State to quit claim some surplus land that they have. The en-  
24. gineers' detailed plot shows that this designated property is no  
25. longer required as a right-of-way. I have a letter here from the  
26. Department of Transportation that says this tract of land is...that  
27. it would console shutting off the free-way control of US Route 50.  
28. About a year ago we received a request. We had the property ap-  
29. praised by one of our staff appraisers and the appraisal for ap-  
30. proximately one-third of an acre came to \$18,275 and it's in our o-  
31. pinion that the value of this property is a button owner, this pro-  
32. perty would only serve the use of one person since he has all the  
33. other land along there. If anybody else purchased it, they have to

1. put in a road for him so then the State figures they're getting a  
2. good deal and a high price for this at \$18,275 so I ask your fa-  
3. vorable support for this bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

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

6. SECRETARY:

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

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Davidson aye. McBroom aye. On that question, the yeas are  
17. 40. The nays are none. This bill having received a constitutional  
18. majority is declared passed. 4260, is Senator Mohr on the Floor?  
19. Senator Mohr, House Bill 4260.

20. SENATOR MOHR:

21. Yes, Mr. President, I'd like to bring this bill back for the  
22. purpose of an amendment which is on the Secretary's Desk.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. House Bill 4260 is brought back to Second Reading for the  
25. purpose of proposed amendment.

26. SENATOR MOHR:

27. This is the annual appropriation of the Department of Local  
28. Government Affairs. This amendment would put back \$200,000 into  
29. the appropriation that was taken out by the Task Force. This ap-  
30. propriation would take care of the Intern Program that is used by  
31. the Department. Interns are used in about 105 municipalities through-  
32. out the State, municipalities, the Metropolitan Sanitary District,  
33. the East St. Louis Housing Authority, for example, and it's a very



1. good program. It takes young people that attend the state schools,  
2. the university, and who are interested in government, becoming in-  
3. volved in local government, puts them into a program and helps them  
4. as well as it helps the local municipalities. So I would move the  
5. adoption of this amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Mohr has offered Amendment No. 2. Is there any dis-  
8. cussion? Senator Bruce.

9. SENATOR BRUCE:

10. Yes, Mr. President, members of the Senate, I rise in opposition  
11. to the amendment. The Task Force had an opportunity to go into de-  
12. tail with the Department of Local Government Affairs about this  
13. particular program. It was our opinion that the amount of money  
14. here appropriated although a worthy cause should be deleted from  
15. the budget and an amendment was adopted by this Body to delete the  
16. \$200,000 for this program. Senator Mohr has discussed the \$105,000  
17. for the Intern program, a program which is a good one but one which  
18. I believe the cities that I've discussed this with would be willing  
19. to, if it's a very meaningful program, should be able to come with  
20. an extra \$1000 of city funds that frankly the State just does not  
21. have. Secondly, there's an incentive program that the State of  
22. Illinois is paying different local governmental bodies to do various  
23. things. One is in my own district, that they pay the Traffic Engineer  
24. from the City of Decatur to come to Effingham. It was our opinion  
25. the City of Effingham was able to pay that money but would rather  
26. the State of Illinois. This is a program that is a rather program.  
27. And that is, if the State would pay it, they would rather the State  
28. pay it and it's a good program. If they want to keep it, I think  
29. the State...the cities can go ahead and pay the money for this. I  
30. oppose the amendment...the amendment that was offered by the Democratic  
31. Task Force to remove this money from the appropriation.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Partee.

1. SENATOR PARTEE:

2. Well, I just want to make it clear that my vote against the  
3. amendment does not in any way indicate any lack of understanding,  
4. compassion or faith in the program. I think the program is an  
5. excellent one. Now, the money which is taken off is money which  
6. can be paid by the municipalities involved. It's the same thing  
7. when we go to Washington to ask for money to help and to aid us  
8. in state programs. I, for one, would never ask or want Washington  
9. to give us 10 cents in any program which we ourselves could afford.  
10. And only when a municipality or a smaller branch of government cannot  
11. afford a program should they go to big brother and ask for help.  
12. Now, this is about \$1000 for each one of these interns and these  
13. municipalities can stand it. I see no reason why we have to pay it  
14. here. The State has less money than the municipalities in this  
15. instance and there's no reason why we should be paying it. So I'm  
16. going to uphold the Task Force's amendment. I think it's an excellent  
17. one. This was done last year. We cut it out last year, they put  
18. it back in the House and in the hassle we just let it go. But this  
19. year we had time to stop it and I'm planned to vote against it.

20. PRESIDENT:

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Well, I think priorities come first in spending money and I  
24. don't think this is one of the priorities. Despite all the kind  
25. things that have been said about the program, I just don't think  
26. that this is the bread and butter of civil government to finance  
27. the education or the summer vacations of young men out of college  
28. and I think that it would be very wise, we have a scholarship program,  
29. it would be very wise if some of these young people that think they  
30. would like to have summer jobs would just stop and count pennies.  
31. They'd be far ahead if they would just continue their education  
32. as so many young men did after World War II, when they went the  
33. year round. If they went on a job someplace, they'd work the year

1. round and when they get done with the thousand dollars they  
2. haven't learned a lot and they haven't saved anything and I  
3. just think it's some of the embroidery on the outside or the  
4. icing on the cake. It's not the cake itself and I think . . . I  
5. think it's wasteful, duplicitous and I think it should be cut  
6. from the budget and I'll vote against the amendment.

7. PRESIDENT:

8. Senator Mohr may close the debate.

9. SENATOR MOHR:

10. Yes, Mr. President, I'd like to just read a couple of  
11. areas that are using this Intern program. I might also comment  
12. that we have an Intern program here in the Senate, which  
13. Senator Bruce is a product of and I would think that maybe  
14. he'd go back to remember how he got his start and be willing  
15. to help somebody else along the same lines. We have, for  
16. example, the City of Brooklyn, Senator Hall's area, Centralia,  
17. Senator Donnewald; many of you from Chicago, if Chicago takes  
18. part in the program; East St. Louis, Senator Hall; Effingham,  
19. Senator Donnewald; Fairview Heights, Senator Hall; Galesburg,  
20. Senator Knuppel. I hope that you tell them back there how  
21. you feel about this program. Johnson City, Senator Vadalabene  
22. or . . . I'm sorry, Senator Johns; Madison, Senator Vadalabene;  
23. Metropolis, Senator Johns; Mt. Carmel, Senator Bruce, I think  
24. that's in your district, Mt. Vernon is also in your district.  
25. Salem, Senator Donnelwald's district; West Frankfort, Senator  
26. Johns. So I . . . East St. Louis Housing Authority, Senator  
27. Hall. So I would hope that we get not a party line vote on this  
28. important issue. I move the adoption of the amendment.

29. PRESIDENT:

30. Do you wish a roll call or division acceptable?

31. SENATOR MOHR:

32. A roll call please.

33. PRESIDENT:

1. Roll call is requested. The Secretary will call the  
2. roll. Those in agreement with Senator Mohr will vote in  
3. the affirmative. Those in opposition to Senator Mohr, will  
4. vote in the negative.

5. SECRETARY:

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

14. PRESIDENT:

15. Senator Walker.

16. SENATOR WALKER:

17. Thank you, Mr. President and members of the Senate. Having  
18. been rather closely associated with the Illinois Municipal  
19. League for a period of over thirty years, I have talked to  
20. numerous Mayors in regards to this Intern program. As you know,  
21. in each of our districts, they have these Mayors' Associations.  
22. Up in my area it's the South Suburban Mayors'. They've found  
23. this Intern program quite helpful. There's some 170 communities  
24. that Senator Mohr has said that are using the services of  
25. these interns at the present time. I think it's a good amendment,  
26. re . . . the amendment restoring this small cut in the  
27. appropriation and frankly, I fell if some of you talked to  
28. your Mayors before you cast your vote, and let me assure you  
29. there is more Mayors in your area than there are interns, that  
30. perhaps you'd be inclined to support this amendment as I  
31. intend to do. Now if I can check with Senator Sweeney and  
32. see if he's through pounding that bell and we've got everyone  
33. back on the Floor that we expect, I'll close my remarks.

1. You been ringing the bell, Senator Sweeney? Thank you.
2. I . . . I'm . . . Mr. President, I still have a minute or
3. two left there. Oh, I understand that I don't have any
4. time left. Thank you very much.
5. PRESIDENT:
6. Neistein, no. Nihill, no.
7. SECRETARY:
8. Weaver.
9. PRESIDENT:
10. Senator Mohr.
11. SENATOR MOHR:
12. Am I recorded on there?
13. PRESIDENT:
14. You are. Lyons, no. On that question the yeas are 23,
15. the nays are 23. The Chair votes in the negative. The amendment
16. is defeated. The . . . the . . . Senator Mohr.
17. SENATOR MOHR:
18. Verification of the roll call please.
19. PRESIDENT:
20. The . . . you wish a verification of the negative or the
21. positive.
22. SENATOR MOHR:
23. Negative. Negative votes.
24. PRESIDENT:
25. Request for a verification of the negative votes. Will
26. the Secretary call the negative votes.
27. SECRETARY:
28. Bruce, Cherry, Course, Donnewald, Dougherty, Hall, Hynes,
29. Johns, Knuppel, Kosinski, Kusibab, Lyons, McCarthy, Neistein,
30. Nihill, O'Brien, Palmer, Partee, Rock, Romano, Saperstein,
31. Smith, Vadalabene.
32. PRESIDENT:
33. Senator Mohr.

1. SENATOR MOHR:

2. Sen . . . Senator O'Brien.

3. PRESIDENT:

4. Is Senator O'Brien here? Senator O'Brien's name will be  
5. removed. Senator O'Brien is here. No additional . . . no  
6. additional votes may be cast, other than those already cast.  
7. On that question the vote stands. Senator Cherry moved to  
8. reconsider. No. Senator Cherry.

9. SENATOR CHERRY:

10. I wanna verify the affirmative votes.

11. PRESIDENT:

12. Are you sure you . . . you . . . all right. The . . .  
13. Senator Soper wishes to verify the affirmative votes. He's  
14. entitled to that. The affirmative votes will be verified.

15. SECRETARY:

16. Baltz, Berning, Bidwill, Carpentier, Carroll, Clarke,  
17. Collins, Coulson, Davidson, Fawell, Gilbert, Graham, Latherow,  
18. Laughlin, McBroom, Merritt, Mitchler, Mohr, Ozinga, Soper,  
19. Sours, Walker, Weaver.

20. PRESIDENT:

21. The . . . are there further amendments on 4260. Do you . . .  
22. Do you wish to, since there was no amendment added, do you wish  
23. to call the Bill at this point, Senator Mohr?

24. SENATOR MOHR:

25. Yes, Mr. President, I'd like . . .

26. PRESIDENT:

27. 426 . . .

28. SENATOR MOHR:

29. . . . to call the roll on that. That's the annual  
30. appropriation.

31. PRESIDENT:

32. 4260. The Secretary will call the roll.

33. SECRETARY:

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

10. PRESIDENT:

11. Romano, aye. Nihill, aye. Graham, aye. Palmer, aye.
12. Vadalabene, aye. On that question the yeas are 40, the nays
13. are none. The bill having received the constitutional majority
14. is declared passed. 4261, Senator Gilbert.

15. SENATOR GILBERT:

16. House Bill 4261 is a bill which allows the payment of
17. interest on bonds that may be issued. This is purely
18. discretionary with the school district of . . . for the sale
19. of bonds under the Fire Safety Code, which we call the Life
20. Safety Code. If you recall back in the sixty's, the early
21. sixty's, we passed a law allowing school districts without
22. referendum, to levy five cents for the repair and the
23. modernization of school buildings because of the many hazards,
24. Particularly in the Fire . . . under the Fire Code. The
25. law, as passed, also allowed them to issue bonds without
26. referendum from this five cent levy. But there was nothing
27. in the law that allowed interest on those bonds to be paid
28. from the five cents. This bill would allow that. Now as a
29. result of the fact that they have not had the authority to
30. pay the interest on the bonds, they have had some difficulty
31. in selling the bonds and Chapman and Cutler feel that this
32. will be helpful. A . . . the main reason for issuing the
33. bonds and selling it, is so that the work can be done now.

1. There is a need for it, of course, or we would not have  
2. passed such a law to allow them to repair these buildings.  
3. Plus the fact, that with inflation as it's been in construction,  
4. if they can do the construction now, the cost . . . the  
5. increased cost of construction will be much more than the  
6. interest that would be paid on any bonds that are floated  
7. at this time, as well as getting the benefit of the  
8. construction and use of the money from these . . . from this  
9. levy. It does not allow any increased levy and it can  
10. only be done if the levy has been made by the school districts.  
11. It is permissive. If they wish to issue bonds they may. If  
12. they do not, they do not have to. This is a School Problems  
13. Commission Bill, it was studied by the Commission, and is  
14. sponsored and recommended by them.

15. PRESIDENT:

16. Is there any discussion? The Secretary will call . . .  
17. Senator Hynes.

18. SENATOR HYNES:

19. Very briefly, I would second Senator Gilbert's remarks.  
20. This does clarify what was an omission in the original act and  
21. I would urge that it be supported. And while I'm on my feet,  
22. I would like to acknowledge Frank and Winnie Wallen and their  
23. family, from the 28th District.

24. PRESIDENT:

25. The Secretary will call the roll.

26. SECRETARY:

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



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

3. PRESIDENT:

4. Lyons aye. Walker aye. Berning no. Senator Partee.

5. SENATOR PARTEE:

6. I'm just wondering if we could take a bill which is not on the  
7. priorities...

8. PRESIDENT:

9. Just a minute. Let's announce the...

10. SENATOR PARTEE:

11. When we finish this, yes...

12. PRESIDENT:

13. On this question, the yeas are 39. The nays are 1. The bill  
14. having received a constitutional majority is declared passed. Senator  
15. Partee.

16. SENATOR PARTEE:

17. I'm asking leave, I've spoken to Senator Clarke about this, to  
18. take a bill off of the nonpriority list and call it because I think  
19. it will help us to get off dead set off some issues in the House.  
20. Just by way of explanation, the bill is 3772, a House Bill on Third  
21. Reading which amends the Negotiable Instruments Act to change the  
22. date of the observance of Veterans' Day back to November the 11th.  
23. Now, this is the bill which came from the House which Senator DiPrima  
24. has which has all three of the components that went into three separate  
25. Senate Bills which were handled by Senator Mitchler. Senator Mit-  
26. chler is handling the bill for Representative DiPrima. Those bills  
27. which we passed out of here which were Senator Mitchler's bills were  
28. unfortunately Tabled or held over there for the reason that they say  
29. they're not going to advance until this one's advanced or whatever.  
30. So I don't think there's any pride of authorship involved here. We're  
31. going to pass this one if we can on a roll call. Then they will  
32. pass the other ones over there and the Governor will sign whichever  
33. one he desires. But I want to make it clear that there's only one

1. bill over here on that subject. There are three over there but the  
2. one here contains all the elements that are in the three over there  
3. which is, of course, perfectly permissible. So I was asking that  
4. we take 3772 which Senator Mitchler is handling, let's get a roll  
5. call on it and then we can move along.

