

77TH GENERAL ASSEMBLY

SENATE FLOOR DEBATE

JUNE 29, 1972

1. PRESIDENT:

2. Senate will come to order. Prayer by the Chaplain, Reverend
3. Rudolph S. Schultz, pastor of the Union Baptist Church of Spring-
4. field. Pastor Schultz.

5. PRESIDENT:

6. Reading of the Journal. Moved by Senator Nihill that the
7. reading of the Journal be dispensed with. All in favor signify
8. by saying aye. Contrary minded. Motion prevails. Do we have
9. any resolutions or motions...some..

10. SENATOR BERNING:

11. Are we on Senate bills with House amendments?

12. PRESIDENT:

13. We can be very shortly. Senator Clarke is not on the floor
14. yet. I hesitate to go ahead until he is here. I'm sure he'll be
15. here in a few minutes. Mr. Fernandes maybe can read Senate Joint
16. Resolution 78 a third time and then we can vote...we won't vote on
17. it now, it will have been read anyway.

18. PRESIDING SECRETARY: (MR. FERNANDES)

19. (Senate Joint Resolution #78 read by the Presiding Secretary)

20. PRESIDENT:

21. Senator Horsley, my...the chair would suggest you'd better
22. wait for a little bit before you take up the resolution.

23. SENATOR HORSLEY:

24. I think your suggestion is well made.

25. PRESIDENT:

26. Do we have any relatively routine matters or some bills?
27. Senator Knuepfer.

28. SENATOR KNUEPFER:

29. There was one...a bill that was called yesterday for concurrence
30. or rejection of a House amendmment and that is Senate bill 485. I
31. think it is noncontroversial. I've talked to Senator Dougherty
32. about it. What I would move for is concurrence with the House
33. amendment. Now, here's what the House amendment did. The House

1. amendment, this is a bill having to do with townships, and the
2. House, it came from Troy Kost originally, head of the Township
3. Association. There was a section in the bill that permitted any
4. municipality over 50,000 to have to form a concurrent township
5. municipality arrangement. The House objected to that and the
6. House amendment struck that provision which automatically provided
7. for concurrent jurisdiction in any townships over 50,000. I would...
8. any municipalities over 50,000. I would, therefore, move to accept
9. the House amend...or concur in the House amendment.

10. PRESIDENT:

11. Is there any discussion? The Chair is just a little reluctant
12. to move ahead with Senator Clarke not being on the floor here and
13. I'm sure...his staff members indicate this is okay. Secretary will
14. call the roll.

15. SECRETARY:

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

24. PRESIDENT:

25. Merritt, aye. Bidwill, aye. Latherow, aye. Johns, aye. On
26. that question, the yeas are 30, the nays are 0. The bill having...
27. the Senate concurs in the House amendment. Senator McCarthy, you
28. say you have an amendment? All right. We could take care of any
29. amendments that members have to measures. Senator Rock.

30. SENATOR ROCK:

31. Yes, Mr. President and members of the Senate, on the order of
32. business of Senate bills with House amendments, I have Senate bill
33. 1371 and I would move that we not concur with the House amendment.

1. PRESIDENT:

2. 1371. Motion is to nonconcur in the House amendment. Is
3. there any...Senator Knuepfer.

4. SENATOR KNUEPFER:

5. Yea, Senator Rock, you made an excellent suggestion yesterday
6. in the concurrences or nonconcurrences that we elaborate on what
7. the issue is and what the bill is and if you'd do that I'd appre-
8. ciate it.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Yes, I was going to get to that. I wanted to know if we were
13. on the right order of business. Senate bill 1371 is the appropri-
14. ation for the ordinary and contingent expenses of the Office of the
15. Lieutenant Governor. There was an amendment put on in the House that
16. reduced this appropriation by some \$18,000. Now, I have...

17. PRESIDENT:

18. Just a moment. Senator Graham, has asked for some order and
19. he's entitled to...please. If we can take our conferences off the
20. floor, please, gentlemen.

21. SENATOR ROCK:

22. I have discussed with the House member who placed that amend-
23. ment on the fact that I was not going to concur. I think we have
24. reached an agreement and, therefore, I would ask this body not to
25. concur in that amendment.

26. PRESIDENT:

27. Is there any discussion? Motion to nonconcur. All in favor
28. signify by saying aye. Contrary minded. Motion prevails. Senator
29. Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President. Senate bill 1290 has House amend-
32. ments. I would move that the body do not concur and that we have
33. a conference committee appointed.

1. PRESIDENT:

2. Motion is that the Senate do not concur on Senate bill 1290.

3. SENATOR BERNING:

4. For explanation, Senate bill 1290 was and is the bill providing
5. for recovery of costs by the county for the extension and collection
6. and distribution of taxes. The amendments in the House are faulty
7. and have to be corrected in order to make the bill practical. There-
8. fore, I move to nonconcur and request that the body nonconcur and
9. that we appoint a conference committee.

10. PRESIDENT:

11. Motion is that we nonconcur. All in favor signify by saying
12. aye. Contrary minded. The Senate does not concur. ...more
13. members here. We have some...two conference committee reports.
14. Senator Dougherty on House bill 1954. Are you ready to make a...
15. to move on that?

16. SENATOR DOUGHERTY:

17. I have the...on the conference report. Yes.

18. PRESIDENT:

19. Yes. Conference committee report, House bill 1954. Senator
20. Dougherty.

21. SENATOR DOUGHERTY:

22. I move that we concur in the House amendments to House bill
23. 1954.

24. PRESIDENT:

25. It's a conference committee report. Do you wanna explain it
26. very briefly, Senator?

27. SENATOR DOUGHERTY:

28. Well, actually, what the...can we hold that for a moment, sir?
29. I'm not quite sure on that. I believe the amendments are all right
30. but Senator Walker is interested in that bill too. Senator Walker.
31. The amendments to 1954, you will recall that bill. That's the bill
32. that we...of mine that we took and we struck everything after the
33. enacting clause and redrew it. Now, do you know what the amendments
do to it?

1. PRESIDENT:

2. The Senate members of the conference committee are Senator
3. Dougherty, Mohr, Soper, McCarthy and Rock.

4. SENATOR DOUGHERTY:

5. I've been on so many, Mr. President, I'm not aware of...

6. PRESIDENT:

7. All right. Let's just hold it until we...you have a chance
8. to examine it here.

9. SENATOR DOUGHERTY:

10. Yea. Fine.

11. PRESIDENT:

12. Is Senator Carpentier here? Senator Weaver.

13. SENATOR WEAVER:

14. Mr. President and members of the Senate, I would move that
15. we concur in House amendment number 2 to Senate bill 1436. Basically
16. this changes the bill from the criminal code to the civil code and
17. also adds a little language where the chief executive officer in-
18. stitute action through the Attorney General or the State's Attorney.

19. PRESIDENT:

20. Is there any discussion? Secretary will call the roll. Motion
21. is that the Senate concur in the House amendment on Senate bill 1436.

22. SECRETARY:

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

31. PRESIDENT:

32. On that question the yeas are 39, the nays are 1. The Senate
33. concurs in the House amendment. Senator Bidwill, 1438.

1. SENATOR BIDWILL:

2. Mr. President, members of the Senate, I move that the Senate
3. concur in the amendments placed on this bill in the House. The
4. amendments number one reduce the appropriation by 24 thousand,
5. seven hundred. Fourteen thousand out of personal services, 27
6. out of retirement, travel reduced five thousand, and commodities
7. reduced three thousand. This was agreed on in the House. And
8. amendment number three appropriated 20 thousand to the Board to be
9. used in recruiting and training of minority groups and minority
10. employees. I move that the Senate concur in these amendments.

11. PRESIDENT:

12. Is there any discussion? Secretary will call the roll. The
13. motion is that the Senate concur in the House amendments on Senate
14. Bill 1438.

15. SECRETARY:

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

24. PRESIDENT:

25. Saperstein, aye. Newhouse, aye. On that question, the yeas
26. are 37, the nays are 0. The Senate concurs in the House amendments.
27. Senator Dougherty has indicated he is ready to make a motion in
28. connection with the conference committee report on House bill 1954.
29. Senator Dougherty.

30. SENATOR DOUGHERTY:

31. Mr. President, members of the Senate, I move to concur in the
32. conference committee report on this bill. What we...what it does
33. precisely is this. It provides that the chief of the police depart-

1. ment or the fire department of a municipality serves at the pleasure
2. of the Mayor unless by city ordinance the ordinance decrees that
3. they shall not serve at the pleasure of the Mayor, rather they
4. shall serve at the pleasure of the municipal manager or at the
5. pleasure of the Board of Trustees as the case may be. I move we concur.

6. PRESIDENT:

7. Is there any discussion? The Secretary will call the roll.
8. The motion is to adopt the conference committee report on House
9. Bill 1954.

10. SECRETARY:

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

19. PRESIDENT:

20. ..., aye. Johns, aye. On that question the yeas are 40, the
21. nays are 0. The Senate concurs in the...The Senate adopts the
22. conference committee report. Senator Kosinski, 1561. Senate Bill
23. 1561 with a House amendment. Senator Kosinski.

