

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

June 26, 1972

1. SENATOR PARTEE: (PRESIDING OFFICER)

2. The Senate will come to order. The Prayer will be the  
3. Reverend Rudolph Schultz, Pastor of the Union Baptist Church  
4. of Springfield.

5. (PRAYER)

6. SENATOR PARTEE: (PRESIDING OFFICER)

7. Reading of the Journal. Senator Gilbert moves that the read-  
8. ing of the Journal be dispended with. All in favor. Ayes; aye have  
9. it. Message from the House.

10. SECRETARY:

11. Message from the House, Mr. Selcke, Clerk. Mr. President, I'm  
12. directed to inform the Senate that the House of Representatives  
13. have passed bills of the following titles and the passage of which  
14. I am instructed as the concurrence of the Senate to wit. House  
15. Bill 3794 and 4285.

16. SENATOR PARTEE: (PRESIDING OFFICER)

17. Messages from the House.

18. SECRETARY:

19. Some messages from the House on Senate Bills on House amendment  
20. to Senate Bills. And, these are the bills is 691, 1320, 1323, 1327,  
21. 1328, 1329, 1330, 1355, 1356, 1359, 1439, 1485, 1560, 1562, 1581,  
22. 1597.

23. SENATOR PARTEE: (PRESIDING OFFICER)

24. Senator Clarke.

25. SENATOR CLARKE:

26. On these amendments to Senate Bills that are coming back. I  
27. think as we talked about last week along with Conference Committee  
28. Reports and Concurrences we'd like to have an opportunity to look  
29. at them. We've gotten a copy of these and I appreciate it but I  
30. think this is the orderly way to do it in these final days so  
31. that we all know both sides know exactly what we're voting on when  
32. we do get the votes on these matters.

33. SENATOR PARTEE: (PRESIDING OFFICER)

1. That's the way it's going to be handled, Senator.

2. SECRETARY:

3. Now, we have a message from the House on passage of House  
4. Joint Resolutions. This is House Joint Resolution 119. In rela-  
5. tions to the Investigating Commission of the Legislative Investi-  
6. gating Commission checking into the...

7. SENATOR PARTEE:

8. Senator Rock. Senator Rock, may I have your attention? On  
9. this House Joint Resolution 119, the House has adopted the Resolu-  
10. tion. Senator Rock.

11. SENATOR ROCK:

12. Yes, House Joint Resolution 119 just passed the House Friday.  
13. Representative Sevcik, who is the Co-Chairman of the Legislative  
14. Investigating Commission just left here two minutes ago. This calls  
15. for or mandates an investigation of the securities certain irregular-  
16. ities within the securities industry. What has happened briefly  
17. is that when our investigation concerning credit cards was in pro-  
18. gress some of the people who were dealing in stolen and forged  
19. credit cards also dealt in forged and stolen securities. Rather  
20. than let the investigation drop, we have been for the last couple  
21. of months co-operating with the Federal Bureau of Investigation,  
22. the Canadian authorities and certain other law enforcement people  
23. concerning stolen securities used as collateral. We are asking  
24. authority from the General Assembly to pursue this investigation  
25. and hopefully it won't take but a few more months. We have some  
26. excellent sources of information. The FBI has been alerted, they  
27. are working with us. But as you know, under the Statute we are  
28. not authorized specifically to deal in any specific investigation  
29. without authority of the General Assembly. There should not,  
30. Mr. President, be any controversy with this...

31. SENATOR PARTEE: (PRESIDING OFFICER)

32. I assume then Senator Rock you're moving that the rules  
33. be suspended for the immediate consideration and adoption of this

1. Resolution?

2. SENATOR ROCK:

3. I am, Sir, yes, Sir.

4. PRESIDING OFFICER: (SENATOR PARTEE)

5. All in favor? Opposed? The Resolution is adopted.

6. SECRETARY:

7. House Joint Resolution 141 relative to the Commission Investigating various police associations in the State.

8. PRESIDING OFFICER: (SENATOR PARTEE)

10. Hold that. Motion to hold it. Executive.

11. SECRETARY:

12. On House Joint Resolution 143 which is relative to the Dram Shop Act.

14. PRESIDING OFFICER: (SENATOR PARTEE)

15. Executive.

16. SECRETARY:

17. Message from the House on House Bill 4427 and the House refuses to concur with Senate amendment and this is Senator McCarthy's bill.

20. PRESIDING OFFICER: (SENATOR PARTEE)

21. Senator McCarthy. Senator McCarthy, may we have your attention?

22. SENATOR MCCARTHY:

23. I move that, let's see, that we not recede in the Conference Committee they appointed.

25. PRESIDING OFFICER: (SENATOR PARTEE)

26. Conference Committee will be reported as indicated. A, Senator could you explain the posture of the bill now with the amendment and the reasons for your desire not to recede...

29. SENATOR MCCARTHY:

30. Yes, the bill is the American Medical Association exemption to the Usury Act and when it came over here to the Senate we put a six year limitation on it. Sent it back to the House, the House then refused to concur on that amendment and now it's over here. And I got, one of the reasons Mr. President why I'm doing the action that

1. I am is that I have received several phone calls from members of  
2. the House who want me to not recede from the amendment. They thing  
3. the Conference Committee is the proper way and I see nothing wrong  
4. with it.

5. PRESIDING OFFICER: (SENATOR PARTEE)

6. Senator McCarthy moves that the Senate refuse to recede from  
7. the Senate Amendment. All in favor. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. As I understand it, Senator McCarthy, the issue is whether we  
10. should put the limitation, a time limitation on this or leave it  
11. open ended as it is presently. Is that...am I addressing myself  
12. properly to what you said?

13. PRESIDING OFFICER: (SENATOR PARTEE)

14. Senator McCarthy.

15. SENATOR MCCARTHY:

16. You're real close, Jack. Real close. The question is shall we  
17. have a limitation of January 1, of 1978 on this or whether there should  
18. be no limitation but where you missed a little bit was when you said  
19. as we have it presently. The present law is that the exemption ex-  
20. pired January 1, 1972.

21. PRESIDING OFFICER: (SENATOR PARTEE)

22. All in favor of Senator McCarthy's...Senator Horlsey. Pardon  
23. me, Senator Sours, please.

24. SENATOR SOURS:

25. I was called out just a minute ago, Mr. President. This is a  
26. bill that I supported originally. Can someone tell me what the  
27. House did to it? Whether the House improved it or otherwise?

28. PRESIDING OFFICER: (SENATOR PARTEE)

29. I take it by the motion the Senator feels that it was not im-  
30. proved. Senator McCarthy.

31. SENATOR MCCARTHY:

32. You said it Mr President, and correctly. Senator, what they did.  
33. I'll repeat it once more they have refused to concur in an Senate  
amendment which as an expiration date of January 1, 1978.

1. PRESIDING OFFICER: (SENATOR PARTEE)

2. Now, all in favor of Senator McCarthy's motion that the Senate  
3. do not recede. Aye. Opposed. The motion carries. Conference  
4. committee. Just an announcement, they are recording our Session  
5. this morning by electronics, the media. House Bills on 2nd Reading.  
6. 1668, Senator Mohr, 69, Senator Mohr...71...2215, Senator Berning.  
7. 2215, Senator Berning. Any Committee amendments? Any Committee  
8. amendments?

9. SECRETARY:

10. Second Reading of the bill, no Committee amendments.

11. PRESIDING OFFICER: (SENATOR PARTEE)

12. Any amendments from the Floor? Third reading. 3785, Senator  
13. Bruce. I know he wants that moved, he indicated to me that he did.

14. SECRETARY:

15. Second Reading of the bill, no Committee amendments.

16. PRESIDING OFFICER: (SENATOR PARTEE)

17. Any amendments from the Floor? Third reading. 4102, Senator  
18. Horsley.

19. SECRETARY:

20. Second reading of the bill, one Committee amendment from  
21. Appropriations. Three Floor amendments offered by Senator Horsley.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Will Senator Horsley speak to the Floor amendments?

24. SENATOR HORSLEY:

25. Mr. President, could I ask the Secretary to tell us now just  
26. where we stand on this bill? There's been one amendment adopted,  
27. is that correct? And that was on the Medipac. So now I offer  
28. Amendment No. 2 and Amendment No. 2 is merely to clear up the  
29. language with regard to the TB sanitarium in Chicago of...that has  
30. not got a legal name...of the Department of Public Health Hospital  
31. and Clinics. And so we give it the correct name and that amendment  
32. is merely to clear up that language so I offer Amendment No. 2.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. SENATOR DOUGHERTY:

2. I'd like a little clarification to that merely language, I've  
3. heard that before. What does it do, Senator?

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Senator Horsley.

6. SENATOR HORSLEY:

7. Told you all it does is change the name to its correct legal  
8. name of the Public Health Hospital and Clinics also known as the  
9. Chicago State Tuberculosis Sanitarium and it's for a \$175,000 for  
10. air-conditioning that unit and that's all it does. I move for  
11. the adoption of that amendment.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Any further discussion? All in favor. Senator Hynes.

14. SENATOR HYNES:

15. This is amendment number two we're on right now? Okay.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. If this no longer being used for a hospital purposes what's  
20. the necessity for a \$175,000 for air-conditioning?

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Senator Horsley.

23. SENATOR HORSLEY:

24. It is being used for hospital purposes. And if you look at  
25. the bill itself, sir, you'll find the monies are allocated here  
26. to that institution and you'll find personal services a million  
27. five hundred and sixty two thousand dollars and on down the list  
28. so that it is being operated.

29. PRESIDING OFFICER:

30. Senator Dougherty.

31. SENATOR DOUGHERTY:

32. I'll take a look at it at final passage.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. All those in favor of the adoption of the amendment, say  
2. aye. All those opposed, the amendment is adopted. Senator Horsley.

3. SENATOR HORSLEY:

4. Now, I'm no sure of our numbering here but the next amendment  
5. in the package is the one that deals with three million and one  
6. million, three-two-three so that would be No. 3..

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. That would be Amendment No. 3..

9. SENATOR HORSLEY:

10. Now, this is not a merely an amendment Senator. This is  
11. one that will be controversial and you want that one also...

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Any further discussion...

14. SENATOR HORSLEY:

15. Now, yes I want to explain this amendment...

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Okay. I'm sorry sir.

18. SENATOR HORSLEY:

19. The bill is drawn by the Budget Bureau and as included in  
20. the Governor's Budget includes the sum of one million three hundred  
21. twenty-three thousand dollars in the bill for grants to local  
22. health departments throughout the State. The Governor budgeted that  
23. amount and the Department, Dr. Yoder testified in Committee that  
24. in his opinion that amount was sufficient to cover the grants to  
25. these local departments. However, the bill was amended up to  
26. three million dollars adding a million six hundred and seventy-seven  
27. thousand dollars over and above the budgeted item for grants for  
28. local health departments. The Department says the money is not  
29. needed. That the figure of a million three-two-three is ample for the  
30. funding and it will throw the budget out of balance by nearly  
31. a million seven hundred thousand dollars and I, therefore, offer  
32. amendment number three in an effort to put this bill back the way  
33. it was introduced by the Governor in the amount as contained in



1. his budget for the purpose. Now a lot of you have received tele-  
2. grams from your local county health departments. They're under  
3. the impression that the entire amount is...

4. PRESIDING OFFICER: (SENATOR JOHNS)

5. Pardon me, Senator Horsley. Senator Partee.

6. SENATOR PARTEE:

7. Mr. President and Senator Horsley, we went out of the regular  
8. order of business to get to the House Bills on second...pardon  
9. me. I said we went out of the regular order of business to go to  
10. second reading only because I thought that there were no controversial  
11. moves on second reading bills. Could we hold this until more of  
12. our members are here on both sides? And then we can get a clear  
13. picture here.

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Senator Horsley.

16. SENATOR HORSLEY:

17. If we don't get back to House Bills on second why I'd be a in  
18. little difficulty because this bill has to go back to the House  
19. for concurrence.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. Senator Partee.

22. SENATOR PARTEE:

23. I'm not seeking to delay it at all today. We'll get back to it  
24. today, we'll get back to all the House Bills on second today.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. Senator Hynes.

27. SENATOR HYNES:

28. In addition, Senator Horsley, I note that there is a discrepancy  
29. between the amendment number four of the copy that you gave me and  
30. the copy that's on the Secretary's desk. You might check to make  
31. sure...

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Rock. Pardon me, Senator Rock, Senator Horsley desires

1. to answer Senator Hynes.

2. SENATOR HORSLEY:

3. Senator Hynes, that if you will check the amendment which he  
4. has on the desk...

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Graham is right. Let's have a little order in this  
7. assembly here.

8. SENATOR HORSLEY:

9. The amendments that he has on his desk are correct and the  
10. ones that I perhaps gave you the line number references may not  
11. be correct but the principals and the amounts are the same. But  
12. I had the staff redraw them in view of the adoption of Amendment  
13. No. 1 so that they would be properly drawn and I think the clerk  
14. or Secretary will verify that his copy is a correct one.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Rock.

17. SENATOR ROCK:

18. Yes, Senator, as long as we're going to hold it I might as  
19. well point out that your Amendment No. 2, Senator Horsley, your  
20. Amendment No. 2 appears to be technically incorrect. So you  
21. might take a look at Amendment No. 2 which apparently we've adopted  
22. here but it it technically is incorrect. You have stricken  
23. Section 8 and renumbered Sections 9 and 10 to read seven and  
24. eight, however, you forgot about the fact that on line four  
25. there's already a Section 7 so what you wind up with is two Sections  
26. 7 and a Section 8.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Horsley.

29. SENATOR HORSLEY:

30. We'll check that.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. We'll go on to the next bill. 4392, Senator Partee, is that  
33. right?

1. SENATOR PARTEE:

2. Well, if we could just finish these 2nd Reading bills unless  
3. they're some with controversy. Would you move this one, please.

4. PRESIDING OFFICER (Senator Johns):

5. Senator Knuepfer.

6. SENATOR KNUEPFER:

7. Senator Partee, we have an amendment to take off the  
8. appropriation, if that meets with your approval. I don't know.  
9. Maybe you have one, too. I understand that's in the omnibus  
10. bill.

11. PRESIDING OFFICER (Senator Johns):

12. Pardon me, Senator Knuepfer. The Secretary must read  
13. the bill.

14. SECRETARY:

15. 2nd Reading of the bill. No committee amendments.

16. PRESIDING OFFICER (Senator Johns):

17. Any amendments from the Floor? Senator Knuepfer.

18. SENATOR KNUEPFER:

19. Well, we . . . We would offer Amendment No. 1 which  
20. removes the appropriation. It's in Senate Bill 1604 in  
21. Section 10. Senator Partee, do you have any problems with that?

22. PRESIDING OFFICER (Senator Johns):

23. Senator Partee.

24. SENATOR PARTEE:

25. If you say it's in the omnibus bill, that's good enough  
26. for me, Senator. I would not object to your taking it off.

27. PRESIDING OFFICER (Senator Johns):

28. Senator Knuepfer.

29. SENATOR KNUEPFER:

30. It's in Section 10 if you want to have your staff check  
31. that. Meanwhile we'd offer the amendment, and if there should  
32. be any problem, we'll bring it back. We'll be happy to. But  
33. I understand it's there. I would move the adoption of . . .

1. PRESIDING OFFICER (Senator Johns):  
2. Senator Knuepfer moves the adoption of the amendment.  
3. SENATOR KNUEPFER:  
4. Amendment No. 1.  
5. PRESIDING OFFICER (Senator Johns):  
6. Number 1. All those in favor of the adoption of the  
7. amendment say aye. All those opposed. The amendment is  
8. adopted. House bill on 2nd Reading, 4331, Senator Carroll.  
9. Senator Carroll.  
10. SECRETARY:  
11. 2nd Reading of the bill. No committee amendments.  
12. PRESIDING OFFICER (Senator Johns):  
13. Any amendments from the Floor? 3rd Reading. House bill  
14. on 2nd Reading, 4332, Senator Carroll.  
15. SECRETARY:  
16. 2nd Reading of the bill. No committee amendments.  
17. PRESIDING OFFICER (Senator Johns):  
18. Any amendments from the Floor? 3rd Reading. 4333, Senator  
19. Carroll. Senator Dougherty.  
20. SENATOR DOUGHERTY:  
21. Senator, I wonder if Senator Carroll would yield to a  
22. question. Senator, 4330, as I read it, er, 4430 . . . er, 4333 . . .  
23. Is that the same as Senate Bill 1130?  
24. SENATOR CARROLL:  
25. Mr. President and Senators, this series will be held on  
26. 3rd Reading. They are the bills that take care of the pensions  
27. and the various things in case 1130 passed. 1130--you know what  
28. that is, Senator Dougherty--that's the one that's in the House,  
29. that's been held over there and I would like to move these up to  
30. 3rd Reading in case that bill passes over there. That's the bill  
31. that transfers the Department of Public Aid of Cook County to  
32. the State.

1. SECRETARY:

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

3. PRESIDING OFFICER (Senator Johns):

4. Any amendments from the Floor? 3rd Reading. House bill on  
5. 2nd Reading, 4430, Senator Latherow. Senator Latherow.

6. SENATOR LATHEROW:

7. Mr. President, we would like to move this to 3rd. We  
8. have an amendment being prepared for it, and then we can back  
9. it up and put it on. Go ahead and move it . . . Move it to  
10. 3rd.

11. SECRETARY:

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

13. PRESIDING OFFICER (Senator Johns):

14. Any further amendments from the Floor? 3rd Reading.  
15. House Bill 4465, Senator Gilbert. Senator Gilbert. Hold it.  
16. All right. House Bill 4621, Senator Knuppel.

17. SECRETARY:

18. 2nd Reading of the bill. No committee amendments.

19. PRESIDING OFFICER (Senator Johns):

20. Any amendments from the Floor? 3rd Reading. Senate  
21. bills on 3rd Reading. Senator McCarthy.

22. SENATOR McCARTHY:

23. Mr. President, while we're getting ready for Senate bills  
24. on 3rd Reading, I wonder if I could take a bill on 3rd Reading  
25. back to 2nd for the purposes of amendment?

26. PRESIDING OFFICER (Senator Johns):

27. Yes.

28. SENATOR McCARTHY:

29. House Bill 4330.

30. PRESIDING OFFICER (Senator Johns):

31. Senator McCarthy asks that we return House Bill 4330 back  
32. to 2nd Reading for purposes of amendment.

1. SENATOR MCCARTHY:

2. Yes, Mr. President and members of the Senate. On the  
3. Secretary's Desk is an amendment prepared by Senator Gilbert's  
4. staff which amends the bill to make it apply only for the  
5. 1971-1972 school year.

6. PRESIDING OFFICER (Senator Johns):

7. Senator Gilbert.

8. SENATOR GILBERT:

9. I rise in support of this bill. If this bill is to be  
10. enacted, we certainly want to limit it to one year, because  
11. we're in a series of declining enrollment in many schools through-  
12. out the State and for this to be established as a precedent for  
13. the future, I think would be a mistake. I think this is a good  
14. amendment.

15. PRESIDING OFFICER (Senator Johns):

16. Any further discussion? All those in favor of the adoption  
17. of the amendment say aye. All those opposed. The amendment is  
18. adopted. 3rd Reading. 4330. Does any Senator wish to call  
19. any of his bills on 3rd Reading . . . Senate bills? One more  
20. time. Do any Senators wish to call any of their bills on 3rd  
21. Reading--Senate bills? House bills on 3rd Reading. All right,  
22. let's be ready for these bills. I'll read . . . 1, 2, 3, 4 . . .  
23. Four in the first column for you. House bills on 3rd Reading  
24. that we'll take up: A-1569 by Horsley, Senator Horsley; A-2222  
25. by Senator Mitchler; A-2653 by Senator Fawell; and 3068 by  
26. Senator Hynes. First column. All right, let's take 1569 by  
27. Senator Horsley.

28. SENATOR HORSLEY:

29. Mr. President and members of the Senate, this is a bill  
30. that has been worked on for quite some time by the collection  
31. agencies and those persons involved in the tremendous responsibility  
32. of collecting accounts in the State of Illinois, in an effort to  
33. clean up their own skirts and to clean up the business. It provides

1. for the administration of the Act and provides for an advisory  
2. board to be appointed by the Governor with certain penalties  
3. for conflicting and not obeying the Act itself. Now, this  
4. would . . . is probably one of the greatest steps this group  
5. has taken. I know as long as ten years ago, they were working  
6. on this problem. Now this has a Home Rule Amendment on it, so  
7. it does not apply to cities where the home rule is applied, and  
8. it would exclude the banks, abstract companies, real estate  
9. brokers, public officials, lawyers, insurance companies, credit  
10. unions, and loan and finance company; provides that the Depart-  
11. ment of Financial Institutions would regulate these industries  
12. and the fees of the licenses is based upon the number of employees  
13. and ranges from \$50.00 minimum to not more than \$150.00 for the  
14. license for the agency involved. Requires a bond to be given  
15. by these collection people for \$7500.00 and will prohibit certain  
16. activities and require the reports and records that will be  
17. filed with different associations so that we can keep track  
18. of it. The appropriation was taken off of this bill in order  
19. to conform it with the constitutional provision, and if the  
20. bill is passed there would have to be an appropriation perhaps  
21. after the first of the year that would give the Department a  
22. chance to get this regulation underway and to help clean up  
23. the collection agencies in the State of Illinois. As far as  
24. I know, I've heard of no opposition to the bill. It passed  
25. by a big vote in the House after it was amended. I think all  
26. objections have been taken care of. I would appreciate a favorable  
27. roll call.

28. PRESIDING OFFICER (Senator Johns):

29. Any further discussion? If not, the Secretary will call  
30. the roll, please.

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,
2. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
3. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
4. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
5. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
6. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver.
8. PRESIDING OFFICER (Senator Johns):
9. Senator Carroll aye. Senator Horsley aye.
10. SENATOR HORSLEY:
11. Just a minute.
12. PRESIDING OFFICER (Senator Johns):
13. Oh, I'm sorry, sir. Go ahead.
14. SENATOR HORSLEY:
15. Call the absentees.
16. PRESIDING OFFICER (Senator Johns):
17. Call the absentees, Mr. Secretary.
18. SECRETARY:
19. Arrington, Bidwill, Bruce, Cherry, Chew, Coulson, Course,
20. Dougherty, Egan, Fawell, Graham, Hall, Harris, Horsley, Hynes,
21. Johns, Knuppel, Kosinski, Kusibab, Lyons, Mohr, Neistein, Nihill,
22. O'Brien, Palmer, Rock, Romano, Saperstein, Savickas, Smith, Soper,
23. Swinarski, Vadalabene, Walker.
24. PRESIDING OFFICER (Senator Johns):
25. Senator Horsley.
26. SENATOR HORSLEY:
27. Move it to postponed.
28. PRESIDING OFFICER (Senator Johns):
29. Senator Horsley wishes to postpone consideration of this
30. bill. 2222. Senator Newhouse? I thought Senator Newhouse
31. raised his hand. This is Senator Mitchler's bill. Senator
32. Mitchler?



1. SENATOR MITCHLER:

2. Mr. President and members of the Senate, House Bill 2222  
3. is a bill to create the Lead Poisoning Substances Control Act.

4. PRESIDING OFFICER (Senator Johns):

5. Pardon me, Senator Mitchler. Pardon me, sir. Senator  
6. Partee.

7. SENATOR PARTEE:

8. Could you just hold this a minute, Senator.

9. PRESIDING OFFICER (Senator Johns):

10. Senator? It will be held. 2653. Senator Fawell.

11. SENATOR FAWELL:

12. Mr. President, I . . . I do have two amendments which have  
13. not been affixed to this bill, and I would ask leave to have  
14. it returned to the order of 2nd Reading for the affixing of  
15. an amendment.

16. PRESIDING OFFICER (Senator Johns):

17. House Bill 2653 is being to returned to order of 2nd  
18. Reading for purpose of amending. Would you explain your  
19. amendment, Senator Fawell.

20. SENATOR FAWELL:

21. There are two amendments, both doing the same thing.  
22. Amendment No. 3 is an amendment to the bill proper, and Amendment  
23. No. 4 accomplishing the same as Amendment No. 3, is an amendment  
24. to the previous Amendment No. 1, I believe. But what it does  
25. is to change the terminology, striking the words "skilled" and  
26. "intermediate care facility" and inserting instead the term  
27. "long term care facility". The practical effect is that it  
28. brings in nursing homes under the purview of this Act. I move  
29. the adoption of the same.

30. PRESIDING OFFICER (Senator Johns):

31. Any discussion of this amendment? All those in favor of  
32. the adoption of this Amendment No. 1 say aye. All those opposed.  
33. Amendment fails. Senator Fawell.

1. SENATOR FAWELL:

2. Let's take a roll call then. Please.

3. PRESIDING OFFICER (Senator Johns):

4. Would a division be sufficient.

5. SENATOR FAWELL:

6. A division would be sufficient, yes. I don't think . . .  
7. It's Amendment No. 3 and Amendment No. 4 that I'm presenting,  
8. Mr. President.