6. PRESIDENT:

7. 3772, Senator Mitchler.

8. SENATOR MITCHLER:

9. Mr. President, members of the Senate, and Senator Partee, I  
10. appreciate your bringing this bill up for consideration, House Bill  
11. 3772 changes the date of Veterans' Day and we would appreciate a  
12. favorable roll call.

13. PRESIDENT:

14. Secretary will call the roll.

15. PRESIDING SECRETARY: (MR. FERNANDES)

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

24. PRESIDENT:

25. Lyons aye. O'Brien aye. Johns aye. Vadalabene aye. Carroll  
26. aye. Romano aye. Libonati aye. On that question, the yeas are  
27. 46. The nays are 1. The bill having received a constitutional  
28. majority is declared passed. 4278, Senator Course.

29. SENATOR COURSE:

30. Yes, Mr. President, members of the Senate, House Bill 4278  
31. amends the Illinois Vehicle Code. It adds paragraph 12-405 which  
32. defines the unsafe criteria for passenger car tires used on cars  
33. manufactured after 1948 and provides for compliance and enforcement.

1. Now, ladies and gentlemen, in an effort to get what we thought was  
2. one of the drivers off the road who was responsible for more fa-  
3. talities than any other driver, last year we passed the implied  
4. consent law. The number two killer on the road today is the car  
5. driven by a driver with unsafe tires. The U.S. Department of Trans-  
6. portation conducted a survey through the federal safety standards  
7. for tires and estimated that in Illinois alone there are 1,170,000  
8. cars with unsafe tires. This is out of a total of 4,600,000 cars  
9. registered in 1970. A good bill is right...

10. PRESIDENT:

11. Are you through with your remarks, Senator?

12. SENATOR COURSE:

13. I lost something. Oh, here, I've got it. The unsafe criteria  
14. for passenger car tires as recommended by the Vehicle Equipment  
15. Safety Commission, a Congressionally chartered interstate compact  
16. of 44 states. This has been recommended and approved and provides  
17. enforcement by 31 states and the District of Columbia. I can  
18. read the states...are Colorado, Connecticut, Delaware, Florida,  
19. Georgia, all the way down to Wyoming. Ladies and gentlemen, this  
20. is good legislation. I'd appreciate your vote.

21. PRESIDENT:

22. Senator Laughlin.

23. SENATOR LAUGHLIN:

24. Well, I'm sorry, Mr. President, members. I just want to ask  
25. a question. Because, for example, if you've got a bulge on your  
26. tire as you're going along an interstate commerce, perhaps you don't  
27. even know it, as I understand it, this bill provides that the police  
28. officer can pull you over and he tells you where to stop and then he  
29. inspects your tires. Now, what happens after he has inspected the  
30. tires at the previously designated spot. What...just what happens  
31. next?

32. PRESIDENT:

33. Senator Course.

1. SENATOR COURSE:

2. Well Senator he can pull the car over, he doesn't have to  
3. go to a pre -designated spot, he can pull it over to the side of  
4. the road.

5. PRESIDENT:

6. Senator Laughlin.

7. SENATOR LAUGHLIN:

8. Says, "the driver shall stop at a designated location and  
9. permit the tires to be inspected or shall move the vehicle to  
10. a location that is reasonably convenient and suitable for in-  
11. spection when in the judgement of the officer such actions are  
12. essential to a safe inspection of the tires." Alright now suppose  
13. we got'em over there, out in the country someplace, and the tires  
14. are inspected and there's a bulge there. What happens next

15. PRESIDENT:

16. Senator Course.

17. SENATOR COURSE:

18. Senator, he can do the same thing a police officer can  
19. do if you have a blown out muffler. He can issue a summons and  
20. tell you to have it fixed. When you go into court with the  
21. summons and you prove that you've had the new muffler put on your  
22. car they discharge you.

23. PRESIDENT:

24. Senator Laughlin.

25. SENATOR LAUGHLIN:

26. What are the criminal penalties that are involved here,  
27. Senator. That's what I'm trying to find out.

28. PRESIDENT:

29. Senator Course.

30. SENATOR COURSE:

31. Penalties can be set by the local municipality.

32. PRESIDENT:

33. Senator Laughlin.

1. SENATOR LAUGHLIN:

2. Well, suppose it happens out on the state highway? We've  
3. got Statutes on the books now imposing penalties. I'm not trying  
4. to be unreasonable. I want to know what can happen to the guy under  
5. those circumstances. What fine he has to pay, or you know, what,  
6. how does it go from there?

7. PRESIDENT:

8. Senator Cherry.

9. SENATOR CHERRY:

10. I'd be glad to answer Senator Laughlin's comments. The bill  
11. provides that the Department of Transportation shall have the right  
12. or the Illinois Secretary of Transportation shall promulgate rules  
13. concerning unsafe operating conditions of passenger car tires. So  
14. we're leaving it up to the Department to designate what kind of  
15. rules and penalties they may prescribe. I think that's a reason-  
16. able provision that they ought to know what they're doing and under,  
17. giving an example that you stated, it would seem to me that we would have  
18. to rely on the intelligence of our State Police who would immediately  
19. have that man go over to the gas station and buy another automobile  
20. because that act may save the lives of that driver and those persons  
21. who are in that car.

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Well I'm not opposed to what your trying to do here but I  
26. think you ought to know how your going about doing it and it's nice  
27. for you to suggest that's what's going to happen, Senator Cherry, but I  
28. find nothing in the law as I see it that says that is what is going  
29. to happen or yet has anyone told me what the criminal penalty is.

30. PRESIDENT:

31. Senator Nihill.

32. SENATOR NIHILL:

33. Mr. President, Senators. Anybody who ever went into a garage

1. or any other place to get your tires inspected they have something smaller  
2. than your watch on your hand. They just put it in your tires.  
3. Senator McBrrrom over there will know, who's in the automobile business,  
4. and they'll tell you within a couple of hundred miles how many, what the  
5. mileage on that car is. They carry that in their vest pocket and  
6. check it just like that, it's as easy as that.

7. PRESIDENT:

8. Senator Course.

9. SENATOR COURSE:

10. I think I can answer Senator Laughlin. Chapter 60 of the  
11. Illinois Vehicle Code spells out the fines and offenses. Chapter  
12. 60 of Illinois Vehicle Code. I think it's a \$25.00 fine for the first  
13. offense.

14. PRESIDENT:

15. Senator Laughlin.

16. SENATOR LAUGHLIN:

17. Well let me reason, let me explain why I'm concerned about  
18. it. Not only is there the matter of the bulge, it says treadwear  
19. indicators, these are listed among the criteria, and number four  
20. says treadwear indicators flush with the read, outer surface, any  
21. two or more adjacent tread grooves at three locations around the  
22. circumference of the tire. Now I put alot of miles on tires and  
23. I try to trade them off so that I'm driving on safe tires. But I  
24. think that you have a problem here in trying to set up by rules and  
25. regulations a criminal offense. And this is what I'm very much  
26. concerned about when your getting...because I don't know how your  
27. going to find out. There isn't any driver that's going to be able to  
28. go out and measure three circumferences of his tire how deep the tread is

29. PRESIDENT:

30. Senator Latherow.

31. SENATOR LATHEROW:

32. Mr. President and Senator Laughlin, you visibly can tell  
33. whether your tire is worn down. The tire itself has a section in

1. it at different spots where the rubber comes clear across them. When  
2. you get down to that your down to the tube.

3. PRESIDENT:

4. Senator Laughlin.

5. SENATOR LAUGHLIN:

6. Well, it was the other day that I said I was the dummy. I  
7. didn't know you were a ventriloquist when I accused you of nodding  
8. my head. Let me say now that I am bright enough to understand that  
9. when you see the cord coming through the tires worn out but that isn't what  
10. this bill provides.

11. PRESIDENT:

12. Senator Latherow.

13. SENATOR LATHEROW:

14. That isn't what I said Senator. I said there is a rubber  
15. section that is higher and just small spots through the tire right  
16. across it. And when you get down to that that's where your indication  
17. is...no cord, no.

18. PRESIDENT:

19. Senator Course may close the debate.

20. SENATOR COURSE:

21. Yes, in response to Senator Laughlin's question, new tires  
22. tires that are manufactured nowadays have a tread indicator built  
23. in, it's a different color rubber and when you get down to that part  
24. it's discernible when you get down to three sixteenths or two-sixteenths  
25. of an inch. All you have to do is look at the tire and you can tell  
26. if the tires down to that....

27. PRESIDENT:

28. Senator Laughlin.

29. SENATOR LAUGHLIN:

30. And the standards that are enunciated in the criteria here  
31. are the same ones that fit in with the way these measure devices fit  
32. into the tire, is that right? Thank you very much.

33. PRESIDENT:

1. Secretary will call the roll.

2. PRESIDING SECRETARY: (Mr. Fernandes)

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

4. PRESIDENT:

5. Senator Carpentier.

6. SENATOR CARPENTIER:

7. In explaining my vote I want to reiterate what Senator  
8. Latherow says in regard to this tire bill. The tire manufacturers  
9. today are putting in the safety features of the cord line or the  
10. line across about every 6 inches, I believe, across the tire and  
11. that can visibly be seen by any of us in checking over our tires.  
12. This also will take care of the leased car. If we're leasing  
13. automobiles in the State of Illinois they will then have to comply  
14. with this law and give us safe tires when we lease an automobile.  
15. So it comes under the consumer protection provision of the law in  
16. regard to this. I think this is a good piece of legislation and  
17. I vote aye.

18. PRESIDING SECRETARY: (MR. Fernandes)

19. Carroll, Cherry, Chew, Clarke, Collinsl, Coulson, Course,  
20. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
21. Groen, Hall, Harris, Horsley,

22. PRESIDENT:

23. Senator Horsley.

24. SENATOR HORSLEY:

25. Some seem to be under the impression that this bill provides  
26. a penalty that can be enforced by a fine. Now I don't find that in  
27. the bill and I'd like to have that cleared up because as I read the  
28. bill, the only penalty to it is under the rules and regulations to  
29. be adopted and then the section of the bill, under section f, 1, a  
30. police officer can pull this car over and take him over to a filling  
31. station and the man can't leave there until he buys a new tire, if in the  
32. judgement of the police officer. I don't find that there's any penalty  
33. and that this is a violation of the Code and I don't believe in giving the



1. officer that power to just simply order a man by his looking at a tire  
2. and say, "man, you take that over to my friend who happens to be a  
3. quarter of a mile from here and you get a tire put on there before you  
4. move that car." Now if somebody could convince me I'm wrong, I'd be  
5. glad to change my vote but until they do I just simply want to vote  
6. present because I don't think there's a need for this type of legis-  
7. lation. But there is no provision in here for penalties. I vote present.

8. PRESIDING SECRETARY: (Mr. Fernandes)

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

14. PRESIDENT:

15. Lyons, aye. Berning. Senator Berning.

16. SENATOR BERNING:

17. Thank you, Mr. President. I've been trying to digest this  
18. bill just a bit and want to explain my vote. What concerns me to  
19. a very great extent here is the inconvenience that can be worked  
20. upon an innocent citizen simply because he has a tire or tires  
21. which have been subjected to excessive wear. And the reason that  
22. it concerns me is that for whatever the cause our Illinois highways  
23. are never able to be kept in a good state of repair. You drive down  
24. 66 and there are enumerable highway conditions and railroad crossings,  
25. any one of which can throw your front end out of alignment. I had it  
26. happen to me and insight of a hundred miles my tires were gone. Well I  
27. resent the implication here that cause of state's negligence the state  
28. may order me off the road. I agree with the philosophy here which is  
29. safety. There is no, no one can question this, but it seems to me that  
30. this should also impose on the state irrevocable requirements to  
31. keep the highways in condition that cannot by any stretch of the  
32. imagination in driving along them throw the front end out of alignment  
33. and cause a tire to wear in a very few miles to excess. I will vote

1. aye, however.

2. **PRESIDENT:**

3. On that question the yeas are 35, The nays are 4, One present.

4. The bill having received the constitutional majority is declared  
5. passed. 4301, Senator Weaver.

6. **SENATOR WEAVER:**

7. Mr. President, members of the Senate. House Bill 4301 does  
8. just as the Calendar states. It qualifies those state employees  
9. who retired before 1966 for state health insurance. They would be  
10. eligible to participate in this program in July of 1973. If there  
11. are any questions I would be glad to answer them.

12. **PRESIDENT:**

13. Senator Partee.

14. **SENATOR PARTEE:**

15. Just this one question. Would it cost the state any money?

16. **PRESIDENT:**

17. Senator Weaver.

18. **SENATOR WEAVER:**

19. Not in this fiscal year, Senator Partee, next fiscal year  
20. it would.

21. **PRESIDENT:**

22. Senator Partee.

23. **SENATOR PARTEE:**

24. In other words what ever those persons would pay in we  
25. would have to pay the qualifying amount..the state would have to  
26. pay its share...is that correct?

27. **PRESIDENT:**

28. Senator Weaver.

29. **SENATOR WEAVER:**

30. In the next fiscal year. There are at present about 7,247  
31. eligible that would be in the bid on the next program which would  
32. be up for bids sometime before July of 73.

33. **PRESIDENT:**

1. Senator Partee.

2. SENATOR PARTEE:

3. Well roughly could you give us an estimate of what this  
4. entire program would cost the state on an annual basis.

5. PRESIDENT:

6. Senator Weaver.

7. SENATOR WEAVER:

8. It is estimated that it would cost the state in the  
9. next fiscal year a million, 4 thousand five hundred and ninety two  
10. dollars. Most of these employees, I can give you the run down on how  
11. many there are and what sex they are and what age they are. We  
12. even have one female that is 103 years old that would be eligible for  
13. this program. Most of these employees too retired years ago and  
14. they were on their individual institutional, they were in the  
15. individual institutional program. When they were phased out then  
16. they had no place to go because they were not included in the state  
17. program.