24. SENATOR KOSINSKI:

25. Mr. President, Senators, I would like to have the Senate
26. concur with the House amendment. That's all it does is to clarify
27. the four year scholarship. It's our bill...the Senate Bill 1561
28. says four year scholarship. Their wording is the equivalent of
29. four years of full-time enrollment. I move that we concur.

30. PRESIDENT:

31. Is there any discussion? Secretary will call the roll. Motion
32. is to concur in the House amendment on Senate Bill 1561.

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...

4. PRESIDENT:

5. Senator Graham.

6. SENATOR GRAHAM:

7. Mr. President, could I make a suggestion that we forego
8. sponsors explaining their bills or their amendments 'cause there
9. isn't anyone who can hear what they say anyway.

10. PRESIDENT:

11. Let's have some order. Let's take the conference committee
12. meetings off the floor. You wanna visit with your colleagues, let's
13. not do it here. We're gonna have to pay attention. Senator Graham's
14. point is well taken. Proceed with the roll call.

15. SENATOR GRAHAM:

16. I vote aye by the way.

17. SECRETARY:

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

23. PRESIDENT:

24. Just a moment. Let's...Senator's point is well taken. Will
25. members be in their seats. Will those not entitled to the floor
26. please leave the floor. On that question, the yeas are 41, the
27. nays are 0. The Senate concurs in the House amendment. On Senate
28. Bill 1326, who is handling that for Senator Harris? Senator Clarke.
29. Is Senator Clarke on the floor? Can you ask Senator Rock to come
30. up here a second?

31. SENATOR CLARKE:

32. Mr. President, this is the Department of Labor appropriation.
33. There was one amendment from the House and I believe that we have

1. agreement that we're gonna concur in this amendment. It reduces
2. several line items by a small amount.

3. PRESIDENT:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Yes, I agree with Senator Clarke that we should accept the
7. amendment but I would like to make this comment. The cuts that have
8. been made are in an area that I believe that were foolish for the House
9. to have made the cuts. And that is, in industrial hygiene they
10. removed the number of inspectors and they've also severely reduced their
11. travel. I'm going to vote for this because the Department of Labor
12. does not wish at this late hour to go into a conference committee
13. report. I'm also, if they have any difficulty in January, will intro-
14. duce a supplementary bill for their travel and more inspectors in
15. the Industrial Hygiene Division.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Clarke.

18. SENATOR CLARKE:

19. I move to concur House amendment number one.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Clarke has moved to concur with House amendment number
22. one to Senate Bill 1326. Senator Saperstein.

23. SENATOR SAPERSTEIN:

24. Mr. President and gentlemen of the Senate, did I understand that
25. you have cut down the number of Industrial Hygienists. They have?
26. Well, I'd like it explained.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Clarke.

29. SENATOR CLARKE:

30. In that division, there is a decrease from seventy-four thousand
31. five hundred to sixty-two five or \$12,000.

32. PRESIDING OFFICER: (SENATOR ROCK)

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

1. SECRETARY:

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

10. PRESIDING OFFICER: (SENATOR ROCK)

11. On the question, the yeas are 44, the nays are 0. The Senate
12. concurs in the House amendment. Senate Bill 1393, Senator Coulson.

13. SENATOR COULSON:

14. Mr. President, the motion will be to nonconcur with the House
15. amendments. What was a very simple proposal has now become a very
.. complicated thing with proposals for revenue reimbursement and al-
17. location of further income tax to cities and so forth. If a further
18. explanation is needed I can give it but since this is not final ac-
19. tion, I will simply move to nonconcur with the House amendments.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Coulson has moved to not...that the Senate not concur
22. in House amendments one and two to Senate Bill 1393. All in favor
23. of that motion indicate by saying aye. All opposed. So ordered.
24. We have some messages from the House.

25. SECRETARY:

26. Message from the House on refusing to recede to various Senate
27. bills. The first one is 1329, Senator Merritt. They request a con-
28. ference committee.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Merritt.

31. SENATOR MERRITT:

32. I move we do not accede and that a conference committee be...
33. that we accept the conference committee.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Merritt has moved to accede to the request for a
3. conference committee. All in favor signify by saying aye. So
4. ordered.

5. SECRETARY:

6. The second bill is 1320, Senator Davidson. They refuse to
7. recede and ask for a conference committee.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Is Senator Davidson on the floor? Senator Davidson.

10. SENATOR DAVIDSON:

11. Well, Mr. President, I move that we go to a conference committee.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Davidson has moved that we accede to the House's request
14. for a conference committee. All in favor say aye. So ordered.

15. SECRETARY:

16. Next bill is 1433, Senator Partee.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senate bill?

19. SECRETARY:

20. Yes.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Partee.

23. SENATOR PARTEE:

24. We move to concur. This is a budgetary matter affecting the
25. Office of the Superintendent of Public Instruction and we find
26. nothing wrong with the amendment to offer so we move to concur with
27. it.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Gilbert.

30. SENATOR PARTEE:

31. It's a transfer item only as I understand.

32. SENATOR GILBERT:

33. I person...Senator Partee, I have just been checking this out.

1. I personally am going to recommend that we do this but I haven't
2. had a chance to talk with Senator Clarke and with the staff on this.
3. I would like to have just a few minutes but my personal recommenda-
4. tion is that we hold it...yes, for a few minutes.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Can we hold this for a couple of minutes, Senatorr? Okay.

7. SECRETARY:

8. These are House bills where the House refuses to concur with
9. Senate amendments. On House bill 4102, Senator Horsley's bill, they
10. refuse to concur with amendment number one and two.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Horsley.

13. SENATOR HORSLEY:

14. Could we hold up on that for just a few minutes. We're
working on it and I'd like to hold that up for the moment.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Certainly.

18. SECRETARY:

19. Next bill is House Bill 4452 and the House refuses to concur
20. with Senate amendment number two. Senator Carpentier's bill.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Carpentier. 4452.

23. SENATOR CARPENTIER:

24. Let's put it in the conference committee. I refuse to recede
25. and ask for a conference committee.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Carpentier moves that we refuse to recede from the
28. Senate amendment and ask for a conference committee. All those in
29. favor indicate by saying aye. So ordered.

30. SECRETARY:

31. House bill 4215. The House concurs in amendment number one,
32. refuses to concur in amendment number two. Senator Weaver's bill.

33. PRESIDENT:

1. Senator Weaver.

2. SENATOR WEAVER:

3. Mr. President, members of the Senate, I move that we refuse
4. to recede from amendment number two and request a conference com-
5. mittee be appointed.

6. PRESIDENT:

7. Motion that the Senate refuse to recede and request a conference
8. committee. All...is there any discussion? All in favor signify
9. by saying aye. Contrary minded. Motion prevails. Senator Car-
10. pentier is recognized.

11. SENATOR CARPENTIER:

12. Having voted on the prevailing side, I now move to reconsider
13. House bill 4329. Senator Knuepfer's bill.

14. PRESIDENT:

15. Just a second. House bill 43...

16. SENATOR CARPENTIER:

17. Okay. 29.

18. PRESIDENT:

19. 29. Can we hold up on that motion while we check out where
20. it is and so forth whether that motion...

21. SENATOR CARPENTIER:

22. Okay.

23. PRESIDENT:

24. Senator Knuepfer.

25. SENATOR KNUEPFER:

26. I...House Bill 4329 was C. L. McCormick's, Representative Mc-
27. Cormick's bill. It was a State Property Control Act and it permitted
28. property to be transferred at its appraised value from the State of
29. Illinois to units of local government. It did not secure any votes
30. on the other side of the aisle. I have an amendment which Repre-
31. sentative McCormick tells me now is acceptable by members on the
32. other side of the aisle. That amendment meets one of the major ob-
33. jections which was provided to that bill and that was the unit of

1. local government could acquire property and then possibly resell
2. that property. Now, if we are successful in moving to reconsider
3. then I will move this bill back to second reading. I will put on
4. the amendment which prohibits the unit of government which acquired
5. this property from then retransferring that property and it is my
6. understanding then that this meets the objections which were en-
7. tertained upon the other side of the aisle. Now, that's as plainly
8. and simply what the bill does or what the purpose of this motion is
9. to bring this bill back to life to amend it and then hopefully to
10. get your concurrence in it as an assist to local government in ac-
11. quiring some badly needed state equipment.

12. PRESIDENT:

13. Now, Senator Carpentier, in order...what we would have to do is...
14. the motion would have to be to suspend the rules for this purpose.
15. Now...just a moment. Let's have some order please. Is that your
16. motion? Senator Carpentier moves to suspend the rules so that the
17. Senate may reconsider the vote by which House bill 4329 was defeated.
18. You voted in the negative on this, Senator Carpentier?