9. PRESIDING OFFICER (Senator Johns):

10. All right. Thank you, Senator Fawell. All Senators please  
11. be in their seats for division on Amendment No. 3 and 4. Will  
12. the Senators be in their seats please. Senator Egan, would you  
13. be in your seat, please. McCarthy. Senator Carpentier, all  
14. Senators are due to be in their seat for the purpose of a division  
15. on a roll call on Amendment No. 3. All those in favor of the  
16. adoption of the amendment, please rise. All those opposed,  
17. please rise. The amendment is declared passed. Amendment No. 4.  
18. Senator Fawell.

19. SENATOR FAWELL:

20. This does the same thing. I think the same roll call would  
21. be proper and I certainly would accept it.

22. PRESIDING OFFICER (Senator Johns):

23. Ask for a voice vote here? All right. All those in  
24. favor, say aye. Senator Partee.

25. SENATOR PARTEE:

26. What does this Amendment No. 4 do?

27. PRESIDING OFFICER (Senator Johns):

28. Senator Fawell.

29. SENATOR FAWELL:

30. This does the same thing, Senator, except it is . . . it's  
31. an amendment to a previous amendment so that several lines which  
32. had to be altered by striking the words "skilled or intermediate  
33. one" just as in the previous amendment. We are doing it here,

1. but in reference to a previous amendment rather than the substance  
2. of the bill, so we had to have two amendments according to the  
3. Legislative Reference Bureau.

4. PRESIDING OFFICER (Senator Johns):

5. Senator Partee.

6. SENATOR PARTEE:

7. I'm not going to . . . I'm not going to spend any time  
8. debating the methodology of amending an amendment. I'll just  
9. say to you simply that this bill is, in its present posture,  
10. so confused as shown by what you have just done here, that I'm  
11. going to oppose the entire bill and I'm going to suggest that  
12. it do not die. I'm going to suggest that it be sent to the  
13. Licensure Committee so that they can study it and put it in  
14. an acceptable form. I'm going to tell you, I'm not going to  
15. oppose the amendment, but I want you to know, so that you will  
16. not be taken, you know, by surprise, that I'm going to oppose  
17. the bill in its final form, because it's just simply too confused.  
18. I don't think anybody knows what's in it and I'm going to be  
19. opposing it.

20. PRESIDING OFFICER (Senator Johns):

21. All of those in favor of the adoption of the amendment  
22. say aye. All those opposed. The amendment is adopted. 3rd Reading.  
23. Senator Hynes on 3068. Okay now. I'm going to call off six  
24. numbers here on the next six bills that we will handle: 4083;  
25. 4084; 4094; 4096; 4103; 4133; 4135. We will start with 4083.  
26. That's seven instead of six. It's a better number. Senator  
27. Mohr. Is he here on the Floor? All right. 4084, Senator  
28. Baltz.

29. SENATOR BALTZ:

30. Mr. President and members of the Senate, House Bill 4084  
31. is the annual appropriation for the Illinois Commerce Commission  
32. in the amount of \$4,282,800.00. I would appreciate a favorable  
33. roll call.

1. PRESIDING OFFICER (Senator Johns):

2. Any discussion? Will the Secretary call the roll, please.

3. SECRETARY:

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

13. PRESIDING OFFICER (Senator Johns):

14. O'Brien aye. Hall aye. Partee aye. Senator Smith aye.  
15. Baltz aye. Johns aye on that, too. On that measure the  
16. yeas are 39; the nays are 0. Having received a constitutional  
17. majority, it's declared passed. Senator Knuepfer, 4094, sir.

18. SENATOR KNUEPFER:

19. This . . . uh . . . House Bill 4094 is the regular appro-  
20. priation for the Bureau of the Budget. It is reduced from  
21. last year. If anybody has any questions, I'd be happy to try  
22. to answer them. Otherwise I would appreciate a favorable  
23. roll call.

24. PRESIDING OFFICER (Senator Johns):

25. Any discussion? Will the Secretary call the roll, please.  
26. Senator Fawell, did you rise . . . I'm sorry. Okay.

27. SECRETARY:

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

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

4. PRESIDING OFFICER (Senator Johns):

5. Can you hear me? Now you can. Okay. That was Carroll  
6. aye and Newhouse aye on that bill. Johns aye, too. On that  
7. measure, the yeas are 39; nays are 0. Having received a  
8. constitutional majority it is declared passed. Now we will  
9. return to Senator Fawell's bill, 2653. Senator Fawell.

10. SENATOR FAWELL:

11. Mr. President and members of the Senate, may I have your  
12. attention for just a short time? This is House Bill 2653 and  
13. it is a bill which basically requires that any person establishing  
14. a hospital or a long term care facility go through this procedure  
15. before commencing construction. It's a bill that we have talked  
16. about and have discussed a great deal in the State of Illinois  
17. for a number of years. It has undergone a great deal of study  
18. and evaluation . . .

19. PRESIDING OFFICER (Senator Johns):

20. Pardon me. For what reason does Senator O'Brien arise?  
21. Go ahead then, Senator Fawell.

22. SENATOR FAWELL:

23. It is a bill that has undergone a great deal of study and  
24. evaluation. It is supported by the Illinois Hospital Association,  
25. by the Illinois Medical Society, by the Illinois Nursing Home  
26. Association, by Dr. Morton Creditor's groups . . . group, and  
27. by a number of other health care delivery agencies who are  
28. convinced that the only way that we can stop the type of  
29. duplication of these types of facilities is to be sure that they  
30. are very carefully studied before a new facility is constructed  
31. or major addition made. Now, as the bill came over here into  
32. the Senate, I was not aware of any opposition to the bill, and  
33. it did appear, however, that on the Democratic side of the Senate

1. there was some opposition, and when Senator Partee talked about  
2. the detailed amendments which had been made to this bill against  
3. my will, the staff assigned to the Public Welfare Committee  
4. made some very detailed amendments--Amendments No. 1 and  
5. Amendment No. 2--so that in effect, the entity that will be  
6. making the local decisions in regard to whether a hospital  
7. ought to be constructed in one area or the other, is a comprehensive  
8. health planning entity of that particular area. Now I want to  
9. repeat that this wasn't my amendment. It was suggested by  
10. your side, Senator Partee. It was a long amendment of some  
11. 10 or 12 or 14 pages. That was just one of them. The amendment  
12. which I just put on was a relatively simple one that simply  
13. states that the long term care facility would include nursing  
14. homes and this was at the special request of the Illinois Nursing  
15. Home Association and does not make any other basic changes to  
16. these bills. It is, I repeat, however, a very important bill  
17. insofar as delivery of health care services and rising health  
18. costs in the State of Illinois are concerned. And I can't  
19. believe that putting it back into committee for further study  
20. is going to accomplish a great deal and certainly will, in my  
21. opinion, bring about a lot of detriment in the whole area of  
22. trying to bring together a comprehensive health plan in the  
23. State of Illinois. I want to reemphasize, this bill is rewritten  
24. according to your views on that side of the aisle, and it is in  
25. the order in which you have requested it be in, after detailed  
26. amendments. And some of those, even including the sponsor, would  
27. rather have it the other way with the regional boards being  
28. defined in the bill as it originally came over here, in the  
29. manner in which the administration and the Illinois Medical  
30. felt would be best. Now we have accepted your vast amendments  
31. and changes to this bill which you have suggested and I . . . I  
32. am a bit depressed that apparently you find now, for some reason,  
33. that you can't accept the bill. It's long overdue. It's something

1. now that I think, outside of these Chambers, the bill is completely  
2. acceptable to all who have studied for many, many years, this  
3. problem. I'm a member of the Health Licensure Committee . . .  
4. Commission, and I don't think that this bill is the type that  
5. should go into that particular commission. It's not necessarily  
6. a case of licensure, but it's a case of determining a place of  
7. new construction insofar as a comprehensive health plan is con-  
8. cerned. So I repeat, it's vitally important for the delivery  
9. of health care services and to offset rising health care costs  
10. in the State of Illinois and I would hope that we would have  
11. full bipartisan support and not fall prey to this continued  
12. process of the Illinois Legislature of putting off and putting  
13. off and putting off and putting off again, going into more  
14. committee study on a matter that has been studied for the last  
15. 10 years, even 20 years, whose time has come right now, and the  
16. bill being in the form where it's been completely amended and  
17. Senator Smith, I know, would verify this, that this amendment  
18. was put on in his committee was an amendment that was drawn by  
19. your side of aisle. And I'd trust and assume now that the  
20. roadblocks are over and we can finally pass the bill. I would  
21. ask for a full support from this body.

22. PRESIDING OFFICER (Senator Johns):

23. Senator Partee.

24. SENATOR PARTEE:

25. Well, Mr. President, at the risk of boring you, I certainly  
26. hope that I won't repeat my arguments as much as the gentleman  
27. who preceded me. I agree with one thing he said. And that is  
28. that it is an important bill. I would say further, that if I thought  
29. a negative vote on this issue at this time would impede progress,  
30. I certainly would not vote it. This bill has not been over-studied.  
31. Some of the agencies he alluded to are not convinced. I received  
32. calls here both Saturday and Sunday from persons who, at first  
33. blush, thought they were interested, but who now say they are

1. not certain. And I believe in doing a job thoroughly and not  
2. piecemeal. Had we listened to this kind of argument, we may  
3. have passed a personal property bill some years ago which would  
4. not have had the overall acceptance and viability as the one  
5. we passed just last week. I would say to you that the State  
6. Medical Association has been one of the most cooperative  
7. bodies that I've had occasion to work with down here. As a  
8. matter of fact, I asked them for a report on a certain subject  
9. and at the same time asked the American Medical Association for  
10. a report on the same subject and I was absolutely astounded  
11. at the difference of the in-depth approach, care, and concern  
12. reflected in the State Medical Society's approach to the  
13. problem. They do a wonderful job. I have not, in the past,  
14. opposed any of their measures and I do not oppose this for  
15. opposition's sake. I only am suggesting that this bill ought to  
16. be referred at its . . . at its demise to the Health Licensure  
17. Commission where many of the problems that are now in this  
18. bill can be worked out. I do not believe in precipitous action  
19. and I consider this to be precipitous action when you're passing  
20. a bill with amendments put on this morning that are, in a measure,  
21. garbled, and lend this whole atmosphere to . . . of un . . .  
22. undecision . . . indecision to this . . . this bill. I certainly  
23. don't want to, in any way, be adjudged to be impeding progress.  
24. I hope that if I have any characteristics that progress is one  
25. of them. I don't think, however, that to defeat this bill will  
26. be nonprogressive. I think it will be enlightening, really, to  
27. sit down and do it--not piecemeal, not posthaste, but do it  
28. in a fashion which will assure us that the law we will eventually  
29. pass will be a good law. Now, Senator Baltz can tell you that  
30. it was just last year that he passed a bill in this same area  
31. and there's no reason for this bill at this moment, particularly  
32. in its present position. I'm going to vote no and ask those  
33. members on this side of the aisle who agree with me to withhold



1. their votes on this measure, knowing full well that it will  
2. not be dead because I'm going to ask that the subject matter  
3. go in another form too to help license the Commission where  
4. all the people involved can sit down and come up with a  
5. workable, satisfactory bill.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Baltz.

8. SENATOR BALTZ:

9. Well, Mr. President and members of the Senate, House 2653  
10. has been in a number of forms since its birth over in the House.  
11. I can understand the concern of the President Pro Tem because  
12. the amendments to this bill were substantial. As a matter of  
13. fact, I think, it came out of the House amended in a form that  
14. it was simpler to exclude everything but the enacting clause  
15. and put a full length bill behind that. I think that Senator  
16. Partee and the wisdom of the Welfare Committee at where it  
17. was heard reviewed it very carefully and they put it back in  
18. the original shape. Senator Fawell offered an amendment here  
19. last week which would have put it back in the shape of an  
20. amended form which would have been the same as it came out  
21. of the House or substantially that way. If you recall, I  
22. opposed that amendment that Senator Fawell offered and through  
23. the wisdom of this Body that amendment lost with only 9 aye  
24. votes and 30 nay votes. I think the bill is now in the shape  
25. where it can do a real service for the people of the State  
26. of Illinois and that it can really begin to meet the health  
27. evaluation needs of the State. There are a great many incidents  
28. in the health field where if this bill were enacted into law  
29. could eliminate the possibility of very costly duplication in  
30. health facilities in communities and it could evaluate and bring  
31. into being some very necessary health facilities that we are  
32. sorely lacking in many areas of this State. I am convinced  
33. after reading it and studying it carefully that it works hand

1. in glove with the new Comprehensive Health Planning Agency;  
2. that it brings them into being in a way that they can be  
3. charged with their responsibilities and that it gives them  
4. the authority to meet them. I feel that this bill...there's  
5. nothing at all dangerous in the bill. I feel that the Agency  
6. that will be established under this bill and along with the  
7. Comprehensive Health Planning Agency can really do a responsible  
8. job for furnishing the health needs of our area and I heartily  
9. endorse its concept. It may have some flaws in it. I'm  
10. convinced they'd only be minor ones. I think that those could  
11. be changed early in the ball game by modification in this  
12. General Assembly, and I would urge you to vote aye on this  
13. very necessary legislation.

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. Any further discussion of this bill? Will the Secretary  
16. call the roll? Senator Fawell may close the debate. Senator  
17. Fawell.

18. SENATOR FAWELL:

19. Well, Mr. President, I find that some here still aren't quite  
20. sure what the bill does and so I just repeat that the bill re-  
21. quires any person establishing a hospital or skilled nursing  
22. home or long-term care facilities to obtain a permit as a condition  
23. of the construction of establishing a new service. The idea is  
24. that we will not have indiscriminate construction of these health  
25. care facilities, but will be able to have them dovetailed into  
26. the Comprehensive Health Plan...Planning which is being done in  
27. the State of Illinois. Now, I can't quite follow Senator Partee's  
28. discussions here. I can't grasp the basic reason why he wants  
29. to continue to put this bill back on the shelf. He talks about  
30. an atmosphere of indecision, and it would seem to me that the  
31. indecision is on his part, but that there is not any indecision  
32. insofar as the professionals throughout the State of Illinois  
33. and the nation are concerned, and if there's any indecision at all,

1. it perhaps is because the Illinois Medical Society is still  
2. smarting under the amendments that were made, voluminous amend-  
3. ments made by your Staff; and thus, we have the irony here of  
4. your taking this particular bill, amending it as you see fit,  
5. up and down and backwards and forwards, changing it in many,  
6. many ways, and then after having done so and after having  
7. accepted those amendments, now you come back to us and say,  
8. "I'm sorry, it isn't quite in the state that we would like  
9. to have it in." In the meantime, the hospitals throughout  
10. the State of Illinois have contacted, I think, almost all  
11. of us in this Body and have said that now is the time, not  
12. next year. I don't know what all the political intrigue is  
13. about, but I think it's very unfortunate when a sponsor of  
14. a bill sits back and lets you amend it so that the baby doesn't  
15. even look a whole lot like what the product was when it came  
16. in, and when finally we clear it with the sponsor in the House  
17. and the many other professionals who are concerned about the  
18. bill and are crying for its passage and then you come...

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Let's have a little more order, please.

21. SENATOR FAWELL:

22. ...and then you come at the very last minute and say,  
23. "Oh, there is indecision on the part of the sponsors here  
24. and you see some fly specks which allegedly, I guess, is the  
25. reason for setting this back on the shelf again. I just can't  
26. understand it. It's a sound piece of progressive legislation  
27. that the professionals in the delivery of health care services  
28. in every Senatorial district in this State are pleading for,  
29. and there should be no reason why we cannot at this time after  
30. you have adopted it in the form in which you want it. I see  
31. Sylvia Davis over there and she painstakingly prepared these  
32. amendments and worked laboriously for some six or seven weeks,  
33. I think they've been around, and how you can now say, "Oh, we're

1. not ready for it," is just simply beyond me. I ask for a  
2. favorable roll call, and I'm not quite so sure that I'm  
3. going to do anything more but just watch the roll call.  
4. PRESIDING OFFICER: (SENATOR JOHNS)

5. The Secretary will call the roll, please.

6. SECRETARY:

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

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Groen.

13. SENATOR GROEN:

14. Well, Mr. President, in explaining my vote I'd like to  
15. remind this Body that a couple or three weeks ago you passed  
16. a bill, House Bill 493, and if there is something in the background  
17. that people are afraid of with regard to this bill, I think  
18. it's in relation to House Bill 493. You will recall that by  
19. that bill we set up an agency, yet another agency, where we  
20. already have eight other Federal and State agencies doing the  
21. same thing to provide for nonprofit institutions, an agency  
22. whereby they can borrow money and that would include, in my  
23. judgment as the bill went out of here, would include a health  
24. spa as I referred to in the debate on that bill. Now, they  
25. want that agency to make the determinations that are involved  
26. in this bill even though that agency will unquestionably not be  
27. qualified to do it. They're going to be money men that are going  
28. to make the determinations on health care in Illinois rather  
29. than qualified health people. I predict that in five years  
30. the agency that will come into being under House Bill 493 will  
31. undergo the worse scandal in the history of this State. Put  
32. it down in your book and remember I said it. One of the problems  
33. that makes this bill so necessary is the fact that standards,

1. physical standards, in health care buildings are constantly  
2. being changed by the Federal Government. For participation  
3. the State must subscribe to those Federal standards and they  
4. become the law of Illinois by implementation at this State  
5. level. By the time a person starts an addition to a hospital  
6. the time it is conceived the plans are drawn, construction  
7. starts and it's finished, they've got to go into extensive  
8. remodeling programs because by the time it's finished and  
9. ready for occupancy and use the regulations and standards  
10. have changed and some of them I can tell you are so ridiculous  
11. as to widen a door a half an inch or to widen the corridor  
12. three or four or six inches and this sort of ridiculous thing.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. Time, Senator Groen.

15. SENATOR GROEN:

16. Now, we've simply got to have this bill if we are going  
17. to have any sense out of construction in this field. I urge  
18. you to vote aye on this bill. That's how I cast my vote.

19. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Yes, I'd like to explain my vote. I'm not familiar with  
26. the legislation and I beg to state that I've heard nothing that  
27. makes me aware of the significance of it today. It's a question  
28. of who put what amendment on to satisfy whom, and I haven't  
29. heard a discussion of what any of the amendments do, so I vote  
30. present.

31. SECRETARY:

32. ...Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,  
33. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,

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

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Mitchler, aye. Senator Fawell.

5. SENATOR FAWELL:

6. I'm sorry that the detailed discussion on the amendments  
7. has caused some to still be confused as to what the amendments did  
8. and did not do and what the bill does. But I'd like to have a call  
9. of the absentees after which I'm going to let the bill just die.

10. SECRETARY:

11. Arrington, Baltz, Bidwill,

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Senator Baltz.

14. SENATOR BALTZ:

15. Yes, Mr. President and members of the Senate...

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Senator Davidson, aye...

18. SENATOR BALTZ:

19. I purposely passed my vote. I was concerned about the outcome  
20. of the vote. The time that the President pro tempore exhibited  
21. some concern over this bill. Apparently there is not only a great  
22. deal of misunderstanding of what this bill does but there's been  
23. a great deal of intrigue, I guess on both sides of the aisle as  
24. to either defeating or holding this bill. This bill simply does  
25. as the sponsor said. It would establish a area or a region committee  
26. to the make it of evaluation as to whether or not that particular  
27. geographic area needed a new hospital, needed a new nursing home,  
28. needed a new long term health care facility. And for the life of  
29. me I can't understand why, if you know really what this bill does,  
30. and in my estimation that's what it does, that you wouldn't put it  
31. into the hands of the local people who have a vital interest in  
32. health the decision as to whether or not one of these health care  
33. facilities was needed in the area and if so which one and to who

1. was best qualified to give this license. We talked about home  
2. rule, I wouldn't know how you would put a home rule amendment on  
3. this type of bill and I would hope that there never would be one  
4. put on it. I think that the people that are most knowledgeable,  
5. most responsible that form these local regional health care  
6. committees are the people who should make this decision. Those  
7. are the people that are the most easily accessible if that decision  
8. should by some chance be irresponsible. Those are the people, I  
9. think, most knowledgeable to decide what is needed in the way of  
10. health and health care for their people in their own area. This  
11. is exactly what this bill does. The motivation on the other side  
12. of the aisle for holding, withholding their votes on this bill may  
13. be one thing, the motivation on this side of the aisle may be another  
14. thing but I think you're passing up a great opportunity if you  
15. don't meet your responsibility to fill the health care needs of your  
16. own local areas. And I would be hopeful in spite of the present  
17. attitudes that the sponsor has that he not kill this bill but put  
18. it on postponed consideration and I vote-a hardy aye.

19. SECRETARY:

20. Bidwill, Bruce, Cherry, Chew, Course, Donnewald, Dougherty,  
21. Egan, Graham, Hall, Hynes, Knuepfer, Knuppel, Kosinski, Kusibab,  
22. Latherow, McBroom, McCarthy, Mohr, Neistein, Newhouse,

23. PRESIDING OFFICER: (SENATOR JOHNS)

24. Senator Neistein.

25. SENATOR NEISTEIN:

26. I didn't cast my vote yet. But Senator Baltz's argument has  
27. made a deep impression on me. It reminds me of the other day when  
28. we were voting on lottery and how each one voted their own conscience  
29. and I commended the other side for it and so Senator Baltz with his  
30. deep impression on me I'd like to be recorded no.

31. SECRETARY:

32. Newhouse, Nihill, O'Brien, Palmer, Rock, Romano, Savickas,  
33. Smith, Soper, Sours, Swinarski, Vadalabene, Walker,

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Senator Laughlin.

3. SENATOR LAUGHLIN:

4. Yes, before the vote's recorded I'd like to change my vote  
5. from present to aye. I'm going out and discuss this matter at  
6. some length with somebody I think is knowledgeable. Now, I think  
7. I know enough about the bill to vote intelligently, I vote aye.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. On that measure the yeas are 18, the nays 3, the present 11.  
10. Having failed to receive the constitutional majority is declared  
11. defeated. We will now move back to 4096, Senator Graham. Senator  
12. Graham. Is he on the floor? Yes, he is here he comes.

13. SENATOR GRAHAM:

14. This is a annual appropriation for the Department of Personnel  
15. with the House adopted an amendment on it which cut the original  
16. request by 235 thousand dollars, I ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Any discussion? Will the Secretary call the roll?

19. SECRETARY:

20. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
21. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
22. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,  
23. Horsley, Hynes, Johns,

24. PRESIDING OFFICER: (SENATOR JOHNS)

25. Collins, aye. Bidwill, aye.

26. SECRETARY:

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

32. PRESIDING OFFICER:

33. Knuepfer, aye. Carpentier, aye. Vadalabene, aye. Berning,



1. aye. On that bill the yeas are 42, the nays are 0, the bill  
2. having received the constitutional majority is declared passed.

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. Senator Clarke.

5. SENATOR CLARKE:

6. Mr. President, if I could break in a minute and have all  
7. of your attention. I'd like to announce that Senator Harris  
8. returned to Presbyterian-St. Luke's Hospital over the weekend so I  
9. want you to be aware of that and remember him and also that we lost  
10. one of our former members this weekend. Senator Everett Peters  
11. had a heart attack and died. The funeral home is Freeze Funeral  
12. Home at St. Joseph, visitation from two to four tomorrow, Tuesday,  
13. and seven to nine and the funeral is Wednesday at 1:30, at the  
14. funeral home. I think that Senator Partee is going to announce  
15. a delegation to attend the funeral.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. All right. Next order of business will be 4103, Senator  
18. Rock.

19. SENATOR ROCK:

20. Yes, Mr. President and members of the Senate, House Bill  
21. 4103 is the annual appropriation for the ordinary and contingent  
22. expenses of the Illinois Legislative Investigating Commission. Senator  
23. Sours ordinarily handled this bill, I am only handling it because  
24. during this year I have been elected co-chairman of this Commission.  
25. The amount is 358 thousand five hundred dollars. It represents a  
26. 60 thousand dollar increase which will be utilized by the additional,  
27. two additional persons, one attorney and one investigator and a  
28. sizable 15 thousand dollar increase in printing due to the kind  
29. of reports we are now issuing. I would ask a favorable roll call.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Any further discussion? Will the Secretary call the roll?

32. SECRETARY:

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

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Bruce aye. Senator Berning...Senator Berning...

11. SENATOR BERNING:

12. Mr. President, I suppose you could classify if as a point of  
13. personal privilege, but because we are having a...

14. PRESIDING OFFICER: (SENATOR JOHNS)

15. I am sorry, Senator Berning, but we are on roll call...you  
16. haven't voted?

17. SENATOR BERNING:

18. I haven't voted.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. All right, go ahead, sure.

21. SENATOR BERNING:

22. On a matter of personal privilege because we are considering  
23. the budget for the Legislative Investigating Commission, I just  
24. want to take one moment to publicly thank Senator Phil Rock and  
25. Representative Joseph Sevcik and the Commission for the report  
26. that they furnished this Body on the charges by the IEA, I guess  
27. the IEA by the Illinois Federation of Teachers. It was an outstand-  
28. ing and concise kind of report that emphasizes to me the significance  
29. of this Body and I want to commend these people.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. All right, on that measure the yeas are 47, the nays are 0,  
32. having received the constitutional majority is declared passed.  
33. 4133, Senator Knuppel. Is he on the Floor? Yes, okay, Senator.