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. You know at first blush I had some feeling that I would be  
22. opposed to this bill but the more I think about it and the more  
23. opportunities Senator Weaver has had to make in explanation the  
24. more I am convinced that this is the kind of thing the government  
25. ought to do for people. It always seems strange and odd to me that  
26. some persons who happened by one month or the other or a year or so  
27. a head of somebody else had a great deal more benefits than others.  
28. Health care and the opportunity to acquire health care is probably  
29. one of the most important things that this nation is facing. We are  
30. of course finding that many persons live a great deal longer than they did  
31. in former times and you have health care and health insurance and  
32. means by which to obtain it is a rather significant thing. I saw a  
33. man on the television yesterday morning, a United States Senator

1. who shall remain nameless although he comes from Massachusetts  
2. and is a senior citizen, a senior Senator there, talking about  
3. health care and talking about it as being probably one of the nations  
4. largest problems. And I congratulate Senator Weaver and Representative  
5. Clabaugh for taking this kind of interest and taking this kind of  
6. approach to bringing health care to people who desperately need it  
7. and who except for this kind of a law would not have the opportunity  
8. to acquire or obtain it. I think it's a good bill and I intend to  
9. support it.

10. PRESIDENT:

11.           Senator Gilbert.

12. SENATOR GILBERT:

13.           I likewise want to support it. We have in the past helped  
14. other people who have retired before a certain date, particularly  
15. when it's a small group and by attrition this will not last long and  
16. I think it's good legislation.

17. PRESIDENT:

18.           Senator Knuepfer.

19. SENATOR KNUEPFER:

20.           Well maybe I'm the only one that's opposed to it but at least  
21. I'm going to make a pitch and the reason I think we ought to be  
22. opposed to it. On the grounds that Senator Partee suggested that  
23. health care is a problem for all, then this ought to be expanded to  
24. every citizen of this state. There is no reason to distinguish on  
25. those grounds between somebody who happened to have the good  
26. fortune to work for the State of Illinois or bad fortune as the case  
27. may be or any other citizen of this state. The problem of providing  
28. retroactive benefits can break this State of Illinois. If you were  
29. to follow this kind of philosophy the legislature ten years from now  
30. will say Legislators salaries are now in the area of \$35,000 and any-  
31. body who retired twenty years ago ought to deserve the same kind of  
32. pension benefits. If you buy the concept of extending all of these  
33. benefits backward then you set up an almost insurmountable financial

1. burden for the citizens of this state. Further if you set it up  
2. on the grounds that Senator Partee did then you suggest that not  
3. only our state employees ought to have this break but everybody  
4. ought to have this rider benefit. I think it ought to be opposed,  
5. I think it is a philosophy that subjects this state to a very  
6. substantial accrued liability and I'm going to oppose it.

7. PRESIDENT:

8. Senator Weaver may close the debate. Excuse me, Senator  
9. Bruce.

10. SENATOR BRUCE:

11. Yes, I just rise in opposition to this bill for this reason.  
12. I suppose I, more than anyone, worry about the dollars in the State  
13. Treasury and Senator Knuepfer I'm glad to see he starting to join  
14. us in tilting against windmills. Gentlemen, in fiscal year 71, the  
15. state paid approximately 9 million dollars for all the state employees  
16. covered by the group insurance program. A year ago we instituted  
17. a new program which you may remember I spoke against. It's going to  
18. be very costly. I also spoke about the 3.5 million dollar deficiency.  
19. That, that bill has cost us this year some 12 million dollars. In  
20. next year's budget, and I don't know whether this is in the budget,  
21. I don't believe that it is, the bill for the Department of Personnel  
22. is 29 million dollars for the State employees group insurance program.  
23. Now with the 12% rise in medical cost coming each year the cost is  
24. going to be over 31 million dollars in the coming fiscal year. If  
25. we add these elderly people the rates are going to go up even more.  
26. I agree with Senator Knuepfer. The major program that this was sold  
27. on that the Department of Personnel was that this would attract  
28. people to state employment, that somehow the state employees are not  
29. adequately compensated, therefore, we go after fringe benefits and  
30. so with that philosophy adopted the new state employees group insurance  
31. program. I think to say now that state employees who are no longer with  
32. us who are employed at some late date, 1966, that somehow we're going  
33. to attract new people in state government by paying those who are  
already off the payrolls just defies logic. Again it's a very

1. admirable idea, it's a great concept, I wish we could expand it to  
2. my wife and everyone else for free, anyone, my neighbors I'm sure  
3. would be glad to get free health insurance, people that live on my  
4. block because I have a lot of problems in and out late at night  
5. so we ought to compensate state Senators' neighbors on this. Just  
6. another bill that we all talk about cutting the state budget and  
7. retrenching and taking things as they come and only spending what  
8. we need, this is a prime example that we're launching into a very  
9. costly program.

10. PRESIDENT:

11. Senator Knuppel.

12. SENATOR KNUPPTEL:

13. Well, this appears to me to be a pure bonanza, something that  
14. the employees that the time they were employed by the state never  
15. expected and didn't earn, didn't contribute to. Now if we can't  
16. adequately fund their pension plans under a promise that we've made  
17. to teachers and others, if we can't provide an adequate pension plan  
18. and I have the bill here, 1090, with respect to veterans who were  
19. career people, who had to pay in their share and couldn't be included  
20. where others were, then I think that this is a tragic mistake. There's  
21. no end to where it will stop unless we're going to create an entire  
22. welfare state. I agree entirely with what Senator Knuepfer says  
23. that if you're going to do it then extend it to everybody and let  
24. everybody pay accordingly and let's have state taxes. I don't know  
25. if that's the correct way to finance medical health care or health  
26. care of any kind. These people can qualify under Medicare whether  
27. they're qualified for social security or not. There are ways that  
28. those people who never drew Social Security can qualify for Medicare.  
29. I just think it's socialistic to the nth degree and I'm surprised  
30. that it would be sponsored in this Body in view of the tight budget  
31. which we have. I'll have to vote no.

32. PRESIDENT:

33. Senator Weaver may close the...Senator Weaver.

SENATOR WEAVER:

1. There is no effect this fiscal year. They will not be  
2. eligible until 1973 so it should not and is not in this year's budget.  
3. There are many of these people, basically all of these people, were  
4. in health programs at the various institutions and groups throughout  
5. the state. They were arbitrarily cut out when we instituted the  
6. state paid insurance health program. Most of these people are on  
7. very small pensions. For example, one with 30 years of service the  
8. median pension is \$237.79 a month. They can't afford to get into  
9. these programs on the commercial market and as I said they were  
10. arbitrarily discriminated against when this program was instituted.  
11. Many of them, 97% of them are on medicare. There are only 3.3%  
12. of these people that are not qualified for Medicare. I can appreciate  
13. the cost, we have many programs that in my opinion aren't as deserving  
14. as this program to help loyal employees who have been discriminated  
15. against and I would hope you would feel that you could support this  
16. bill and I'd appreciate a favorable roll call.

17. PRESIDENT:

18. Secretary will call the roll.

19. SECRETARY:

20. Arrington, Baltz,

21. PRESIDENT:

22. Senator Baltz.

23. SENATOR BALTZ:

24. Mr. President and members of the Senate, I rise in strong  
25. support of this bill. I think that the argument that Senator  
26. Weaver has presented has brought forth the fact that a good deal  
27. of this cost will be picked up by Medicare. And certainly attrition  
28. will rapidly reduce the size of the cost. I have an example of a  
29. similar operation. One young chap, 61 years old, who had been working  
30. for the state about six months had a heart operation here just re-  
31. cently, his bill was \$9,000. The state health care insurance care plan  
32. up the entire amount. Just a week or so later an old friend of mine who  
33. was formerly Director of Finance of the State of Illinois for 8 years and

1. worked for the state previous to that time who was on a contributory  
2. type of policy of the state was well pass seventy, had Medicare  
3. had a similar type of operation in Miami and the balance of money  
4. that was owed after Medicare and his hospital care policy he was  
5. paying through the state was so substantial that it almost wiped him  
6. out financially. I think that certainly that it was only deserving  
7. that this man had put in many years in high office in this state  
8. would have been entitled to the same kind of care that the chap that  
9. I talked about who only worked for six months and had his entire tab  
10. picked up and I support this bill and vote aye.

11. SECRETARY:

12. Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,  
13. Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty,  
14. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes,  
15. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
16. Lyons, McBroom, McCarthy, Merritt,

17. PRESIDENT:

18. Senator Merritt.

19. SENATOR MERRITT:

20. Mr. President, I regret seeing so many off the roll call here.  
21. I'm looking back over certainly some very fine dedicated state employees  
22. that we've had and certainly it's no fault of their's, I'm not bringing  
23. up anything new, but to me one of the most important points of this  
24. whole debate has been that certainly through no fault of their's that they  
25. were cut off of plans when they left. And I think that we owe them  
26. something a little better than that in their later days. And I'm  
27. convinced that upon the bids a year from now as has been pointed out  
28. this fiscal year there's no change in the budget because of this, I'm  
29. certain when we do get the bids a year from now that attrition will take  
30. care of much of this, it will be lower than has been reported and I  
31. would be very happy to support this, I vote aye.

32. SECRETARY:

33. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,



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

3. PRESIDENT:

4. Graham aye. Collins aye. Neistein aye. Weaver aye. Sours  
5. aye. On this question the yeas are 32. The nays are 6. The bill  
6. having received the constitutional majority is declared passed.  
7. Senator Merritt moves to reconsider, Senator Weaver moves to Table.  
8. All in favor of the motion to Table signify by saying aye, contrary  
9. minded. Motion to Table prevails. 4307, Senator Knuepfer.

10. SENATOR KNUEPFER:

11. Thank you. I didn't even know this was on the priority list.  
12. This is simply one of the same. We passed about seven or eight  
13. of these bills prior to this. It simply extends the interest to  
14. July 1, 1973. I would appreciate a favorable roll call.

15. PRESIDENT:

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

17. SECRETARY:

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

26. PRESIDENT:

27. Donnewald aye. Lyons aye. Palmer aye. Mitchler aye. On that  
28. questions the yeas are 38. The nays are 2. The bill having received  
29. the constitutional majority is declared passed. In the next column  
30. these will be the first bills called: 4318, Senator Graham, 4319,  
31. Senator Graham, 4327, Senator Berning, 4329, Senator Knuepfer, 4363,  
32. Senator Harris is listed as the sponsor I'm not sure who may be  
33. handling that. 4375 through 82 Senator Newhouse. 4318, Senator Graham.

1. Same category as the bill you had yesterday, Senator Neistein.

2. SENATOR GRAHAM:

3. These easy bills I seem to have trouble with. This bill  
4. amends the act pertaining to township water works and sewerage  
5. system in the sections of the actions taken by townships in  
6. relation to sale of bonds for the system, now I'm getting it.  
7. Periodically General Assembly passes bills validating actions taken by  
8. local government and pertaining to tax levies, bond issues and so  
9. forth where the corporate authorities inadvertently makes some kind  
10. of technical mistake. That seems to be the case here in the area  
11. of Northfield and therein lies the reason for the introduction  
12. of Senate Bill 4318 by Representative Glass. Ask for a favorable  
13. roll call.

14. PRESIDENT:

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

16. SECRETARY:

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

25. PRESIDENT:

26. Carpentier, aye. Weaver aye. O'Brien aye. Soper aye.  
27. Johns aye. Kusibab aye. Palmer aye. Knuepfer aye. On that  
28. question the yeas are 37. The nays are none. The bill having  
29. received the constitutional majority is declared passed. 4319,  
30. Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President, members of the Senate, this is the bill  
33. pertaining to the sale bonds of sewerage and water system at

1. the township of level, increases the interest rate to 7%, sets up
2. the date for this in October 1st 1973 and one year thereafter would
3. revert automatically to 6%. It just sets up the interest at 7%
4. because they can't sell the bond currently at 6.

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

16. PRESIDENT:

17. Vadalabene no. Smith aye. On that question the yeas  
18. are 37 the nays are 2 the bill having received the constitutional  
19. majority is declared passed. 4327, Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President and members of the body. 4327 is  
22. to correct a weakness in the private employment agency act and would  
23. prohibit exorbitant and continuing placement fees that are charged  
24. for persons in domestic work. It implies only to domestic employment.  
25. It places no percentage limitation on the fee however, that is still  
26. open to negotiation. It merely requires that the fee be based on  
27. the employee's compensation for a period not exceeding one year. The  
28. present time there is no limit and the bill was precipitated by a  
29. actual incident of a charge by an agency of 5% of the monthly pay of  
30. a domestic housekeeper as long as she held the job. She's now been  
31. employed over 5 years and continues to pay the fee out of her paycheck  
32. each month. I would appreciate a favorable roll call.

33. PRESIDENT:

6-22-72  
H B 4327

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

2. SECRETARY:

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

11. PRESIDENT:

12. While the Secretary is tabulating that, the Sergeant at Arms  
13. has found a pair of glasses. The optometrist is apparently a Dr.  
14. Sidney Pearlman. If anyone has lost a pair of glasses and your  
15. optometrist is Dr. Pearlman why Sweeney has them. On that question  
16. the yeas are 36. The nays are none. The bill having received the  
17. constitutional majority is declared passed. Senator Partee.

18. SENATOR PARTEE:

19. Yes, Mr. President I just talked to Senator Clarke ab out  
20. three bills, two which are on the priority list already, and it  
21. occurs to us that all of these being non controversial having the  
22. approval of the Pension Laws Commission could be called on one  
23. roll call and we could get them out of the way. They are House  
24. Bills 4425, 4511 and 4541. Now Senator Groen I think is the  
25. principlal sponsor of these. If he gives us a brief explanation we  
26. can take one roll call and get these three out of the way.

27. PRESIDENT:

28. Is there objection to that? Those numbers again are  
29. 4425, 4511, and 4541. Senator Groen is recognized.

30. SENATOR GROEN:

31. Yes, Mr. President, as Senator Partee has said, one of the  
32. bills, for example, in the case of widows of firemen would give  
33. them a minimum of \$150.00 a month. I think you'll agree that's

1. not excessive. 4425, State Teachers' Retirement Act, is administrative,  
2. will save them considerable money in the operation of their system.  
3. And the third one is 4511. This effects the thousands of people in  
4. the Illinois Municipal Retirement Fund and will give them better  
5. benefits at a very, very small cost because they are increasing their  
6. contribution to the fund to help pay for the benefits and it would  
7. help standardize this fund in relation to the other funds of the  
8. state. All of these have the approval of the Pension Laws Commission  
9. and I would ask for a favorable roll call.