19. SENATOR CARPENTIER:

20. Yes, Mr. President.

21. PRESIDENT:

22. Is there any discussion? Is there objection to this? Senator
23. Partee.

24. SENATOR PARTEE:

25. I missed part of what Senator Knuepfer said, but it is true that
26. Representative McCormick was here to discuss this bill. There were
27. two problems with the bill as I recall. One was the lack of bidding
28. procedure in the sales...maybe three. One was the decision could
29. be made as to what was expendable furniture by what we consider to
30. be one person. And a third part of it there was no responsibility
31. affixed to the purchaser to keep the purchased items. In other words,
32. the purchased items could be resold. I see in the file this morning
33. an amendment which I assume Representative McCormick had drawn which
would, in

1. in effect, prevent the disposal of the property by the purchasing
2. unit of government. That, of course, does not answer the other
3. two objections. Now, I would do this so that we could probably
4. make this...get it over faster. I won't object to bringing the
5. bill back to the table. But you'll have to have him know that
6. the other two problems still exist in terms of passage.

7. PRESIDENT:

8. All right. Then, in this connection, we'll agree to recon-
9. sider the vote but we won't take the matter up at this time and
10. see if you can work out amendments. Is there objection to that?
11. Senator Cherry.

12. SENATOR CHERRY:

13. I wanna make this further comment with respect to the pro-
14. posed amendment, Senator. I think the main objection to the bill
15. was that a local governmental unit can buy property and then trans-
16. fer it perhaps mischievously or with some...in a devious method to
17. another department of local government. Okay? And that's what
18. we want to prevent. I don't think that your proposed amendment
19. eliminates that objection as Senator Partee has stated because all
20. this amendment says, all the amendment that you're going to propose
21. says, that they can't dispose of the property except to another local
22. governmental unit but the same objection applies because supposing
23. one governmental unit purchased property that it didn't need be-
24. cause the other department didn't have sufficient appropriations then
25. goes ahead and transfers it. So I don't think that this amendment
26. cures that problem. And then it says that they can't...I don't know
27. what this means...may dispose of the property except as a trade-in on
28. like property...you know...why would they exchange like property from
29. one department to another. If it's the same kind of property, and
30. if it's no good in the first instance then taking a trade of like
31. property just simply doesn't make sense. So, as Senator Partee says, I
32. think the amendment has to be considered and I would have no ob-
33. jection taking it from the table but it certainly needs much work.

1. PRESIDENT:

2. All right. Leave is granted for the reconsideration. The
3. bill will be taken up later. Now...Senators Carroll, Senators
4. Baltz. We...the secretaries who are on the floor, you add some
5. grace and good looks to the floor, but we're gonna ask that you
6. stay off the floor today please. If you can ask your colleagues
7. up there. We're gonna have to have some order. Take the conference
8. ...conferences off. Senator Chew's secretary, we're gonna ask you
9. to do the same. Senator Carpentier, we have a conference committee
10. report on House bill 4149. Are you ready to make a motion in
11. connection with that? Senator Carpentier.

12. SENATOR CARPENTIER:

13. Yes, I move that we agree with the conference committee report
14. in regard to House bill 4149.

15. PRESIDENT:

16. You wish to explain it briefly?

17. SENATOR CARPENTIER:

18. Yea, what it does is to return the employees that were stated
19. to be sent over to the Secretary of State's office back over to the
20. the Department of Transportation. They found out that this could not
21. be done at this time and they wish to turn those people back over.
22. It's under the financial responsibility law and they took out two
23. words over in the House of Representatives they found as being
24. typographical errors. And I move for the adoption of the conference
25. committee report.

26. PRESIDENT:

27. Is there any discussion? Is there...Senator Partee.

28. SENATOR PARTEE:

29. My notes here say accept this conference committee report. I've
30. obviously looked at it, but could you tell me just a moment, just
31. a one or two word reminder what it's about.

32. PRESIDENT:

33. Senator Carpentier.

1. SENATOR CARPENTIER:

2. Mr. Pro Tem, what it did was to return these people back to
3. the Department of Transportation. We were going to take them and
4. but them in the Secretary of State's office.

5. PRESIDENT:

6. Senator Partee.

7. SENATOR PARTEE:

8. There's one other question involved, that is, persons who've
9. received a judgment discharging them in bankruptcy...oh, that's out
10. now. All right. No objection.

11. PRESIDENT:

12. Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning...

15. PRESIDENT:

16. Just a second.

17. SECRETARY:

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

25. PRESIDENT:

26. Laughlin, aye. Nihill, aye. On that question, the yeas are 35,
27. the nays are 0. The conference committee report is adopted. Senator
28. Neistein, Senate bill 890. Do you want it...

29. SENATOR NEISTEIN:

30. Mr. President, members of the Senate, Senate bill 890 was amended
31. in the House. Now, this is the same bill practically...

32. PRESIDENT:

33. Just a moment. Please let's get some order. Gentlemen, let's,

1. and I say gentlemen because Senator Saperstein in not making noise,
2. gentlemen, let's get some order.

3. SENATOR NEISTEIN:

4. Now, I say that this bill was amended in the House. This is
5. the second chance at the concept of a commission. Now, Senator
6. Knuepfer had a similar bill which was voted down. I wanna call
7. your attention specifically, Senator Laughlin and others, that this
8. is a commission of twelve people, four appointed by the Governor,
9. one by the Chief Justice of the Supreme...

10. PRESIDENT:

11. Just a minute. For what purpose does Senator Clarke arise?

12. SENATOR CLARKE:

13. Because, before the Senator gets too far into his explanation,
14. I'd like to raise a point of order. This amendment is on page
15. one, line one, by striking everything after the word "the." And "the"
16. is an act creating "the." Now, the President pro tem and I have been
17. around here a long time. I've tried this myself on occasion. I
18. think that we should get a ruling from the chair first, because I
19. would suggest that this is a completely new bill as the sponsor
20. indicated, that it hasn't been read three times in the House, it's
21. not going to be read three times in the Senate, and it's an improper
22. amendment.

23. PRESIDENT:

24. Well, just...Senator Partee.

25. SENATOR PARTEE:

26. I certainly would not, of course, subscribe your decision in terms
27. of answering this question. But it does occur to me that this is
28. a question which would be answered most properly by the Supreme
29. Court. This is a constitutional question, it seems to me, as to
30. whether or not this procedure is violative of the Constitution. And
31. I would think this would be a legal question to be answered by the
32. Supreme Court. And I'd think for the Chair to have to answer this
33. question is not in keeping with what I understand the function

1. of the Supreme Court to be.

2. PRESIDENT:

3. Well, the Chair's response would be the same as it was in
4. the case of Senator Horsley. If, in fact, Senator Clarke is
5. correct in his allegation then the Chair would have to rule that
6. it is not in order. Now, I just have the bill here. Senator
7. Neistein, is, in fact, what Senator Clarke says correct about the
8. amendment? Is that correct, Senator Neistein?

9. SENATOR NEISTEIN:

10. Well, I haven't got a copy of the bill in front of me but
11. the House amended it and I understand that basically Senator Clarke
12. is correct, that after the enacting clause they put in after com-
13. missions this recitation that we're discussing now.

14. PRESIDENT:

Well...Senator Partee.

16. SENATOR PARTEE:

17. Oh no, I think Senator Clarke is exactly right. Under Section
18. 8, section D, a bill does have to be read by title on three different
19. days in each House. But this requirement does not pertain to amend-
20. ments and this is an amendment. It is an amendment. Now, what
21. kind of amendment it is or how it's described or classified or
22. categorized is another question but it is, in fact, an amendment and
23. an amendment does not have to be read on three different days.

24. PRESIDENT:

25. Well, Senator Partee is correct. An amendment does not have
26. to be read. However, the Chair would have to rule, as other pre-
27. siding officers have in the past, as you, I'm sure recall, that you
28. can't just completely change the title and everything. It would
29. have to be the...and that's what this bill does. The Chair would
30. have to rule that this is not in order.

31. SENATOR PARTEE:

32. Well, Mr. President, I certainly would not like to disagree
33. with what you've said except when what you've said departs from

1. what I consider to be accuracy I would, of course, point out that
2. this is an amendment. Now, I don't think that it comes within the
3. province of a presiding officer to make a judicial determination
4. as to whether or not an amendment is a partial amendment, is a
5. full amendment, is a half-partial amendment. I don't think the
6. Chair should become involved in that kind of a determination. Now,
7. I think that's a judicial question.

8. PRESIDENT:

9. Senator Clarke.

10. SENATOR CLARKE:

11. Well, Mr. President, I think, on the face of it, the facts
12. are obvious here as you admit and as the sponsor admits, that they
13. keep three words, four words, when you include an, an act, and strip
14. everything else in this bill. And I think that there is plenty
15. of precedent. I have seen, because as I say, I've tried to do
16. this very same thing myself and have been ruled out of order as
17. long ago as twelve years ago. I've seen others be ruled out of
18. order and I don't think that this is a judicial interpretation at
19. all. I think it's a very factual matter that is before us and it's
20. obvious on the face of it.

21. PRESIDENT:

22. Well...Senator Partee.

23. SENATOR PARTEE:

24. Maybe we can shorten this. Maybe we can just take this out
25. of the record for a moment. I think I am prepared to show some
26. cases which indicate that this is proper procedure. There is
27. some case law in the Constitution which refers to this and I'd like to
28. for the moment to get it so that you would at least have the benefit
29. of what the court has said previously on this subject.