1. SENATOR KNUPPEL:

2. Senate Bill 4133 is an appropriation of ninety thousand dollars  
3. to the Department of Transportation for the purpose of making a  
4. feasibility study and report with respect to where to locate a  
5. bridge for the crossing of the new tri-state ... cross state super-  
6. way that is to be built from Springfield ... from Champaign through  
7. Springfield and by Quincy. This bill was sponsored by all three  
8. of the members of the House, and Representatives McClain and Pierce  
9. as the principal sponsors. This was his final legislative bill. I  
10. would appreciate a favorable roll call.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Is there any discussion? Will the Secretary call the roll.

13. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Collins.

24. SENATOR COLLINS:

25. The Department, have they endorsed this appropriation?

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Graham, aye.

28. SENATOR KNUPPEL:

29. Very frankly, I don't know if they have. I assume they have  
30. because Representative Rose is also a sponsor. McClain was the  
31. principal sponsor, of course he passed on just before the bill was  
32. passed and I haven't talked to anyone.

June 26, 1972  
HB 3784

1. PRESIDING OFFICER: (SENATOR JOHNS)

2. Carpentier ... Baltz, aye. O'Brien, aye. Senator Carpentier,  
3. did you wish to answer this?

4. SENATOR CARPENTIER:

5. Yes, in answer to that question, the time frame would definitely  
6. place this entire project in a four plus year future date. The  
7. Department of Transportation recognizes this is a necessary step, in  
8. a total state highway plan. I urge an aye vote on this.

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Collins, aye. Senator Carroll, aye. Lyons, aye.

11. Johns aye. On that measure, the yeas are 43, the nays are 1,  
12. having received the constitutional majority, is declared passed.

13. Senator Partee.

14. SENATOR PARTEE:

15. I am sorry I was off the floor at the time Senator Clarke made  
16. the announcement because I did want to add my voice of sorrow to the  
17. information we received this morning as to Senator Peters having  
18. passed. The wake, as I understand, is tomorrow night and several of  
19. us will be going to the wake tomorrow night, but the funeral is  
20. Wednesday, and with the concurrence of Senator Clarke, I am appointing  
21. the following persons as an official delegation to represent the State  
22. Senate at Senator Peters' funeral: Senators Bidwill, Weaver, Graham,  
23. Merritt, Dougherty, and McCarthy. I would like to also say that we  
24. received some other sad news this morning, and that is that Senator  
25. Harris has returned to the hospital. His wife advises that they  
26. plan to keep him there until they can localize what the condition is.  
27. Apparently there has been some difficulty determining precisely what  
28. is the problem. One other bit of sad news, Senator Chew was involved  
29. in an automobile accident last evening, someone struck the rear of his  
30. car, and he and his wife were passengers and he says hopefully he can  
31. be down tomorrow. While I am on my feet there are some bills that  
32. Senator Clarke and I have discussed for which two motions are necessary.  
33. One is to take them from the Table, and the other is to discharge

June 26, 1944  
H.R. 3784

1. Committee and to read them the first time and put them on the  
2. order of second reading. One is House Bill 4126, the other is  
3. House Bill 3784 and the final one is House Bill 4590. I move to  
4. take them from the Table, concomitantly discharge Committee, to read  
5. them a first time and place them on order of second reading.

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Is there leave of that motion? Leave granted. Senator Sours.

8. SENATOR SOURS:

9. I...I'd like to know what those bills do. How brief it may  
10. be I don't care, I want some idea of what they do.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Partee.

13. SENATOR PARTEE:

14. The first one, Senator, was 4126. I knew it a minute ago but  
15. it just slipped me. Oh, I beg your pardon, 4126 I did not intend  
16. to give that number, I'm glad you asked me. I didn't give 4126,  
17. yes I did. 4126 is not one of the bills, I am very sorry. I did  
18. not intend to make the motion on that bill. 40...3784 is a bill  
19. by Representative John Jacob Wolfe, that amended the Private Employ-  
20. ment Agencies Act and as I understand it, it is to make certain that  
21. persons who are sent out on jobs are given a copy of the job  
22. order and if they're not in the condition of peonage which some of  
23. them are under the present act. And 4590 is a bill which actually  
24. closes gun registration to all but the police and courts. It means  
25. that if someone has a gun registered nobody can go in and find out  
26. if it is registered except by order of court or by a policeman.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. All in favor of this motion indicate by saying aye. All those  
29. opposed. The motion is carried and the ayes have it. Bills are  
30. on second reading. 4135, Senator Baltz. Senator Baltz. 4158,  
31. Senator Baltz.

32. SENATOR BALTZ:

33. I'm sorry, Mr. President, what was the other number that you

1. called?

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. 4135.

4. SENATOR BALTZ:

5. I'm sorry I thought I passed that already in the confusion.  
6. Mr. President, and members of the Senate, Senate Bill 4135 is  
7. the annual appropriation for the Department of Registration and  
8. Education in the amount of 12 million 400 hundred and 44 thousand  
9. dollars, I'd appreciate a favorable roll call.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Any discussion? Will the Secretary 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, Horsley,  
16. 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. PRESIDING OFFICER: (SENATOR JOHNS)

22. Rock, aye. Newhouse was aye on that too, Ken. On that...bill  
23. the yeas were 46, the nays were 0. Having received the constitu-  
24. tional majority is declared passed. Well we have one more I think.  
25. All right. Let's take another series of bills, please. 4158,  
26. 4182, 4185, 4197, 4211, that's five bills, we'll take five. Senator  
27. Baltz on 4158, hold. All right. 4182, Senator Clarke.

28. SENATOR CLARKE:

29. Well, Mr. President, this is the annual appropriation for the  
30. Department of General Services and I'd appreciate a favorable vote.

31. PRESIDING OFFICER: (SENATOR JOHNS)

32. Any discussion? The Secretary will call the roll.

33. SECRETARY:

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

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Berning, aye. Knuppel, aye. On that measure, the yeas are  
11. 45, the nays are 0. Having received the constitutional majority  
12. the bill is declared passed. 4185, Senator Knuepfer.

13. SENATOR KNUEPFER:

14. This is the annual appropriation for the Office of Planning and  
15. I would appreciate a favorable roll call in the event that somebody  
16. doesn't have any questions.

17. PRESIDING OFFICER: (SENATOR JOHNS)

18. Senator Rock.

19. SENATOR ROCK:

20. When you say annual appropriation, will you tell me how long  
21. this office has been in existence and how it came in existence.

22. PRESIDING OFFICER: (SENATOR JOHNS)

23. Senator Knuepfer.

24. SENATOR KNUEPFER:

25. This is the first annual appropriation. A...to answer the  
26. second part of the question the office came into existence originally  
27. by Executive Order of the Governor and this is the first time that  
28. this Body has actually faced this annual appropriation.

29. PRESIDING OFFICER: (SENATOR JOHNS)

30. Senator Rock.

31. SENATOR ROCK:

32. Yes, well I just wanted the membership to be aware of what  
33. we're doing here. We have, we have a state department, a statutory

1. State Department called the Department of Local Governmental  
2. Affairs which is expressly set up for this type of planning and  
3. analysis. Now here we have the Governor issuing an Executive Order  
4. creating a new entity. And he is asking a kind of back door  
5. referendum legislative approbation of this office he has created...  
6. and it is's not a question of how much money, it could be a dollar  
7. or a hundred thousand dollars. The question is, is this how we  
8. want to structure our government. It seems to me if we are going  
9. to create new offices they ought to be created by Statute, they  
10. ought to be created by the legislature and to allow the Chief  
11. Executive to establish virtually new departments just by Executive  
12. Order and then come through the back door and ask for an appropria-  
13. tion, specific appropriation for this amount not out of his own  
14. office appropriation it seems to be to be questionable.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Senator Savickas.

17. SENATOR SAVICKAS:

18. Well, Mr. President and members of the Assembly, I am surprised  
19. that the good Senator introduced this legislation. After all this is  
20. another department to do the same work that is being done by existing  
21. agencies or parts of it and I understand last week he was very  
22. appalled at some of the legislation introduced here that he claimed  
23. would duplicate the same and existing agencies' duties. I suggest  
24. that we hold up this bill and study it a little further to see how  
25. much duplication there is on this matter.

26. PRESIDING OFFICER: (SENATOR JOHNS)

27. Senator Partee.

28. SENATOR PARTEE:

29. Senator Knuepfer, I think the problem here is this. It's sort  
30. of difficult to put it simply but I think there are those among us  
31. who believe that if this is to be an arm of the Governor's Office,  
32. I frankly think that it should not be in the Department of Local  
33. Affairs. I think it should not be by Executive Order a new division.  
I think, you



1. know, a division of the Governor's Office. I think it ought to be  
2. in the Governor's Office. I can certainly understand the need  
3. for a division of planning. I think it ought to be in the Governor's  
4. Office; Is there any objection to its going into the Governor's  
5. Office?

6. PRESIDING OFFICER: (SENATOR JOHNS)

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. Well, Senator I didn't know there was going to be debate. I  
10. have some-I have a great deal of rationale on it which I did not  
11. present simply because I felt that it was not, not controversial.  
12. I can't answer that, Senator Partee, I'm certain that the Governor's  
13. staff can provide an answer for this. In this case I am simply  
14. a vehicle for a bill. Now, I would, I think perhaps the best suggestion  
15. is that if we pursue your inquiry with the Governor's Office as far  
16. as I am concerned it makes absolutely no difference to me whatsoever  
17. since I am the vehicle for this. Perhaps, and I am not trying to  
18. avoid the issue, if you have a suggestion and I think you have one  
19. that I certainly think ought to be looked at, I'd be very happy to  
20. just hold this and ask the Governor's staff.

21. PRESIDING OFFICER: (SENATOR JOHNS)

22. Senator Partee.

23. SENATOR PARTEE:

24. I think that might be the way to go. Why don't we just hold it  
25. an hour and certainly they ought to have an answer in an hour or  
26. so and let us know and then if he wants it in his office, we'll put  
27. it in his office but I want to let them know I think before you  
28. ask them you might express to them that there is some opposition  
29. to it going into the Local Government Affairs Committee.

30. PRESIDING OFFICER: (SENATOR JOHNS)

31. Senator Clarke is next, Senator Neistein.

32. SENATOR CLARKE:

33. Well I just want to comment for Senator Rock's edification

1. that the new Constitution adopted an idea that Senator Dougherty  
2. is aware of that was recommended in the Commission on State  
3. Government report six years ago and that was that the Governor  
4. should have the power to reorganize, to consolidate and so forth  
5. and the new Constitution gave him that power subject to a back  
6. door referendum by the legislature so this is a present reality  
7. and I know that the present administration is drawing plans and  
8. whether they do it or the next administration, I think this is the  
9. type thing we are going to be faced with and I think it's good.

10. PRESIDING OFFICER: (SENATOR JOHNS)

11. Senator Horsley, do you still wish to speak, sir? Senator  
12. Neistein.

13. SENATOR NEISTEIN:

14. Senator Knuepfer, while you're getting that information from  
15. the Governor's office could you find out also how many payrollers  
16. this adds to the budget? And how many of the 35 thousand a year  
17. category for my edification?

18. PRESIDING OFFICER: (SENATOR JOHNS)

19. Senator Knuepfer.

20. SENATOR KNUEPFER:

21. I'll be very happy to provide that information to you as  
22. soon as I am able to get it. Senator Partee, one thing that occurs  
23. to me and I will certainly raise the issue but I'm not so sure  
24. this is not a part of the Governor's Office. The Bureau of the  
25. Budget which is a part of the Governor's Office has a separate  
26. appropriation. The Office of Human Resources which I understand  
27. is a part of the Governor's Office again has a separate appropriation.  
28. Now, I don't mean to finalize this at this point in time because  
29. I will talk to the Governor's people. I think it probably has that  
30. kind of relationship and with that so be it and I'll come back on  
31. it.

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Bruce.

1. SENATOR BRUCE:

2. Yes, in answer to Senator Clarke's suggestion that the Governor  
3. may make agency reorganizations, that is the very problem that the  
4. Task Force had, and that is, under Section 11, of Article 5, Agency  
5. reorganization shall be submitted to this Legislature if we are  
6. in annual session. That executive order has not been submitted;  
7. therefore, we have not made recognition of the Office of Planning  
8. and Analysis. Until such time it seems to be a little senseless to  
9. appropriate money to a non-recognized agency.

10. PRESIDING OFFICER: (Senator Johns)

11. Any further discussion? Secretary call the roll.

12. No, wait a minute. I'm sorry. I'm sorry. I heard you and I'm  
13. sorry, sir. Hold that bill. 4197, Senator Fawell.

14. SENATOR FAWELL:

15. Yes, Mr. President and members of the Senate, this is the annual  
16. appropriation for the Department of Children & Family Services. I  
17. believe it has been wholly examined and scrutinized, and I ask for  
18. the support of the Senate.

19. PRESIDING OFFICER: (Senator Johns)

20. Any discussion? Senator Rock.

21. SENATOR ROCK:

22. Yes, Mr. President and members of the Senate, the Department  
23. of Children & Family Services performs in my judgment a vital service  
24. to this state. The Task Force on our side did scrutinize this  
25. budget request, and we are fully in support of the budget unamended.  
26. I want to point out, however, as far as I myself am concerned at least  
27. and certain other members in both the House and this side of the  
28. Senate at least have questioned the purchase of service rates  
29. concerning money paid by the Department for the purchase of services  
30. care for children. There seems to be, and there is in fact, a wide  
31. discrepancy between per diem rates. I will say very frankly and very  
32. honestly that I am on the Board of Directors of Maryville Academy,  
33. which is the licensed institution under...that accepts children

1. from the Department of Children & Family Services. In my judgment  
2. this institution has in fact been short changed. The per diem rate  
3. that is allotted to them is significantly lower than some of the  
4. other rates. I have a copy of all the per diem rates afforded to  
5. each of the institutions to which this department sends its children.  
6. I am personally aware of what I consider the tremendous job that  
7. Maryville Academy does with that bit of reservation because I am  
8. going to, over the course of the next fiscal year, certainly be  
9. on top of this situation, and when this budget request comes in  
10. again next year, we are again going to raise this question. The  
11. per diem allotment is allocated by the Department in House with  
12. a kind of an intramural formula. And if there has to be some  
13. revision in that formula, perhaps the legislature ought to establish  
14. that formula. But I just want to put the Department on notice that  
15. we are going to be watching this. I would ask all the members on  
16. my side to support this vital, vital Department.

17. PRESIDING OFFICER: (Senator Johns)

18. Senator Hynes.

19. SENATOR HYNES:

20. Mr. President and members of the Senate, I also as a member  
21. of that Task Force, and I would like to second Senator Rock's  
22. comments because we did have concern about the manner in which  
23. those rates were set. I'd like to add one other question in addition.  
24. I'd like to know why we continue to pay higher rates to institutions  
25. out of state, and as part of that why it is necessary for us to send  
26. so many children out of state for care. The answer has been given  
27. that we cannot find adequate facilities within the State. I do  
28. not think that we've spent enough time looking into that question,  
29. and I think that ought to be carefully considered over the next  
30. several months as well.

31. PRESIDING OFFICER: (Senator Johns)

32. Will the Secretary call the roll?

33. SECRETARY:

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

7. PRESIDING OFFICER: (Senator Johns)

8. Senator Rock.

9. SENATOR ROCK:

10. Yes, Mr. President and members of the Senate, in explaining  
11. my vote which is a thunderous aye, I would also like as a footnote  
12. to my earlier remarks, to publicly commend the officials of this  
13. Department. Both Senator Hynes and I have discussed the two problems  
14. we related with the Department. They are as aware or more aware of  
15. these problems as we are, and I want to publicly commend them for  
16. their courtesy.

17. SECRETARY:

18. ...Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,  
19. Swinarski, Vadalabene, Walker, Weaver.

20. PRESIDING OFFICER: (Senator Johns)

21. Davidson, aye. McCarthy, aye. Newhouse, aye. Soper, aye.  
22. On that legislation the yeas are 47, the nays are zero. Having  
23. received the constitutional majority, is declared passed. 4211,  
24. Senator Coulson.

25. SENATOR COULSON:

26. Mr. President, I guess there will be some amendments offered.  
27. We'll hold that for a while. We'll probably have to call it back.

28. PRESIDING OFFICER: (Senator Johns)

29. Yes sir, we'll hold it. Okay. All right, let's take another  
30. series of bills. Listen carefully and I'll read these to you. 4247,  
31. 4256, 4286, 4294, and 4302. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President, with respect to Senator Coulson's bill, the

1. amendment is on the Secretary's desk, Senator. I believe you've  
2. seen a copy of it, have you not? So any...

3. SENATOR COULSON:

4. Well, I understand that the Department's or the Universities  
5. themselves have some amendment which they wish to offer. I haven't  
6. seen it yet.

7. PRESIDING OFFICER: (Senator Johns)

8. Senator Hynes. What about it gentlemen?

9. SENATOR COULSON:

10. Will you hold it for a day.

11. PRESIDING OFFICER: (Senator Johns)

12. Yes, sir. Senator Hynes, is that all right? He's going to  
13. hold it for a day. Okay. All right, let's take up 4247, Senator  
14. Clarke.

15. SENATOR CLARKE:

16. Mr. President, Senators, this is the Attorney General's appropri-  
17. ation, and I would appreciate a favorable roll call.

18. PRESIDING OFFICER: (Senator Johns)

19. Any discussion? Will the Secretary call the roll?

20. SECRETARY:

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

29. PRESIDING OFFICER: (Senator Johns)

30. Knuppel, aye. Romano, aye. Johns, aye...just in case...  
31. Newhouse, aye. On House Bill 4247, the yeas are 42, the nays zero.  
32. Having received the constitutional majority is declared passed.  
33. 4256, Senator Latherow. Pass. 4286, Senator Harris or Senator

1. Groen. Pass. 4294 Senator Gilbert. Waiting on an amendment.

2. Alright Sir. 4302 Senator Dougherty.

3. SENATOR DOUGHERTY:

4. Senator Clarke. 4302. Do you think we're in a position  
5. to pass that at this time.

6. PRESIDING OFFICER: (Senator Johns)

7. Senator Clarke.

8. SENATOR DOUGHERTY:

9. Mr. President, ladies and gentlemen of the Senate. House Bill  
10. 4302 is a bill that provides for...

11. PRESIDING OFFICER: (Senator Johns)

12. Senator Clarke..can we hold that Senator. Senator Clarke  
13. desires to hold that, alright Sir. We'll take another series of  
14. bills then. Alright 4330, 4374, 4420, 4422, 4433, now out of that,  
15. are there any we're going to pass over. Senator Latherow. Would  
16. be 4374, alright then we'll add one more to the list. 4449 Senator  
17. Knuepfers bill. Alright we'll take 4420, is that right. Did I start  
18. with 4330, McCarthy, that's yours. Senator McCarthy. 4330.

19. SENATOR MCCARTHY:

20. Ah, are we ready on this. Mr. President, I ask the attention  
21. of Senator Clarke and Senator Gilbert as to whether or not we're ready.

22. PRESIDING OFFICER: (Senator Johns)

23. We will hold 4330, alright Sir. We're holding 4374. We'll  
24. go to 4420 Senator Fawell. Hold. 4422 Senator Fawell. Hold.  
25. 4433 Senator Harris. Is anyone speaking for Senator Harris on that  
26. bill. Alright we'll move across that one. 4449 Senator Knuepfer.  
27. Senator Knuepfer. Senator Partee.

28. SENATOR PARTEE:

29. I'd just like to ask Senator Clarke a question. On 4433, are  
30. you asking that it be held?

31. PRESIDING OFFICER: (Senator Johns)

32. Senator Clarke. He says yes.

33. SENATOR CLARKE:

1. Yes, I'm handling that Senator. I didn't realize they had  
2. passed it.

3. PRESIDING OFFICER: (Senator Johns)

4. Oh, I'm sorry Sir. I asked if anyone was handling that. Shall  
5. we go back to that Senator Knuepfer as a courtesy to Senator Clarke?  
6. Senator Clarke, 4433.

7. SENATOR CLARKE:

8. 4433 is the bill that I mentioned the other day as a companion  
9. bill to the personal property tax bill that we passed. This is the  
10. one that is very important because it provides for replacement to  
11. the local governments and as I indicated at that time it provides  
12. for a 5 million dollar replacement as of June 1st, 1973 and a  
13. \$20 million dollar figure as of August 1st which is in the next  
14. fiscal year. I would appreciate a favorable roll call.

15. PRESIDING OFFICER: (Senator Johns)

16. Any discussion? Will the Secretary call the roll?

17. SECRETARY:

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

26. PRESIDING OFFICER: (Senator Johns)

27. Knuppel aye. Senator Clarke.

28. SENATOR CLARKE:

29. Mr. President, at this point I'd like to say that in relation  
30. to this bill we had a request that a legal opinion on this issue be  
31. read into the record and of course rather than reading it I would  
32. just like to have leave of the Body to enter it to the Clerks  
33. office to be Journalized.



STATEMENT RELATING TO HOUSE BILL 4433,  
WHICH PROVIDES TEMPORARY ASSISTANCE GRANTS TO LOCAL TAXING  
DISTRICTS FOR LOSS OF REVENUE AS RESULT OF THE ABOLITION  
OF AD VALOREM PERSONAL PROPERTY TAXES ON AGRICULTURAL  
PRODUCTS AND EQUIPMENT, AS ENACTED IN HOUSE BILL 3776

The purpose of this bill is to reimburse local revenues lost due to the abolition of personal property taxes on certain classes of tangible personal property, as enacted in House Bill 3776, which we approved last week. Pursuant to section 5(a) of Article IX of the Illinois Constitution, that bill classifies all tangible personal property used exclusively in farming in this State and abolishes personal property tax on that class. The classification of tangible personal property used in farming is based on the use to which the property is put and is equally applicable to all persons, including individuals, partnerships and corporations.

To be in the nontaxable class, the property must be used by its owner in farming. Thus, House Bill 3776 will remove personal property taxes from inventories of farm products owned by the farmer (whether held on the farm or in storage facilities away from the farm), farm supplies (such as fertilizers, pesticides, feed, seed, planting stock, etc.), livestock maintained on a farm (whether held for sale or for draft, breeding, dairy or other purposes), and

farm machinery, equipment and implements. On the other hand, farm products which have been sold by the farmer or, in the case of an integrated processor of agricultural products which is engaged both in farming and processing, farm products which have left the farm and entered into processing are not in the nontaxable class. For example, in the case of an integrated food grower-processor, the nontaxable class extends to raw unprocessed agricultural products (i.e., products which remain in the same physical form that they possessed when harvested or when they left the farmer's premises), but not to products which have entered into processing.

Property which is not used exclusively in farming by the owner thereof is not in the nontaxable class. For example, a truck which is used by the owner in operating a farm but which is also used in another commercial activity is not within the nontaxable class. On the other hand, property which is used incidentally for minor or occasional purposes and which does not interfere with its use in farming is within the nontaxable

class. See People ex rel. Marsters v. Rev. Saletyni Missionaries, Inc., 409 Ill. 370 (1951); Sanitary District v. Carr, 304 Ill. 120 (1922). But machinery, equipment and other tangible property which is leased to a farmer by a leasing company will remain taxable in the hands of the lessor. Similarly, farm machinery, equipment and supplies (such as feed, seed, fertilizers, pesticides, etc.), in the hands of a manufacturer, wholesaler or retailer of such products is not within the nontaxable class.

Although property must be used exclusively in farming in order to be in the nontaxable class, it need not be used solely on the owner's farm. For example, harvesting equipment owned by a partnership or a cooperative comprised solely of farmers and held exclusively for their common use is in the nontaxable class. In contrast, an independent contractor whose business consists of performing harvesting services on a contract basis for a fee is not engaged in farming; accordingly, his harvesting equipment is in the taxable class.

Intangible personal property used in operating or managing a farm (for example, cash, working capital, accounts receivable and the like) will not be affected by the recently enacted amendment.

There is no constitutional barrier to abolition of personal property taxes on tangible personal property used in farming. Article 9, section 5, of the Illinois constitution and the fourteenth amendment to the Federal constitution both permit classification of property for purposes of taxation so long as the classification is reasonable. The Supreme Court of the United States has held that a State is permitted wide flexibility in arranging its taxing structure and that the Federal constitution prohibits only classifications which are palpably arbitrary and do not bear a fair and substantial relation to the object of the legislation. See Bell's Gap Rd. Co. v. Pennsylvania, 134 U.S. 232 (1890); Quaker City Cab Co. v. Pennsylvania, 277 U.S. 389, 405 (1928) (Justice Brandeis).

Agriculture has traditionally been considered an industry which is intimately related to the public

welfare and, thus, a proper subject of special regulatory and tax consideration. Such special treatment is manifested in a multitude of farm aid laws, both State and Federal, which have received judicial approval.