10. PRESIDENT:

11. Secretary will call the roll.

12. SECRETARY:

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

20. PRESIDENT:

21. Senator Sours.

22. SENATOR SOURS:

23. I'm going to vote for this because I don't want to vote  
24. against it primirily but I want to call to the attention of the  
25. Assembly here that this gives credit for unused, accumulated sick  
26. leave, something that some of us have opposed because sick leave  
27. is for sickness and not for the dollar sign. It's just something  
28. to think about. I know the Pension Laws Commission approved it but  
29. for those of us who believe that sick leave ought to be for sickness  
30. and not for remuneration for being well it becomes a little  
31. offensive. I vote aye.

32. SECRETARY:

33. Swinarski, Vadalabene, Walker, Weaver.

1. PRESIDENT:

2. Bruce, aye. Hynes, aye. Senator Partee.

3. SENATOR PARTEE:

4. How am I recorded?

5. PRESIDENT:

6. You're not.

7. SENATOR PARTEE:

8. I want to vote aye. I'm sorry I missed my name on the  
9. roll call. I was looking at Mrs. McLendon, who is the wife of  
10. one of our colleagues from the House, and in the next district to  
11. mine. I'm sorry I missed it.

12. PRESIDENT:

13. Lately no one has been violating the rules more than the  
14. President pro tem. Lyons aye. On those bills the yeas are 40.  
15. The nays are none. The bill having received the constitutional  
16. majority is declared passed. 4329, Senator Knuepfer.

17. SENATOR KNUEPFER:

18. This is a bill to help many of the downstate local governments.  
19. It was authored originally by C. L. McCormick, it is not supported  
20. by the General Services Department. The reason for the bill, and  
21. I'll give you an example of what happens, somewhere in Illinois  
22. the State of Illinois Department of Transportation decides that a  
23. highway truck is getting too old for the state to use. So it  
24. sends that truck into Springfield. When a whole lot of those  
25. trucks are accumulated the state has an auction and those trucks  
26. are auctioned off. Some little area down in northern or southern  
27. Illinois needs a highway truck. They only need it very infrequently.  
28. If they buy that truck up in Springfield here the mark up is in the  
29. area of 50 to 75%. Now all this bill would do would be to permit  
30. the state to sell its equipment that is surplus to local governments  
31. at an appraised value. I think it's a very good bill for local govern-  
32. ments. I think it's a particularly good bill for the small, the kinds  
33.

1. of governments that can use old equipment, that are not going  
2. to use a piece of equipment 2,000 hours a year but maybe need  
3. it for 20 or 30 hours a year. And another instance I can give  
4. you - the State gets rid of filing cabinets. Well who can bid  
5. on 500 filing cabinets except the dealer. But a little govern-  
6. ment may need one or two. And this would permit the disposal  
7. of state surplus property on the scene, at an appraised value  
8. and permit these local governments to get some equipment that  
9. they can use, that is perfectly adequate for their needs.  
10. Whereas if they had to wait for it to be sold to a middleman  
11. and then bid on that equipment, the cost would be substantially  
12. much more.

13. PRESIDENT:

14. Is there any discussion? Senator Neistein.

15. SENATOR NEISTEIN:

16. Senator Knuepfer, what would prevent me as a member of  
17. state, if I had the authority, to sell some particular pet  
18. local government area expensive equipment or products. There's  
19. no review, there's no control on the price. As I read this  
20. bill, the administrator is given extraordinary leeway with  
21. the bill. He can decide the sales price of any effected  
22. property or transfer it without charge according to Section  
23. 8 and the bill as I read it is conducive to mischief.

24. PRESIDENT:

25. Senator Knuepfer.

26. SENATOR KNUEPFER:

27. Well, the bill refers to transfer of property as provided  
28. in Section 610. And Section 610 provides for an appraisal of  
29. property and to transfer at the appraised value, Senator.

30. PRESIDENT:

31. Senator Partee.

32. SENATOR KNUEPFER:

33. . . . Then it . . . there has to be an appraisal prior to

1. the sale or transfer of that property.

2. PRESIDENT:

3. Senator Neistein.

4. SENATOR NEISTEIN:

5. Who makes the appraisal and who sets the price?

6. PRESIDENT:

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. I don't know the answer to that, Senator.

10. PRESIDENT:

11. Senator Neistein.

12. SENATOR NEISTEIN:

13. According to the bill the administrator is given all  
14. the authority. So if...your local area, if you're a friend  
15. of mine and I'm the administrator here, I can siphon off all  
16. kinds of expensive equipment, products, et cetera to you and  
17. it can lead to plenty of mischief the way I read this bill. Who wants  
18. this bill and which of the four categories is this bill in?

19. PRESIDENT:

20. Senator Knuepfer.

21. SENATOR KNUEPFER:

22. Well, it...it is at present time a General Services  
23. bill. The Department of General Services did not author it,  
24. but they are now supporting it and want it passed. It...it  
25. was ...the bill is initiated by C. L. McCormick who has a  
26. number of governments down in this state, and I tried to explain  
27. this, in his part of the state that need, use state equipment.  
28. But it is supported right now by the Department of General Services.  
29. So on that... in that respect, Sir, I suspect it would be an  
30. Administration bill.

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:



1. Well, Senator, one of the subjects of some intense  
2. investigation right now, is this phrase of collusive bidding.  
3. And I am certain, of course, that bidding doesn't solve all  
4. problems. On the other hand, I think the State should shrink  
5. from engaging in practices itself that it would not want others  
6. to engage in. In this instance, as I read this bill, a  
7. responsible person in government, whatever that means, can  
8. make a decision that there is disposable property. That  
9. disposable property can then, without bidding, be given to  
10. whoever he chooses, I take it, whatever municipality he  
11. chooses, which opens the door to favoritism. And I don't  
12. see where there are any restrictions on the municipality  
13. purchasing property from reselling it. In other words, a  
14. responsible so-called official can say that this set of  
15. desks are no longer needed, can sell them at a price which  
16. has been agreed on of \$50 each, the municipality can purchase  
17. them, and then sell them to somebody else for \$100. I just  
18. don't see this. There is not . . . it doesn't indicate to  
19. me that they even have to hold it. There is nothing in here  
20. to keep the municipality from reselling it. There is nothing  
21. here to determine what the rule or criteria is by which the  
22. responsible official determines what is disposable or transferable  
23. property. And then after he has made that decision, whoever  
24. he is, he can sell it at a price which does not lend itself  
25. to the bidding procedure, at some appraised value, by some  
26. appraiser who is as yet unknown to us and then the municipality  
27. buying it may sell it to whoever they desire at another price.  
28. I just think it needs some tightening up. The concept, probably,  
29. is good. But the language, I think, lends itself to several  
30. interpretations, some of which are very evil.

31. PRESIDENT:

32. Senator Groen.

33. SENATOR GROEN:

1. Well, Mr. President, they may be some dangers in this  
2. bill. But what is our alternative? And our alternative is  
3. to continue the practice that goes on now. And I wonder if  
4. you know what that practice is? As Senator Knuepfer has  
5. pointed out, who can want or who can buy or who can use  
6. 1500 filing cabinets? Who can use all of the furniture that  
7. comes out of one department of government when they remodel  
8. their office and reequip the new offices with new furniture  
9. which happens as you and I know all too often. Now let  
10. me tell you what happened to the Tazewell County Mental  
11. Health Unit that was organized just a few months ago. The  
12. head of that came to me and said, "Eddie, as you know we  
13. are operating on worse than a shoe string budget." And I said,  
14. "Yes, I'm well aware of that." He said, "Do you think it would  
15. be possible that the State of Illinois might have some surplus  
16. property that we could purchase." I said, "I do not know the  
17. answer to that, but I can find out within a matter of minutes  
18. and I will call you back." I did, and the assistant that I  
19. talked to said have your people come down. They went down.  
20. If they wanted to buy, they had to buy some 250 desks that  
21. were available. They couldn't buy one. Plus the fact,  
22. that as a governmental unit they were unable to do what  
23. a private buyer could do. General Services and the Property  
24. Division, Mr. Remmert said this, "What will probably happen  
25. because of our lack of authority to sell one desk and one  
26. chair and one wastebasket and one other thing to you, is that  
27. somebody will buy the whole lot. They'll buy it dirt cheap.  
28. They'll turn around and mark it up 400% and we can tell you  
29. who bought it at those ridiculous prices and then you can  
30. go around and buy it from them and spend four or five times  
31. what you could otherwise have had to pay for it." Now that, members  
32. of the Senate, constitutes the present system under which  
33. you're operating and I think that's even more ridiculous than

1. the risks that might be encountered in this. And you have  
2. watchdogs, you can check this to see whether there is any  
3. abuse of the power that is given. Or you . . . and . . . if  
4. you find that it is, or whether you find that it hasn't been  
5. and you feel you want to tighten it up with restrictions and  
6. reserving the power and the authority, well and good. But I  
7. say to you, change the impossible, incredible condition that  
8. now exists. Give this system a chance to work for the  
9. benefit of these agencies at the local level that are trying  
10. to hold down the cost of government, trying to keep taxes  
11. down and find themselves blocked which they come to the State of  
12. Illinois, who should in a case like this, be able to help  
13. them because of the laws under which you are forcing them  
14. to operate. Occasionally a real good bill comes along, and  
15. I think this is the basis of a very good piece of legislation.  
16. Adopt it, watch it, but don't kill it. Give it a chance.

17. PRESIDENT:

18. Senator Savickas.

19. SENATOR SAVICKAS:

20. Mr. President and members of the Senate, I was  
21. wondering about this item about trucks. I understand a  
22. few years ago, it was the practice of the State, when they  
23. had these trucks available, to be auctioned off, that they  
24. would be appraised approximately a month before the auction  
25. or a month and a half. These trucks that were used in the  
26. maintenance of the highways, were then many times reconditioned,  
27. because of the need for their continued use. So you would  
28. have trucks come in with a whole new sets of wheels, tires,  
29. sometimes the motor redone, for another month's use and then  
30. sent back to these auctions after the appraisal. And I just  
31. wonder what would prevent a practice of these local governments  
32. obtaining reconditioned trucks from the State at far below  
33. market value because the appraisal would have been done many

1. times, and in many instances, while the trucks were still  
2. being used by the State. And in many times, in need of  
3. repair, which would be done at the taxpayers expense.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Yes, Mr. President, I wonder if the sponsor would  
8. yield to a question concerning line 30 on page 1 of the  
9. bill. Why did we take out . . . it appears that we are  
10. taking out "prior gubernatorial approval," and I wonder why  
11. that is being deleted?

12. PRESIDENT:

13. Senator Knuepfer.

14. SENATOR KNUEFFER:

15. The Department . . . that was taken out because the  
16. Department . . . evidently this has been a problem with  
17. the Department of General Service. And the Department of  
18. General Service decided that that was really cluttering  
19. up the Governor's desk as I understand it. With all of  
20. the approvals.

21. PRESIDENT:

22. Senator Rock.

23. SENATOR ROCK:

24. Well, I . . . I personally believe that that is  
25. at the very least, the Executive Desk is at least that  
26. one which the buck stops. And, if in fact, there is some  
27. collusive practice going on, which I don't say there is, but there's  
28. a . . . at least we would have some where to go as the final  
29. place where the buck stops. And I . . . I frankly do not  
30. agree that that should be taken out. The other question I  
31. had, I . . . I agree with Senator Groen's proposal that  
32. something like this should be done, however I'm . . . having  
33. now read the bill, and frankly this is the first time I've

1. seen it, I'm not so sure this does it. If you look at Section  
2. 8, the wording just does not seem to be there. It says, "No  
3. transfer, assignment or sale may be made to a local government  
4. unit without giving preference to an agency." Now, I don't  
5. know what that means. I suppose that's prior refusal on  
6. the part of the State agency. It does not say that, but  
7. I suppose that's what you mean. But it does not seem to  
8. give Senator Groen's proposition any credence. It does not  
9. say that the Department may sell one desk or one chair, it  
10. just said they can now sell to local government units without  
11. prior notice and bidding and so forth. I don't think that  
12. that's what we're really about here. And I'm . . . the bill  
13. in its present form I'm gonna have to oppose.

14. PRESIDENT:

15. Senator Latherow.

16. SENATOR LATHEROW:

17. Thank you, Mr. President and Senator Knuepfer. I'm a  
18. little disturbed on the first part of this and I'd like to  
19. read to you what you take out where you take out "State-owned  
20. tangible personal property" and in lieu you put in "transferable  
21. property" on line 24 of page 1. Now . . . couldn't real  
22. property be transferable property?

23. PRESIDENT:

24. Senator Knuepfer.

25. SENATOR KNUEPFER:

26. Yes. Senator, that . . . that amendment . . . yeah, that . . .  
27. that transferable property is anything that's transferable and  
28. that would be real property as I . . . I don't know why not.

29. PRESIDENT:

30. Senator Latherow.

31. SENATOR LATHEROW:

32. You . . . You mean you want them to have the power to sell  
33. this property, in the case where a property has been . . . we'll

1. say purchased from a land owner, and it takes a corner off of  
2. his property and the State decides for the use they've taken  
3. it for, they no longer need it, and that man can't have the . . .  
4. just as much of a first opportunity at that as someone else?

5. PRESIDENT:

6. Senator Knuepfer.

7. SENATOR KNUEFFER:

8. Senator, I think you have to take that in the context  
9. of what the whole paragraph says. All that it's saying is  
10. that whenever a responsible officer considers this advantageous  
11. to the State to dispose of transferable property, he reports  
12. it to his administrator on forms furnished. Now, this  
13. paragraph 7 up at . . . the first paragraph in 7 doesn't  
14. provide for any transfers per se, it simply provides a reporting  
15. procedure to the . . . his superior.

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. I realize that, but in the meanings other people are given  
20. the opportunity to purchase this property prior to the man  
21. who it was originally purchased from. And that's what I  
22. object to in this too, since you include real property and  
23. I question very much whether or not real property should  
24. be included in this.

25. PRESIDENT:

26. Senator Cherry. Is Senator Cherry on the Floor? Senator  
27. Savickas.

28. SENATOR SAVICKAS:

29. Well, Mr. President . . . Senators, my questions were  
30. basically what Senator Latherow had asked about, the real  
31. estate and buildings involved in the transfer. It seems that  
32. this bill has gone far afield from its intent of providing trucks  
33. for some local community to use 20 hours a year instead of

1. paying full price to . . . also of being able to receive  
2. State property that's declared surplus whether it's just  
3. the real estate itself or the buildings on land. And I think  
4. that this bill should be either held up or amended to remove  
5. some of these provisions in there.