30. PRESIDENT:

31. The Mason's Legislative Manual which has been followed by...some-
32. what by presiding officers says, "A bill after passing the House may
33. be materially amended in the other and passed as amended, this practice

1. being in accordance with common legislative procedure and the amend-
2. ments may take the form of the substitution of an entirely new
3. bill for the bill introduced so long as the subject of the bill
4. is not changed." The Constitution saying a bill shall be read
5. by title on three different days in each House...unless there is
6. something very substantial I think the chair would have to rule
7. in the direction of..in favor of Senator Clarke's protest.

8. SENATOR PARTEE:

9. Well, on this basis, would you hold it for a moment until
10. I can get a...I didn't anticipate this kind of an approach by
11. Senator Clarke but I can get my documentation in just a few mo-
12. ments.

13. PRESIDENT:

14. I will hold that ruling. All right. Senator Knuppel.

15. SENATOR KNUPPEL:

16. I don't seem to have a copy of what we're talking about on
17. my desk. Is it to be distributed? I have nothing to guide me
18. with respect to what we're considering.

19. PRESIDENT:

20. In the last days, there is not a demand for this but we
21. have it up here.

22. SENATOR KNUPPEL:

23. Well, I'd like to have a copy at least. If the Pages or some-
24. body will put it on my desk, I'd like to know what I'm voting for.

25. PRESIDENT:

26. Return to this later. ...on the floor? House bills on Third
27. Reading. House bills on Third Reading. These bills in the first
28. column will be called first. 298, Senator Rock. Excuse me. I've
29. been advised that the...they would prefer that bills with amendments
30. be called first understandably. All right. Bills with amendments
31. will be called first. Senator Rock wishes to hold off on 298 just
32. for a little bit here. Senator...Senator Latherow.

33. SENATOR LATHEROW:

1. Mr. President, I wonder if I could suggest that this area no
2. longer be a conference room right immediately in back of us here.
3. We're...

4. PRESIDENT:

5. I think the suggestion is good. Will the Sergeant-at-Arms
6. keep the back aisles completely free. They're to be used for
7. passage only and let's keep...the back area should be for Pages and
8. any conferences have to be taken out of the Chamber. It's gonna
9. be a difficult day and we're gonna have to maintain some order. 2222,
10. Senator Mitchler and on the next column, 4449, Senator Knuepfer.
11. 4508, Senator Latherow. Is Senator Mitchler, are you ready on
12. 2222?

13. SENATOR MITCHLER:

14. Yes, let's call that and get rid of it.

15. PRESIDENT:

16. Senator Mitchler. 2222.

17. SENATOR MITCHLER:

18. Mr. President, members of the Senate, House Bill 2222 as
19. amended in the Senate is a bill that would create the Lead Poisoning
20. Substance Control Act. Now, I want it understood that this is a
21. Department of Public Health and administration bill that passed the
22. House. It has had considerable work in committee and I'm the sponsor
23. in the Senate and I'm attempting to have it put in shape and passed
24. according to the Department. Now what this bill does because of
25. incidences occurring in lead poisoning of children which has caused
26. death, has caused the death of a child in my district in Aurora, and
27. deaths in other areas due to children eating the paint chips that
28. peel off of buildings, both interior and exterior. Also on various
29. toys and furniture. And this bill is to set up a screening program
30. by the Illinois Department of Public Health to test where cases
31. come to the attention of the Department that there is problems with
32. lead poisoning of children. This lead poisoning results in mental
33. retardation of children if it does not result in very serious illness

1. and death of the children. Now basically the reason for the
2. Lead Poisoning Substance Control Act which would be under control
3. of the Department of Public Health would be to allow the Department
4. to issue orders and the legislation would prohibit the sale of
5. toys , furniture, other household objects which contain lead
6. bearing substances. It would prohibit the sale or use of lead
7. based paint containing .5% lead after January 1, 1973, which in-
8. cidentally is the effective date of this Act. Then on January 1,
9. 1974, the per cent is reduced to .06 of one per cent, .06%. In any
10. event, the use of lead bearing paint would be prohibited from places
11. easily acceptable to children. Now one of the important parts of
12. this bill is the fact that physicians and hospital personnel are
13. required to report to the Illinois Department of Public Health
14. evidence of lead poisoning because we must be realistic and under-
15. stand that we could not have sufficient personnel in the Illinois Depart-
16. ment of Public Health to go around and check on all of the areas con-
17. tinually checking for possible lead poisoning in paint. Where we
18. find cases that are brought to the attention of the Department,
19. physicians, hospital personnel are required to report that and then
20. they could go in and this would give them the authority to inspect
21. buildings, require the removal of lead bearing substances and con-
22. duct an investigation. Now the State would also have the authority
23. to monitor and validate all medical laboratories which perform lead
24. tests on humans. The testing program in an important function of
25. this particular lead poisoning program. Now I want it understood
26. that the amendment that was put on in the Senate to committee rather
27. on the floor of the Senate, it wasn't put on by committee, to es-
28. tablish the .5% lead authorization after January 1, 1973 and then
29. reduce it to .06% after January 1, 1974 in my opinion is a legitimate
30. type of compromise, an agreement, an understanding to meet the pro-
31. blem with the paint industry. I do not in any way want it understood
32. or construed that I collaborated or anything with the paint industry
33. but I've seen time and time again where we can be quick in passing

1. legislation that just is impossible for an industry to live with.
2. For example, we amended this Session in 1972 legislation that we
3. passed last Session dealing with the glazing. The fact that the
4. glazers just couldn't meet the date so we extended the date. I
5. find that this is true in the phosphates in detergents. It sounded
6. good to take out the phosphates in detergents and then...Now I try
7. to give a complete explanation because I know there may be some
8. opposition in regards to this and I want to explain the position.
9. That's the only reason I was going into details. I wanna point
10. out that I do not believe that the idea of the amount of lead
11. content in the paint is a major issue. I think it's the...the
12. opposition will probably come out because of the control and the
13. fact that this is a Department of Public Health...Illinois Depart-
14. ment of Public Health administered bill. So on that I'd be glad
15. to answer any questions relating to this legislation and I would
16. respect and ask for a favorable roll call.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Senator, I'd ask you this question, Senator Mitchler, we can
21. shorten this. The amendment which you have fixed to this bill,
22. Monday last, will you take that amendment off?

23. PRESIDENT:

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Well, in favor of what? What would be the purpose in taking
27. that off?

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. The purpose would be to assure the passage of the bill.

32. PRESIDENT:

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Well, the amendment that was put on as I tried to explain
3. establishes several things. First, the lead bearing substance
4. that may be contained in paint, plaster, or other material that
5. is used like paint and of course it points out the warning label
6. that must appear on all of the paint products and prohibits the
7. use of it on the toys and so forth. Of course, I am fully aware
8. that the grants to any local municipality is not contained in the
9. amendment that was put on.

10. PRESIDENT:

11. Senator Partee.

12. SENATOR PARTEE:

13. In other words you're saying you want to go with the bill in
14. its present form. Well, let me just say this to you. You are the
15. gentleman who two years ago was very instrumental in this field.
16. You had bills here and you virtually bled lead for your bills and
17. I take the position, Senator, that you are retreating from your
18. once very strong stand and you're hiding behind the skirts of the
19. Department of Public Health. And they obviously are hiding behind
20. the skirts of the paint makers association. This is special interest
21. kind of consideration that you and the Department of Public Health
22. are engaging in. It happens, Senator, that this is a problem to
23. which we have very seriously addressed ourselves to in the City
24. of Chicago and the City of Chicago has a bill and ordinance on
25. this subject that is much stronger and much more protective of
26. citizens than is your bill. That is why I asked you if you'd take
27. off the amendment. If you took off the amendment, we could support
28. your bill. But, no, you can't do that because somebody doesn't want
29. you to so if somebody doesn't want you to then somebody wants me
30. to ask people to not vote for the bill in this form. I can't
31. understand, Senator, where you are and have expressed yourself as
32. wanting a very, very strong law to now retrogressively go to the
33. point where your bill places you with its amendment. It's absolutely

1. a bill without the kind of strength, without the kind of potency,
2. that we experience in the city in which I live. And I cannot
3. certainly, Senator, vote for a bill which is weaker, which is
4. less protective of people at the state level than one we already
5. enjoy in the city where I reside. That's why I asked you to take
6. the amendment off. You said you would not take the amendment off
7. and on that basis, Senator, I will have to vigorously oppose this
8. bill. I oppose it because I don't think that you are sincere in
9. your efforts to have the strongest kind of legislation involved.
10. We spend hundreds and thousands of dollars fighting for the
11. validity of the ordinance in Chicago. A federal judge the other
12. day just ruled in our favor and now the paint association, of
13. which of course, you're very aware is appealing that. That means addi-
14. tional money but we'll spend whatever we can, whatever we have to
15. protect people at the highest level of protection. And we certainly
16. will not be party to diminishing protection for people. This is
17. a serious question. This is a problem as you have said so many times.
18. And we're not going to diminish the protection of the people in our
19. city by a weak State law.