In Aero Mavflower Transit Co. v. Georgia Public Service Comm'n, 295 U.S. 285 (1935), the Supreme Court of the United States was confronted with a Georgia statute which imposed an annual license tax of \$25 per vehicle on private carriers using the State highways, but which exempted vehicles used exclusively to transport agricultural or dairy products so long as the title to the products remained in the producer. Justice Cardozo, speaking for the court, upheld the exception against the challenge that it was unconstitutional:

"We think a classification thus designed to ameliorate the lot of the producers of farm and dairy products is not an arbitrary preference within the Fourteenth Amendment. The plight of the Georgia farmer has been pictured by the state court in words already quoted. To free him of fresh burdens might seem to a wise statecraft to be a means whereby to foster agriculture and promote the common good." (295 U.S. at 291)

In Charleston Federal Savings & Loan Ass'n.

v. Alderson, 324 U.S. 182 (1945), the Supreme Court was concerned with the validity of the assessment practices of West Virginia officials who had assessed the appellant's property at a higher rate than property of the same class belonging to other taxpayers. In the course of its opinion, the Court noted:

"It is plain that the Fourteenth Amendment does not preclude a State from placing notes and receivables in a different class from personal property used in agriculture, including livestock, and taxing the two classes differently, even though the State places them in a single class for other purposes of taxation." (324 U.S. at 191)

Other States have separately classified property used in farming for purposes of taxation. Both the Texas and the Louisiana Constitutions provide a tax exemption for agricultural products while owned by the producer. In Switz v. Kingsley, 37 N.J. 566, 182 A.2d 841 (1962), the Supreme Court of New Jersey held that taxing farm machinery and livestock more favorably than machinery and equipment used in other businesses was not

unconstitutional:

"We cannot, however, agree with the trial court's view that the preferential treatment of agricultural machinery and livestock is unconstitutional. The Legislature, as we have said, has broad discretion in the classification of personal property for exemption or preferential treatment. We must uphold the classification if any set of facts can reasonably be conceived to support it. [citations omitted] We must assume the Legislature reasonably found the farmers need this assistance and the total interests of the public will be furthered by it."  
(182 A.2d at 841)

The Illinois Courts have also recognized that agriculture is a reasonable classification. Chapter 5, section 91, of the Illinois Revised Statutes exempts "farmers, fruit and vine growers and gardeners" from having to pay any state, county or city license tax to sell their produce. The Appellate Court in Holzman v. City of Canton, 180 Ill. App. 641 (1913), upheld an ordinance passed pursuant to this statute against an attack that it unconstitutionally discriminated between peddlers of one class and peddlers of other classes:

"The exemptions in the ordinance are not of persons or of any classes of persons, but rather of occupations. If appellant desires to raise and peddle farm products . . . in Canton, he may do so without a license the same as any other persons. If a . . . farmer desires to peddle rugs he is required to have a license the same as appellant." (180 Ill. App. at 644)

Similarly, the Illinois Motor Vehicle Law imposes a license tax on all owners of vehicles for the use of the highways except vehicles which are used primarily in agricultural pursuits. In Bode v. Barrett, 412 Ill. 204 (1952), the Supreme Court rejected an argument that the agricultural exemption was unconstitutional. Relying on the decision of the United States Supreme Court in Aero Mayflower Transit Co. v. Georgia Public Service Comm'n., 295 U.S. 285 (1935), the Court stated:

"The plaintiffs' contention that the agricultural exemption contained in section 9 is unconstitutional is not well taken in view of the long line of decisions holding valid both under State and Federal constitutions, such provisions similar to those under consideration." (412 Ill. at 234)



The second class of property which is made nontaxable by House Bill 3776 consists of a taxpayer's household furniture used for the personal living purposes of the owner at his residence and one automobile used for personal pleasure purposes, per household. This class was made nontaxable by legislation enacted prior to the adoption by referendum of the 1970 Illinois Constitution. The intent of this provision in House Bill 3776 was to re-enact that provision.

1. PRESIDING OFFICER: (Senator Johns)

2. Senator Knuppel.

3. SENATOR KNUPPTEL:

4. Will everybody receive a copy of it?

5. PRESIDING OFFICER: (Senator Johns)

6. Question asked by Senator Knuppel, will everyone receive a  
7. copy of that opinion?

8. SENATOR CLARKE:

9. That is certainly is something you're entitled to. We can  
10. provide that, yes.

11. PRESIDING OFFICER: (Senator Johns)

12. Senator Partee.

13. SENATOR PARTEE:

14. Well for years, as lawyers, we have looked for legislative  
15. intent and certainly the intent of the Legislature on passing of  
16. any bills should be clearly reflected in the records. I would like  
17. for you to hold this for just a minute so I might have a chance to  
18. read it and I'm certain that on the basis that it ought to be pro-  
19. vided fully in the record that it will go in. I'd like to see it  
20. first for a minute.

21. PRESIDING OFFICER: (Senator Johns)

22. On House Bill 4433 the votes are yeas 46, the nays zero. Having  
23. received the constitutional majority is declared passed. Now we'll  
24. move on to bill, on House Bill 4449 Senator Knuepfer.

25. SENATOR KNUEPFER:

26. I'd like to take this bill back to second reading for purpose  
27. of adding an amendment which the Junior College Board provided.

28. PRESIDING OFFICER: (Senator Johns)

29. Does he have leave of the Body to do so?

30. SENATOR KNUEPFER:

31. Let me address myself. I would move the adoption of the  
32. amendment now I will address myself to the amendment before we get  
33. on any roll call, I would. I dont know how controversial the amendment

1. is. I suspect it is subject to some controversy because the  
2. amendment deletes section 8 and that's all it does. Section 8  
3. was added to the bill in the House. This amendment will delete  
4. Section 8.

5. PRESIDING OFFICER: (Senator Johns)

6. Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. Will he kindly explain what the amendment is.

9. PRESIDING OFFICER: (Senator Johns)

10. Senator Partee.

11. SENATOR PARTEE:

12. Section 8 had another connotation in the Army. I just  
13. wondered, Sir, is this the one that relates to unionization fear...  
14. union rates or something. Would you give us a little explanation  
15. Prevailing wage I think is the concept.

16. PRESIDING OFFICER: (Senator Johns)

17. Senator Knuepfer.

18. SENATOR KNUEPFER:

19. Let me read Section 8 directly and this is what it deletes.  
20. Section 8 says, it's only 2 lines, any expenditures under this Act  
21. be spent in compliance with the prevailing wage rates as established  
22. by public policy. Now that's all it does is delete that language.

23. PRESIDING OFFICER (Senator Johns)

24. Senator Partee.

25. SENATOR PARTEE:

26. Then I take it that by the adoption of this amendment you will be  
27. in Conference Committee on the subject. Is that correct?

28. PRESIDING OFFICER: (Senator Johns)

29. All in favor of the adoption of the amendment say aye. Senator  
30. Partee.

31. SENATOR PARTEE:

32. Can you hold it just a minute? I haven't seen this at all and  
33. I want to think about that just a moment. I may or may not agree

1. to adopting this amendment frankly.

2. PRESIDING OFFICER: (Senator Johns)

3. Senator Graham.

4. SENATOR GRAHAM:

5. Mr. President. While I make an inquiry as to what the order  
6. of business is and why the delay I would like to indicate to the  
7. members of the Senate that all the trips we make around the State  
8. on our assignment to the Prison's Commission are not bad. Some-  
9. times we find some of the most charming people and some of the most  
10. capable. It's great to know, it's a great amount of pleasure and I  
11. must impose upon your time briefly to introduce to you members of  
12. the Senate a hard working little Catholic Nun from Rockford who is  
13. here with her parents from New Jersey. Sister Margaret Ann at  
14. St. Elizabeth's Service Center in Rockford is God's gift to people who  
15. need help. She does her job and does it well. I'd like for Sister  
16. Margaret Ann to stand with her parents and be recognized by the  
17. Senate. That pretty little red head is a little Catholic nun.

18. PRESIDING OFFICER: (Senator Johns)

19. Senator Knuepfer, I think the discussion will start back with  
20. you again. Do you desire to hold it.

21. SENATOR KNUEPFER:

22. I thought Senator Partee was thinking about it, now we're  
23. going to come right back to it. What is the posture?

24. PRESIDING OFFICER: (Senator Johns)

25. Senator Partee.

26. SENATOR PARTEE:

27. Only three other people have talked to me about three other  
28. matters since this happened, Sir. I really haven't had a chance to  
29. think about it. Would you hold it just a minute?

30. PRESIDING OFFICER: (Senator Johns)

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. On the understanding we'll get right back to this within the

1. reasonable order or business. Is that correct Senator Partee?

2. PRESIDING OFFICER: (SENATOR JOHNS)

3. He says that's correct. Okay. Senator Baltz.

4. SENATOR BALTZ:

5. Yes, Mr. President as a matter of some concern to me I  
6. thought I made a motion with the acquiescence of Senator Course  
7. that House Bill 4408 be taken from the Revenue Committee and placed  
8. on the order of Second Reading last Wednesday. In deference to our  
9. very fine capable Secretarial staff who tell me they didn't hear it  
10. and the Secretary's office who tell me they have no record of it,  
11. I'd like to renew that motion and if proper if Senator Course recalls  
12. that I did this maybe we can move it to Third Reading for tomorrow.

13. PRESIDING OFFICER: (SENATOR JOHNS)

14. It is the desire of Senator Baltz to take it from the table  
15. and read it a second time today and advance it to Third tomorrow.

16. Is that correct, Sir?

17. SENATOR BALTZ:

18. I'd like to have it on Third tomorrow but I would imagine...

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. That's our understanding, Sir. All those in favor. All those  
21. opposed. The ayes have it, Motion carries. Let's go to Carpentier.  
22. Senator Carpentier 4452.

23. SENATOR CARPENTIER:

24. House Bill 4452, Senator Hynes has an amendment on that. I'd  
25. like to pull it back to Second Reading for the adoption of the  
26. amendment.

27. PRESIDING OFFICER: (SENATOR JOHNS)

28. Senator Dougherty, for what purpose do you arise, Sir?

29. SENATOR DOUGHERTY:

30. Let me check some figures on it now.. I think it runs more than  
31. that. If my figures are correct it will run close to 30.....

32. PRESIDING OFFICER: (SENATOR JOHNS)

33. Senator Dougherty, will you explain what you wish to talk about,

1. Sir.

2. SENATOR DOUGHERTY:

3. Well I wanted to hold that bill for a moment but he may  
4. put the amendment on. There's nothing wrong with that at this time.

5. PRESIDING OFFICER: (SENATOR JOHNS)

6. Senator Carpentier.

7. SENATOR CARPENTIER:

8. He wants to what?

9. PRESIDING OFFICER: (SENATOR JOHNS)

10. Senator Dougherty, would you explain that again sir? Senator  
11. Dougherty would you please get together with Senator Carpentier and  
12. get this ironed out and let's move ahead.

13. SENATOR DOUGHERTY:

14. Never mind, let Senator Hynes handle it.

15. PRESIDING OFFICER (SENATOR JOHNS)

16. Senator Hynes. Let's move on to the next bill. You gentlemen  
17. get together, please. Senator Knuepfer, 4457.

18. SENATOR KNUEPFER:

19. I held Senate Bill 4457 last Friday so that Senator Cherry  
20. and his staff could take a look at it. He had some questions.  
21. To the best of my knowledge they have been answered. If they  
22. haven't I'm not aware of it. This is the second 200 million  
23. dollars of the bond issue, anti-pollution bond issue. Basically,  
24. and I'll read you this. 80 million dollars has been allocated,  
25. there are applications for 21 million dollars which makes the  
26. total of a 101 million dollars. These applications are pending  
27. the U.S. approval. There are applications totaling 130 million  
28. dollars which are pending the approval of the Illinois Environ-  
29. mental Protection Agency. You add those up you come out 231  
30. million dollars. Since we already have the appropriation or  
31. have the authority from the legislature to issue 200 million in  
32. bonds the second 200 million would make a total of 400 million  
33. of which I just noted that 230 million have already been applied

1. for, approved or granted. This leaves in effect about 170  
2. million available for new applications in the next year as well  
3. as the program that I discussed earlier which I pointed out  
4. might be controversial and that is the problem of the advanced  
5. funding of the federal portion. I understand that is coming  
6. closer to fruition but it isn't here yet today. I don't know  
7. whether I can say anything, I think perhaps the best way of  
8. handling this at this point is to what there are obviously some  
9. questions that haven't been answered, can I respond to those.

10. PRESIDING OFFICER: (Senator Johns)

11. Senator Donnewald.

12. SENATOR DONNEWALD:

13. Yes, Senator, I examined the lists submitted to me by the  
14. EPA Friday or Thursday as I recall and on that list for downstate  
15. there was many, many communities that all of us downstate represent  
16. in one place or the other and my question to you is and my question  
17. to them was will we maintain that priority assuming that this bill  
18. does pass. I was led to believe that it would and I would like  
19. your response.

20. PRESIDING OFFICER: (Senator Johns)

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. I can only respond in terms of what the agency told me that  
24. the priorities have been established by them and to the best of  
25. and they told me there is no change in these priorities. Your  
26. suggesting that there may be a change in priorities in view of the  
27. prospective or the possibility of pre-financing or pre-funding  
28. the federal portion?

29. PRESIDING OFFICER: (Senator Johns)

30. Senator Donnewald.

31. SENATOR DONNEWALD:

32. What I'm trying to get through, if this pre-financing or  
33. advancement is what it is, goes through priorities will remain the

1. same, is that it?

2. SENATOR KNUEPFER:

3. Senator, that is exactly right the Director told me that  
4. before he reaffirms this positions, those priorities will not  
5. change because of this.

6. PRESIDING OFFICER: (Senator Johns)

7. Senator Donnewald.

8. SENATOR DONNEWALD:

9. Well I certainly, if that be the case, I certainly whole-  
10. heartedly back the House Bill 4457.

11. PRESIDING OFFICER: (Senator Johns)

12. Senator Cherry.

13. SENATOR CHERRY:

14. When this bill was first called, Mr. President and members of  
15. the Senate, I shared the same concern that Senator Knuepfer shared  
16. and that is the fact that whether or not the federal funds would  
17. be forthcoming. Now we still have no assurance. But what  
18. I'm concerned with, and I'm not going to oppose this appropriation,  
19. what I'm concerned with is that none of this money should be spent  
20. before the Federal Government provides its share of this bonding  
21. program. That was my first concern. My second concern was that  
22. the municipalities should come forth with its share, their share  
23. of this bonding program. Now I realize that this is really a  
24. permissive appropriation and nothing more. This appropriation I  
25. assume will be spent by the Governor and encumbered by the  
26. Governor in the event that the municipalities come up with their  
27. share and the Federal Government comes up with its share. Other-  
28. wise we could be put in the position where this entire program is  
29. going to be funded by both the municipalities of this State and by  
30. the State itself. As I understand it from my discussion with the  
31. officials of our pollution control program is that they are attempting  
32. to get an appropriation from the Federal Government which has not as  
33. yet Senator Knuepfer been passed. They're hopeful that it will be.



1. And I'm hopeful. I would say to the Governor of this State in  
2. the event that this appropriation is not passed and forthcoming  
3. to Illinois that I'm hopeful that the Governor will withhold the  
4. spending of this money until the three sovereigns; that is the  
5. Federal government, the State and the Municipalities each con-  
6. tribute its share of this program. But I'm not going to oppose  
7. the bill because I know that it's necessary to make this appro-  
8. priation so that when and if the reservations we do have do  
9. occur and become certainties then this money should be made  
10. available for spending.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Knuepfer, would you conclude the...

13. SENATOR KNUEPFER:

14. I can only say...oh, wait a minute Senator Bruce wants  
15. to say something too, I guess.

16. PRESIDING OFFICER: (SENATOR JOHNS)

17. Senator Bruce, oh wait a minute, Senator Vadalabene was  
18. first.

19. SENATOR VADALABENE:

20. Yes, thank you, Mr. President, members of the Senate. I was  
21. off the floor and I just wanted Senator Knuepfer to reiterate one  
22. more time. Now the priorities on this pre-financing that were  
23. established, these will remain status, right? I mean there  
24. will be no changes in regards to these priorities, in receiving  
25. funds 'cause I can recall one time where the priorities did not stay  
26. the same that you may be fifteenth this year and wind up twenty-  
27. fifth next year. Now you're sure that these priorities stay the  
28. same?

29. PRESIDING OFFICER (SENATOR JOHNS)

30. Senator Knuepfer.

31. SENATOR KNUEPFER:

32. Senator, let me clarify what I said earlier that those  
33. priorities will not be affected, and I did not make it clear, will

1. not be affected by whether or not the Federal government, whether  
2. or not there is any advance to the Federal fund. A priority can  
3. change if somebody with a greater need comes in. However, that should  
4. not be a problem because with the 400 million that is allocated we  
5. will have enough for all of these but your priority may change  
6. slightly if one of the municipalities concerned to you, and it can  
7. go the other way too, if you have a municipality that comes in with  
8. a more, a greater problem then they may go in advance to someone  
9. with a lesser problem but 400 million will take care of all of  
10. those contemplated irregardless of priority this year.

11. PRESIDING OFFICER: (SENATOR JOHNS)

12. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Well this is, of course, of what I was saying, what I under-  
15. stood and I didn't think that Senator Donnewald got the answer and  
16. this is why I wanted to clarify. I also am going to support the  
17. bill but I did want to make it known that priorities could change  
18. within this program.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Any further discussion? Senator Bruce.

21. SENATOR BRUCE:

22. I would just point out to the membership that one of the  
23. Task Force amendments which Director Blazer agreed was that we  
24. removed the sum of 2 million dollars out of money appropriated for  
25. construction and put that down on a line item for preparing  
26. Metro-Regional waste water plans. I personally feel that to  
27. launch into planning with bonded money is a bad precedent. We  
28. felt though that if there was some sort of constitutional challenge  
29. to that it would be better that it be in a line item by itself  
30. so there's no possibility entire amount would be held up. I  
31. would point out to the membership that to my own knowledge this  
32. is the first time we've taken bonded money and given 2 million  
33. dollars to plan Metro-Regional Waste Water Programs. Those plans

1. and funding of which will be many years behind and very likely  
2. the plans will be used to eventually fund those will now be the  
3. same plans that we now fund by bonded money.

4. PRESIDING OFFICER: (Senator Johns)

5. Any further discussion? Senator Knuepfer.

6. SENATOR KNUEPFER:

7. Most of what needs to be said has been said already.  
8. Municipal grant is required or a sanitary district before the  
9. State participates so there need be no fear that local money will  
10. not be there because there will be no state money until such time  
11. as there is local money. One of the necessities of planning comes  
12. about because both in our bond act and in the Federal provisions  
13. is a necessity for regional planning before grants can be author-  
14. ized and I would appreciate a favorable roll call if there are no  
15. more questions.

16. PRESIDING OFFICER: (Senator Johns)

17. If there is no further discussion, we'll have a roll call.  
18. Secretary will call the roll.

19. SECRETARY:

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

28. PRESIDING OFFICER: (Senator Johns)

29. Egan aye, Palmer aye, Merritt aye, Groen aye, any others?  
30. Course aye. That will be one more. On House Bill 4457 the ayes  
31. are 44, the nays are zero. Having received the constitutional  
32. majority is declared passed. Now we're going to go back, now,  
33. gentlemen, let me have your attention. We're going to go back to

1. 4452, Senator Carpentier's bill. The amendment is ready. As a  
2. courtesy to him we've waited, we'll go back to 44... Senator  
3. Carpentier.

4. SENATOR CARPENTIER:

5. Thank you, Mr. President, and I refer to Senator Hynes. He  
6. has the amendment for this bill.

7. PRESIDING OFFICER: (SENATOR JOHNS)

8. Amendment No. 2.

9. SENATOR HYNES:

10. Mr. President, has the bill been brought back to second  
11. reading? Mr. President.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Just a moment, just a moment, we're checking on the procedure.  
14. Any objections to having it brought back to second for purpose of  
15. amendment? Permission granted. Now we'll have intervening, wait  
16. a minute, Senator Hynes.

17. SENATOR HYNES:

18. I would move to reconsider the vote by which Amendment No. 1  
19. was adopted.

20. PRESIDING OFFICER: (SENATOR JOHNS)

21. All those in favor say aye. Senator Hynes moves that we  
22. reconsider the amendment.

23. SENATOR HYNES:

24. I move move to Table Amentment No. 1.

25. PRESIDING OFFICER: (SENATOR JOHNS)

26. All those in favor say aye. Senator Hynes moves that we  
27. reconsider the amendment.

28. SENATOR HYNES:

29. I now move the adoption of Amendment No. 2 which is identical  
30. to Amendment No. 1 except for the following two respects. It adds  
31. \$600,000 to the appropriation to the Department of Public Health.  
32. The original Task Force reduction was \$900,000. This puts  
33. \$600,000 back in connection with the Trauma Centers. The reduction  
now will be \$300,000 from the initial request. The total reduction  
for the entire appropriation may by the Task

1. Force will now be \$3 million, three hundred thousand dollars.  
2. Secondly it simply is a technical matter. This amendment  
3. breaks the grants to local municipalities into three million  
4. dollars of new appropriations, one million, five hundred  
5. thousand dollars of re-appropriation for a total of four million  
6. five hundred thousand which is the same amount as in the  
7. original bill but in the original bill it was listed as a new  
8. appropriation. I would move the adoption of Amendment No. 2.

9.  
10. PRESIDING OFFICER: (Senator Johns)

11. Any further discussion? All those in favor of the adoption  
12. of the amendment say aye. All those opposed. The amendment is  
13. adopted. Third reading. We'll come back to it after intervening  
14. business. Lets take, well, let me, ah, Senator Partee and Senator  
15. Clarke, Senator Gilbert just approached the rostrum and asked that 4466,  
16. a companion bill to one we designated for hearing, 4468, that  
17. both of those bills be heard. Is that correct, Senator Gilbert?

18. SENATOR GILBERT:

19. Well, I would like leave to call back 4466 from third  
20. to second reading for purpose of amendment. Senator Hynes has  
21. the amendment..in fact he...

22. PRESIDING OFFICER: (Senator Johns)

23. Senator Partee, pardon me, Senator Gilbert.

24. SENATOR PARTEE:

25. Each day we have a priority list, first and second priority.  
26. I do not see this bill on either list so I think....

27. PRESIDING OFFICER: (Senator Johns)

28. Senator Gilbert.

29. SENATOR GILBERT:

30. Senator Johns informed me that 4468 which is the appropriation  
31. is on the priority list. Now these two bills are companion bills.  
32. Without one you do not need the other. The appropriation was taken  
33. originally from 4466 and made to 4468 to comply with our new

1. Constitution so that's why I ask that we at least do get it in shape  
2. when we do call so we can call both of them on one roll call because  
3. without one we don't want the other.

4. PRESIDING OFFICER: (SENATOR LYONS)

5. Senator Partee agrees with that. I see that.

6. SENATOR GILBERT:

7. I would like leave to call this back for purpose of amendment.  
8. The amendment strengthens the bill in that it requires that the  
9. district to make claim for a loss in their transportation shall have  
10. levied the 12% rate before they shall be eligible to get any of this  
11. fund. This amendment has been prepared by the staffs on both sides  
12. of the aisle and with the Superintendent of Public Instruction's  
13. Office. It's a School Problems Commission's bill. I move the  
14. adoption of the amendment.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Any discussion? All those in favor say aye. All those  
17. opposed. The amendment is adopted. Now we will go back to 4452,  
18. Senator Carpentier.

19. SENATOR CARPENTIER:

20. Yes, Mr. President. 4452 is the Governor's Traffic Safety  
21. Program. We just had an amendment put on it and I know that this  
22. amendmen t when it gets over to the House will come back to us  
23. for a Conference Committee but I'd just as soon pass it and get  
24. it going.

25. PRESIDING OFFICER: (SENATOR LYONS)

26. Senator Neistein.

27. SENATOR NEISTEIN:

28. I rise in opposition to this bill. Of any appropriation that  
29. we've considered in this session I consider this as an adjunct to the  
30. Republican party. If you recall this bill and I'll just read you some  
31. of the things that we're providing and appropriating money for. Radio  
32. spots, broadcasts \$145,865. Billboards, \$36,980.68. Litter bags,  
33. \$1,390. Radio spot, broadcasts \$56,363.69. Preparation of

1. advertisement and I can go on and on. Research text, education  
2. information, \$101,693. Now if you recall this is the first time  
3. in the history of Illinois that billboards appeared on the high-  
4. way urging legislators to vote for implied consent signed by  
5. Governor Ogilvie. The money for all these billboards, or most  
6. of them, the money for the radio spots which was \$145,000 then  
7. there's a spot \$56,000, all came from the Citizens' Traffic Safety  
8. Program. How many employees and what the payroll is of this  
9. group, I don't know, but if there ever was an adjunct to the  
10. Republican party without having to raise funds to advertise the  
11. Republican party and the Governor, this is it. And no matter  
12. how many amendments are put on I strongly urge this side of the  
13. aisle to vote no on this appropriation.