6. PRESIDENT:

7. Senator Knuepfer may close the debate.

8. SENATOR KNUEPFER:

9. Well, I . . . I would just say in answer to Senator  
10. Rock, that I think one of the queries Senator Rock made,  
11. was that the buck stops at the Governor. I think the buck  
12. always stops at the Governor. Whether he has to sign it  
13. or not, because he is the one that in essence is responsible.  
14. I . . . it . . . I am given to understand that the reason again,  
15. as I said, for the . . . eliminating the approval of the  
16. Governor, is that there are just simply thousands and thousands  
17. of items which are declared surplus by government these days,  
18. particularly highway equipment, office furniture and that.  
19. And the approval in any case, becomes totally perfunctory. The  
20. Governor can't make his own private investigation. He is  
21. responsible in any case. He appoints the . . . the heads of  
22. the . . . of the divisions, and it is his responsibility.  
23. I think it is somewhat late at this date to provide amendments.  
24. I think it's a desirable bill. I think it will help the  
25. governments of the State of Illinois. We don't . . . we  
26. don't have a provision to prohibit resales and that might  
27. be a desirable function to prohibit a resale. We . . . we  
28. don't have that. But I think, and I can only suggest, that  
29. I think, Senator Groen said it most eloquently, if you . . . it  
30. may have a few problems, but compared to what we have now,  
31. when everything goes by the case lot and then the little  
32. government, the township government, the county government,  
33. the municipal government that wants only one or two items has

1. then got to go to the retailer when this stuff is marked  
2. up and I sincerely think, that it poses . . . it puts a  
3. financial burden on local governments. It puts the . . .  
4. the profit does not accrue to the State of Illinois. The  
5. profit accrues to the middle man who is able to buy large  
6. bulk and sell by small unit. I . . . I wish I'd had  
7. time to rework and to solve some of the minor . . . what  
8. I consider minor problems. I do not, in any case. Mr.  
9. Warnecke tells me, that in no way, shape or form does it  
10. cover real property. I don't . . . at the moment am not  
11. in a position to give you a reference on that. I will when  
12. we get to roll call, when we get to my name. I think it's  
13. a good thing for the small local governments.

14. PRESIDENT:

15. The Secretary will call the roll. For what pur . . . for  
16. what purpose does Senator Merritt arise? We are . . . we have  
17. concluded debate.

18. SENATOR MERRITT:

19. May I . . . I didn't necessarily want to debate, Mr.  
20. President. . .

21. PRESIDENT:

22. Well . . . further discussion . . . Senator Knuepfer has  
23. closed the debate.

24. SENATOR MERRITT:

25. . . didn't want to debate, I . . .

26. PRESIDENT:

27. We can get to you on the roll call, Senator Merritt.

28. The . . . Senator Knuepfer.

29. SENATOR KNUEPFER:

30. It ought to be pointed out, I have closed but the word  
31. transferable property a . . . I find out now, is a statutory  
32. definition and it means transferable personal property, Senator.  
33. I did not know that. It is evidentially . . . I would suspect



1. then that this is some language that the Reference Bureau  
2. put in to cover that. But it is defined in the statutes as  
3. transferable personal property, so that land is not included.  
4. PRESIDENT:

5. For what purpose does Senator Latherow arise? We  
6. have concluded the debate.

7. SENATOR LATHEROW:

8. Yes, Mr. President, I just wonder in his explanation, if  
9. he could tell me where in the statutes that is? I'd like to  
10. see it.

11. PRESIDENT:

12. I'll let the two of you get together on that, in the  
13. meantime the Secretary will call the roll.

14. SECRETARY:

15. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
16. Carroll, Cherry . . .

17. PRESIDENT:

18. Senator Cherry.

19. SENATOR CHERRY:

20. Mr. President, this bill is simply a watering down of  
21. the Illinois Purchasing Act. It takes out local governmental  
22. agencies that wish to purchase property from the processes  
23. of bidding. I think we ought to be very zealous over our  
24. purchasing act. Continue our bidding process. And maybe  
25. in certain instances, it may be a little silly because a  
26. local agency wants to buy one desk instead of twenty desks.  
27. But it would seem to me that, from the overall picture, we're  
28. better off having to have to comply with our bidding process  
29. which we've been all very much so interested in. I would vote no.

30. SECRETARY:

31. Chew, Clarke, Collins, Coulson, Course, Davidson,  
32. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,  
33. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,

1. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,  
2. McCarthy, Merritt . . .

3. PRESIDENT:

4. Senator Merritt.

5. SENATOR MERRITT:

6. Mr. President, just very briefly, I . . . I think that  
7. Senator Knuepfer is to be commended for this concept. I  
8. think that it might open the door to many things that will  
9. have to be corrected later. I think that it will have the  
10. tendency to help local governments. I'm somewhat disturbed  
11. though, over . . . say that you had a municipality and a  
12. township all wanting part of the goods and they both want  
13. to pay the appraised value, I . . . I don't know just how  
14. you resolve that. It may eventually get into a bidding situation  
15. where they say it's cheap enough. I'd even be willing to  
16. pay more. So I think there are problems, but I like the  
17. concept, I'll vote a somewhat reluctant aye.

18. SECRETARY:

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

23. PRESIDENT:

24. On that question the yeas are 18, the nays are 4. The  
25. bill having received a . . . having failed to receive a  
26. constitutional majority is declared defeated. 4363, is  
27. someone handling that for Senator Harris? The next bills  
28. to be called are 4427, Senator McCarthy; 4428, Senator Rock;  
29. 4436, Senator Gilbert; 4438, Senator Harris, maybe someone  
30. is handling that for him; 4439, Senator Harris; 4455, which  
31. I understand Senator Groen is handling for Senator Harris.  
32. 4427, Senator McCarthy. A . . . Senator Clarke.

33. SENATOR CLARKE:

1. Before you start, I see Senator Groen was off the Floor.  
2. I had asked him to handle 4363 for Senator Harris. It's  
3. a very simple bill. If you'd be willing to go back to it, I  
4. could explain it, we could dispose of it.

5. PRESIDENT:

6. 4363. Proceed, Senator Clarke.

7. SENATOR CLARKE:

8. Well this is a bill, as I understand it, the new insurance  
9. plan is having a very favorable experience and has built up  
10. a considerable surplus. And very simply, this bill allows  
11. the surplus funds, or any future surplus funds, to be used  
12. either to reduce the premiums or to increase the benefits  
13. to the employees. That's what it does and I think it's a  
14. very worthwhile bill and I would appreciate your support.

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Yes, as a member of the State Employees' Group Insurance  
19. Program, this is an amendment that has been suggested by that  
20. Commission. In fact, it's an amendment that I suggested to  
21. the bill a year ago when it was passed. This will mean that  
22. rather than increasing the premium and trying to distribute  
23. five or six cent checks to all the State employees, if there  
24. is a surplus created, that that can be used either of two ways.  
25. Either to increase benefits inuring to the employees without  
26. an increase in premium or re . . . reducing the premium that's  
27. going to be paid next year, without increasing the benefits.  
28. It's a very good amendment.

29. PRESIDENT:

30. The Secretary will call the roll.

31. SECRETARY:

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

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

7. PRESIDENT:

8. Sours, aye. On that question the yeas are 45, the nays are
9. none. The bill having received the constitutional majority is de-
10. clared passed. 4427, Senator McCarthy.

11. SENATOR MCCARTHY:

12. Yes, Mr. President and members of the Senate, House Bill 4427
13. is an extension of a exemption to the usury limitation for a
14. period of six years. This bill has been introduced at the request
15. of the Illinois State Medical Society with reference to their loans
16. to medical students. What they have done, the American Medical
17. Association, has guaranteed loans two percentage points above
18. and at the conclusion of the students training there has to be a pay-
19. out loan made and that's what's necessary...that's the reason that this
20. bill is necessary. I know of no controversy involving it. If there
21. are any questions that anyone has I would be glad to answer it.

22. PRESIDENT:

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

24. SECRETARY:

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

33. PRESIDENT:

1. Bruce aye, Hynes aye, Carpentier aye. On that question the  
2. yeas 41, The nays are none. The bill having received the constitutional  
3. majority is declared passed. 4428, Senator Rock.

4. SENATOR ROCK:

5. Yes, Mr. President, members of the Senate, House Bill 4428 as  
6. amended in the Senate concerns the photograph on drivers' licenses. You  
7. recall we did adopt an amendment and I'd like to refer to the amendment  
8. because it is of great significance with this bill. What the amend-  
9. ment does is that it leaves the matter wholly within the discretion  
10. of the Secretary of State and in addition it provides that the pro-  
11. visions of this amendatory act may not be implemented by the Secretary  
12. unless and until funds therefor have been appropriated by this General  
13. Assembly. Now you will recall that I proposed such an amendment to  
14. the Secretary's budget. It was in fact defeated. As a result, at this  
15. moment at least, there is no money available for this program. But  
16. I would ask a favorable roll call on this bill so that we can at least  
17. be on record as in favor of this and when and if money becomes available  
18. through our appropriation process the Secretary can then implement this  
19. bill.

20. PRESIDENT:

21. Is there any discussion? Senator Knuepfer.

22. SENATOR KNUEPFER:

23. Well I think we ought to think about what we're doing here and  
24. give some consideration to it. If we have suggested that we don't like  
25. the program enough to vote for any money for it and then at the same  
26. time turn around and ask the Secretary of State to implement it we  
27. become somewhat schizophrenic I think, And I think we ought to make up  
28. our mind and if we make up our mind on the appropriation, we make it  
29. up on the philosophy and content. If we either go forward in both  
30. or against it in both and we don't buy two different positions. I  
31. would advise you that there is a third alternative and I can't say  
32. where it is but I've seen it floating around here somewhere and this  
33. is the provision of a identification card which I think is the

1. impetus of most of this bill for those who simply want identification  
2. but do not want a drivers' license. I don't think we're doing any-  
3. thing by passing this bill but confusing the Secretary of State.  
4. He's got most of this, he can think about it right now and he can  
5. come to a decision without us passing the bill. But I think we'd  
6. be in an awkward position if we told him he can't have money but  
7. then come around and say positively, well, we think it's a good  
8. idea for you to study it. Our position ought to be a little more  
9. consistent and I would suggest that this is not the desirable  
10. thing to pass.

11. PRESIDENT:

12. Is there...Senator Carpentier.

13. SENATOR CARPENTIER:

14. Mr. President, we a few weeks ago, passed a bill through this  
15. Assembly to study this procedure of putting a picture on a drivers'  
16. license. I displayed in Committee, I took a point of personal  
17. privilege on two of the witnesses in Committee for their falsifying  
18. testimony. I think...I agree with Senator Knuepfer. We're passing  
19. something here to lay on the Secretary's desk without proper funds,  
20. without any real study behind it, or anything. All the studies that  
21. were made about this have proven to be wrong. Nebraska, for example,  
22. passed it and within one month repealed the act, and I can absolutely  
23. find no need other than to satisfy a check cashing idea. There's  
24. no provisions in the bill that would should safeguards to me that  
25. the Secretary of State couldn't be sued if you passed a bum check.  
26. I think that this bill deserves a very nice beautiful death.

27. PRESIDENT:

28. Senator Sours.

29. SENATOR SOURS:

30. I was going to perhaps do this on roll call. I've noted  
31. there's some very subtle approaches today and yesterday but I just  
32. happen to be minding my own business here today and who should come  
33. into the Chamber but the Illinois Farm Managers and Appraisers, some  
of who are from Peoria County, in the gallery behind me. Now I  
wouldn't want to violate the

1. rulesbut I just couldn't ignore their presence.

2. PRESIDENT:

3. Is there further debate? Senator Rock may close the debate.

4. SENATOR ROCK:

5. Yes, Mr. President and members of the Senate, the amendment  
6. which in my judgement completely transforms the bill as it came over  
7. from the House was an amendment suggested by the Secretary of State.  
8. It puts the whole process at his discretion. In addition, as I said  
9. before it says that the provisions may not be implemented until we  
10. appropriate the money. Now I'm calling this bill, I think Senator  
11. Knuepfer has a valid point as does Senator Carpentier. The House is  
12. very interested in this bill and we have promised the House sponsors  
13. a roll call on this question and I would ask for roll call.

14. PRESIDENT:

15. Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
18. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
19. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,  
20. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Latherow, Laughlin, Lyons,  
21. McBroom, McCarthy, Merritt,

22. PRESIDENT:

23. Senator Merritt.

24. SENATOR MERRITT:

25. Mr. President, very briefly in explaining my vote, I think this  
26. is bad legislation. I think it was proven without any doubt, both  
27. in Committee and otherwise, that those supposedly fool proof drivers'  
28. license cards could be easily altered. I don't even think they would make  
29. good identification. I vote no.

30. SECRETARY:

31. Mitchler, Mohr, Niestein, Newhouse, Nihill, O'Brien, Ozinga,  
32. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,  
33. Sober, Sours, Swinarski, Vadalabene, Walker,

1. PRESIDENT:

2. Senator Walker.

3. SENATOR WALKER:

4. Thank you, Mr. President, members of the Senate. I feel that it's  
5. good legislation but I think the approach is wrong here. We had the  
6. bill in here, as I recall, to appropriate \$40,000 for a Commission to  
7. study this and now we're trying to come in the back door. I disagree  
8. with my colleague, Senator Carpentier, because this isn't for cashing  
9. checks only. I think if you'll check your police departments, parti-  
10. cularly in the City of Chicago you'll find that they think this is  
11. good legislation. I remember a few years ago that Len O'Connor's  
12. kid lost his driver's license and someone of another color was using  
13. it driving around Evanston when he was picked up. This would eliminate  
14. situations such as that. This isn't new legislation. As I said the  
15. other day, I introduced it several times in the past. I would only  
16. suggest the Lion's Club are for legislation such as this.

17. PRESIDENT:

18. Just a moment. What is the point of order, Senator Rock?

19. SENATOR ROCK:

20. My point, Mr. President, members of the Senate, is I assume the  
21. Senator from Lansing is explaining his vote. I assume he is doing  
22. that. I don't know yet which side of the coin he is on. Would you  
23. tell me what your vote is and then keep going.

24. PRESIDENT:

25. Senator Walker.

26. SENATOR WALKER:

27. I feel it's good legislation. I think the approach is wrong and  
28. I would suggest some of you who have, including the House sponsor of  
29. this bill who have picked these out of bad digests, would put them  
30. together and get a comprehensive bill, introduce it in January and  
31. I'll support it. On this particular bill I vote no.

32. SECRETARY:

33. Weaver.



1. PRESIDENT:

2. McBroom no. Latherow no. On that question the yeas are 19.  
3. The nays are 12. The bill having failed to receive the constitutional  
4. majority is declared defeated. 4436, Senator Gilbert. For what purpose  
5. does Senator Graham arise?