20. PRESIDENT:

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. Well, I think in defense of what SSenator Mitchler has done
24. and Senator Mitchler's amendment, I would like to point out first
25. of all that you know very well you are a home rule unit. You can
26. provide stricter controls than the State. You can in the area of
27. air pollution, water pollution and many other problems provide
28. controls that are more definitive, that are more restrictive than
29. the State. That is your privilege and your prerogative. But I
30. suggest to you that the concept and the limits embodied in this
31. bill are exactly the same as those mandated in the federal standards.
32. What does occur to me as somewhat anomalous, however, is the position

33.

1. that you take on this bill is that now we want everybody's standards up
2. to and equivalent to those in the City of Chicago, wherein, in the
3. past, you have taken the position that Chicago as a home rule
4. community...and we've seen the home rule amendment all over...Chicago,
5. as a home rule community, is not bound by State standards. I would
6. say to you that if you decide you want stricter standards, well and
7. good. But let us, in the rest of the State, live with the federal
8. standards and I am certain that a great deal more federal time
9. and money and research has gone into the determination of these
10. standards than in the kind of determinations we have made either
11. at the municipal or the State level.

12. PRESIDENT:

13. Senator Chew. Senator Cherry..

14. SENATOR CHEW:

15. I move the previous question, Mr. President.

16. PRESIDENT:

17. Senator Chew moves the previous question. All in favor signify
18. by saying aye. Contrary minded. All those in favor of the previous
19. question indicate by saying aye. Contrary minded. Those in favor
20. of the previous question please rise. Those opposed please rise.
21. Motion for the previous question does not prevail. The motion
22. for the previous question requires a two-thirds vote of approval.
23. It did not have a two-thirds vote of approval. Senator Cherry is
24. recognized.

25. SENATOR CHERRY:

26. Mr. President and members of the Senate, I wanna respond very
27. briefly to the comments made by Senator Knuepfer. We're not
28. dealing with real estate licenses or beauticians or well diggers.
29. We're concerned in this bill for the health and welfare and the
30. very lives of people, the residents, the citizens of our State.
31. I think there's quite a distinction...

32. PRESIDENT:

33. Just a moment, Senator Cherry. Can we take that conference

1. committee...Senators Rock, Dougherty and so forth out of the
2. Chamber please. Gentlemen, can we take that conference committee
3. off the floor? Please..

4. SENATOR CHERRY:

5. It was most unfortunate that we adopted the amendment to this
6. bill. In my opinion, it was a vicious watering down of a bill
7. that concerned the health and welfare and the lives of the citi-
8. zens of our State. I like what Chicago did. I think the federal
9. government and the State should follow the standards that have been
10. set in Chicago. And I would oppose this bill with the present
11. amendment contained.

12. PRESIDENT:

13. Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Mr. President, I'm a little bit confused about what the effect
16. of this is going to be. I heard what Senator Knuepfer said. Is
17. it accurate that this bill will not affect the city of Chicago?

18. PRESIDENT:

19. Senator...Senator Knuepfer.

20. SENATOR KNUEPFER:

21. No, it will not. Chicago will still continue to live under their
22. standard.

23. PRESIDENT:

24. Senator Newhouse.

25. SENATOR NEWHOUSE:

26. So that in spite of the State Law, if Chicago chooses stricter
27. standards, those standards will prevail?

28. PRESIDENT:

29. Senator Knuepfer.

30. SENATOR KNUEPFER:

31. That is correct, Senator.

32. PRESIDENT:

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. And, in the absence of this piece of legislation there will
3. be no legislation for those units outside of Chicago at all?

4. PRESIDENT:

5. Senator Knuepfer.

6. SENATOR KNUEFFER:

7. Well, they will have to live with the...there will be no
8. legislation such as this. There iss...there are currently federal
9. standards which are exactly the same as this legislation so paint
10. manufacturers will have to adhere to the federal regulation. But
11. there will be none of the other provisions enacted in the State code
12. if this legislation fails.

13. PRESIDENT:

14. Senator Newhouse.

15. SENATOR NEWHOUSE:

16. Will the sponsor yield to a question? Senator, why does it
17. take eighteen months to provide the lowest standard?

18. PRESIDENT:

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Well, Senator, you're referring from the time that the bill
22. was introduced or you're referring to the time that we go from
23. point five percent to point 0 six percent?

24. PRESIDENT:

25. Senator Newhouse.

26. SENATOR NEWHOUSE:

27. I'm referring to the latter, Senator. The time it takes to
28. go from .5 to .06.

29. PRESIDENT:

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Yes, in response to that, that's conforming to the federal
33. standards. Originally, the bill had been 1%. Now, I'm aware and

1. I have the City of Chicago ordinance right before me that it
2. causes the effect of the .06% immediately. July 1 is the effective
3. date of your Chicago ordinance. But to effect that with the industry
4. is going to be almost an impossibility. And that's why I tried
5. to explain the bill in the first instance. And really, Senator,
6. what we're talking about and we can be realistic...We're not
7. talking about primarily the new paint being sold that would go on.
8. We're talking about the old paint in the old homes, that the chips.
9. These are down five, six levels. I might just point out to you,
10. Senator Newhouse, and I think you'd be interested to know this,
11. that the...all right, all right, I'll sum this up in the other.
12. Why is it the agement to try to find a substitute. Perhaps Senator
13. Baltz, who is in the paint industry and sells paint, can tell you
14. why they need lead in paint and why they have to have this as a
15. base and if they can't, they can throw in a substitute. They
16. threw in a substitute for phosphates in detergents and that was
17. worse than the phosphates as far as pollution and as far as the
18. harm on children have swallowed. As I pointed out with that other
19. additive, it would be harmful. And it's all in the interest of
20. public health. And I've worked on this extensively and have held
21. this bill and worked and in all my sincerity and I appreciate Senator
22. Partee's remarks but the reason to hold this is to have it a
23. workable piece of legislation. I might point out that a news
24. release issued on June 19th by the Illinois Department of Public
25. Health, Dr. Yoder, pointed out that Verdun Randolph...

26. PRESIDENT:

27. Just a moment. Senator Mitchler will have a chance to close
28. the debate later on.

29. SENATOR MITCHLER:

30. All right.

31. PRESIDENT:

32. Senator Saperstein is recognized. Oh, excuse me, Senator
33. Newhouse is not through.

1. SENATOR NEWHOUSE:

2. No, my question was never answered. I want to know why it
3. takes eighteen months to go to the lowest step. That's all I
4. want to know.

5. PRESIDENT:

6. Senator Mitchler.

7. SENATOR MITCHLER:

8. Well, actually, if we want to take eighteen months, we take
9. starting with July 1 then six months 'til the effective date of the
10. act. The effective date of the act, Senator, will not be until
11. January 1, 1973. Then there's a period of twelve months in which
12. the...is sort of an extension for the paint manufacturers to get
13. the paint off the market and come up with a new additive to create
14. a good paint and it's reduced from .5% effective January 1, 1973
15. down to .06%, 1974. And that's the federal standard. Illinois is
16. conforming to the federal standard.

17. PRESIDENT:

18. Senator Newhouse, are you through with your...Senator Saper-
19. stein.

20. SENATOR SAPERSTEIN:

21. I think that the crux of this question is--are we going to
22. pass a law, a bill, that will protect the children of the State
23. of Illinois against lead poisoning. Are we going to allow eighteen
24. months to pass with one-half of one per cent which contains more
25. lead so we can poison more children? And I think that we have a
26. responsibility in the State of Illinois to accept what the American
27. Academy of Pediatrics said that any more than .06 is injurious
28. and dangerous to the health of children. That it can result in
29. death and brain damage and to me this is the important crux, pro-
30. tection of the children for this eighteen months that you are allowing
31. the paint to have one-half of one per cent. I urge defeat of this
32. bill in respect to those points that I am presenting.

33. PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. Well, Mr. President, this has become a very, very involved
4. issue it seems to me and none of us are interested in supporting
5. anything that's deleterious to the health of any of our
6. children or adults, I might add. My question is this. Is amend-
7. ment number two still on the bill?

8. PRESIDENT:

9. Senator Mitchler indicates it is.

10. SENATOR BERNING:

11. Well, then, then, gentlemen and lady, in response to the
12. position of Senator Partee, it seems incumbent to reiterate what
13. is contained on page four in amendment number two and that says this
14. act shall not prohibit any city, village, incorporated township or
15. other political subdivision from enacting and enforcing ordinances
16. establishing a system of lead poisoning control which provide the
17. same or higher standards. In other words, as I see it, the enactment
18. of this bill as amended in no way impinges upon the authority of
19. Chicago or Cook county to enforce their present standards or enact
20. even higher standards. What this bill would do would be to provide
21. standards and guidelines for the other municipalities that do not
22. or so far have not enacted legislation. It seems to me that there
23. should be no arguement about the necessity of this bill as amended.