14. PRESIDING OFFICER: (Senator Johns)

15. Senator Carpentier.

16. SENATOR CARPENTIER:

17. Well, Mr. President, I'm very happy to hear Senator Neistein  
18. expound on his Democratic congressional legislation. This is  
19. done by Congress, signed by the President Johnson, and it was  
20. assigned to the states for the use of the Governors with matching  
21. funds. We've got funds in here for Trauma Centers, Cook County  
22. has one of the greatest. We downstate would like a few Trauma  
23. Centers. I can remember years ago when the former Governor of  
24. the State of Illinois that party took the unmarked cars off the  
25. highways and the traffic fatalities went up. Now this is a bi-  
26. partisan bill. The Superintendent of Public Instruction is a  
27. member of this committee, the State Treasurer, the President  
28. pro tem, The Speaker of the House, the State Police. They're  
29. all included in this and the idea to pick out a couple of bill-  
30. boards is ridiculous to me. This is something that Congress told  
31. us we had to do and this is in compliance with their recommendations.  
32. We haven't had control of the Congress only for two years since 1932,  
33. so as far as it being a Republican bill, this is nonsense. This is

1. a highway safety program, and a program that is needed for our  
2. State, and it also includes our health services. And if you  
3. think it's easy to get somebody from the scene of an accident  
4. downstate to a hospital in this day and age, you had better  
5. start riding around and looking around. This is good legislation,  
6. we accepted the amendment, and now I urge the passage of this bill,  
7. and I ask for a roll call.

8. PRESIDING OFFICER: (Senator Johns)

9. Any further discussion? Now the 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 ...

17. PRESIDING OFFICER: (Senator Johns)

18. Senator Partee.

19. SENATOR PARTEE:

20. This is a bill ... this is a bill which has had rather careful  
21. scrutiny. There has been a substantial reduction in the amount of  
22. money requested. I think some of the things which this Traffic  
23. Safety Coordinating Committee did were things which they ought not  
24. have done. The things alluded to by Senator Neistein in terms of  
25. lobbying of the legislature with governmental money by the Governor's  
26. office is absolutely unforgivable. There is no reason why it ought  
27. to have been done. There is no justification for its having been  
28. done, and that is why the Task Force sought to diminish this appro-  
29. priation in an amount which would prevent that kind of reckless  
30. spending of taxpayers' money happening again. As a matter of fact,  
31. the total amount cut out by the Task Force was three million, nine hundred  
32. thirty two thousand, five hundred dollars. By the amendment we just  
33. adopted, six hundred thousand dollars went back in it ... to Public



1. Health for the Trauma program. The Trauma program is a program  
2. which I defy anyone to suggest is not in the best interest of  
3. our citizens. Now I know that there are those who are annoyed  
4. and nettled with the Governor's Traffic Safety Coordinating  
5. Committee. There are some considerations relating to matching  
6. funds of the federal government. It occurs to me that a four  
7. million dollar cut, with a six hundred thousand dollar restor-  
8. ation, leaves this committee in a posture where the local govern-  
9. ment, state police, highways, OSPI, and other facets of this  
10. program will have what is proper funding. I do not think that they will  
11. have the kind of money to do things which they should not have done  
12. in the first instance, and I vote aye.

13. SECRETARY:

14. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours  
15. Swinarski, Vadalabene, Walker... Weaver.

16. PRESIDING OFFICER: (Senator Johns)

17. Senator Sours ... I'm sorry. Change Lyons to aye. Senator  
18. Sours, would you ... call the absentees. Sours, aye. On that bill,  
19. the yeas are 34, the nays are 6, Having received the constitutional  
20. majority, is declared passed. I believe that we are now ready on  
21. Senator Knuepfer's bill, 4449. Senator Partee, is that correct?  
22. Senator Hynes. Senator Knuepfer ... Is that right? Senator Partee.

23. SENATOR PARTEE:

24. Senator, I think we can make this a fairly simple issue. The  
25. amendment which you have would take out an amendment added in the  
26. House that persons hired by the Junior College Board shall be paid  
27. the prevailing wage. I propose to vote against deleting that amend-  
28. ment, we might as well have the vote, and no matter how it goes, we  
29. will be in Conference Committee anyway.

30. PRESIDING OFFICER: (Senator Johns)

31. Senator Knuepfer.

32. SENATOR KNUEPFER:

33. Well, I ... I can close very shortly. I don't think it is a

1. complicated issue. All I can say to you is that every Junior  
2. College in this state, to the best of my knowledge, opposes this  
3. bill in its present form without this amendment. The reason is  
4. very simple, last year there was a move in this Body to raise the  
5. credit hour to, I think, 18½ or 19½. That did not obtain, simply  
6. because there were not enough funds available. It is, and will be  
7. again this Year, at 16½ dollars. In the case of the junior colleges,  
8. more than half of their funds come from local sources. I can't  
9. speak for all of your junior colleges, but I can speak for the DuPage  
10. County Junior College, and they are in a real fiscal bind. They have  
11. got a lot of problems. They had a two bond ... or two rate increases  
12. that have been turned down by the public. They are not going to get  
13. a substantial amount of additional state aid this year, and with this  
14. clause in they would have a very, very difficult financial situation,  
15. as would the rest of the junior colleges in this state, and conse-  
16. quently they have asked that this clause be deleted. I would ask for  
17. a favorable roll call.

18. PRESIDING OFFICER: (Senator Johns)

19. Any further discussion? Will the Secretary call the roll. On  
20. the Amendment No. 1. On the adoption.

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,  
23. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,  
24. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,  
25. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
26. Lyons, McBroom ...

27. PRESIDING OFFICER: (Senator Johns)

28. Senator Cherry, for what occasion do you arise, Sir?

29. SENATOR CHERRY:

30. What are we voting on? On the amendment?

31. PRESIDING OFFICER: (Senator Johns)

32. On the amendment.

33. SENATOR CHERRY:

1. On the adoption of the amendment or the deletion of the amend-  
2. ment?

3. PRESIDING OFFICER: (SENATOR JOHNS)

4. The adoption of the amendment.

5. SENATOR CHERRY:

6. If you want to support Senator Knuepfer, you vote aye. If you  
7. want to oppose Senator Knuepfer, you vote no.

8. PRESIDING OFFICER: (SENATOR JOHNS)

9. That is correct.

10. SENATOR CHERRY:

11. Okay.

12. PRESIDING OFFICER: (SENATOR JOHNS)

13. Lyons, no. Cherry, no. Egan, no.

14. SECRETARY:

15. 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. PRESIDING OFFICER: (SENATOR JOHNS)

20. Carpentier, aye. Senator Saperstein, no. Kosinski, no.  
21. Kusibab, no. McBroom. How is Senator McBroom recorded? No re-  
22. corded. No. Lyons, no. Smith, no. Neistein, no. Would you call  
23. the absentees, please. Wait a minute. .... On that measure the  
24. yeas are 23, the nays are 16, having received the constitutional  
25. majority, that amendment is adopted. Yes, yes ... wait a minute ...  
26. 23-16. By a vote of 23-16, the amendment is adopted. 3rd Reading.  
27. There is a request for a verification of the roll call. 23-16. The  
28. Secretary will call the roll.

29. SECRETARY:

30. Baltz, Berning, Bidwill, Carpentier, Carroll, Clarke, Collins,  
31. Coulson, Davidson, Fawell, Gilbert, Graham, Groen, Knuepfer, Latherow,  
32. Laughlin, Merritt, Ozinga, Rosander, Soper, Sours, Walker, Weaver.

33. PRESIDING OFFICER: (SENATOR JOHNS)

1. 3rd Reading. .... All right, verification of the negatives?
2. Is that what you wish, Senator Donnewald?
3. SENATOR MCCARTHY:
4. Yeah, verify it.
5. PRESIDING OFFICER: (Senator Johns)
6. Verify the negatives. Senator Partee.
7. SENATOR PARTEE:
8. What we are asking for is a verification of the no votes.
9. They said there were 16, we counted more than that. We want to
10. verify them. It is that simple.
11. SECRETARY:
12. Cherry, Course ...
13. PRESIDING OFFICER: (Senator Johns)
14. Senator Knuepfer. That request is in order. Verification of
15. the roll call. Continue, Mr. Secretary.
16. SECRETARY:
17. Donnewald, Egan, Hynes, Kosinski, Kusibab, Lyons, McBroom,
18. McCarthy, Neistein, Partee, Rock, Saperstein, Smith, Vadalabene ...
19. PRESIDING OFFICER: (Senator Johns)
20. Horsley says he voted. How'd you vote, sir? Senator Dougherty.
21. SENATOR DOUGHERTY:
22. I am not recorded, but I am sure I voted no. I'm not going to ...
23. I was standing over talking to Senator Groen.
24. PRESIDING OFFICER: (Senator Johns)
25. Senator Partee. Let's have some order. Senator Partee.
26. SENATOR PARTEE:
27. So that we can untangle the record here, I move to reconsider
28. the vote by which that amendment was adopted.
29. PRESIDING OFFICER: (Senator Johns)
30. Senator Partee.
31. SENATOR PARTEE:
32. Did you say that I didn't vote on the prevailing side, Senator?
33. You're right.

1. PRESIDING OFFICER: (Senator Johns)
2. All right, what's the next bill? It's been announced. 4466
3. .... Senator Gilbert, do you want to call 4466?
4. SENATOR GILBERT:
5. Well, if it is all right with Senator Partee.
6. PRESIDING OFFICER: (Senator Johns)
7. Senator Partee.
8. SENATOR GILBERT:
9. Is it all right to call 4466 and 4468 now?
10. SENATOR PARTEE:
11. Pardon me ... I couldn't hear it.
12. SENATOR GILBERT:
13. Is it all right to call 4466 and 4468? 4466 was not on the list,
14. but 4468 was. They should be considered together, and I would suggest
15. they be on the same roll call because 4468 is the appropriation to
16. take care of 4466. Now, when we changed the school formula and the
17. state gave 80% maximum reimbursement, there were certain school districts
18. that levied the full 12¢ but still in making their claim were not ...
19. did not raise enough money from their local levy to make up the 20%
20. difference. This bill allows them to make a claim for reimbursement.
21. The amount of money involved in 4468 is five hundred and three
22. thousand, one hundred and seventy eight dollars. This matter was
23. studied by the School Problems Commission. It has the approval of
24. the Superintendent of Public Instruction, and I know of no opposition
25. to this bill, and would ask for a favorable roll call, and ask that
26. both bills be considered, 4446 and 4468, because without one, the
27. other is not necessary.
28. PRESIDING OFFICER: (Senator McCarthy)
29. Senator Sours.
30. SENATOR SOURS:
31. Mr. President, I have one question. What has this bill to do
32. with busing, if anything?
33. PRESIDING OFFICER: (Senator McCarthy)

1. Senator Gilbert.

2. SENATOR GILBERT:

3. The only thing it has to do with busing is the present trans-  
4. portation that they ... the busing that they have. It has nothing  
5. to do with changing busing, Senator Sours. Whatever the school  
6. districts have been using, this is the reimbursement to them for the  
7. busing that they have had in the past three years.

8. PRESIDING OFFICER: (Senator McCarthy)

9. Is there any further discussion on the bill? Is ... 4466 will  
10. be called, and I ... unless there is some misunderstanding with the  
11. Chair, one roll call will apply to both 4466 and 4468. All right,  
12. the clerk will take the roll.

13. SECRETARY:

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

22. PRESIDING OFFICER: (Senator McCarthy)

23. Hall, aye. Rock, aye. All voted who wished. On this question,  
24. the yeas are 47, the nays are none. House Bills 4466 and 4468 are  
25. declared passed. Next bill is House Bill 4488, Senator Walker.

26. SENATOR WALKER:

27. Thank you, Mr. President and members of the Senate. House Bill  
28. 4488, introduced in the House by Representative Collins, Maragos,  
29. and Lenard appropriates eight million two hundred thousand from the  
30. road fund to the Department of Transportation for the purpose of  
31. building a new bridge to replace the existing bridge on Burnham Avenue  
32. over the Grand Calumet in Burnham, Illinois. I don't know how long  
33. this bridge has been there, or when it was constructed, but it has

1. been there at least prior to 1936, the year that I left those  
2. dens of iniquity in Peoria in the Journal transcript to go up  
3. to Chicago and seek fame and fortune. The bridge is in deplorable  
4. shape, needs replacing and I'd appreciate your support.

5. PRESIDING OFFICER: (Senator McCarthy)

6. We'll take Senator Dougherty first.

7. SENATOR DOUGHERTY:

8. Mr. President and members of the Senate, I agree with  
9. Senator Walker. This bridge is in what is presently Senator  
10. Walker's District, January 1st will be the 30th District  
11. where I hope to represent the people. It is an old bridge.  
12. I've gone over it many, many times. It's adjacent to Burnham  
13. Golf Course, and it serves thousands of vehicles daily, parti-  
14. cularly now with that great shopping center out there in River  
15. Oaks. There is a constant stream of traffic. The bridge is  
16. in deplorable condition and it should be replaced. I support  
17. this measure and ask the members of the Senate to do likewise.

18. PRESIDING OFFICER: (Senator McCarthy)

19. Senator Rock.

20. SENATOR ROCK:

21. Yes. Mr. President and members of the Senate, along  
22. with Senators Neistein and Romano, I think I am the only one  
23. that does not have a bridge near my District, so I don't have  
24. any of these bills. However, I want to ask what Senator Knuepfer  
25. should and I think will ask, when the point of time comes, is  
26. this in the Budget?

27. PRESIDING OFFICER: (Senator McCarthy)

28. Senator Walker.

29. SENATOR WALKER:

30. Thank you. The advantages are...the structure does need  
31. replacement. This bill will fund the construction. It is not  
32. in the budget, a road and improvement program for fiscal year  
33. 1972. That's the disadvantage. The advantage is that it needs

1. recommended action Do Pass.

2. SENATOR O'BRIEN:

3. The only comment I have, being a loyal fan of Senator  
4. Savickas, he had a program that was equally advantageous, and  
5. it only had one disadvantage. It, too, was not in the budget.  
6. It was substantially less than this.

7. PRESIDING OFFICER: (Senator McCarthy)

8. Senator Knuepfer.

9. SENATOR KNUEPFER:

10. Well, the answer, of course, that Senator Walker gave to  
11. you in an indirect way is it's not in the budget. The question  
12. I wanted to ask Senator Walker was somewhat different and that  
13. is: Is this one of the bridges that have to be torn up now that  
14. we've passed the bill authorizing heavier cement trucks?

15. SENATOR WALKER:

16. This bridge needed shoring up before that bill was passed.  
17. It needed shoring up for a long time, Senator Knuepfer.

18. PRESIDING OFFICER: (Senator McCarthy)

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Thank you, Mr. President. Senator Rock had asked my  
22. question about the bill being in the budget. I think bills like  
23. this should all be held for awhile and studied before we pass  
24. them out without close scrutiny to see if our budget can handle  
25. them. I would recommend that we hold these type of bills up for  
26. awhile.

27. PRESIDING OFFICER: (Senator McCarthy)

28. The Chair recognizes Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President, I would like to inquire into Senator Dougherty's  
31. dialogue. Did I assume, Senator Dougherty, that you're saying the  
32. people around the Burnham Avenue bridge will be better represented  
33. after January 1st than they are now?



1. SENATOR DOUGHERTY:

2. Modesty prevents me answering that.

3. PRESIDING OFFICER: (Senator McCarthy)

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. The thing about this, with an 8.2 million dollar appro-  
7. priation from the road fund for a new bridge, the question comes,  
8. is this going to be eligible for any of the Federal funding under  
9. the road-bridge program? May I ask Senator Walker that question?

10. PRESIDING OFFICER: (Senator McCarthy)

11. Senator Walker.

12. SENATOR WALKER:

13. Possibly 75% Federal participation.

14. PRESIDING OFFICER: (Senator McCarthy)

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. Well, if possible, it would not be eligible, according to  
18. my staff, for an appropriation from the Federal funding this year.  
19. It could be possibly for a 50-50 funding next year. I point out  
20. that the Federal Highway Trust Fund is somewhat in limbo as to  
21. how they are going to dispose of a great deal of money that's  
22. been coming into that when the interstates are completed, and  
23. they are going to get into the bridge programs, no doubt, through-  
24. out the various states, and this probably would be eligible at  
25. that time. This may be a little premature, although it may be  
26. a need for a new bridge. So I'd sort of question whether or  
27. not the State should take out from the road fund that amount of  
28. money for a new bridge in one area.

29. PRESIDING OFFICER: (Senator McCarthy)

30. Senator Walker, do you wish to make a concluding remark on  
31. this bill?

32. SENATOR WALKER:

33. Thank you. I think I said about all I can, and they need

1. the bridge. Burnham is in my District and in answer to Senator  
2. Graham's question, I'm certain after January 1st, it will be  
3. better represented because it will be in Senator Dougherty's  
4. District. It is important to the District. The bridge is shot.  
5. I have pictures here that I wouldn't burden you with. It's  
6. unsafe. There are some 13,000 vehicles that use this bridge a  
7. day. And it's about 4,000 feet long. At going rates 8.2 million  
8. isn't too much for a bridge 4,000 feet long. I'd appreciate  
9. your support.

10. PRESIDING OFFICER: (Senator McCarthy)

11. The Secretary will take the vote.

12. SECRETARY:

13. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
14. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-  
15. son, Donnewald, Dougherty, . . .

16. PRESIDING OFFICER: (Senator McCarthy)

17. Senator Dougherty.

18. SENATOR DOUGHERTY:

19. I can't understand the silence of either side of the aisle.  
20. This is not a subject to be laughed at. This bridge is in a  
21. deplorable condition, no matter whose District it would be in.  
22. And it is eligible for funds under the Truman-Hobbs Act. This  
23. bridge is eligible for Federal funds. It is, as Senator Walker  
24. said, it is 4,000 foot long, and I defy anybody to take a ride  
25. over it and not feel a little bit unsafe. I vote aye.

26. SECRETARY:

27. Egan, Fawell, Graham, Groen, Hall, Harris, Horsley, Hynes,  
28. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,  
29. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,  
30. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,  
31. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,  
32. Vadalabene, Walker, Weaver.

33. PRESIDING OFFICER: (Senator McCarthy)

1. For what purpose does Senator McBroom arise?

2. SENATOR MCBROOM:

3. Mr. President and members of the Senate, I'd just like  
4. to remind you, Mr. President, no, not for the photographer, Mr.  
5. President, as a member of the legislature from Decatur, Kankakee,  
6. and I look around over here, Quincy, we hear protestations from  
7. the other side of the aisle that some of us downstate legislators  
8. want money for rivers and bridges and creeks and Lake Peoria,  
9. and Lake McCarthy in Decatur, and so on, but we from the Chicago  
10. area never ask for anything of this nature. I vote aye.

11. PRESIDING OFFICER: (Senator McCarthy)

12. Senator Saperstein.

13. SENATOR SAPERSTEIN:

14. Aye.

15. PRESIDING OFFICER: (Senator McCarthy)

16. Saperstein aye. Senator Soper.

17. SENATOR SOPER:

18. Yes, Mr. President and members of the Senate, I remember  
19. when Senator McBroom came in the first time, I heard him. He  
20. wanted a bridge across the Kankakee River, and about the fourth  
21. time he came for a bridge, he wanted it the long way.

22. PRESIDING OFFICER: (Senator McCarthy)

23. On this question, the yeas are 37, the nays are none. The  
24. bill having received a constitutional majority is hereby declared  
25. passed. Senator Dougherty. Senator Dougherty moves to recon-  
26. sider the vote by which the bill was passed. Senator Walker moves  
27. to lay upon the Table. Those in favor of Tabling signify by  
28. saying aye. Contrary nay. The motion to Table prevails.  
29. Senator Latherow, House Bill 4508. Senator Latherow believes  
30. that is in a proper position on the Calendar. We'll pass that.  
31. Senate Bill 4522. Senator Knuepfer. All right. We go down  
32. to 4550. Senator Dougherty. Pass that one. There's 4551,  
33. Senator Dougherty, and 4557. All right. 4606, Senator Graham.

1. SENATOR GRAHAM:

2. Well, I don't really know if there's any part to contest  
3. in this. I think it's in the omnibus bill. I have been informed  
4. it is. In that event, it will be up to the Governor's office  
5. to make their decision from between the two. I just as soon  
6. get it off the Calendar. Get a favorable roll call. Just as well  
7. move it.

8. PRESIDING OFFICER: (Senator McCarthy)

9. Any discussion on the bill? The Secretary will call the  
10. roll.

11. SECRETARY:

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

20. PRESIDING OFFICER: (Senator McCarthy)

21. The yeas are 34, the nays are none. The bill having received  
22. the constitutional majority is hereby declared passed. Senator  
23. Knuepfer's back on the Floor. Now if you, gentlemen and lady,  
24. would look at 4522, Senator Knuepfer.

25. SENATOR KNUEPFER:

26. This is the annual appropriation for the Department of  
27. Finance. It has been amended by the Task Force. The Department  
28. accepted those amendments, and I would move for a favorable roll  
29. call.

30. PRESIDING OFFICER: (Senator McCarthy)

31. Any discussion on the bill? The Secretary will take the  
32. roll.

33. SECRETARY:

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

8. PRESIDING OFFICER: (Senator McCarthy)

9. Senator Rock.

10. SENATOR ROCK:

11. Yes, Mr. President and members of the Senate. In ex-  
12. plaining my vote, which is aye, I would just like to point out  
13. that I think it is at least questionable this is the second  
14. fiscal year appropriation since we have...since I have been  
15. here, at least, that we have voted for the ordinary and con-  
16. tingent expenses of this Department when we do not have a  
17. Director that has been appointed with the advice and consent  
18. of this Senate. And I think it's just a little bit unusual,  
19. and I think perhaps in the 78th General Assembly that ought  
20. to be the first order of business, that a Director would be ap-  
21. pointed and come before the Senate Executive Committee for  
22. the advice and consent thereof.

23. SECRETARY:

24. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,  
25. Swinarski, Vadalabene, Walker, Weaver.

26. PRESIDING OFFICER: (Senator McCarthy)

27. Groen aye. Rosander aye. All voted who wish on this?  
28. The yeas are 40, the nays are none. The bill having received the  
29. constitutional majority is hereby declared passed. We'll go  
30. to the fourth...we're back on the fourth column. We're going...  
31. the next bill that will be called is 4622, Senator Davidson.  
32. Senator Davidson is not on the Floor? We then go to 4636, Senator  
33. Mitchler. Sorry I didn't give you a little advance warning on

1. these. Are you prepared on...

2. SENATOR MITCHLER:

3. Yes. House Bill 4636. That's the ordinary...that's the

4. \$10,000 for the ordinary and contingent expenses for the permanent

5. commission on water pollution and water resources. It's been

6. cleared, I believe. Senator Partee, is he here?

7. PRESIDING OFFICER: (Senator McCarthy)

8. Senator Cherry is seeking some attention.

9. SENATOR MITCHER:

10. Let me hold that because he had a question on that before

11. and I'll hold it until he comes back.

12. PRESIDING OFFICER: (Senator McCarthy)

13. The bill will be held. Just so you may make a note. Yes,

14. Senator Partee.

15. SENATOR PARTEE:

16. Just hold it.

17. PRESIDING OFFICER: (Senator McCarthy)

18. Yes, sir. Just so you may make a note, the next five bills

19. that will be called, 4648, Senator Rock. It will not be called.

20. 4656, Senator Graham, 4657, Senator Graham, 58, Senator Graham,

21. 59, Senator Graham. Are you prepared on those bills and ready

22. to call them, Senator Graham?

23. SENATOR GRAHAM:

24. I'm prepared anytime. I don't know if Senator Partee is.

25. PRESIDING OFFICER: (Senator McCarthy)

26. Senator Partee.

27. SENATOR PARTEE:

28. Could we have just a 15 minute break for a Democratic.

29. caucus? Yes, Senator Rock has a bill he wants to introduce, and

30. after that we'll have a 15 minute break for a caucus.

31. PRESIDING OFFICER: (Senator McCarthy)

32. We'll go to the order of introduction of bills. Senator

33. Rock, you're recognized.

1. SENATOR ROCK:

2. Yes, Mr. President and members of the Senate. At this  
3. time I am asking for a suspension of the rules for the immediate  
4. introduction and consideration of a Senate Bill. It has come  
5. to the attention of the law enforcement officials; specifically,  
6. the States Attorney of Cook County. I received a call from him  
7. about 12:30 this afternoon to the effect that he had...his  
8. office had received a letter from a State Department indicating  
9. that the new implied consent law machines would not, in fact,  
10. be ready on or before July 1, when the law becomes effective. I am,  
11. therefore, requesting permission to introduce this bill which  
12. will delay or defer the effective date of the implied consent  
13. legislation to January 1, 1973, because of the fact that these  
14. machines which were ordered in April are apparently not ready  
15. for distribution. If we do not have some delay in the effective  
16. date, come July 1, when this law becomes effective, there will  
17. be no statutory authority for any type of breathalyzer machine  
18. other than those that are unavailable. I would ask that this  
19. bill be introduced, read a first time and put on the order of  
20. Second Reading.