6. SENATOR GRAHAM:

7. I'd like to rise to see if it's possible for me to get a tape  
8. recording to that double talking preamble of Senator Walker's just before  
9. he voted no.

10. PRESIDENT:

11. Well you check with our technicians here, Senator Graham. 4436,  
12. Senator Gilbert.

13. SENATOR GILBERT:

14. This is the bill, the metal mine bill, which we completely amended  
15. into a new bill. The people are working on it. It's my judgement  
16. that we will not act on this bill during the session. I do not want  
17. to table it now but you recall that I said that unless parties on  
18. both sides that the metal mine people, the Department of Mines and  
19. Minerals could get together, I would not call the bill. They are still  
20. working on it and I wish to pass it.

21. PRESIDENT:

22. Bill will be held. On 4438 and 4439, Senator Soper, are you  
23. handling those? Senator Soper.

24. SENATOR SOPER:

25. Mr. President and members of the Senate. 4438.

26. PRESIDENT:

27. Just...just...Senator Soper, is it okay to have both of those  
28. on one roll call?

29. SENATOR SOPER:

30. I't alright with me. They do the same thing.

31. PRESIDENT:

32. Is there objection? Leave is granted. Senator Soper.

33. SENATOR SOPER:

1. The bill 38 and 39, - 4438 and 39 do exactly what the  
2. synopsis said. At this time the age of majority for me is...

3. PRESIDENT:

4. Secretary will call the roll. Roll call is for both bills.

5. SECRETARY:

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

14. PRESIDENT:

15. Palmer, aye. Horsley, aye. Hynes, aye. Lyons, aye. Johns,  
16. aye. Sours, aye. On that question, the yeas are 38; the nays are 1.  
17. The bills having received a constitutional majority are declared  
18. passed. The...Senator Groen on the Floor? In the next page, the  
19. next bills to be considered are 4458, Senator Latherow; 4459, Senator  
20. Latherow; 4461, Senator Neistein; 4479, Senator Clarke; and 4480,  
21. Senator Clarke. Senator Groen is on the Floor now and 4455 on the  
22. previous page can be taken now. Senator Groen.

23. SENATOR GROEN:

24. Well Mr. President, members of the Senate, this is another of the  
25. bills which Senator Harris, who is ill, was handling, and it has been  
26. given to me and I will admit to the membership that I am not intimately  
27. acquainted with the bill but I would want to read to you the Department  
28. of Insurance memorandum on it. It is their bill; they want it; and this  
29. is the change that this bill would embody. The amendment will amend  
30. Article 25, Fees, Charges, and Taxes, Section 413 of the Illinois  
31. Insurance Code to eliminate an advance payment of \$25 per month for  
32. every newly licensed, foreign or alien company applying for a certificate  
33. of authority to transact business in the State of Illinois. Those

1. companies will now comply with Section 409 as under the current  
2. amendment. The reasons for proposing the bill: Section 413 requires  
3. a monthly advance payment for a specified period of time while  
4. Section 409 requires a quarterly payment. Section 409 is amended  
5. to exempt those insurers whose annual tax for the preceding year  
6. was less than \$5000 to make only an annual return, and the amendment  
7. to Section 413 is for the purpose of uniformity in applying the  
8. privileged tax to newly licensed, foreign or alien companies. There  
9. is about \$15,000 a year in advance privilege taxes payable at \$25  
10. per month basis which would be deferred to the year ending in  
11. compliance under the amendment. The amendment is needed to up-date  
12. the internal administrative procedures of the office. It has no  
13. prior legislative history. It has no effect on other State agencies.  
14. The fiscal implications--there will be no fiscal implications by way  
15. of adding to or detracting from the general revenues of the State of  
16. Illinois. These revenues will be payable to the State on the same  
17. basis that any company pays a privilege tax under the proposed amend-  
18. ment to Section 409. Section 409 of the Illinois Insurance Code makes  
19. no provision to cover an advance privilege tax for a newly licensed,  
20. newly admitted foreign company. The industry supports the bill.  
21. There is no known opposition. The Department people who have studied  
22. this, drafted this, and want it, are James D. Huber, the Deputy  
23. Director, Michael Atkins, the Attorney for the Department, and  
24. William C. Hall, the Supervising Insurance Deputy.

25. PRESIDENT:

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

27. SECRETARY:

28. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
29. Cherry, ...

30. PRESIDENT:

31. Senator Cherry.

32. SENATOR CHERRY:

33. I'm always a little leery about legislation that provides for some

1. benefits to foreign or alien insurance companies. We've had some  
2. bad experiences with them. I haven't had a chance to look at this  
3. bill, but from Senator Groen's explanation, it seems to me that this  
4. bill will eliminate the payment of monthly advance payments by  
5. foreign insurance companies, and make them pay quarterly instead of  
6. monthly. I wonder what the reason for that is?

7. PRESIDENT:

8. Senator Groen.

9. SENATOR GROEN:

10. Senator, that is correct. They would be paying quarterly  
11. instead of monthly. There will be no financial loss to the State  
12. according to the information given to me by the Department. They  
13. will still get the money. But they say the amendment is needed to  
14. up-date our internal administrative procedures. That's the reason  
15. they want it. Apparently it's a matter...I would presume that it is  
16. probably a matter of computers again that has entered into this  
17. pictures, although I can't vouch for that.

18. PRESIDENT:

19. Senator Cherry.

20. SENATOR CHERRY:

21. I don't know what matter of computing when foreign insurance  
22. companies make an advance payment every month, all they have to do is  
23. put down the receipt of this money. You have to do it each month  
24. instead of every quarter. I'll tell you, Senator Groen, some of  
25. these alien or foreign insurance companies are as kinky as a  
26. three dollar bill, and I think we've had our experiences with them  
27. with no reserves, no capital, nothing to back up their reserves.  
28. And here we are giving them some advantage because of some inability  
29. to put a figure down monthly instead of quarterly. I...I can't  
30. understand the changes. Then there is another change about some  
31. annual payments. Can you explain that, please?

32. PRESIDENT:

33. Senator Groen.

1. SENATOR GROEN:

2. I'll have to check it because, Senator, I'm not that familiar  
3. with it. As I said, it was given to me this morning. Section 409  
4. is amended to exempt those insurers whose annual tax for the preceding  
5. year was less than \$5000 to make only an annual return. They are  
6. also apparently making periodic returns and they would only be  
7. required to make an annual return if the amount is less than that  
8. amount.

9. PRESIDENT:

10. Senator Cherry.

11. SENATOR CHERRY:

12. In that explanation, members of the Senate, I would oppose  
13. this bill. I'm not for watering down any obligations of  
14. foreign or alien insurance companies to make reports or pay an  
15. annual tax or pay an advance tax monthly. I think this bill should  
16. be opposed.

17. SECRETARY:

18. ...Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
19. Dougherty, Egan, Fawell, Gilbert, Graham, Groen,...

20. PRESIDENT:

21. Senator Groen.

22. SENATOR GROEN:

23. Mr. President, I don't believe we should defeat this bill on  
24. the basis or the dire predictions or the suspicions that Senator  
25. Cherry brings up. I have read to you in its entirety the letter  
26. from the Director to Mr. Hanley regarding this, why they want it.  
27. They say they feel it is necessary to up-date and bring up their  
28. internal administrative procedures in line. As I say, I could care  
29. less whether this bill passes. I know not. They say they need it.  
30. They want it. If you feel you want to trust the Department of  
31. Insurance on the word they have given through me as I read their  
32. analysis of this bill, and I read it in its entirety, then vote  
33. for it. If you don't want to give them that authority, vote

1. against it. I vote aye.

2. SECRETARY:

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

8. PRESIDENT:

9. Senator Groen.

10. SENATOR GROEN:

11. Mr. President, apparently the bill has not received 30 votes.  
12. As I indicated, I am not that intimately familiar with the bill.  
13. I don't believe that I should allow a bill that is an administration  
14. bill requested by an important department of State government to go  
15. by the boards, and I would hope that in the meantime I can talk to  
16. the Department of Insurance, perhaps, have them call on Senator Cherry  
17. personally, and hopefully satisfy him as to the honesty, the integrity  
18. of the Department, and the need for this legislation. I move to  
19. place it on postponed consideration.

20. PRESIDENT:

21. Motion to postpone consideration. All in favor signify by saying  
22. aye. Contrary minded. Motion prevails. 4458, Senator Latherow.

23. SENATOR LATHEROW:

24. Mr. President, members of the Senate, this bill has to do with  
25. the regulations on the quarantine of livestock that come under suspects  
26. due to feed additives and so on or anything that they may have eaten  
27. that cause them to have to be quarantined. Sometimes it is necessary  
28. that there be some immediate disposal of these animals rather than  
29. keep them on quarantine on the property, and it eliminates the chief  
30. veterinarian reference because that position has been abolished.

31. PRESIDENT:

32. Is there any discussion?

33. SENATOR LATHEROW:

1. It does increase the penalty for violation of this Act.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Yes, Senator Latherow, will this be a new program for the  
6. Department?

7. PRESIDENT:

8. Senator Latherow.

9. SENATOR LATHEROW:

10. Not necessarily a new program, Senator, but this is brought  
11. about because of feed additives and so on that have probably caused  
12. contamination, and also puts in some of the restrictions that makes  
13. it coincide with the feelings of the Environmental Protection  
14. Agency.

15. PRESIDENT:

16. Senator Bruce.

17. SENATOR BRUCE:

18. Well, is there any idea of what this new program is...or the  
19. changes may cost the taxpayers of the State in way of new employees  
20. or additional appropriations to the Department?

21. PRESIDENT:

22. Senator Latherow.

23. SENATOR LATHEROW:

24. No, I don't think there are any additional employees caused this this.  
25. This goes along with the regular acts of quarantine that's going along  
26. today with the Department. Now it happened not too long ago that they  
27. told me was some of the reasoning behind this that they had quarantined  
28. some livestock strictly because of a feed additive that is being taken  
29. under suspicion today and possibly may come to a point where they  
30. won't allow its usage. But they quarantine the animals on the property  
31. They don't allow them to sell them, and this gives them some leeway  
32. where they may be able to go ahead and sell them if the others aren't  
33. showing troubles.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. Mr. President, I want to support this because there is some  
5. evidence that mercury oftentimes invades the human system, and once  
6. our citizens have renal disorders most of them are fixed in the  
7. hospitals for at least ten, or fifteen, or twenty thousand dollars  
8. per capita. This is a good bill and ought to be passed by a good  
9. majority here in the Chamber today.

10. PRESIDENT:

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

12. SECRETARY:

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

21. PRESIDENT:

22. Laughlin, aye. Clarke, aye. Berning, aye. Walker, aye.  
23. Carpentier, aye. Carroll, aye. Mohr, aye. Cherry, aye. On that  
24. question the yeas are 41, the nays are none. The bill having received  
25. the constitutional majority is declared passed. 4459, Senator Latherow.

26. SENATOR LATHEROW:

27. Mr. President and members, this bill also has to do with the same  
28. chapter and it has to do with this...with the disposal of dead animals,  
29. fish, poultry, and so forth. And it tightens up some of the regulations  
30. on cooking and the time that they can keep these dead animals in the  
31. area after they have taken them in. I'd appreciate a favorable  
32. roll call.

33. PRESIDENT:



1. Is Senator Neistein.

2. SENATOR NEISTEIN:

3. Senator Latherow did you check this bill with Senator Bruce?  
4. Because this says that the act on animals is to conform to the re-  
5. quirements of the Enviornmental Protection Act but did you make sure  
6. that it complies with the Endangered Species Act?

7. PRESIDENT:

8. Senator Latherow.

9. SENATOR LATHEROW:

10. Well, Senator there is a little paragraph in here where one  
11. of these endangered species would happen to die I think they could  
12. be classified in there where you could remove the pelt because there  
13. is a portion in there that has to do with removal. I might say  
14. when Enviornmental Protection Act was mentioned I have a big question  
15. mark along the side opposite, it hazes me a little, Senator.

16. PRESIDENT:

17. Senator Bruce.

18. SENATOR BRUCE:

19. Just wanted to tell Senator Neistein that Walter had brought  
20. this bill to Senator Latherow and Senator Latherow brought it to me  
21. and Walter and I and Senator Latherow got together and drafted this  
22. and so it's your staff's bill so I'm sure you'll want to support it.

23. PRESIDENT:

24. Is a.....Senator Merritt.

25. SENATOR MERRITT:

26. I just wondered if Senator Latherow might yield to a question?  
27. As strongly as he is opposed to the Enviornmental Protection Act  
28. all these years and voted against it I just wondered how he became  
29. so inconsistent all of a sudden and wants to conform to it.

30. PRESIDENT:

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Senator Merritt your just like a few other people. I have

1. never opposed the Environmental Protection Agency. I have voted  
2. present, I have not voted for them and you and I can take this out  
3. at three o'clock some morning when you come in and I'll talk to you  
4. about the bad parts of the EPA.

5. PRESIDENT:

6. Secretary will call the roll.

7. SECRETARY:

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

11. PRESIDENT:

12. Senator Gilbert.

13. SENATOR GILBERT:

14. In explaining my aye vote, I'm going to vote for Senator  
15. Latherow on this because I think anybody that's so confused that they  
16. can't tell the difference between three o'clock and a quarter after  
17. twelve on their clock needs an aye vote.

18. SECRETARY:

19. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
20. Kosinski, Kusibab, Latherow, Laughlin,

21. PRESIDENT:

22. Senator Laughlin.

23. SENATOR LAUGHLIN:

24. Well Mr. President, members, I've looked through this, Senator  
25. Neistein, for the endangered species and I find nothing in here about  
26. members of the legislature running for re-election.

27. SECRETARY:

28. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,  
29. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,  
30. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,  
31. Vadalabene, Walker, Weaver.

32. PRESIDENT:

33. Hynes aye, Berning aye, Lyons aye, Sours aye, Laughlin aye.

1. On that question the yeas are 45. The nays are none. The bill having  
2. received the constitutional majority is declared passed. Senator  
3. Partee.

4. SENATOR PARTEE:

5. Well, Mr. President, we'll probably have time for one more bill.  
6. It's three twenty-five. I want to announce that after, not more than  
7. another bill, we're going to adjourn until tomorrow at ten o'clock.  
8. The Personal Property Task Force, for a lack of another name, will  
9. meet again in my office when we leave and there will be some other  
10. meetings between leadership and I understand that Appropriations  
11. are going to meet at nine in the morning...where, Senator Lyons,  
12. where are you going to meet?