24. PRESIDENT:

25. Senator Nihill.

26. SENATOR NIHILL:

27. Mr. President and Senators, I was watching this Senate here, I
28. believe it was last Monday, when this amendment was put on, number
29. two. They were counting the heads here and if you recall I got
30. up and I raised the deuce here and you went around and lobbied
31. around to get this amendment put on. Now, if you want to do harm
32. to the children downstate when we have a very fine bill in Chicago,
33. I think you're doing injustice to the children downstate. Now, in

1. other words, I'm going to make a recommendation here to the men on our
2. side and your side both. This is a bad bill and if you don't take
3. that amendment off I'm going to make a recommendation...a recom-
4. mendation Do Not Pass.

5. PRESIDENT:

6. Senator Soper.

7. SENATOR SOPER:

8. I move for the previous question.

9. PRESIDENT:

10. Motion for the previous question. Senator Baltz, you're
11. going to be early in the roll call here. Senator Soper moves
12. for the previous question. All in favor signify by saying aye.
13. Contrary minded. Motion prevails. Secretary...Senator Mitchler
14. may close the debate.

15. SENATOR MITCHLER:

16. I know we're anxious to move on. The time's late. I want
17. to reply to Senator Saperstein. Senator, if you urge defeat of
18. this bill, you are providing nothing in the State of Illinois out-
19. side of the City of Chicago ordinance, and I don't know of any other
20. municipal or county ordinance that deals with this, for the protection
21. of children. You're denying what we would say downstate and outside
22. of the City of Chicago any protection for children that the...in the
23. area of lead poisoning. So, I think you'd be defeating what you are
24. attempting to do. Now, as pointed out by Senator Partee and Senator
25. Knuepfer, and I appreciate the assistance of my colleagues in this
26. regard, this legislation does not prohibit the City of Chicago from
27. enacting their ordinance if they have stronger methods of protecting
28. in the area of lead poisoning. Now, you have done that, you can
29. do it, but this bill is to conform to state-wide and I would ask
30. that it be considered. And I wanted to point out for one thing,
31. and one of the first things if this legislation goes into effect,
32. I'm going to ask the Department of Public Health to conduct an in-
33. vestigation immediately because when Verdun Randolph was sitting

1. during a committee hearing he saw that paint chips were dropping
2. from the State House walls, the very building that we're in and
3. he wondered if these would be hazardous to the health of someone who
4. might nibble on these paint chips and, you know, we get pretty hyster-
5. ical around here and some of the Senators might even pick up these
6. paint chips mistakenly with some of their crumbs and bread that they're
7. eating around here. Now, while waiting in meeting room 3-M of the Stat
8. House recently, Verdun Randolph said that he noticed paint was
9. flaking from the walls. And he utilized his waiting period by
10. taking a paint sample which he sent to the State Health Department
11. Springfield laboratory for analysis. The laboratory reported that
12. the paint contains a lead content of 22% by weight or more than
13. four times the lead content of most interior paints. Now, this
14. lead poisoning and lead in paint is prevalent no matter where you
15. go...

16. PRESIDENT:

17. Just a moment. Let's, please, let's maintain order. Senator
18. Mitchler, try and be brief. All Senators today try and be brief.
19. Incidentally, on conference committees, any conference committees
20. that want to use my office back there are free to do so. That will
21. perhaps cut down the noise a little. Senator Mitchler, proceed.

22. SENATOR MITCHLER:

23. Thank you, Mr. President. Now, the one conclusion. The content
24. of lead in the paint is not the issue. It should not be the issue
25. because the bill, as it come over from the House, had a restriction
26. effective January 1, 1973 of 1%. Now, this amendment has reduced
27. it to .5% in 1973 and then down to .06% in 1974, January 1. So
28. what we've done, we've strengthened the bill. Now, what was attempted
29. to be done in the Senate was to put in a grant-in-aid type of a
30. program where the State of Illinois would pay the bill for Chicago's
31. laboratories and their program. Now, we don't have that in this
32. bill and that's the main thing about amendment number two that we
33. were successful in putting on. Now, the bill's in good shape and,

1. if it were not, I would not call it. I say that in sincerity.
2. I ask for a favorable roll call.

3. PRESIDENT:

4. Secretary will call the roll.

5. SECRETARY:

6. Arrington, Baltz...

7. PRESIDENT:

8. Senator Baltz.

9. SENATOR BALTZ:

10. Well, Mr. President and members of the Senate, probably no
11. one is more directly affected both economically and otherwise in this
12. bill than a fellow whose sole occupation back home is the operation
13. of a paint store. When I first bought my business in 1945, we
14. bought white lead by the carload and linseed oil by the carload.
15. The mixture in paints for outside, at that time, was a hundred pounds
16. of lead, six gallons of linseed oil, a gallon of turpentine and a
17. quart of dryer and you mixed this up and you had about ten gallons
18. of paint. When you went inside in those days or the earlier days
19. and you wanted a flat paint, you made it identically the same way
20. except that you did not use linseed oil, you used flattening oil.
21. The real problem with this exists because of older homes that were
22. originally painted...the walls were originally painted with a paint
23. that contained this high content of lead. Substitutes for lead
24. have been used in the last several years and at this point there
25. is very little lead in outside paints or titanium, which stays
26. whiter longer, does not pick up sulphur dioxide from the air and
27. change your white house to cream in two years, has rapidly replaced
28. lead content on outside paint. There is no lead content left in
29. inside paint that is manufactured by good companies. There still
30. is some lead in the outside paint. In any paint that we sell
31. or have sold in the last year, we put a special sticker on the
32. can saying similar to what is printed on a package of cigarettes.
33. "This paint contains lead. Do not use inside on toys or furniture.

1. For outside use only." You wondered and many questions were asked
2. about the eighteen month lead time. The eighteen month lead time,
3. I think, is a reasonable time to give to paint dealers because when
4. I buy a large shipment of outside paint in the past few years, I...
5. the companies that I buy from each have twenty-six to thirty colors
6. on their color cards. Some of these colors are popular. You sell
7. them out immediately. You reorder them many times. Others are
8. still standing there or half of the amount is still standing there
9. about six or eight or twelve months later. Now, there are, I'm
10. sure, all paint stores in this same position. Often times we pick
11. up all old colors and sell them to somebody for a dollar a gallon
12. which is probably less than a third of what we paid for outside
13. paint. The inside paints now have their lead removed as...for all
14. of the good companies that I buy from, all have removed lead from
15. their inside paints. They use substitutes that are equally as good
16. or better like lithopone. The solids are not injurious to anyone.
17. Anything can be painted with them. I think that this is a reasonable
18. bill. It's setting standards that are going to protect the public
19. and particularly our children. I see nothing wrong with the
20. City of Chicago adopting a stricter ordinance. I think both sides
21. ought to support this bill so that downstate has some protection.
22. I vote aye.

23. SECRETARY:

24. Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew,
25. Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty...

26. PRESIDENT:

27. Senator Dougherty.

28. SENATOR DOUGHERTY:

29. Mr. President, in explaining my vote which is nay, I would like
30. to emphasize what Senator Nihill has said before. Senator Mitchler,
31. when he introduced this amendment the other day, could not get enough
32. votes to pass. He scurried around until he found us in a position
33. with a small attendance where the amendment passed 22 to 21. The 22

1. come from that side of the aisle. I don't quarrel with them
2. supporting their colleague. However, I do quarrel with the
3. bill as it is in its amended form, for the reason that this is
4. the industry bill. There is no kidding about it because the
5. industry has persuaded the federal government to adopt standards
6. so they're not weaker than the standards we have in the City of
7. Chicago and to the extent that they will go to prove. Only the
8. other day, I think it was Thurs...Wednesday...Tuesday rather, in
9. the Federal Court of Chicago, Judge Frank McGarr refused an in-
10. junction to the paint industry to restrain the City of Chicago
11. from enforcing its paint standards. This is now an appeal. He
12. wished to get around the court action. I want to vote no on this
13. bill. It is a bad bill.

14. SECRETARY:

15. Egan, Fawell, Gilbert, Graham, Groen...

16. PRESIDENT:

17. Senator Groen.

18. SENATOR GROEN:

19. Mr. President, I heard this bill in committee and made some
20. suggestions and I think we've got to be realistic about this and
21. it's been rather a ridiculous debate. Downstate has no protection.
22. Those who want better protection in the home rule units can have it but
23. there is one thing about this bill that I think is completely in-
24. effective. Now, what happens, and Senator Mitchler stated that this
25. was primarily directed at old homes, and I say that's wrong. That
26. it's the wrong approach. It's got to be directed at new construction.
27. You take an apartment building that has ten, twelve, fourteen coats
28. of paint. The Department of Public Health comes in and finds lead
29. poisoning in that paint and they say paint it. Okay, you use a
30. non-lead paint and you cover up the twelve coats that are already
31. on it and what good does it really do? The child chews through it
32. and he gets down to the lead contained paint and he's just as ill
33. and he's just as poisoned whether or not the top coat has been put on.