21. PRESIDING OFFICER: (Senator McCarthy)

22. Senator Laughlin.

23. SENATOR LAUGHLIN:

24. Yes. We'll discuss this thing further. I have no ob-  
25. jection to Senator Rock's motion.

26. PRESIDING OFFICER: (Senator McCarthy)

27. Senator Knuepfer.

28. SENATOR KNUEPFER:

29. Yes. I have a question. Maybe...I have been asking  
30. Senator Neistein's staff. Maybe I could ask Senator Rock.  
31. How long are we going to be here?

32. SENATOR ROCK:

33. Be here when?

1. If I knew that, I would be in great shape. I have no idea.  
2. All I'm responding to is a problem that was brought to my  
3. attention by Mr. Hanrahan. As a matter of fact, last Saturday  
4. I attended a social function with the Chief Judge of the Traffic  
5. Court, Judge LaFevre, and he had heard the same thing that  
6. Senator Laughlin had heard last week, it was all kind of a  
7. rumor that these machines, in fact, were not going to be ready.  
8. Now, under the law as we have passed it, if these machines  
9. aren't ready, we can't use any machines and, therefore, there  
10. will be no voluntary breathalyzer test. Now, as strange as it  
11. may seem, about one third of the people who are, in fact,  
12. arrested and charged with driving under the influence do volun-  
13. tarily submit to this type of a test. And, as a matter of fact,  
14. many of them fall below the legal presumption and they are,  
15. therefore, presumably innocent and this works in their favor.  
16. If we are going to put ourselves in a situation where we have  
17. passed a law and cannot implement it properly due to a...some  
18. foul up by the company, I think that's an untenable situation.  
19. The bill is only attempting to cure that problem.

20. PRESIDING OFFICER: (Senator McCarthy)

21. Senator Laughlin

22. SENATOR LAUGHLIN:

23. Well, yes. I'd just like to respond very briefly. I have  
24. no objection to Senator Rock's motion. I do have a question as  
25. to whether or not the last statement he made is correct. Whether  
26. or not the tests and the machine automatic print-outs required  
27. by the implied consent law means that a breathalyzer could not  
28. be used outside of the operation of the implied consent law. I  
29. don't want to get into it now. I have no objection to his motion.  
30. But I think then it will be on Second Reading and we'll discuss  
31. it.

32. PRESIDING OFFICER: (Senator McCarthy)

33. As I understand the procedure, the bill has been introduced.



1. All right. Would the Secretary read the bill and the motion is  
2. to have it referred to Second Reading without reference.

3. Senator Neistein.

4. SENATOR NEISTEIN:

5. I'd like to ask Senator Rock what the Governor's Citizens'  
6. Committee on Traffic Safety for 13 million dollars is doing  
7. about getting print-outs or breathlyzers , etc. Because when  
8. this bill was discussed and debated and two conference com-  
9. mittees couldn't agree, I want to know what they've done with  
10. the 13 million dollars to effectuate that print-out, if Senator  
11. Rock knows.

12. PRESIDING OFFICER: (Senator McCarthy)

13. As soon as this bill is read, moved to Second Reading,  
14. there will be a recess for caucus, and prehaps this matter can  
15. be taken up at that time.

16. SECRETARY:

17. Senate Bill 1608 introduced by Senators Rock, Partee,  
18. Cherry and Donnewald is a bill for an Act to amend Section 11-  
19. 501.1 of the Illinois Vehicle Code. First Reading of the Bill.

20. PRESIDING OFFICER: (Senator McCarthy)

21. Second Reading. The Senate will stand in recess for about  
22. 15 minutes for a Democrat Caucus in the 6th Floor. Any other  
23. announcements prior to the recess? Recess.

24. RECESS

25. PRESIDING OFFICER: (Senator Rock)

26. The Senate will come to order. Am I to understand, Senator  
27. Partee, we'll begin on House...Senator Partee. Are we going to  
28. begin on House Bills on Third Reading, right where we left off?

29. SENATOR PARTEE:

30. Yes. Let's call one or two first and then we'll get some  
31. of those out of the way.  
32.  
33.

1. PRESIDING OFFICER: (Senator Rock)

2. Okay. House Bill 4663, Senator Gilbert, I think you were  
3. next in line.

4. SENATOR GILBERT:

5. Is that on Third Reading?

6. PRESIDING OFFICER: (Senator Rock)

7. It's a House Bill on Third Reading.

8. SENATOR GILBERT:

9. Well, I haven't had a chance to talk to Senator Hynes. I  
10. have an Amendment over there, but if you can...you'll come back  
11. to it in a minute. I left it on his desk, but he's been busy  
12. and I haven't had a chance to talk to him.

13. PRESIDING OFFICER: (Senator Rock)

14. 4668. Senator Fawell? 4670, that whole series, Senator  
15. Clarke?

16. SENATOR CLARKE:

17. I think that Senator Dougherty is looking at that, so  
18. we'll hold it.

19. PRESIDING OFFICER: (Senator Rock)

20. Okay. 4674 and 75, Senator Bruce? I will go to the  
21. second page then. 4676, Senator Groen. I don't see Senator  
22. Groen on the Floor. 4678, Senator Berning. Senator Berning.

23. SENATOR BERNING:

24. Well, Mr. President and members of the Body, 4678 is a  
25. Bill similar to a bill we had two years ago for the potential  
26. control of alewife die off in Lake Michigan. Its sole purpose  
27. is to be a back-up measure in the event that the die off does  
28. materialize, which has been anticipated and of which a degree  
29. has occurred so far. There is no real way of determining  
30. whether it's going to be as bad or worse or much less than  
31. what it was in 1969 or any of the subsequent years. The  
32. Governor's Office has indicated that they have no objection to  
33. this. There is no necessity for it being spent unless the

1. municipalities find that their own funds are expended and  
2. additional monies are needed. Then they may make a claim  
3. out of this appropriation. Otherwise there would be nothing  
4. spent.

5. PRESIDING OFFICER: (Senator Rock)

6. Senator Dougherty.

7. SENATOR DOUGHERTY:

8. Will the Senator yield for a moment?

9. PRESIDING OFFICER: (Senator Rock)

10. He indicates he will.

11. SENATOR DOUGHERTY:

12. Senator, is there any money in there for the City of  
13. Chicago?

14. PRESIDING OFFICER: (Senator Rock)

15. Senator Berning.

16. SENATOR BERNING:

17. Senator Dougherty, it's for Chicago and all Lake Michigan  
18. communities. There is a formula that they utilize for drawing  
19. on this after their own funds are expended.

20. PRESIDING OFFICER: (Senator Rock)

21. Senator Dougherty.

22. SENATOR DOUGHERTY:

23. The Chicago Park District. How about that? Is that also  
24. included in the Chicago appropriation, or is that a lump for  
25. both areas?

26. PRESIDING OFFICER: (Senator Rock)

27. Senator Berning.

28. SENATOR BERNING:

29. Senator Dougherty, it is a lump appropriation out of which  
30. claims can be paid.

31. PRESIDING OFFICER: (Senator Rock)

32. Senator Dougherty.

33. SENATOR DOUGHERTY:

1.           Either a joint claim or a separate claim by both entities,  
2.           is that what you mean?

3.           PRESIDING OFFICER: (Senator Rock)

4.           Senator Berning.

5.           SENATOR BERNING:

6.           I'm sorry I didn't get that.

7.           SENATOR DOUGHERTY:

8.           Either a joint claim from the City of Chicago or a claim  
9.           from the City of Chicago and the Chicago Park District.

10.          PRESIDING OFFICER: (Senator Rock)

11.          Senator Berning.

12.          SENATOR BERNING:

13.          Can't answer you specifically on that. But I would think  
14.          that if the City of Chicago is involved they have the right,  
15.          then, to make the claim. That's right.

16.          PRESIDING OFFICER: (Senator Rock)

17.          Senator Cherry.

18.          SENATOR CHERRY:

19.          Senator Berning, as I read the Bill, I don't think your  
20.          explanation is as accurate as it could be. The municipalities,  
21.          and I am referring specifically to the City of Chicago can make  
22.          a claim, but the Department of Conservation has the right under  
23.          the language of this Bill to determine whether or not it wants  
24.          to recognize that claim. Isn't that correct?

25.          PRESIDING OFFICER: (Senator Rock)

26.          Senator Berning.

27.          SENATOR BERNING:

28.          Well, as I see the Bill, and I have only the Bill in front  
29.          of me, it says for grants to the City of Chicago, \$75,000, which  
30.          is 50% of the total appropriation. And, so, the City of Chicago  
31.          would be able to claim up to that amount.

32.          PRESIDING OFFICER: (Senator Rock)

33.          Senator Cherry.

1. SENATOR CHERRY:

2. If you would amend the Bill to read that way, I would  
3. have no opposition. But let me read you what the Bill presently  
4. states, Senator Berning. It states that the grants, the sums,  
5. the amount of the grant to any such municipality to be determined  
6. pursuant to rules and regulations adopted by the Department of  
7. Conservation upon application for grant, including a statement  
8. of the amounts budgeted and those expended for the normal beach  
9. and harbor maintenance program. I think that's very confusing  
10. language because by inference it would require a municipality  
11. to budget some amounts of money for the purposes you've  
12. indicated. Now, that's the wording of your present Bill. Now,  
13. if you would make a mandatory grant to these municipalities, I  
14. would support the Bill. But, the way the Bill reads, you're  
15. leaving it to the determination of the Department of Conservation.  
16. We're going to appropriate the money and Chicago may get nothing.

17. PRESIDING OFFICER: (Senator Rock)

18. Senator Berning.

19. SENATOR BERNING:

20. Well, Senator, this is exactly the same bill we had, as I  
21. said, the last time, and I think the appropriation was \$200,000.  
22. There is no outright appropriation to any municipality. It has  
23. to be predicated upon need and expenditure by the municipality  
24. of their own budgeted funds. This, then, becomes available to  
25. them on a pro rata basis. I think it's perfectly proper, and I  
26. would not want to make it a mandatory grant because it is con-  
27. ceivable there will be no need for this. This is merely a back-  
28. up measure, so that if the municipalities do expend what they  
29. themselves have available then this is ready there to offset any  
30. deficits up to \$75,000 for Chicago and \$75,000 for all the rest  
31. of the Lake Michigan shoreline in Illinois.

32. PRESIDING OFFICER: (Senator Rock)

33. Is there any further discussion? Senator Cherry.

1. SENATOR CHERRY:

2. The only comment I want to make is that I'm not sure that  
3. the Department of Conservation has any expertise in the area  
4. of alewives whatsoever. And I think we ought to leave it up  
5. to the municipalities to determine whether or not this money  
6. is needed. As I said before I don't like the broad language  
7. in your Bill, and I think we ought to have a mandatory appro-  
8. priation. Either we do it or we don't do it. If the money is  
9. necessary, I'm sure the municipalities will not request the  
10. money if the question of eliminating the alewives from the  
11. beaches is not necessary.

12. PRESIDING OFFICER: (Senator Rock)

13. Is there any further discussion? Senator Berning may  
14. close the debate.

15. SENATOR BERNING:

16. Well, as I said, there is nothing mandatory about this.  
17. If the City of Chicago or any other municipality finds that  
18. they do not have enough funds from their own appropriation to  
19. meet this particular emergency, then this would be available.  
20. But, hopefully, no municipality would have to call on the State  
21. for any of these funds. It's just a back-up measure. Give it  
22. the treatment you like. Might as well let it go up or down.

23. PRESIDING OFFICER: (Senator Rock)

24. Secretary will call the roll.

25. SECRETARY:

26. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
27. Carroll, Cherry, Chew, Clarke, Collins, Coulson, . . .

28. PRESIDING OFFICER: (Senator Rock)

29. Senator Coulson.

30. SENATOR COULSON:

31. It appears that again this has become a partisan matter.  
32. And this is perfectly ridiculous. I have a suspicion that some  
33. of our communities want to provide their own alewives in order

1. to get this money. We do not know how many there will be or  
2. upon which beach they will choose to die. If you have that  
3. superknowledge, well bless you. Amend the bill. If you know  
4. where these alewives are going to accumulate, or where they're  
5. going to die, I would consent to an amendment to place it there.  
6. I don't think that the Lord has gifted you with that superior  
7. knowledge. It will come with sudden impact one of these months  
8. in mid-summer, and it may be your beach, it may be our beach,  
9. and I do not want then to be in the ridiculous position of  
10. saying, well, the Democrats were going to clean it up themselves  
11. if it happened, but we Republicans voted for the measure. For  
12. Heaven's Sake, of all the issues we've got before us, let's not  
13. become partisan on a matter like this. If you want to, let's  
14. become "women's libbish" about it and vote an equal amount for  
15. the alehusbands. But don't make it partisan. I vote aye.

16. SECRETARY:

17. Course, Davidson, Donnewald, Dougherty, Egan, . . .

18. PRESIDING OFFICER: (Senator Rock)

19. Senator Egan.

20. SENATOR EGAN:

21. Well, Senator Coulson, in the Bill you'll find that some-  
22. one who drafted it obviously feels that Chicago is going to  
23. have at least half of the alewives that are going to grow this  
24. Summer. So, I vote no.

25. SECRETARY:

26. Fawell, . . .

27. PRESIDING OFFICER: (Senator Rock)

28. Course aye.

29. SECRETARY:

30. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,  
31. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons,  
32. McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,  
33. Nihill, O'Brien, Ozinga, . . .

1. PRESIDING OFFICER: (Senator Rock)

2. Senator O'Brien.

3. SENATOR O'BRIEN:

4. Just briefly in explaining my vote, which will be an aye  
5. vote, I'd like to point out that North Avenue Beach is open  
6. to the public and resides in my District. Fullerton Avenue  
7. and Oak Street Beach are also open. I wonder why some of the  
8. beaches on the North Shore of Lake Michigan in the State of  
9. Illinois aren't open and are closed because of high pollution counts  
10. while the City of Chicago beaches are open without \$150,000  
11. appropriation.

12. SECRETARY:

13. Ozinga, Palmer, Partee, Rock...

14. PRESIDING OFFICER:

15. Senator Partee.

16. SENATOR PARTEE:

17. I just can't understand all the controversy about this Bill  
18. now. This Bill came in here and went to Second Reading without  
19. reference. There was nobody opposed to it then. I don't under-  
20. stand...maybe we've been here too long. Maybe everybody's a  
21. little mad with everybody else. I vote aye.

22. SECRETARY:

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

25. PRESIDING OFFICER: (Senator Rock)

26. Carroll aye. McBroom aye. For what purpose does Senator  
27. Cherry arise?

28. SENATOR CHERRY:

29. How am I recorded on the Bill? I still don't like the  
30. drafting of the Bill, but I'm going to vote aye and rely upon  
31. the Department of Conservation to allocate the money if and  
32. when necessary.

33. PRESIDING OFFICER: (Senator Rock)



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1. On that question the yeas are 42, the nays are 1. The Bill  
2. having received a constitutional majority is declared passed. If  
3. I can have your attention, we are going to go on House Bills on  
4. Third Reading. We're going to back up and consider House Bill  
5. 4614, Senator Weaver.

6. SENATOR WEAVER:

7. Mr. President and members of the Senate, House Bill 4614  
8. creates the Capital Development Bond Act authorizing the sale  
9. and the repayment of the bonds to finance the Capital improvements  
10. throughout the State. These improvements total in this fiscal  
11. year on new projects and reappropriations \$561,000,000. The  
12. House has two Amendments to this Bill which are clarifying Amend-  
13. ments. I'm not sure that this Bill has been printed in the  
14. Senate. If there are any questions on these Amendments, I'd  
15. be glad to answer it. If there is any question on the Bill,  
16. I'll try to provide you with the answers.

17. PRESIDING OFFICER: (Senator Rock)

18. Senator Bruce.

19. SENATOR BRUCE:

20. Yes. I wonder if Senator Weaver would care to explain  
21. Section 7, lines 33, 34 on page 4 and line 1 on page 5 in  
22. which it says, "The first proceeds from the sale of bonds  
23. shall be used for the purposes stated in Section 3-F of this  
24. Act." What if the...somehow we do not decide to spend the money  
25. in the manner set forth in Section 3-F, what happens then?

26. PRESIDING OFFICER: (Senator Rock)

27. Senator Weaver.

28. SENATOR WEAVER:

29. Well, Senator Bruce, in Section 3 it alludes to the ex-  
30. penditures that for the most part have been inculcated in the  
31. various agency bills that we have already acted on. Maybe the  
32. figures have changed a little bit in the Task Force recommenda-  
33. tions and amendments to these various bills, but basically, this

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1. sets forth what this money will be spent for this fiscal year.
2. PRESIDING OFFICER: (Senator Rock)
3. Senator Bruce.
4. SENATOR BRUCE:
5. Yes. And who is in charge of issuing the bonds. Is that
6. the Legislature, since it's a legislative program requiring a
7. legislative appropriation? Are the bonds to be sold by the
8. Legislature?
9. PRESIDING OFFICER: (Senator Rock)
10. Senator Weaver.
11. SENATOR WEAVER:
12. Well, this Legislature authorizes amounts and the actual
13. sale will be handled through the Bureau of the Budget.
14. PRESIDING OFFICER: (Senator Rock)
15. Senator Bruce.
16. SENATOR BRUCE:
17. Who authorizes...first of all, who authorizes the sale of
18. the bonds?
19. PRESIDING OFFICER: (Senator Rock)
20. Senator Weaver.
21. SENATOR WEAVER:
22. Well, first the...this Legislature authorizes the amount.
23. The sales are limited to \$150,000,000 per sale at the discretion
24. of the Bureau of the Budget as to timing of sale and need.
25. PRESIDING OFFICER: (Senator Rock)
26. Senator Bruce.
27. SENATOR BRUCE:
28. Yes. Senator Weaver, we could read Section 4 together
29. perhaps, and we'll try to find out what legislative involvement
30. in there. It says the bonds shall be issued and sold from time
31. to time in such amounts as directed by the Governor upon recom-
32. mendation by the Bureau of the Budget. Now where is the legis-
33. lative involvement when the Governor sets the time and amounts?

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1. I realize there is \$150,000,000 limitation, but since he's  
2. going to determine when and how the bonds are going to be  
3. sold, where does the Legislature get its involvement?

4. PRESIDING OFFICER: (Senator Rock)

5. Senator Weaver.

6. SENATOR WEAVER:

7. Really the Legislature wouldn't have any involvement in  
8. the time of the sale. The reason for allowing the Bureau of  
9. the Budget to handle the time of sale is so that there will be  
10. a proper flow of funds to finance these projects that you have  
11. authorized.

12. PRESIDING OFFICER: (Senator Rock)

13. Senator Bruce.

14. SENATOR BRUCE:

15. Yes. One other question and I'll make a general comment.  
16. That is what if the Governor and the Bureau of the Budget de-  
17. cides to sell \$150,000,000 worth of bonds and we decide not to  
18. appropriate the money for payment of interest. What happens  
19. then?

20. SENATOR WEAVER:

21. I think that's covered back in the Bill whereby the  
22. Treasurer and the Comptroller may make the necessary transfers  
23. and disbursements from the funds available for that purpose,  
24. which would, I presume, be the General Revenue funds.

25. PRESIDING OFFICER: (Senator Rock)

26. Senator Bruce.

27. SENATOR BRUCE:

28. And would that require legislative action?

29. PRESIDING OFFICER: (Senator Rock)

30. Senator Weaver.

31. SENATOR WEAVER:

32. There will be a continual appropriation to meet these  
33. the needs of interest and principal through the years, the

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1. length of the bonds.

2. PRESIDING OFFICER: (Senator Rock)

3. Senator Bruce.

4. SENATOR BRUCE:

5. I would like to make a few comments about House Bill 4614.  
6. I know that very few people are going to be very concerned  
7. about what happens to the State of Illinois having involved  
8. myself for some months in budgets. Although it's somewhat  
9. futile, let's just review since this Bill, again, like the  
10. Governor's Transportation Bond Issue did not have a chance  
11. to go to Committee. It seems like the House of Representatives  
12. will tell this Body what to do and when to do it. And we have  
13. been told that this Bill cannot go to Committee, although the  
14. House had it for some four months. It's up to the Senate  
15. today, without a Committee hearing to take this Bill as is.  
16. First of all, in Section 4, I hope the Legislature takes some  
17. degree of note of the fact that bonds will be issued and sold,  
18. solely at the direction of the Governor upon recommendation by  
19. the Bureau of the Budget. The Governor will have complete  
20. control. He will have no reason to come to this legislative  
21. Body for authorization. Any activity of his own will be done  
22. simply when he wishes. I question the fact, as I mentioned,  
23. in Section 7, first proceeds will be sold when we've already  
24. delimitated how those will be. If that does not come to pass,  
25. I suppose we will have to amend this Act, or spend it for  
26. money that the Legislature has now determined not to be in the  
27. best interest for the State of Illinois. As with the Trans-  
28. portation Bond Issue I note to this Body that the same language  
29. that was in that Bill has appeared here. And that is, that the  
30. Governor shall include an appropriation in his budget to pay the  
31. interest as it shall accrue and the General Assembly shall make  
32. an appropriation in that amount. However, and that is the  
33. problem in Section 9, and I believe Section 9 is unconstitutional

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1. on the basis of Article 4 of the new Constitution in Section 8  
✓ 2. which eliminates which bill and what passage of bills will involve  
3. on roll calls, nays and yeas. Expenditures of money shall be  
4. by bill, and each bill shall be for one subject, and it shall  
5. be on a roll call, a record vote is by votes of yeas and nays  
6. entered on the Journal. I don't believe that Section 9 will  
7. comply with that constitutional requirement in that for if  
8. any reason the General Assembly fails to make an appropriation  
9. sufficient to pay the principal and interest then this law  
10. shall constitute an irrevocable and continued appropriation  
11. for all amounts necessary. How that is possible under Article 4  
12. Section 8, there is no constitutional provision which allows  
13. an Act to appropriate money without legislative involvement.  
14. I would ask, also, the members to take note of Sections 10 and  
15. 11, if we would ever get interested in this particular problem.  
16. And that is, all of you have opposed real estate tax increases,  
17. I hope will take a short time before we spend \$561,000,000 to  
18. look at Section 10. Section 10 is that program that says that  
19. these are general obligations and direct obligations of the  
20. State of Illinois. Now in Section 11, if the State fails to  
21. pay the principal interest, it sets up a provision for a civil  
22. action. If the State of Illinois is not adequately funded, if  
23. we cannot meet the obligations of both principal and interest  
24. on the bonds, then the ground and the real estate of all your  
25. constituents will be obligated for the payment. Because that  
26. is what we talk about when we mean and say a general obligation  
27. bond, you mean that we can go after the real estate. And there  
28. are those of you who say well, that's no real great problem.  
29. because Illinois is always going to have a sufficient amount  
30. of money. Illinois will always be able to spend all they want  
31. for every program they want. But let's review 4614 just very  
32. quickly. It creates a Capital Bond Development Act and allows  
33. issuance of 30-year bonds. What has been the record in Illinois

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1. this year and the past years since 1968 for bonds in Illinois  
2. in bonded indebtedness? Let's talk about G.O. Bonds and  
3. Revenue Bonds very quickly. As of January 1 of this year in  
4. general obligation bonds this State had \$1,481,694,163 out-  
5. standing on G.O. Bonds. On Revenue Bonds, it had \$1,766,212,085.  
6. We have pending bond issues of \$3,051,000,000 of general  
7. obligation and pending revenue bonds ready for issuance of  
8. \$782,422,000 for a total of all pending bonds of \$3,833,868,050.  
9. Now if you take a total of all bonds, both those issued and  
10. outstanding, for both G.O., Revenue and all of those pending  
11. G.O. and Revenue, you have a principal possible for the State  
12. of Illinois of \$4,253,263,000. The interest allowed on those  
13. bonds will be \$2,828,511,298. The total, gentlemen, is more  
14. than the State Budget - \$7,081,774,000. Well, the problem is  
15. who's going to pay for it? In 1971 our total payments for  
16. bonds in 1971 was \$72, 515,000. The projected payment due  
17. in the last year of the next Governor's term, 1976, is \$246,773,000.  
18. And the question is, how then will an increase of a \$174,258,000  
19. in interest payments alone affect our future abilities to meet  
20. new needs of the State in highways and in education? If you look  
21. at the ten-year period from 1968 to 1978, will the State revenues  
22. increase by the same 528% that bonds have increased in the same  
23. ten year period. I don't believe that you can pay for that.  
24. I don't believe you are going to have a 528% increase in your  
25. revenues in this State unless there is some sort of increase in  
26. taxation. What are the problems, some of the specific problems  
27. of the Capital Development Bond Issue? First of all, there has  
28. been a real dirth of planning in the projects requested by the  
29. Administration. And, again, the House has decreed that we  
30. cannot have an appropriation's hearing on these, so it's a little  
31. fuzzy as to what the money is going to go for. But in the  
32. House Appropriations Committee where the House Speaker allowed  
33. those members in that Body to have hearings and formal and informal