13. PRESIDENT:

14. Senator Lyons.

15. SENATOR LYONS:

16. Yes, that's right, Mr. President and members. The Appropriations  
17. Committee will meet on the floor of the Senate at nine o'clock in the  
18. morning. While I've got the Floor I wish to inform those who wanted  
19. to ask about not my welfare but my whereabouts that I am here, alive  
20. and well and that the Committee will meet tomorrow morning, and I hope  
21. that that relieves the anxieties of some of the membership. I might also  
22. say that I hope this intelligence is transmitted to the Attorney General  
23. of the State who has also exhibited apprehension on this subject. Of  
24. course, I will say he has a great deal to be apprehensive about these  
25. days but I want to add that the Committee will meet at nine o'clock  
26. tomorrow morning.

27. PRESIDENT:

28. 4...Senator Partee, I'm sorry.

29. SENATOR PARTEE:

30. The members might like to know why some things are moving at this  
31. pace. There were 12 rather significant bills relating to Appropriations  
32. or some major branches of government which I'm given to understand  
33. will be coming over today. We've been waiting for them.

1. It occurs to me that we can if we keep going from this point for-  
2. ward finalize this Session by the end of this week. When I say  
3. the end of the week, I mean possibly Friday or Saturday. Now this  
4. will mean of course that there will have to be some bills agreed to  
5. just as we have done in the final days before and there will have to  
6. be perhaps one or two night sessions. I think we can get out of here  
7. the end of the week if we can get going right ahead. Now we're quitting  
8. today because of these other meetings which are very vital to being  
9. able to get out during the end of the week.

10. PRESIDENT:

11. I might add that today, not counting this next bill that we're  
12. going to be taking up, have disposed of 31 bills, all of them without  
13. any undue haste. I think we've handled them reasonably well and the  
14. Senators have really stuck to their knitting today and the Chair  
15. personally appreciates it. 4461, Senator Neistein. Oh, Senator Clarke,  
16. excuse me.

17. SENATOR CLARKE:

18. Can I just ask, if the Appropriation Committee is going to meet  
19. at nine o'clock, what time are we going into session tomorrow?

20. PRESIDENT:

21. Ten o'clock, I'm advised.

22. SENATOR CLARKE:

23. Well I just wanted to comment that nobody was particularly  
24. concerned of the whereabouts of our good Appropriation Chairman  
25. east of all the Attorney General, but we do have 40 bills in that  
26. Committee and I'm getting itchy and ready to make a motion again to  
27. discharge that Committee of all bills and put them on the Floor where  
28. we can all hear them.

29. PRESIDENT:

30. Senator Partee.

31. SENATOR PARTEE:

32. Senator Clarke, we had considered the fact that there will be  
33. a large number of bills and I think they should fall into two

1. classifications. One classification is a rather limited one because  
2. there are not as many bills that we planned to amend as there are  
3. those that we do not plan to amend. Those we do not plan to amend  
4. it would not make any sense to run them through the Committee. We'll  
5. discharge committee of them and put them on the Calendar. Those we  
6. plan to amend we'll run through the Appropriations Committee so that  
7. will cut down the time and suppose we come to the Floor at ten thirty  
8. rather than ten. Then there won't be any problem about rushing  
9. Appropriations. So we'll come in at ten thirty.

10. PRESIDENT:

11. 4461, Senator Neistein.

12. SENATOR NEISTEIN:

13. First I'd like to apologize to Senator Soper and Senator  
14. Bidwill because I gave them the wrong information. I said we're  
15. adjourning for the day right now and there's one more bill left  
16. which is mine. This is an amendment to the implied consent law  
17. and it's an effort to clear up some of the misunderstanding that existed.  
18. It requires two breath analysis to be taken not less than 15 minutes  
19. apart. I think there's agreement on all sides on this bill. Senator  
20. Laughlin and his aide, Cardis, and our staff, I think they've all  
21. agreed, Rich Mathias, the Citizens' Traffic Safety of Governor  
22. Ogilvie and this is the bill.

23. PRESIDENT:

24. Is...Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Well, I'm not handling the bill I just want to confirm what  
27. Senator Neistein has said. We passed this. There was some difficulties  
28. in technical language or the question of whether the test should be not  
29. less or not more than 15 minutes apart and it is true that the  
30. Governor's Safety Department or whatever it is, Committee, wants, the  
31. administration wants it, it makes the act workable. It takes some of  
32. the bugs out as a result of those long meetings which resulted in the  
33. passage of a Conference Committee bill last year and I'd urge you to  
vote for it.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. Mr. President and Senators, I was wondering if Senator Neistein  
5. could tell us what category this is in?

6. PRESIDENT:

7. Senator Neistein.

8. SENATOR NEISTEIN:

9. Senator Sours, I'll give you the category. Senator Laughlin  
10. asked me 20 times if he asked me once, are you going to push this  
11. bill. The Governor's office contacted me just as many times, and  
12. I said it doesn't fall in any category. So the category that you  
13. would say this bill is in is in the administration category. You  
14. do with it what you see fit.

15. PRESIDENT:

16. Senator Romano. Excuse me, Senator Sours.

17. SENATOR SOURS:

18. I hadn't quite finished. There's the apocryphal comment about  
19. the town drunk who met the Methodist minister on the street who said,  
20. 'Drunk again, Joe'. Old Joe looked up and said, 'So am I, Reverend'.

21. PRESIDENT:

22. Senator Romano.

23. SENATOR ROMANO:

24. I have a question. Senator Neistein, are they going to use the  
25. old breathalizers or the new ones.

26. PRESIDENT:

27. Senator Neistein.

28. SENATOR NEISTEIN:

29. Senator Romano, we never had any old ones but I understand we're  
30. going to have a beautiful new one that gives an automatic print out  
31. untouched by human hands and unmanipulated. And I'm sure...excuse  
32. me, Senator Berning...unmanipulated, and I understand that this is the  
33. latest technique in print outs on breathalizers.

1. PRESIDENT:

2. Senator Romano.

3. SENATOR ROMANO:

4. The reason I ask that question, I had a bulletin from...I think  
5. it was the Department of Insurance, that they made some studies  
6. at the University of South or North Dakota that held that the breathalizer  
7. test was not a good test unless they used the latest equipment. And  
8. I was wondering what equipment the state was going to use on this.

9. PRESIDENT:

10. Senator Neistein.

11. SENATOR NEISTEIN:

12. Senator Romano, you are so correct. Contrary to what the public  
13. thinks, those breathalizers aren't accurate, and this University that  
14. made the test, I made a careful study of that report also. And they said  
15. that it's not accurate; it's not proper. However, you can vote for  
16. this bill because, Senator Bruce, my staff which is the most sophisticated  
17. staff can wrap yours up any day, said that this is a good bill. Is  
18. that right, Walter?

19. PRESIDENT:

20. Senator Romano.

21. SENATOR ROMANO:

22. One more question. There will be two tests given in 15 minutes,  
23. am I right?

24. PRESIDENT:

25. Senator Neistein.

26. SENATOR NEISTEIN:

27. Not less than 15 minutes apart.

28. PRESIDENT:

29. Senator Romano.

30. SENATOR ROMANO:

31. Assuming that the first test was lower or higher than the second  
32. one, do we have a preference which reading will be used?

33. PRESIDENT:

1. Senator Neistein.

2. SENATOR NEISTEIN:

3. Senator Romano, those questions will all be answered by Rich  
4. Mathias of the Governor's staff. All you have to do is contact  
5. them.

6. PRESIDENT:

7. Senator Groen.

8. SENATOR GROEN:

9. Well, Mr. President and members, if I ever saw an amendment to  
10. a good act that's a lawyer's dream, this is it. All this section  
11. requiring two tests within...not less than 15 minutes apart, is  
12. going to do is cause the appeal of every conviction that comes  
13. under this act. I think this is a bad amendment, and I think it  
14. ought to be defeated.

15. PRESIDENT:

16. Senator Laughlin.

17. SENATOR LAUGHLIN.

18. Mr. President, members of the Senate, I beg to disagree with  
19. Senator Groen. Now this is the way the bill was passed. It said not  
20. more than 15 minutes apart, so that the two tests were in from the  
21. beginning. Now ultimately some day I would hope that personally and  
22. individually that...

23. PRESIDENT:

24. Just...just a moment Senator Laughlin. Please...please...we have  
25. a little more business to take care of here. Let's keep the noise  
26. to a minimum. Proceed, Senator.

27. SENATOR LAUGHLIN:

28. Someday I hope that there is only one test, but you'll recall  
29. this legislation was drawn by a conference committee and there were  
30. at least seven drafts drawn, and what was intended was that the two  
31. tests be in here. That's one of the reasons the bill passed last  
32. year, but instead of being not more than 15 minutes apart, it said  
33. not less than 15 minutes apart. Now I had nothing to do with



1. drawing these amendments. I do know, however, from the Governor's  
2. Traffic Safety and from the...I think it's the Chief's of Police,  
3. there's an amendment in here it limits how far you have to take  
4. somebody if he wants another test. You take him within the county.  
5. And there were objections after the bill was passed as to these  
6. matters. I think this does, in fact, make the law which we passed  
7. more workable, and I urge people to vote for it rather than against  
8. it. Now if I had my druthers, the implied consent bill which passed  
9. the Senate at least 3 times in 2 years would have been the one I'd  
10. like to have had. But in the matters of government and legislative  
11. matters, you know you don't get what you want, necessarily, and we  
12. took the best we could get and I don't think it's all that bad.  
13. So I ask you please to vote for this bill.

14. PRESIDENT:

15. Secretary will call the roll.

16. SECRETARY:

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

20. PRESIDENT:

21. Senator Groen.

22. SENATOR GROEN:

23. I was not aware that the umpteenth draft of that conference  
24. committee resulted in two tests. I would agree with Senator Laughlin.  
25. I think that's a terrible mistake, and therein, perhaps, really lies  
26. the defect in the whole thing that is going to result in an appeal  
27. from almost everyone. I would also agree that the wording as  
28. Senator Laughlin has read it does improve what is now a questionable  
29. portion of that act. I think it is an improvement. I retract what  
30. I said and I vote aye.

31. SECRETARY:

32. ...Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
33. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,

1. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
2. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith,
3. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.
4. PRESIDENT:

5. Lyons, aye. On that question the yeas are 46; the nays are none.
6. The bill having received the constitutional majority is declared
7. passed. Tomorrow we will begin at 4479 on the second priority bills.
8. We do have some motions here and some resolutions. The...Senator
9. Mohr is recognized. Senate Bill 1363 on the Secretary's desk.
10. SENATOR MOHR:

11. Yes, Mr. President. Senate Bill 1363 came back from the House
12. and I would move that we would concur on the House amendment. This
13. is a senior citizen tax bill, and it's the same as the one that we
14. passed out here this morning. They're all going to conform...the
15. four bills that we spoke of this morning. Senator Lyons' bill, my
16. bill, Representative Hyde and Representative Mann's bill.

17. PRESIDENT:

18. It is amended to conform with the other bills, is that correct?

19. SENATOR MOHR:

20. That is correct sir, yes.

21. PRESIDENT:

22. Motion is to concur in the House amendment on Senate Bill 1363.
23. Is there any discussion? Secretary will call the roll.

24. SECRETARY:

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

33. PRESIDENT:

1. Weaver aye. Sours aye. Hynes aye. On that question, the  
2. yeas are 44. The nays are none. The Senate concurs in the  
3. House amendment. Senator Walker is recognized for a motion.

4. SENATOR WALKER:

5. Thank you, Mr. President. Regards to House Bill 3619 which  
6. came over here on a message from the House this morning, the  
7. House sponsor moved to nonconcur in the Senate amendments because  
8. of three minor spelling and technical amendments. I would like  
9. to move that the Senate refuse to recede and request a conference  
10. committee be appointed. The bill was the one...it was a recapture  
11. bill giving subdividers a chance to get their money back from  
12. people who were not in the subdivision at the time the improvements  
13. were put in.

14. PRESIDENT:

15. The motion is that the Senate refuse to recede from its  
16. amendment and request a conference committee. Is there any dis-  
17. cussion? All in favor signify by saying aye. Contrary minded.  
18. Motion prevails. Senator Gilbert is recognized for...oh, excuse  
19. me, Senator Walker.

20. SENATOR WALKER:

21. Thank you, Mr. President, members of the Senate. Checked  
22. over that Appropriations list for tomorrow and I find there's some  
23. 37 bills on there. I would like to...I have checked with the  
24. leadership on both sides and I would now like to move to discharge  
25. the Appropriations Committee from House Bill 4488 and have it placed  
26. on the Order of Second Reading. It appropriates the money for a  
27. bridge in Burnham, Illinois.

28. PRESIDENT:

29. Is there any discussion? Senator Dougherty.

30. SENATOR DOUGHERTY:

31. Mr. President, I join in that request. The district...the  
32. bridge is in my district.

33. PRESIDENT:

1. Is there objection? Leave is granted. Senator Gilbert...oh,  
2. excuse me, Senator Walker, you have another motion yet?

3. SENATOR WALKER:

4. The bridge is now in my district. It'll be in Danny Dougherty's  
5. district after January 1, '73.

6. PRESIDENT:

7. All right. Senator Mohr, you had a...

8. SENATOR MOHR:

9. Yes, Mr. President, I'd like to change the Senate sponsorship  
10. of House Bill 4384 from myself to Senator Baltz.

11. PRESIDENT:

12. 4384, Senator Baltz will be shown as the sponsor. Senator  
13. Gilbert is recognized.

14. SENATOR GILBERT:

15. I would like to move that we concur in the conference committee  
16. report on House Bill 2622. The conference committee was required  
17. because when we amended the bill here, the question arose about  
18. taking out airports from the authority of the Kaskaskia Port  
19. District. This bill gave to the Kaskaskia Port District the same  
20. authority as the other port districts throughout the state but  
21. had in it a provision for airports as they do, because of the proposed  
22. Greater Metropolitan St. Louis airport being possibly built on  
23. the east side of the river in Illinois which would be wholly within  
24. this port district, it was the feeling that we should not give  
25. them authority to do this in relation to airports. In making the  
26. amendment here, we failed in a few lines later on in the bill to  
27. strike the word "airport." Therefore, a conference committee  
28. was required to correct this error in our amendment. In the mean-  
29. time, it developed that there was a proposal by a power company in  
30. Missouri to ask the port authority to operate a railroad some  
31. four or five miles within the district to the canal itself or to  
32. operate a conveyor belt directly from the coal mine to the canal  
33. for the purpose of carrying coal to the canal to be transported

1. across the river to Missouri. By this operation the airport authority...  
2. I mean the port authority...is guaranteed \$50,000 a year for this  
3. operation profit. This will mean that in the future the Kaskaskia  
4. Port Authority will not have to come to the State of Illinois to  
5. seek funds for their operation as most of the port authorities do  
6. and this has the approval of the Illinois Commerce Commission,  
7. Senator Dougherty who knows of this and is interested has checked  
8. into it, Senator Vadalabene and Senator Hall were on the conference  
9. committee. And I recommend that we accept the conference committee  
10. report.