1. It would seem to me that, from a practical standpoint, you can't
2. go into a building like that and say remove the twelve coats of
3. paint and cover the bare wood with non-lead bearing paint or paint
4. that would subscribe to the requirements set in this code. I think
5. we've got to look to the future with this and I think we've got
6. to make it applicable primarily to new construction so that, in the
7. future, there will be no poisonous lead paint available for children
8. to consume. It will afford some measure of protection to downstate
9. which it does not have. Therefore, I'm going to vote for the bill
10. but I'm going to be very interested in seeing how the Department
11. of Public Health applies this to old construction. I vote aye.

12. SECRETARY:

13. Hall, Harris, Horsley, Hynes...

14. PRESIDENT:

15. Senator Hynes.

16. SENATOR HYNES:

17. Mr. President, members of the Senate, I have a news clipping
18. here which I'd like to read which I think bears directly on the
19. argument that the Senate sponsor has been making. It's a report
20. on a federal court proceeding, the United States District Court
21. for the Northern District of Illinois where yesterday an attempt
22. was made by the paint manufacturer's association to delay the en-
23. forcement of the Chicago ordinance. And the article is as follows.
24. It's very brief. "A request to delay enforcement of the city's
25. new control over the lead content of paint was denied by a federal
26. judge. Refusing to enjoin the enforcement of the ordinance for
27. eighteen months, U.S. District Court Judge Frank J. McGarr indicated
28. that he was not impressed by a plea that the ordinance infringed
29. on federal jurisdiction and would be a burden to paint manufacturers.
30. The association intends to appeal the ruling but after a hearing in
31. federal court it was determined there was no undue burden on inter-
32. state commerce nor was it without the ability of the manufacturers
33. to comply with the ordinance." I think the amendment that has been

1. attached here is a mistake and it is undesirable and I would cer-
2. tainly urge Senator Mitchler in the moments remaining during this
3. roll call to reconsider his position on it. And for the time being
4. I would prefer not to be recorded on the bill.

5. SECRETARY:

6. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
7. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
8. Neistein, Newhouse, Nihill, O'Brien...

9. PRESIDENT:

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. Mr. President, I think...it occurs to me that we've discussed
13. everything about this bill except the real issues. I think it's
14. too bad.

15. PRESIDENT:

16. Please, will the Sergeant-at-Arms please try and keep those
17. not entitled to the floor off the floor. Let's proceed. Senator
18. Newhouse.

19. SENATOR NEWHOUSE:

20. I'm not sure we're discussing the real issues in this bill, Mr.
21. President, and I think it's too bad because I think some children
22. are going to suffer as a consequence of it. We talked about the
23. paint levels and a lot of other stuff and no one wants to be in
24. the position of denying downstate the right to protect children
25. against lead poisoning. There seems to a couple of underlying
26. issues and one of them is there was some money attached so that
27. the City of Chicago could have carried out a program. That money
28. was taken out of the bill. The other point is that there are some
29. enforcement powers given to the Department of Public Health. This
30. is very important element in this bill. It should certainly be
31. considered on its own merits. And that's all been sluffed over.
32. Now what we've got, it seem to me, is a complete political football
33. made out of a kind of issue that should have no politics attached

1. to it at all. I can't vote for the bill because some games have
2. been played with it. I certainly don't want to vote against the
3. bill. I would hope that before the end of the roll call something
4. can be worked out so that...so the children in the State of Illinois
5. will be protected. So for the time being I want to be recorded as
6. present.

7. SECRETARY:

8. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
9. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
10. Weaver.

11. PRESIDENT:

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. I don't...I do not believe I'm recorded, Mr. President. I
15. want to emphasize that the amendment put on in this chamber reduced
16. the amount of lead plane from that amount that was in the original
17. bill and passed by the House. It was passed at 1%. The amend-
18. ment that I put on reduced the amount and I say this was over ob-
19. jection from the paint industry. And I want that point clear.
20. Now, I'm sincere when I tell you that the amount of lead in the
21. paint that's authorized in this legislation and you can say eighteen
22. months, twelve months or whatever it is, conforms to the federal
23. standards and is acceptable. And I believe, if this is enacted in
24. that manner, it'll be good for the children of this State. And
25. Senator Newhouse, I think you hit it right on the head. The State,
26. in this bill, is not providing any money for the City of Chicago
27. for them to conduct a lead poisoning program, laboratory work, in-
28. spection and so forth. If the City of Chicago, which is a home
29. rule unit of government, desires and needs extra money to do this
30. in their municipalities because they have stronger laws and an or-
31. dinance relating to this subject, they have the authority to put
32. on a tax and it would be very, very minute, on the sale of paint
33. in the City of Chicago and have that money go specifically for the

1. purpose of conducting their experiments and their testing for
2. lead poisoning. But, the State of Illinois needs this legislation.
3. The City of Aurora needs this legislation. And I might add that,
4. after the death of that child, a citizen's committee was formed
5. and some \$4,000 was collected in that small community compared
6. to the City of Chicago and they're working voluntarily in the
7. area of testing and inspecting homes and so forth in lead poisoning.
8. There's nothing in this bill that will give the city of Chicago
9. any money that they can have for testing the programs. But, these
10. are my final arguments and I vote aye and I'm gonna ask a call of
11. the absentees and then the bill will go up or down.

12. PRESIDENT:

13. Secretary will call the absentees.

14. SECRETARY:

15. Arrington, Chew, Course, Egan, Harris, Hynes, Knuppel...

16. PRESIDENT:

17. Senator Knuppel.

18. Senator Knuppel:

19. I wonder when I hear a man say that he is not susceptible
20. to compromise in this body. I'm sure that there are many of us
21. who don't feel as strongly on one end of the spectrum or to the other.
22. There's a lot shades of gray in between when you get paint. It
23. isn't all black and it isn't all white. There's a lot of other
24. colors in between. And if he's really as interested, if Senator
25. Mitchler's really as interested as he says he is, I think he will
26. put the bill on postponed, consideration, he will talk to somebody and
27. he will forget that precious stiff-neckedness that's so common to many
28. of us who come from that country called Germany. I vote present.

29. SECRETARY:

30. Kusibab, Lyons, Palmer, Rock, Romano, Rosander, Savickas,
31. Smith, Swinarski, Walker.

32. PRESIDENT:

33. On that question, the yeas are 26, the nays are 12, 4 present.

1. The bill having failed to receive a constitutional majority is
2. declared defeated. We have a...for what purpose does Senator Sours
3. arise?

4. SENATOR SOURS:

5. Just to make a comment that, if we're going to devote all that
6. time on some of these other bills that have been encrusted upon
7. the Calendar for the last two or three months, I think I'll just
8. depart the jurisdiction and invite as many as I can to follow me.

9. PRESIDENT:

10. The...Senator Partee.

11. SENATOR PARTEE:

12. Well, I suppose the membership will be delighted to know
13. that there is one matter that has been under discussion here this
14. morning, that would invoke perhaps a lot of debate, that we're going
15. to abandon. Senate Bill 890 which Senator Neistein moved with
16. a few moments ago that created a little bit of a furor in terms
17. of asking for a ruling from the Chair on whether it was germane
18. and so forth I think would take an inordinate amount of time. I've
19. talked to Senator Neistein and he is willing to defer his activities
20. along that line. So Senate bill 890 we can take out of the record.
21. There will be no more heard of it today or perhaps on any other
22. day. So that's gone by the boards. But I would hope that these
23. remaining bills though that we could spend as little time with as
24. possible in the context of not losing balance in terms of full
25. discussion. But I would ask the members to not make repetitive
26. arguments.

27. PRESIDENT:

28. The chair seconds that suggestion. We have a message from
29. the House requesting a conference committee on Senate Bill 1581,
30. Senator Merritt. So you wish to move that the Senate accede to
31. the House request for a conference committee?

32. SENATOR MERRITT:

33. Yes.

1. PRESIDENT:

2. Senator Merritt moves that the Senate accede to the House
3. request for a conference committee on Senate Bill 1581. All in
4. favor signify by saying aye. Contrary minded. Motion prevails.
5. 298, Senator Rock.

6. SENATOR ROCK:

7. Yes, Mr. President, members of the Senate, House bill 298
8. was amended yesterday.

9. PRESIDENT:

10. Just a moment, please. Let's again, let's maintain some
11. order. Senator Rock.

12. SENATOR ROCK:

13. House Bill 298 was amended yesterday and the bill does one
14. thing. It does exactly what Senate bill 1608 does...did. 1608,
15. as you know, passed out of here yesterday. It delays the effective
16. date of the implied consent law to January 1, 1973. There is a
17. Senate bill over in the House that's coming over here. This one
18. will go over to the House. I'm told there will be concurrence.
19. This problem will then have been solved. On a point of personal
20. privilege, Mr. President and members, I am sure most of the mem-
21. bership has read the editorial which appeared in the Chicago metro-
22. politan newspaper this morning, headlined "Stalling on Implied
23. Consent." I have just been informed by Mr. State's Attorney
24. Edward Hanrahan that he has spoken with the publisher of this
25. newspaper. The Governor's office has spoken with the publisher
26. of this newspaper. They have admitted that the editorial is in
27. error and there will be an apology forthcoming. I would ask for
28. a favorable roll call.