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1. contacts with the Administration, it became apparent from those  
2. House hearings that not many of the projects were very well  
3. thought out. Let's give an example. The Department of Corrections  
4. has asked for 16 million dollars for community correctional  
5. facilities in this coming year's budget, all from the Capital  
6. Bond Development Act. And the Department does not know, although  
7. they have now announced tentative sites, they don't know how  
8. large the facilities will be, they don't know where they are  
9. going to be located, how many there will be or how they relate  
10. to present facilities. I am told that a quick computation, if  
11. you take the Department of Corrections' own figures of possible  
12. retainees in those facilities that the State of Illinois without  
13. equipping those facilities will be spending in the neighborhood  
14. of \$22,000 per prisoner. It's been suggested by someone on  
15. our staff that we ought to buy trailers or some other things  
16. so those gentlemen will have homes at least equal to some of  
17. the legislative homes. The Department of Conservation has asked  
18. for \$47,000,000 for land acquisition and development. And we've  
19. already had the fight here on how much money the Department of  
20. Conservation needs in the next year, and that is whether they  
21. need \$27,000,000 or \$47,000,000. The \$47,000,000 has already  
22. been placed in the Capital Bond Development Act. The Department  
23. of Finance has asked for \$1,500,000 for a computer block house.  
24. But when they were questioned by the House, and not by the Senate  
25. unfortunately, they couldn't justify the cost of that appropria-  
26. tion. Secondly, I believe there's considerable question as to the  
27. intent of the administration concerning the types of items and  
28. projects that will be financed by the bond issue. I think  
29. Senator Knuepfer, who is not here now, we had a very interesting  
30. and enlightening discussion with the Department of Mental Health  
31. on equipping the Ludiman Center. Ludiman is going to be equipped  
32. with \$2,226 credenzas, we're going to buy 8 air-conditioned  
33. station wagons, we're going to buy toasters, we're going to buy

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1. \$86 telephone stands, we are going to buy a great deal of bonded  
2. equipment, besides, I might add, we are also going to bond land-  
3. scaping. I hope the trees and ferns and everything else besides  
4. the toaster will last for 30 years. I question is, and I think  
5. this Legislature will refuse, as it has in the past, to address  
6. itself to the problem of bonding and what we are going to get  
7. for bonded indebtedness, and that is, I don't believe any of us  
8. here who have a home can seriously consider the fact that  
9. toasters are going to last for 30 years. We also have color  
10. television sets, 8-track stereos, pillows for Ludiman will be  
11. on a 30-year project, plants, and as I mentioned the air-conditioned  
12. station wagons. Some changes have been made in the House. They  
13. were not discussed here, because we haven't time. We've got to  
14. move along. But some of the changes would mean that some of the  
15. less items, small items would not be bonded. Thirdly, the final  
16. question, and I'm sure that again the legislature is not going  
17. to face the problem, what's going to happen with the Illinois Build-  
18. ing Authority. One of the major reasons the Administration has  
19. advanced this new program is that the State will save millions  
20. of dollars by selling G.O. bonds rather than IBA Revenue Bonds.  
21. Now last year the IBA came into this Body with three bills. House  
22. Bill 3723, 3724, and 3725, which attempted to place the full faith  
23. and credit for the State of Illinois behind IBA bonds. That  
24. would make them, in effect, general obligation bonds. Our Administra-  
25. tion has consistently refused to support these bills. They  
26. would rather compare their bond program with the current IBA  
27. bonds rather than what the IBA bonds could become. If we could  
28. get an independent decision, I understand that one is forthcoming  
29. outside of the State, we could find out what rating the IBA bonds  
30. would have had they the full faith and credit of the State behind  
31. them. This Bill is going to pass, and I'm sure it's going  
32. to pass in a very short while. This Body has consistently  
33. passed bonding issues with deals made outside



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1. this Chamber, and I'm sure that House Bill 4614 will be no  
2. different. There are many Legislators in this Body today  
3. who said that when, if I may just terminate Senator Weaver,  
4. I believe we'll have two opportunities on each of these Bills  
5. to discuss, am I correct, Mr. President?

6. PRESIDING OFFICER: (Senator Rock)

7. Well, the Senator has not indicated how he wants these  
8. bills called. We are on 4614.

9. SENATOR BRUCE:

10. Well, I'm just...my inquiry is to the Chair that according  
11. to the rules of the Senate each Senator may speak twice on a  
12. Bill for 15 minutes after each who wish to speak has spoken, is  
13. that correct?

14. PRESIDING OFFICER: (Senator Rock)

15. That is correct. Any further...Senator Partee.

16. SENATOR PARTEE:

17. Well, I don't know in what order Senator Weaver is going  
18. to call them, but it was my understanding he was going to call  
19. them all on the same roll call.

20. PRESIDING OFFICER: (Senator Rock)

21. Senator Weaver.

22. SENATOR WEAVER:

23. It was my intention to call this Bill separately, inasmuch as  
24. it takes three-fifths to pass. The other four bills, I would  
25. presume with leave of the Body, we'll call on one roll call.

26. PRESIDING OFFICER: (Senator Rock)

27. Senator Horsley.

28. SENATOR HORSLEY:

29. Mr. President, I was interested in what Senator Bruce said,  
30. it was rather difficult to hear everything he said and be sure  
31. that I understood it correctly. Is it your contention, Senator  
32. Bruce, on page 5 of this Bill on line 12 through 19, that that  
33. does not nail down the proposition that all revenue or all monies

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1. from the sale of the bonds must be appropriated by the General  
2. Assembly, or do you have some doubt in your mind as to that  
3. language. Maybe I didn't understand your argument correctly.

4. PRESIDING OFFICER: (Senator Rock)

5. Senator Bruce.

6. SENATOR BRUCE:

7. I'm sorry. Would you give me the citation, Senator Horsley,  
8. again. What lines?

9. PRESIDING OFFICER: (Senator Rock)

10. Senator Horsley.

11. SENATOR HORSLEY:

12. On page 5, Section 7. As I understood some of your argu-  
13. ment dealt with the fact that you thought the Governor could  
14. expend this money from the sale of the bonds without an appro-  
15. priation bill by the Legislature.

16. PRESIDING OFFICER: (Senator Rock)

17. Senator Bruce.

18. SENATOR BRUCE:

19. That is absolutely correct, Senator. If you will read,  
20. also, in Section 9. In the event the General Assembly shall  
21. not make an appropriation. The argument would go like this.  
22. Section 4 says the Governor shall issue the bonds at the recom-  
23. mendation of the...

24. SENATOR HORSLEY:

25. No...no, your Section 9 is the appropriation to pay the  
26. interest and the principal...

27. SENATOR BRUCE:

28. That's right. And if we do not act, Senator Horsley, we  
29. will be compelled to make an appropriation.

30. SENATOR HORSLEY:

31. That's right. But my first question goes back to what I  
32. understood you to say that you had some doubt in your mind  
33. as to whether or not the proceeds of the bonds could be expended

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1. without there being a definite appropriation bill or some type  
2. of an authorization from the General Assembly, let's put it more  
3. simply by saying each building...

4. SENATOR BRUCE:

5. No, no.

6. SENATOR HORSLEY:

7. Is there any doubt in your mind that we must appropriate  
8. for each building project...

9. PRESIDING OFFICER: (Senator Rock)

10. Senator Bruce.

11. SENATOR BRUCE:

12. The problem is in the other bills coming forth, the  
13. legislative involvement will be lessened somewhat since they  
14. will make a determination, and I'm sure that determination  
15. will be received by this Body without the involvement we have  
16. had in current years. As to any specific building, I would  
17. still think that the Legislature would have to be involved.  
18. That does not preclude the Governor, however, from selling the  
19. bonds and paying interest while this Body does nothing. And  
20. that's the problem that bothers me. And those bonds could be  
21. sold and the interest paying and this Legislature decided that  
22. we wanted to slow down on capital expenditures, we would have  
23. that decision taken away from us by the simple sale of the bonds.

24. PRESIDING OFFICER: (Senator Rock)

25. Senator Horsley.

26. SENATOR HORSLEY:

27. I think I would be inclined to agree with that statement.  
28. I do think that in lines 12, 13 and 14, that it could be made a  
29. little bit more clear that every dollar would have to be appro-  
30. priated by this Body and the House before it could be expended.  
31. There can be some argument. There is ambiguity. But I'm afraid  
32. I would have to resolve that argument by saying that it is  
33. subject in line 13---At all times the proceeds from the sale

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1. of the bonds are subject to appropriation by the General Assembly.  
2. And I would have to say that none of this money can be spent  
3. without our appropriation. But I also agree with you that the  
4. sale of the bonds is without any further action by us. And that  
5. we will be compelled to appropriate the money to pay the bonds.  
6. But I do think we do not loose control over the expenditure of  
7. the money after the bonds are sold.

8. PRESIDING OFFICER: (Senator Rock)

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

11. SENATOR WEAVER:

12. Well, Mr. President and members of the Senate. A couple  
13. of points, in House Amendment No. 1, durable equipment, durable  
14. was put into the Bill which means that you're not going to be  
15. spending these bond proceeds for toasters and equipment that  
16. won't last for at least the average length of the bond. And,  
17. also, the language in Section 9 is the same as is in the  
18. Transportation Bond Act, and it has been upheld by the State  
19. Supreme Court as being constitutional. So I don't see any  
20. problem there. Certainly no Governor is going to sell bonds  
21. and just have the proceeds laying around. And even if he should  
22. there is a provision added in Amendment No. 2 in the House that  
23. says that all earnings upon the receipts will be deposited in  
24. the Capital Development Bond Retirement and Interest Funds.  
25. So these, instead of the General Revenue Fund as was initially  
26. in the Bill. I think this is an important way to finance  
27. capital developments in the State. A great many millions of  
28. dollars can be saved by going the general obligation route  
29. rather than the revenue route, and I would appreciate a favor-  
30. able roll call.

31. PRESIDING OFFICER: (Senator Rock)

32. Secretary will call the roll.

33. SECRETARY:

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

4. PRESIDING OFFICER: (Senator Rock)

5. Senator Groen.

6. SENATOR GROEN:

7. Mr. President, just a couple of brief comments. I recall  
8. not too many years back when I stood at this very microphone  
9. and engaged in long and somewhat bitter, at times, debate with  
10. the late Senator Peters about the Illinois Building Authority.  
11. I did not vote to establish that Authority, and to my knowledge,  
12. I never contributed a vote to give it one dime after it was  
13. established. It's an abomination, the most costly thing ever  
14. thought of to impose upon the people of this State. This is  
15. the answer to it. It can be the answer to it. We know we  
16. cannot finance from general revenues and current taxation,  
17. current income at today's costs, the construction of needed  
18. physical plants for this carrying on of the State's business.  
19. Senator Bruce, when you're talking about the State's bonded  
20. indebtedness, I want you to recall and remember that because  
21. so many people in this Chamber and so many people in the other  
22. Chamber and so many Governors before this one was blind to reality  
23. to any figure you quote, please add \$5,000,000,000 that's just  
24. as much a debt as anything you mention for the unfunded pension  
25. systems of this State. I vote aye.

26. SECRETARY:

27. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
28. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,  
29. Merritt, Mitchler, Mohr, Neistein, . . .

30. PRESIDING OFFICER: (Senator Rock)

31. Senator Neistein.

32. SENATOR NEISTEIN:

33. I wasn't sold on this Bill, but since Senator Ron Swanson

HB  
4614  
3rd reading  
6/26/72

1. has given me all the proper reasons and the great conciliator  
2. and negotiator that Swanson is, he's convinced me that this  
3. is a good bill, and I'll vote aye.

4. SECRETARY:

5. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,  
6. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,  
7. Swinarski, Vadalabene, Walker, Weaver.

8. PRESIDING OFFICER: (Senator Rock)

9. Collins aye. Sours aye. Bruce no. Hall no. Ozinga aye.  
10. Soper aye. On that question the yeas are 39, the nays are 7.

11. This Bill having been...received the constitutional majority is  
12. declared passed. Senator Weaver, 4615. Senator Mitchler.

13. SENATOR MITCHLER:

14. Having voted on the prevailing side, I move to reconsider  
15. the vote.

16. PRESIDING OFFICER: (Senator Rock)

17. Senator Mitchler moves to reconsider. Senator Weaver moves  
18. to lay that motion on the Table. All in favor of the motion,  
19. signify by saying aye. Motion prevails. House Bill 4615,  
20. Senator Weaver.

21. SENATOR WEAVER:

22. Well, Mr. President, do you want to take these separately  
23. or as a package?

24. PRESIDING OFFICER: (Senator Rock)

25. You're the sponsor, Senator Weaver.

26. SENATOR WEAVER:

27. I think we'll take one roll call.

28. PRESIDING OFFICER: (Senator Rock)

29. On 4615, 4616, 4617, and 4683, is that correct?

30. SENATOR WEAVER:

31. Correct.

32. PRESIDING OFFICER: (Senator Rock)

33. Is there leave of this Body to consider those bills, those

1. four bills on one roll call? We will now consider on one roll  
2. call House Bill 4615, 4616, 4617, and 4683. Senator Weaver.

3. SENATOR WEAVER:

4. Well, Mr. President, the 4615 is an appropriation of  
5. \$18,000,000 for principal and interest, 4616 establishes in  
6. the State Treasury the Capital Development Fund and the Capital  
7. Development Bond Retirement and Interest Fund. 4617 establishes  
8. the Capital Development Board, and 4683 appropriates \$100,000  
9. to the Capital Development Board for its fiscal operation in  
10. this fiscal year. If there are any questions, I'll try to answer  
11. them.

12. PRESIDING OFFICER: (Senator Rock)

13. Is there any discussion? Senator Bruce.

14. SENATOR BRUCE:

15. Yes. In 4618, I believe that's the \$18 million dollar  
16. appropriation, I'm sure the Ogilvie Administration with its  
17. high-powered Bureau of the Budget would not have made a mistake.  
18. I have searched through my little yellow budget book time and  
19. time again to find that in there. Surely the Bureau of the  
20. Budget with all their high-powered talent would not have  
21. forgotten that these bonds to have \$18 million dollars for bond  
22. service. Do you know whether, Senator Weaver, that's in the  
23. budget book?

24. PRESIDING OFFICER: (Senator Rock)

25. Senator Weaver.

26. SENATOR WEAVER:

27. Yes, it's in the budget. It's on the bond table, Senator Bruce.

28. PRESIDING OFFICER: (Senator Rock)

29. Did he answer that question? I'm sorry. Oh.

30. SENATOR BRUCE:

31. Senator Weaver, that will put a lot of other bond houses in a  
32. tizzy because I don't think there's sufficient money in there to pay  
33. the interest on these bonds in addition to what else is in there.

1. And I'd be very happy to have the citation, because I believe  
2. the Bureau has already admitted that they inadvertently forgot  
3. an \$18 million dollar appropriation.

4. PRESIDING OFFICER: (Senator Rock)

5. Senator Soper. For what purpose do you arise?

6. SENATOR SOPER:

7. Well, Mr. President and members of the Senate. I think  
8. we ought to call these separately, each on a separate roll call.  
9. I think that would be a better record.

10. PRESIDING OFFICER: (Senator Rock)

11. Well, I, this is at the sponsor's request, Senator.

12. SENATOR SOPER:

13. I think you ought to reconsider that, Weaver.

14. PRESIDING OFFICER: (Senator Rock)

15. I'm just presiding. That's the sponsor's request. Senator  
16. Partee.

17. SENATOR PARTEE:

18. A, Senator Soper, I just heard your suggestion, and I think  
19. I know what your concerns are. But is it your impression that  
20. when this Body knows that it is voting on a series of bills  
21. numbered 4615, 4616, and 4617 and when those three bills are in  
22. a consecutive order relating to the same subject matter and  
23. the Body is apprised that an affirmative or a negative vote is  
24. to be recorded on all three individual and separate bills, and  
25. when the recordation is made the Secretary gives the number of  
26. persons voting in the affirmative and in the negative on each  
27. of those three separate and individual bills, that under those  
28. circumstances a separate roll call is indicated?

29. PRESIDING OFFICER: (Senator Rock)

30. Senator Soper.

31. SENATOR SOPER:

32. I think, a, the way you think, Senator pro tem, but I say  
33. this. That to avoid any unnecessary doubt, I think we can take



1. the time and put it on separate roll call. But we're not going  
2. to make the decision on this thing. It's going to be some bonding  
3. house or bonding house lawyers, and they are going to look at this  
4. thing and maybe a, the time we spend talking about this things we  
5. can call the roll separately and get this done and we won't have  
6. the argument. That's all my concern. And you've got another bill  
7. in there, you've got the fourth bill that isn't in consecutive  
8. order with this.

9. PRESIDING OFFICER: (Senator Rock).

10. Senator Partee.

11. SENATOR PARTEE:

12. Well, I don't want to tell the sponsor how to do it. If you  
13. have any qualms about it, we'll take individual roll calls. But I  
14. simply said that, in light of what I said, there should not be any  
15. other possible interpretation as to what the votes on these three  
16. bills mean. However, if you are fearful that from that clear,  
17. explicit language a bond house attorney may read something other  
18. and different into that, which to me is almost unbelievable, we'll  
19. just take the individual roll calls, if that's the way the sponsor  
20. wants to go.

21. PRESIDING OFFICER: (Senator Rock)

22. Senator Weaver, what's your pleasure?

23. SENATOR WEAVER:

24. If you want to take them individually, that's fine with me.  
25. But, I would like to try to answer Senator Bruce.

26. PRESIDING OFFICER: (Senator Rock)

27. Senator, is there any further discussion before Senator  
28. Weaver closes the debate? Oh, all right, answer, Senator, go ahead,  
29. Senator Weaver.

30. SENATOR WEAVER:

31. It is anticipated that \$200,000,000 maybe would be sold in  
32. this fiscal year, and that in the next fiscal year there would  
33. be, there would be no need for this \$18,000,000 in this fiscal year.

1. Then most of it would come in the next fiscal year, Senator  
2. Bruce.

3. PRESIDING OFFICER: (Senator Rock)

4. Senator Bruce.

5. SENATOR BRUCE:

6. Question of the Chair. Are we voting on all four bills?  
7. I have comments I would like to make either on all of them or  
8. one at a time, and if we could get that...

9. PRESIDING OFFICER: (Senator Rock)

10. The Senator has just requested that we take each bill one  
11. at a time.

12. SENATOR BRUCE:

13. Since we're on the \$18 million dollars, the answer then  
14. is that the \$18 million dollars from General Revenue is not  
15. in this year's budget. Is that correct, Senator Weaver?

16. PRESIDING OFFICER: (Senator Rock)

17. Senator Weaver.

18. SENATOR WEAVER:

19. On page 140 you'll note for Capital Development there's  
20. 2-1/2 million dollars. That is all that's in the budget this  
21. fiscal year and that's expected to be paid out this fiscal year.

22. PRESIDING OFFICER: (Senator Rock)

23. Senator Bruce.

24. SENATOR BRUCE:

25. Yes. Then I'll just make some comments about...since we're  
26. just sticking on the appropriation bill at this point. The 2 point  
27. million dollars that you stated is in the budget. Is in the budget.  
28. However, if you will read the bill, we are appropriating 18 million  
29. dollars. 16 something is not in the budget. The Governor was  
30. quite proud of the fact that when he introduced this budget that  
31. we would start the year with zero and we would end the year with  
32. zero. We are not going to do that. We have already gone over  
33. it. But I would point out that there is an additional \$16 million

1. dollars floating around. I'd also point out that this may be some-  
2. what tied into the constitutional question of whether or not  
3. the Governor is giving to this Body the expenditures as required  
4. under the Constitution, not the appropriations, but the ex-  
5. penditures for this Body. Thank you.

6. PRESIDING OFFICER: (Senator Rock)

7. Any further discussion? Senator Weaver may close the  
8. debate.

9. SENATOR WEAVER:

10. Roll call.

11. PRESIDING OFFICER: (Senator Rock)

12. Secretary will call the roll.

13. SECRETARY:

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

23. PRESIDING OFFICER: (Senator Rock)

24. Rosander aye. Ozinga aye. On that question the yeas are  
25. 36, the nays are 8. This Bill having received the constitutional  
26. majority is declared passed. Senator Mitchler moves to recon-  
27. sider, Senator Weaver moves to Table. All those in favor of the  
28. motion indicate by saying aye. Motion prevails. House Bill 4616.  
29. Senator Weaver.

30. SENATOR WEAVER:

31. Mr. President and members of the Senate, this merely es-  
32. tablishes in the State Treasury the Capital Development Fund and  
33. the Capital Development Bond Retirement and Interest Fund. I ask for

1. a favorable roll call.

2. PRESIDING OFFICER: (Senator Rock)

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

4. SECRETARY:

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

14. PRESIDING OFFICER: (Senator Rock)

15. Sours aye. Merritt aye. Oh, I'm sorry. Senator Merritt,  
16. for what purpose do you arise? Senator Merritt.

17. SENATOR MERRITT:

18. As soon as it's announced.

19. PRESIDING OFFICER: (Senator Rock)

20. On that question the yeas are 33, the nays are 7. This  
21. Bill having received the constitutional majority is declared  
22. passed. Senator Merritt.

23. SENATOR MERRITT:

24. Move to re...

25. PRESIDING OFFICER: (Senator Rock)

26. Senator Merritt moves to reconsider. Senator Weaver moves  
27. to Table. All in favor of the motion to Table indicate by saying  
28. aye. Motion prevails. House Bill 4617. Senator Merritt, I mean,  
29. Senator Weaver.

30. SENATOR WEAVER:

31. Mr. President and members of the Senate, this bill creates  
32. the Capital Development Board, creating a seven member board  
33. appointed by the Governor and confirmed by the Senate. They would

1. have the general planning and supervisory responsibilities  
2. and advisory capacity on all capital improvement projects.

3. PRESIDING OFFICER: (Senator Rock)

4. Is there any discussion? Senator Bruce.

5. SENATOR BRUCE:

6. Yes. I know that this one, again, is going to pass.  
7. A, the House has so decreed. It is a, creation. If we can  
8. just take a small amount of time in this Body and bore you  
9. with some details about what you're doing. I wouldn't want  
10. anyone to get too far along. This creates a Capital Develop-  
11. ment Bond Board. Now part of the justification for the crea-  
12. tion of this super-Capital Board the Administration has offered  
13. us is the problems that they face in bureaucratic dupli-  
14. cation in capital program management. Well, that's wonderful  
15. and I suppose, as I mentioned, that's one of the things that  
16. we should get on and ride into the sunset because anyone  
17. is worried about bureaucratic duplication in capital program  
18. management. However, the Administration has not come forth  
19. to date and detailed when and how this duplication will be eliminated  
20. if the super-Board is created. Now the Bureau of the Budget  
21. has supplied to the House and not to the Senate, because we  
22. don't really care what we're doing here, a list of the jobs  
23. and the money that will be transferred in fiscal '73 from ex-  
24. isting agencies to the super-Board. These transfers represent  
25. only a small part, however, of the existing agencies. No long-  
26. range plans have been developed, and it is doubtful I, in my own  
27. mind, that they exist. If they do exist, they have not been  
28. presented to the Senate. The Illinois Building Authority is  
29. in, is in operation, and the capital offices in the university  
30. system presently enjoy high reputations for confidence. The  
31. Department of General Services, a Department which is under the  
32. direct control of the Governor, and its Division of Architecture  
33. and Engineering, which is the Administration's capital arm, has

1. a very poor reputation, even within the Administration. I  
2. quote the Director of General Services, who stated publically,  
3. "I know the quality of our in-house design staff, and I wouldn't  
4. spend \$300,000 of my own money for a warehouse they would design.  
5. If they can do a small remodeling job, I am both pleased and  
6. surprised." Now, some of the employees of the General Services  
7. Agency are scheduled to be transferred to the new Board. It  
8. seems reasonable to suggest that the Administration do a good  
9. job in its own shop before asking us to take over everything in  
10. the State. I refer you, also, to the background paper of the  
11. Bureau of the Budget supporting the super-Board in which they  
12. stated that the present structure results in "an inability to  
13. attract top personnel". Yet on page 10 of the same report it  
14. is stated that the super-Board will be staffed largely through  
15. transfer. I suppose that through transfer, we are going to  
16. get increased stability. Now, in testimony before the Appro-  
17. priations Committee of the House, not in the Senate, since  
18. this was not heard in Committee, representatives of the univer-  
19. sity system said that the background paper developed by the  
20. Bureau of the Budget contained "outrageous misstatements".  
21. They testified that they had developed excellent relationships  
22. with the Illinois Building Authority, and that no building time  
23. had been lost because of the present structure. Now the track  
24. record of super-agencies under the current Administration, I  
25. don't believe, is good. Last year the Governor established in  
26. his own office the Office of Planning and Analysis, and we dis-  
27. cussed that this morning, and designated as a super-planning  
28. agency for the State. This Agency has been in existence for  
29. over a year and still has not been able to identify and had a  
30. chance to talk to them in the Task Force, they have not iden-  
31. tified the exact number of planners in the State or the total  
32. dollar amount Illinois spends annually for planning. On the  
33. basis of this past performance, one cannot have high hopes for

1. the accomplishments of yet another super-agency. Now, 4617  
2. is an interesting Bill. It had an appropriation of \$100,000,  
3. and that has now been deleted. According to information granted  
4. to the House but not to the Senate, they are going to have a  
5. transfer of staff and resources from existing agencies to pro-  
6. duce an agency with a total operational budget next year of  
7. \$940,000. Now, in case we can't hack that, in case we can't get  
8. the work done with \$940,000, and those of you that know the  
9. Public Aid budget, the good old firm of Arthur Young and Company  
10. has been hired to set up the administrative procedures of the  
11. proposed bonds. Now, to date the Administration has not supplied  
12. any information how the proposed Board will relate to existing  
13. agencies handling capital projects, whether it will travel on  
14. parallel tracts with existing agencies or replace them. The  
15. existing agencies include the Department of General Services  
16. and the Division of Architecture and Engineering, the School  
17. Building Commission, the Illinois Building Authority and the  
18. capital offices of the Higher Education Systems. Again we  
19. are creating a super-agency. The track record is not good,  
20. either in this Administration or prior administrations for  
21. super-boards. I have no doubt that this Body will pass this  
22. without going through Committee, without having testimony.  
23. It's one of the largest appropriations for capital we'll have  
24. this year. We're going to pass it. I'm sorry to have taken  
25. the time of this Body to explain it to you.