11. PRESIDENT:

12. Motion by Senator Gilbert to accept the conference committee  
13. report. Senator Sours...no, oh. Is there any discussion? Senator  
14. Dougherty.

15. SENATOR DOUGHERTY:

16. No, I just merely want to make a motion when Senator Sours'  
17. finishes.

18. PRESIDENT:

19. All right. Secretary will call the roll. It's on the con-  
20. ference committee report on House Bill 2622.

21. SECRETARY:

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

30. PRESIDENT:

31. Kosinski aye. Rock aye. Lyons aye. Johns aye. Nihill aye.  
32. Sours aye. On that question, the yeas are 37. The nays are none.  
33. The Senate concurs in the conference committee report. Senator

1. Horsley.

2. SENATOR HORSLEY:

3. Mr. President, I've talked to Senator Partee and Senator Clarke  
4. both about this matter and have their consent. I would like to  
5. move to discharge the Rules Committee with regard to House Bill  
6. 1569 and that it be placed on the Order of First Reading and read  
7. a first time and advanced and I'll hold the bill until I get a  
8. go sign from both sides.

9. PRESIDENT:

10. Is there any objection? Leave is granted. House Bill 1569  
11. will be read a first time and advanced to Second Reading. Senator  
12. Sours.

13. SENATOR SOURS:

14. Mr. President, Senators, on the Appropriations agenda for  
15. tomorrow there is House Bill 4373. I have discussed the matter  
16. of placing it on Second Reading by discharging committee with  
17. the chairman of the Appropriations Committee and Pro Tem. Very  
18. briefly, it appropriates \$30,000 to find the middle of the Illinois  
19. River in Peoria Lake because it is becoming quite important inasmuch  
20. as no one knows where Tazewell County ends and Peoria County begins.  
21. I'd like to have it moved and I'd like to have it placed on Second  
22. Reading by discharging the committee.

23. PRESIDENT:

24. Is there objection? Leave is granted. Senator Dougherty.

25. SENATOR DOUGHERTY:

26. I would...Mr. President and members of the Senate...I would  
27. like to move to discharge House Bill 4302 from the Committee on  
28. Elections. They have no more meetings. It's the vacancy bill.

29. PRESIDENT:

30. Is there objection? Leave is granted. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President. House Bill 4678, I picked up today  
33. and having talked to the chairman of the Appropriations Committee,

1. the Pro Tem and the leadership on this side, there is agreement  
2. that this bill should be advanced to Second Reading without  
3. reference and I would beg leave of the Body that this be done.

4. PRESIDENT:

5. Is there objection? Leave is granted. Are there further  
6. motions or announcements? We have some Resolutions. Looks like  
7. we have one message from the House. We have two House bills that  
8. can be read a first time. 4133, Representative McClain. Senator  
9. Knuppel is the Senate sponsor. 4668, Senator Fawell is the sponsor.  
10. They have now been read a first time and will go to the Committee  
11. on Assignment of Bills. Message from the House. We have some  
12. Resolutions.

13. SECRETARY:

14. Senate Resolution 381, introduced by Senators Smith, Partee,  
15. Carroll, Baltz as memorializing Congress.

16. PRESIDENT:

17. Senator Smith.

18. SENATOR SMITH:

19. Mr. President and members of the Senate, the gist of this  
20. Resolution is and...

21. PRESIDENT:

22. Just a moment. Senator Smith is entitled to be heard. Just...  
23. if we can have your attention for just a few more minutes, we'll  
24. be out of here. Senators Course and Romano, Senators Cherry et al.  
25. Senator Lyons. Please, gentlemen, all right. Senator Smith.

26. SENATOR SMITH:

27. Mr. President and members of the Senate, you will recall that  
28. a few days ago we had before us the annual appropriation for the  
29. Department of Public Aid. The gist of this resolution is that we  
30. respectfully request the Congress of the United States to take  
31. appropriate action to provide for the assumption by the federal  
32. government of the entire cost of public aid throughout the nation  
33. and blah, blah, blah, blah. Mr. President, I move for the suspension

1. of the rules for the immediate consideration of this Resolution.

2. PRESIDENT:

3. The second part of that explanation was most convincing.

4. Senator Baltz.

5. SENATOR BALTZ:

6. I most heartedly rise to support the entire resolution including  
7. the blah, blah, blah because we've been trying to get this job done  
8. for a long time and I was happy to join Senator Smith as I'm sure  
9. Senator Carroll was or would be if he were on the Floor. And I  
10. would certainly hope that the Body would immediately adopt this  
11. Resolution.

12. PRESIDENT:

13. All in favor of the adoption of this Resolution indicate by  
14. saying aye. Contrary minded. The Resolution is adopted.

15. SECRETARY:

16. Senate Resolution...

17. PRESIDENT:

18. Just a moment. Senator Smith.

19. SENATOR SMITH:

20. Request. I should like that the Resolution include the names  
21. of all members that desire.

22. PRESIDENT:

23. Any members who wish to have their names added please indicate  
24. so to the Secretary. Bring your name down to the Secretary or  
25. somebody down here. All members want to be shown as co-sponsoring.  
26. All right. Further resolutions.

27. SECRETARY:

28. Senate Resolution 382, introduced by Senators Knuppel and  
29. Latherow and it's a death resolution.

30. PRESIDENT:

31. Will the Senators be in their seats. Senator Knuppel. Just a...  
32. Senator Latherow.

33. SENATOR LATHEROW:



1. I think we have some other business, don't we, before that?  
2. I brought down awhile ago a conference committee report.

3. PRESIDENT:

4. Well, the Chair is not...I'm sorry, it apparently hadn't been  
5. noticed. Conference committee report. Senator Latherow, this...

6. SENATOR LATHEROW:

7. Mr. President, members of the Senate, this conference committee  
8. report has to do with the salaries of the coroner. Remember we  
9. spent considerable time trying to get that amended here for a  
10. per diem, per capita and so forth and it went over to the House  
11. and they refused to concur in our amendment. So the conference  
12. committee report was brought together in trying to put these people  
13. all on salary again. Now this affects only those counties below  
14. a million in population and I will redo if you want the salaries  
15. that were set in each one of these. In counties of less than  
16. 5,000 inhabitants, the salaries are set at not less than 1,000  
17. or more than 3,000 annually. In counties of 5 to 14,000, \$1800  
18. minimum and \$10,000 maximum. 14,000 to no more than 30,000, the  
19. salary was set at 2500 minimum and 12,000 maximum. In those  
20. counties between 30 and 60,000, it was set at 5,000 minimum and  
21. 15,000 maximum. In those counties from 60,000 to 300,000, it was  
22. set at 10,000 minimum and 19,500 maximum. And in those counties  
23. that are over 300,000 and less than 1,000,000, the minimum salary  
24. was 14,000 and the maximum salary was 21,000. And I move the  
25. adoption of the conference committee report.

26. PRESIDENT:

27. Senator Knuepfer.

28. SENATOR KNUEPFER:

29. I'm sorry, Senator Latherow. These things are somewhat more  
30. complicated than an amendment. An amendment I can at least read  
31. and we'll never see this I take it until it's past. Can you simply  
32. tell me how these minimum and maximums relate to the present sta-  
33. tutes. How much are they up or down?

1. PRESIDENT:

2. Senator Latherow.

3. SENATOR LATHEROW:

4. In those...Senator Knuepfer...those below the 60 thousand  
5. dollar bracket or 60 thousand population bracket the minimums were  
6. lesser and the maximums were lesser. Now in those we set the maxi-  
7. mums exactly the same but I think the minimum if I remember correctly  
8. is just a little below of what it was in the other. Now in the  
9. 300 hundred thousand over, I don't have those figures with me but  
10. I think they're identical to what they are in the other legislation  
11. to the other county officials similar to the way the bill is as the  
12. law is presently.

13. PRESIDENT:

14. Senator Knuepfer.

15. SENATOR KNUEPFER:

16. This then, if I can put it in my own words, this is approximately  
17. the salary ranges as expressed by the Conference Committee Report  
18. will be somewhere in the same range that they presently exist?

19. PRESIDENT:

20. Senator Latherow.

21. SENATOR LATHEROW:

22. In...in the major counties, yes, they'll be somewhat exactly  
23. the same of what they exist presently. At least the maximum I do  
24. recall is the same in the last two divisions.

25. PRESIDENT:

26. Senator Davidson.

27. SENATOR DAVIDSON:

28. Senator Latherow, in the counties of 60 thousand and other before,  
29. weren't they on a fee basis?

30. PRESIDENT:

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Not not under the new Constitution, Senator. That was outlawed you

1. know under the new Constitution. Yes, cut under the same salary  
2. basis as all other county officials and a...in all the counties.  
3. And this was the reason for this legislation and those small counties  
4. that certainly couldn't afford to pay as these coroners a full  
5. salary and those counties the coroner wasn't a full time position  
6. is the reason for this legislation.

7. PRESIDING OFFICER: (SENATOR VADALABENE)

8. Senator Davidson.

9. SENATOR DAVIDSON:

10. In the very small counties there now set at a minimum of five  
11. thousand, aren't they?

12. PRESIDING OFFICER: (SENATOR VADALABENE)

13. Senator Latherow.

14. SENATOR LATHEROW:

15. No, in those counties under five thousand the minimum is one  
16. thousand dollars per year and the maximum is three thousand. We  
17. have broken the population down.

18. PRESIDING OFFICER: (SENATOR VADALABENE)

19. Are there any other questions the clerk...motion is that on  
20. the adoption of the Conference Committee's report. The Clerk will  
21. call the roll.

22. SECRETARY:

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

31. PRESIDING OFFICER: (SENATOR VADALABENE)

32. On this question the vote, the yeas are 41, the nays are nothing.  
33. The report of the Conference Committee is adopted.

1. Senator Fawell.  
2. SENATOR FAWELL:  
3. Yes, Mr. President I have talked to Senator Lyons and in  
4. reference to House Bill 4668 which is the 100 thousand dollar  
5. appropriation that pertains to House Bill 4422 which is on Third  
6. Reading and has been previously considered by the Appropriations  
7. Committee. He has given his consent to have the matter, the bill  
8. advanced to the Order of Second Reading without reference to  
9. Committee and then I could call the two bills at one and the same  
10. time and they could go up or down together, I would make that motion.  
11. PRESIDING OFFICER: (SENATOR VADALABENE)  
12. Senator Fawell moves to discharge the Committee on Appropriations.  
13. Is there any question on that motion? Hearing none, leave is granted.  
14. PRESIDENT:  
15. Senator Bruce.  
16. SENATOR BRUCE:  
17. Yes, Mr. President, I should have been shown as sponsor of two  
18. House Bills that came over today. House Bill 4674 and 75, those  
19. are the State Comptroller Act Bills. They have been assigned to  
20. the Executive Committee. I have spoken with the Chairman, That  
21. Committee will not be meeting. I have spoken with Senator Partee  
22. and Senator Clarke, I now move to discharge the Executive Committee  
23. from further consideration of House Bill 4674 and 4675.  
24. PRESIDENT:  
25. Is there objection? Leave is granted. Is there further business  
26. to come before the Senate before we have the Death Resolutions?  
27. Will Senator s, Senator Clarke..  
28. SENATOR CLARKE:  
29. Did we read the bills that are on the message from the House?  
30. PRESIDENT:  
31. We did, yes. Senator Berning.  
32. SENATOR BERNING:  
33. I'm sorry Mr. President but looking at this the items House

1. Bills First Reading I notice House Bill 4408 and I think it was  
2. not picked up. It was, oh?

3. PRESIDENT:

4. Will the Senators...Senator Bidwill.

5. SENATOR BIDWILL:

6. Mr. President, I'd like to announce a Republican caucus  
7. tomorrow at 9:30. 9:30, a Republican caucus, same place, Senator.  
8. Same place.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. The two bills I mentioned should be placed on the Order of  
13. Second Reading. I don't whether I made that clear.

14. PRESIDENT:

15. Senators be in their seats. The Death Resolution. Will  
16. the Secretary read the Resolution? Just a moment. This is a Death  
17. Resolution for one of our colleagues over in the House. I think the  
18. Senators ought to be in their seats and those not entitled to the  
19. floor, please leave the floor.

20. SECRETARY:

21. WHEREAS THE Senate of this 77th General Assembly was shocked  
22. and saddened by the sudden and untimely death of our close friend  
23. and highly respected colleague the Honorable Elmo "Mac" McClain, dis-  
24. tinguished Representative from the 50th District, Quincy, Illinois.  
25. And WHEREAS Representative McClain was born August the fourth, 1917,  
26. graduated from Quincy Academy and Quincy College; receiving a Master's  
27. degree in education from Western Illinois University. And WHEREAS  
28. he had been a teacher of government and basketball coach in Illinois  
29. High Schools for over twenty years and provided the benefits of such  
30. experience to the House Committees on elementary and secondary educa-  
31. tion and higher education of which he was a member. And WHEREAS Mac  
32. McClain answered the call to duty by serving thirty months in North  
33. Africa, Sicily and Italy during World War I, and answered the call

1. social responsibility by serving as Boy Scout Counselor, Little  
2. League Supervisor and member of the Knights of Columbus, Parent-  
3. Teachers Association and Quincy Junior Alumni and WHEREAS he was  
4. serving his fourth term in the House where he sponsored many  
5. educational bills for the improvement of the Illinois School  
6. System at all levels while retaining the interest of citizens  
7. of this State foremost in mind, WHEREAS he leaves a proud heritage  
8. to mourn his passing in the presence of his wife Margaret, 8 won-  
9. derful children and he will be sorely missed by his many friends  
10. and constituents, therefore be it resolved by the Senate of the  
11. 77th General Assembly, State of Illinois, that we express our  
12. deeply felt loss upon the unexpected death of the Honorable Elmo  
13. McClain our good friend and close associate in the House of Re-  
14. presentatives; that we extend our heartfelt sympathy to the members  
15. of his bereaved family and a suitable copy of this preamble and  
16. resolution be presented to his widow, Mrs. Margaret McClain.

17. PRESIDENT:

18. All Senators will be shown as sponsors. All in favor of the  
19. adoption of the Resolution please rise. The Resolution is adopted.  
20. The Senate stands adjourned until 10:30 tomorrow morning.

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