26. PRESIDING OFFICER: (Senator Rock)

27. Senator Bruce, have you concluded?

28. SENATOR BRUCE:

29. I had one final comment, and that is a constitutional  
30. question. I would raise it very explicitly. House Bill 4617,  
31. I believe is defective, in that, the Bill as drafted and pre-  
32. sented to this Body deals with more than one matter. I relate  
33. that argument to Article IV, Section 8. The General Assembly

1. shall enact laws only by Bills. It says bills except for  
2. appropriation and for codification, revision or arrangement  
3. of laws shall be confined to one subject. On the basis of  
4. that reading from the new Constitution, Article IV, Section 8,  
5. I now say that this Bill is not constitutional in that Article I  
6. deals with the Capital Development Board Act. And within  
7. Article I is created both the Act and the Board. And Section...  
8. Article II of the Bill, on page 5, Sections 1 and Section 35-1  
9. of the School Code approved March 18, 1961, as amended, is  
10. amended by House Bill 4617. I say that the Bill does not relate  
11. to one subject and that we do two things. This Legislature sets  
12. forth rules and regulations for the new Board. At the same time  
13. in Article II, it removes those powers and deletes the power of  
14. the School Building Commission. I believe that violates our  
15. constitutional mandate that bills relate to one subject. Thank  
16. you.

17. PRESIDING OFFICER: (Senator Rock)

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

20. SECRETARY:

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

29. PRESIDING OFFICER: (Senator Rock)

30. On that question the yeas are 33, the nays are 7. The Bill  
31. having received the constitutional majority is declared passed.  
32. Senator Merritt moves to reconsider, Senator McBroom moves to  
33. Table. All in favor of the motion to Table indicate by saying



1. aye. Motion prevails. House Bill 4683. It's on the second  
2. page of our Calendar, gentlemen. House Bill 4683. Senator  
3. Weaver.

4. SENATOR WEAVER:

5. Mr. President and members of the Senate, this Bill  
6. appropriates \$100,000 to the Capital Development Board. I will  
7. ask for a favorable roll call.

8. PRESIDING OFFICER: (Senator Rock)

9. Any discussion? Secretary will call the roll.

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,  
12. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,  
13. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,  
14. Groen...

15. PRESIDING OFFICER: (Senator Rock)

16. Senator Groen.

17. SENATOR GROEN:

18. Mr. President, in explaining my vote, just a very few  
19. brief comments. I'm rather amused at some of the contents of  
20. some of these beautiful canned speeches that have been written  
21. by some staff man who obviously is a man of experience and  
22. knowledge.

23. PRESIDING OFFICER: (Senator Rock)

24. Senator Cherry.

25. SENATOR CHERRY:

26. Point of order. I don't think that any member of this  
27. Body has to attack any member with respect to what his intentions  
28. are or how he is constructed any argument in opposition or in  
29. favor of any bill. I think the Senator should confine himself  
30. to the merits of the bill and nothing else.

31. PRESIDING OFFICER: (Senator O'Brien)

32. Senator, if you'll confine yourself to the merits of the  
33. bill. Continue.

1. SENATOR GROEN:

2. Well, Mr. President, the comments of the Senator just  
3. continue the long difference of thinking between Senator Cherry  
4. and me that have gone on from the time he came to the Senate  
5. some years ago. I don't agree with him at all. I think I'm  
6. perfectly in order. We've heard talk about super-boards, we've  
7. heard talk about budgets that don't contain monies, and I would  
8. just make these few comments about this. Whoever did write it  
9. must have come from the preceding Administration and had a lot  
10. of experience, because I recall so very well that we voted  
11. here once \$4 million dollars for a building that was going to  
12. be under construction at that time, and we talked about over-  
13. runs then, too. And I also recall that we reappropriated monies  
14. that hadn't been spent. And then we added to that with supple-  
15. mental appropriations. And that \$4 million dollar building  
16. ultimately turned out to be a \$16 million dollar building, and  
17. it's out on the bypass on "66". And, Senator, on your way home  
18. if you want to go pass, you'll see it, fishing pond, lake and  
19. all, and that's one of the things, gentlemen, we are trying to  
20. avoid in the future and that should be avoided. I vote aye.

21. SECRETARY:

22. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,  
23. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,  
24. Merritt, Mitchell, Mohr, Neistein, Newhouse, Nihill, O'Brien,  
25. Ozinga, Palmer, Partee,

26. PRESIDING OFFICER: (Senator O'Brien)

27. Senator Partee.

28. SENATOR PARTEE:

29. In explaining my vote, I'd like to say that sometimes men  
30. on that side of the aisle and sometimes men on this side of the  
31. aisle do not always agree on how a vote should be cast. I would  
32. say for Senator Bruce, although he and I are voting differently  
33. today, that he has no need to resort to any canned speech written

1. by a staff member. I'm inordinately proud of Senator Bruce  
2. although we are not agreeing today because he is, in fact, a  
3. product of this legislative system. Before the people in his  
4. District became aware of his talents, he served as a member  
5. of the Democratic staff. He learned a lot. He is a thoroughly  
6. competent legislator who spoke here today from his heart, not  
7. for his own aggrandizement, not for newspapers, not for pub-  
8. licity, but he said what he believed in. And I wish that every  
9. man who is inclined to say what he believes in be not dissuaded  
10. from saying it. It was I who stood at this desk and entered  
11. into our Journal a Resolution at the time of the shooting of  
12. Governor Wallace who is polls apart from me in any way you  
13. could approach it. But I believe that a man ought to be able  
14. to say what is on his mind without censure or reprimand from  
15. anyone. I vote aye.

16. SECRETARY:

17. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,  
18. Sours, . . .

19. PRESIDING OFFICER: (Senator O'Brien)

20. Senator Sours.

21. SENATOR SOURS:

22. Mr. President and Senators, I just have this comment.  
23. To some of you who have often times put me in the old curmudgeon  
24. miserly class, I have cast my vote today for this new buy  
25. today and pay tomorrow, this new "no money down" because I  
26. think it's better than the system we have. The public Building  
27. Commission I did not support, I think it was 1961. I have  
28. studiously avoided supporting it since. This, I believe is a  
29. better idea. So, I'm voting for this entire package. I vote  
30. aye.

31. SECRETARY:

32. Swinarski, Vadalabene, Walker, Weaver.

33. PRESIDING OFFICER: (Senator O'Brien)

1. The yeas are 33, the nays are 9. The bill is declared  
2. passed. The Chair recognizes Senator Merritt.

3. SENATOR MERRITT:

4. Move to reconsider.

5. PRESIDING OFFICER: (Senator O'Brien)

6. Senator Merritt moves to reconsider having voted on the  
7. prevailing side. Motion by Senator Horsley to Table. All in  
8. favor vote aye, opposed, motion carried. Bill is Tabled.  
9. Motion is Tabled. Next order of business will be Senate Bill  
10. 1475. Senator Rock.

11. SENATOR ROCK:

12. Yes. Mr. President and members of the Senate, Senate  
13. Bill 1475, if you'll look at page 2 of your Calendar under that  
14. heading called "Secretary's Desk", the Calendar, very frankly,  
15. describes this Bill incorrectly. The Bill, as introduced, did  
16. concern itself with compulsory retirement. You will recall that  
17. in this Chamber that Bill was amended, and this is the Bill  
18. that authorizes the Board of Education to borrow up to .35  
19. million dollars to be repaid over a five-year period. Now the  
20. Bill was amended in the House, and it did pass the House as  
21. Amended. The Amendment, and I will read it to you, because I  
22. am going to ask this Body that we concur in this Amendment and  
23. pass this Bill today. The Amendment says "When such loan has  
24. been made the Board may at any time after the adoption of the  
25. annual school budget adopt by a majority vote of the full  
26. membership a supplemental budget to provide for the use of  
27. the added revenues by adding appropriations to those made in the  
28. annual school budget in an amount that shall not exceed the  
29. sum so borrowed. The supplemental budget shall be regarded as  
30. an amendment of the annual school budget for that year." And  
31. then additionally it says: "The City Treasurer and the school  
32. treasurer shall transfer funds as directed by Resolution adopted  
33. pursuant to this Section." This Amendment was added in the House

1. so that it would conform exactly to House Bill 4679, which is  
2. on Third Reading in this Chamber sponsored by Representative  
3. Gerald Shea. I ask that we concur in this House Amendment  
4. to Senate Bill 1475.

5. PRESIDING OFFICER: (Senator O'Brien)

6. Senator Gilbert.

7. SENATOR GILBERT:

8. I rise in support of this concurrence in this Amendment.  
9. I think that this is one of the ways that we can help Chicago  
10. with their particular problem and their schools. I think that  
11. a if this is what the people in Chicago want for themselves, I  
12. personally am one that's willing to support them in this  
13. Amendment.

14. PRESIDING OFFICER: (Senator O'Brien)

15. Any further discussion? Call the roll.

16. SECRETARY:

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

23. PRESIDING OFFICER: (Senator O'Brien)

24. Senator Nihill.

25. SENATOR NIHILL:

26. Mr. President and Senators. The Calendar is wrong, if you  
27. will look at your book. The Calendar is wrong...in the, this is  
28. a retirement...this is an appropriation in here. The Calendar  
29. is wrong.

30. PRESIDING OFFICER: (Senator O'Brien)

31. Continue with the roll. Senator, did you wish to vote?

32. Aye.

33. SECRETARY:

1. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,  
2. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,  
3. Walker, Weaver.

4. PRESIDING OFFICER: (Senator O'Brien)

5. Senator Groen.

6. SENATOR GROEN:

7. Well, Mr. President, I haven't voted as yet, and I just  
8. want to say this about it. I voted against it before and I  
9. want to be consistent. I only hope that the super-Board that  
10. we created awhile ago doesn't prostitute the monies that it  
11. receives from its bonds as the money from this bond issue is  
12. being prostituted today. I vote no.

13. PRESIDING OFFICER: (Senator O'Brien)

14. Cherry aye. The yeas are 35, the nays are 5. The Senate  
15. concurs in the House Amendment on Senate Bill 1475. Senator  
16. Kosinski moves to reconsider, Senator Cherry moves to Table.  
17. All in favor, aye. Motion is Tabled. Senator Rock.

18. SENATOR ROCK:

19. I wonder, Mr. President and members of the Senate, if I  
20. might have leave to immediately call House Bill 4679. Now this  
21. is the identical bill that just passed by that vote only in  
22. deference to the House sponsor, and we can send both bills to  
23. the Governor and he can sign whichever one he wants. I would  
24. ask for the same roll call, but I don't think we can do that.  
25. I'd just ask that we have another roll call. It's the exact  
26. same bill, word for word.

27. PRESIDING OFFICER: (Senator O'Brien)

28. Secretary will call the roll.

29. SECRETARY:

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

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

5. PRESIDING OFFICER: (Senator O'Brien)

6. The yeas are 32, the nays are 7. House Bill 4679 is declared  
7. passed. Senator Kosinski moves to reconsider. Senator Rock moves  
8. to Table. All in favor of the motion, aye? Motion carried.

9. Senator Partee.

10. SENATOR PARTEE:

11. A, we have two announcements. Could I have your attention?  
12. Tomorrow morning at 10:00 o'clock in Room M-5 there will be a  
13. meeting of the Temporary Joint Committee on State Finance. It  
14. is a very important Committee because we are mandated to observe  
15. the functions of this Committee by the Constitutional Convention.  
16. It would place serious jeopardy on many of the other acts we  
17. have taken here, so I would like to bring to the attention of  
18. the membership the following Senators are requested to be there  
19. tomorrow morning at 10 sharp. Senators Lyons, Course, Hynes,  
20. Bruce, Harris, Sours, Clarke, Groen, Knuepfer and myself. Now,  
21. Mr. President, in connection with a bill passed today, House  
22. Bill 4433, I desire to make this statement. This is a bill  
23. which provides for temporary assistance grants to local taxing  
24. districts, the loss of revenue as a result of the abolition of  
25. ad valorem personal property taxes on agricultural products and  
26. equipment, as enacted in House Bill 3776. This is, as far as  
27. I know, a new procedure in which we are about to engage in.  
28. Hence, I would have the membership listen to the manner in which  
29. it is going to be done so that if questions are asked of you at  
30. any subsequent date, you can explain that the Journal for this  
31. day, Monday, June 26, 1972 will contain *in hoc verba*, in the  
32. language of this statement, nine pages of typed material which  
33. is agreed on by the membership of this Body as being the purpose

1. for this particular bill. This is the kind of information which  
2. is generally sought by persons who desire to know the background  
3. of legislation which has passed. This information being set out  
4. in the Journal will leave absolutely no one in suspense or the  
5. dark as to what was intended by the Legislature. Never before,  
6. since I have been in the Legislature, has there ever been a  
7. clearer expression of intent and purpose as is set forth in this  
8. document. Now, I move you, Mr. President, that this statement,  
9. heretofore alluded to, be and the same hereby is considered a  
10. part of the Journal of Monday, June 26, 1972, and that it be  
11. copied word for word into the Journal of this day's proceedings.

12. PRESIDING OFFICER: (Senator O'Brien)

13. Do we have leave of the Body?

14. THE BODY:

15. Leave.

16. PRESIDING OFFICER: (Senator O'Brien)

17. Leave is granted. Senator Cherry?

18. SENATOR CHERRY:

19. I think Senator Partee moved that it be incorporated, and  
20. I think the question of the Chair should be, all those in favor  
21. of the motion.

22. PRESIDING OFFICER: (Senator O'Brien)

23. All those in favor of the motion? The motion carries.

24. Senator Horsley.

25. SENATOR HORSLEY:

26. Mr. President, this morning we had up for Second Reading  
27. House Bill 4102, which is the annual appropriation for the  
28. Department of Public Health. There have been two amendments  
29. already considered and adopted. There are two or three more  
30. amendments to be considered, and at Senator Partee's request,  
31. I delayed that matter until later this afternoon. I would like  
32. to have that Bill read a second time and advanced to Third  
33. Reading so it would be on passage stage tomorrow with the under-



1. standing it will be brought back for the offering of these two  
2. amendments or any other amendments you might want to offer.

3. PRESIDING OFFICER: (Senator O'Brien)

4. Senator Partee.

5. SENATOR PARTEE:

6. In the interest of the preservation of time, I will agree  
7. that this Bill can go on Third Reading, with the explicit under-  
8. standing that it be brought back to Second Reading before it's  
9. ever called for passage so that we may debate the rather con-  
10. troversial amendments which you possess.

11. PRESIDING OFFICER: (Senator O'Brien)

12. Senator Neistein.

13. SENATOR NEISTEIN:

14. What order of business are we in?

15. PRESIDING OFFICER: (Senator O'Brien)

16. We're going to adjourn very shortly, Senator.

17. SENATOR NEISTEIN:

18. Oh, 'cause I saw we went to bills on Second Reading, and  
19. I know we were entertaining bills on Third Reading, and I wondered  
20. how we moved from one spot to the other, and I know under your  
21. guidance, Sir, as President, we wouldn't violate any of the rules,  
22. Mr. President.

23. PRESIDING OFFICER: (Senator O'Brien)

24. The Secretary would like to read the Bill.

25. SECRETARY:

26. House Bill 4102, Second Reading of the Bill.

27. PRESIDING OFFICER: (Senator O'Brien)

28. Third Reading. Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President, before we get caught up in adjournment, I  
31. would like to make a motion...and this has been talked...Senator  
32. Partee has been...had this bill discussed with him. It's 4682,  
33. notification of Home Rule referendum before...I'd like to have

1. it taken from the Committee and have it placed on the order of  
2. Second Reading for purposes of amendment. It has no effect upon  
3. the Home Rule at all. It just provides for pre-notification of  
4. a municipality going to have Home Rule to the Secretary of State  
5. and the notification of the results of that Home Rule Election.  
6. PRESIDING OFFICER: (Senator O'Brien)

7. Senator Partee.

8. SENATOR PARTEE:

9. Yes. The Bill, as I recall, is in a Committee somewhere.  
10. You're making a motion to take it from the Committee...

11. PRESIDING OFFICER: (Senator O'Brien)

12. Put it on Second Reading.

13. SENATOR PARTEE:

14. Put it on...have it read a first...well, I guess it's been  
15. read a first time, and placed on the order of Second Reading.  
16. Now, you have an amendment for it. Have you?

17. SENATOR GRAHAM:

18. There are no amendments that I know of. The file here  
19. doesn't have any...yes. There is an amendment here. Yes.  
20. There is an amendment to be introduced. Yes. I do have an  
21. amendment. I'll send one over to you.

22. SENATOR PARTEE:

23. Well, then, if you take it...if you move to discharge the  
24. Committee and put it, place it on the order of Second Reading,  
25. well, do you propose to go with the amendment today or tomorrow?

26. SENATOR GRAHAM:

27. I would hope to propose it tomorrow, Senator, when...look at it

28. SENATOR PARTEE:

29. Fine. Then I have no objections.

30. PRESIDING OFFICER: (Senator O'Brien)

31. Senator Graham moves that we take House Bill 4682 from the  
32. Committee and put it on Second Reading. All in favor? Aye.  
33. Opposed? Second Reading. Messages from the House, Senator Partee.

1. For what purpose does Senator Hynes arise?

2. SENATOR HYNES:

3. Mr. President, I have, I am the principal sponsor of  
4. House Bill 3794 which is on First Reading, and I have talked  
5. with Senator Knuepfer, Senator Gilbert and Senator Lyons.  
6. I would ask leave...

7. PRESIDING OFFICER: (Senator O'Brien)

8. We'll get to that in a moment, Senator. Can you hold it  
9. for just a minute? We'll get back to you. Message from the  
10. House. Secretary.

11. SECRETARY:

12. Well, we have read the message from the House. Let's just  
13. read the sponsor. On the message this morning that we received  
14. from the House, we received House Bill 3743, which Senator  
15. Laughlin will be the a...43...it is here, and House Bill 3794,  
16. Senator Hynes, House Bill 4285, Senator Vadalabene, House Bill  
17. 4264, Senator Saperstein.

18. PRESIDING OFFICER: (Senator O'Brien)

19. Now, let's take them one at a time, Senator Laughlin.

20. SENATOR LAUGHLIN:

21. Yes. Mr. President and members of the Senate, Senator  
22. Partee, on House Bill 3743 which deals with a, the subject of  
23. the effective days, dates of legislation enacted, I think it's  
24. been submitted to your staff, and what I'd like to do is move  
25. that it be read a first time and advanced to Second Reading  
26. without reference to Committee. It came over in the House today.  
27. It has to do with the clinger...clinger decision, the codification  
28. of certain laws. Staff member Epstein came over. I don't think  
29. there's any controversy and I think it's a fairly important  
30. piece of legislation. I've got a three-page memorandum here.

31. SENATOR PARTEE:

32. Oh. Oh, yes. There is an extensive memorandum prepared  
33. on that subject.

1. SENATOR LAUGHLIN:

2. Yes.

3. SENATOR PARTEE:

4. We've taken a look at it, and I have no objection to the  
5. procedure.

6. SENATOR LAUGHLIN:

7. All right. Then I move that it be read a first time  
8. and advanced to Second Reading without reference to Committee.

9. PRESIDING OFFICER: (Senator O'Brien)

10. Is the motion to take House Bill 3743 and have read without  
11. reference to Committee a second time and have placed on the  
12. Calendar? All in favor? Opposed? Second Reading. Senator  
13. Partee.

14. SENATOR PARTEE:

15. Mr. Secretary, please make certain that it's already been  
16. read a first time, has it not? So, we don't want the record  
17. to show read a first time, but read a second time. Isn't it?  
18. Wait a minute. No. Read a first time and advanced to Second  
19. Reading without reference. Right. Fine. Right.

20. PRESIDING OFFICER: (Senator O'Brien)

21. Without reference to Committee on Second Reading. Senator  
22. Hynes, 3794.

23. SENATOR HYNES:

24. Mr. President, as I had started to indicate, I have dis-  
25. cussed this with members on both sides. It is a supplemental  
26. appropriation for the Office of the Superintendent of Public  
27. Instruction with respect to transportation and certain other  
28. grants. I do not know of any objection to it. I would move  
29. that the Bill be read a first time and advanced to Second  
30. Reading without reference to Committee.

31. PRESIDING OFFICER: (Senator O'Brien)

32. Senator Hynes moves that House Bill 3794 be moved to  
33. Second Reading without reference to Committee. All in favor.

1. Opposed? Second Reading. Senator Vadalabene.

2. SENATOR VADALABENE:

3. Thank you, Mr. President and members of the Senate.  
4. House Bill 4285 deals with the minimum salary of County Officials.  
5. I understand this has cleared the leadership of both sides of the  
6. aisle, and I would move to have it advanced to Second Reading  
7. without reference to Committee.

8. PRESIDING OFFICER: (Senator O'Brien)

9. Senator Vadalabene moves to have House Bill 4285 moved to  
10. Second Reading without reference to Committee. All in favor?  
11. Aye. Second Reading. Senator Partee.

12. SENATOR PARTEE:

13. I don't want to be picayunish, but inasmuch as this is on  
14. our tape, I think the motion should include that it be removed  
15. from wherever it is, that it be read a first time, then advanced  
16. to the order of Second Reading. Now, where is the Bill at  
17. present?

18. PRESIDING OFFICER: (Senator O'Brien)

19. The Bill...the Bill has never been read, Senator.

20. SENATOR PARTEE:

21. This is a...is it a new bill? Coming from the House?

22. PRESIDING OFFICER: (Senator O'Brien)

23. Senator Partee.

24. SENATOR PARTEE:

25. You're right, Mr. President. Thank you.

26. PRESIDING OFFICER: (Senator O'Brien)

27. Senator Saperstein. Any further business to come before  
28. the Senate? Senator Partee.

29. SENATOR PARTEE:

30. The Temporary Committee on Joint Finance will meet tomorrow  
31. at 10 o'clock. Session will commence at 10:30.

32. PRESIDING OFFICER: (Senator O'Brien)

33. Senator Clarke.

1. SENATOR CLARKE:

2. In Senator Bidwill's absence I want to announce that we  
3. will not have a Republican caucus in the morning so the guys  
4. can relax a little bit.

5. PRESIDING OFFICER: (Senator O'Brien)

6. Senator Graham.

7. SENATOR GRAHAM:

8. I wasn't here the other day, and I think there's a  
9. Resolution up there...a congratulatory Resolution for Mr. and  
10. Mrs. Carey on their 35th Wedding Anniversary. I'm almost as  
11. bad as Mitchler but this is for a young man working over in  
12. the Department of Superintendent of Public Instruction...like  
13. to compliment his Dad and Mother, and I'd like to move its...  
14. suspension of the rules for immediate adoption.

15. PRESIDING OFFICER: (Senator O'Brien)

16. Can we have suspension of the rules and immediate adoption?  
17. Leave is granted. Resolution is adopted. Senator Partee moves  
18. that we stand adjourned until 10:30 tomorrow morning. All in  
19. favor? Senator Partee.

20. SENATOR PARTEE:

21. One moment. On the Secretary's Desk there's another  
22. congratulatory Resolution. I move its adoption.

23. PRESIDING OFFICER: (Senator O'Brien)

24. All in favor. Leave is granted. Is leave granted?  
25. Immediate adoption of the Resolution. The Resolution is adopted.  
26. We have one more, Senator Latherow.

27. SECRETARY:

28. I have a Resolution, Senator Latherow, 395. It's con-  
29. gratulatory.

30. SENATOR LATHEROW:

31. Mr. President, I move the suspension of the rules and the  
32. immediate adoption of the Resolution and all Senators be shown  
33. sponsors.

1. PRESIDING OFFICER: (Senator O'Brien)

2. All in favor of the motion? All opposed? Resolution is  
3. adopted. Senator Partee moves the Senate stand adjourned until  
4. 10:30 tomorrow morning.

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