29. PRESIDENT:

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. Well, Mr. President, I just wanna say this. As a person who
33. worked long and hard for an effective implied consent law, I'm

1. interested that when the law becomes effective, it is a workable
2. sound law. We have all of the equipment necessary to enforce it
3. evenly. And under the circumstances that do exist, there has to be
4. some delay. Now, whether the delay should be till January or
5. October, I don't know but I have no objection to voting for this
6. bill as I voted for the Senate bill yesterday because I want this
7. law to work.

8. PRESIDENT:

9. Secretary will call the roll.

10. ACTING SECRETARY: (MR. FERNANDES)

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

19. SECRETARY:

20. Baltz, aye. Horsley, aye. McBroom, aye. Course, aye.
21. Swinarski, aye. Smith, aye. O'Brien, aye. On that question,
22. the yeas are 46, the nays are 0. The bill, having received a
23. constitutional majority, is declared passed. The Chair has received
24. a request from the leadership that 4634 on postponed consideration
25. be taken up at this time. 4634 on postponed consideration, Senator
26. Partee is recognized.

27. SENATOR PARTEE:

28. Mr. President and members of the Senate, this is a bill that
29. has been debated quite fully here. And I dare say there isn't a
30. man or a lady in this chamber who has not already made up their
31. mind how they're going to vote on it. Hence, I will be very brief
32. because you know what the issue is. It has been debated in more
33. places than on the floor of this Senate and I'm asking for a roll call.

1. Now, this bill calls for a \$990,000 appropriation for the reha-
2. bilitation of that portion of this building occupied by the House
3. of Representatives. Originally, the bill contained some features
4. which was distasteful to a large number of people. One of those
5. features was the enclosure of that body by glass. That has been
6. deleted and eliminated from the thinking and the concept involved
7. in rehabilitation. The other anathema to some persons in this
8. State was the consideration to remove from the premises on the
9. first floor of the House of Representatives in order to get more
10. room, the members of the press. That concept has been eliminated
11. and arrangements will be made in the rehabilitation for the press
12. to remain on the floor. The main idea, as I am told, is to make
13. certain that the galleries which are occupied by large numbers of
14. persons are safe for habitation. We are concerned...could you hold
15. it, gentlemen? We are concerned about the safety of persons who
16. come to the legislature to observe the legislative process. As a
17. matter of fact, one of the galleries has been closed off for quite
18. some time for use, it being determined by engineers that is unsafe.
19. The money which was originally in the bill is still there but they
20. will only use that portion which they have allocated to do the essen-
21. tial services of refurbishing. The other money which might have been
22. spent on the other two parts of the project will, of course, lapse
23. and will not be spent. Now this is...what it is, I am asking for a
24. favorable roll call.

25. PRESIDENT:

26. Senator Horsley.

27. SENATOR HORSLEY:

28. Will Senator Partee yield to a question please?

29. PRESIDENT:

30. He indicates he will.

31. SENATOR HORSLEY:

32. When you use the words a while ago, deleted, you were referring
33. to the mind of the drafter of the bill rather than the bill itself.

1. Isn't that correct?

2. PRESIDENT:

3. Senator Partee.

4. SENATOR PARTEE:

5. You say when I used the word deleted. Is that what you said,

6. sir?

7. PRESIDENT:

8. Senator Horsley.

9. SENATOR HORSLEY:

10. I said that the concept had been deleted.

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. Deleted, eliminated, destroyed, you know, pick your choice.

15. PRESIDENT:

16. Senator Horsley.

17. SENATOR HORSLEY:

18. My question is you were referring to the mind of the individual

19. who drafted the bill rather than the language that we have on paper

20. in front of us. Isn't that correct?

21. PRESIDENT:

22. Senator Partee.

23. SENATOR PARTEE:

24. Absolutely, Senator. Now, I got this from the Speaker himself

25. who is a person who has been in charge of this and I think that there

26. comes a time when we have to rely on the integrity of our colleagues.

27. PRESIDENT:

28. Senator Horsley.

29. SENATOR HORSLEY:

30. Mr. President, I would point out this bill has not been amended

31. nor has the amount of \$990,000 been reduced. If all of this expensive

32. items are to be eliminated, I should think the bill would have been

33. brought way down to where it should be if there's ever any proof

1. made. We have had the proof given to us here of the engineering,
2. the cost that we put into the balconies in that House. I, for one,
3. just simply cannot vote for it and more than just simply to state
4. the bill has not been amended, I just don't think it's fair to
5. ask us to buy a pig in a polk like this and I don't intend to vote
6. for it.

7. PRESIDENT:

8. Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President, I knew we had to get to this someday but again
11. going back several weeks I felt that we should adopt a position
12. in this area where there's has been so much suspicion and innuendo
13. and questions raised of calling a halt to all reconstruction of
14. this Capitol Building except on-going projects or contracts left.
15. Yesterday we did vote a deficiency for the legislative offices
16. across the street. I think that was perfectly proper and I spoke
17. for it. But this is a new project and I think that until these
18. questions are answered that we should hold up on this type of
19. project. Now, let me point out that the resolution asking for an
20. investigation is sitting over in the House, at peace. It probably
21. will never be called. I intend to ask the Auditor General to meke
22. an investigation. If that is not done or if it is done because I
23. think a financial report should be made as well as checks set up
24. so that when we start up again we can know that this problem is
25. being handled confidently. Let me say further that the question of
26. safety was raised in an architect's report that was sent to us.
27. And we went back and dug into the records and had quite a bit of
28. difficulty in locating him but another architect's report of just
29. a couple of years ago on the very same features of the balconies
30. in the House indicated the complete opposite. So there's no telling
31. what is the true story in terms of what is safe of what is not safe.
32. I think that, at this point in time, to ask us to vote for this bill
33. with the same appropriation, modifications being left completely up

1. in the air as to who would make them or how they would be made,
2. is just asking too much. And I'd point out from a very practical
3. standpoint for any of you who intend to vote for this that if we
4. pass this bill then the House goes merrily on its way and our
5. projects would require three more days to pass this Legislature,
6. if you want to stay three more days, and those have been held up
7. too. I think that's proper and as it should be until the complete
8. air is cleared but you're just giving the House, if you vote for
9. this, what they want and they're going to go off laughing at us. I
10. would urge a no vote.

11. PRESIDENT:

12. Senator Egan.

13. SENATOR EGAN:

14. Senator Partee, if you'll recall, when the bill was originally
15. called, I opposed your bill and I spoke against it. Since then
16. and the reason I did that was because I pointed out that there was
17. some waste in the bill. Since then, Senator, you have given sound
18. assurance that the Speaker has receded from the position originally
19. and would take out the wasteful spending in the bill. Those
20. assurances are certainly good enough for me and they ought to be
21. good enough for every member of this body. Now, the reason, Senator,
22. that I stand now in support of the bill is because of the condition
23. that the House is in. They say that unless it's reinforced that
24. the House will fall. 'Tis a consumation devoutly to be wished by
25. some but nevertheless if it does somebody's going to get hurt.
26. And consequently there's an emergency need and I will support your
27. bill, Senator.

28. PRESIDENT:

29. Senator Baltz.

30. SENATOR BALTZ:

31. Well, Mr. President and members of the Senate, I'm sorry to
32. have to oppose the views of my leader on this side but I feel that
33. this bill is justified., that it is part of the regular rehabilitation

1. program that is going on in the State Capitol. Now all of us
2. non-lawyers when we need help in some legal manner or matter or
3. exchange of purpose of property go to the professionals and take their
4. advice. This project has been thoroughly studied by the archi-
5. tectural firm of Golabowski, Spinney & Coady and further than that
6. it is supported by a professional engineers firm of Ralph Hahn &
7. Associates. And I have read a detailed report in front of me.
8. I want to read certain excerpts from that report. One of them
9. says fire proof new and old steel floor beams, rebuild the galleries
10. and they say this." This is essential to the safety of the public.
11. The present galleries are structurally unsafe when used by more
12. people than there are seats. The structural reinforcing previously
13. done in about 1963 simply corrected the sags and other deficiencies
14. brought on by age but did not overcome the unsafe condition which
15. exists when the public are present in great numbers. The structural
16. reinforcing of the House chamber floor is identical in method to
17. that being used in other rehabilitated areas of this Capitol
18. Building. It is essential to remove the present desks, raised
19. platform and wood substructures in order to have access to the
20. original iron floor beams in order to reinforce them. This results
21. in complete demolition of the chamber floor and together with the
22. replacement of the galleries offers an excellent opportunity to
23. improve and update the comfort flexibility, control, beauty and
24. safety of the House. We estimate that if only the most basic
25. mechanical and structural rehabilitation work were done to the House
26. floor and gallery and the areas restored exactly as before in
27. reusing the present desks the savings and costs over the entire
28. project would be approximately \$175,000. The architect goes on
29. further to say that our investigation has been quite thorough. Our
30. consulting structural engineers are prepared to back up our state-
31. ments with facts, figures and calculations based on sound engineering
32. principles. The east and west floor of the side of the galleries
33. are presently rated with a load-carrying capacity of fifty pounds

1. per square foot. Our House rehabilitation project design increases
2. this to hundred pounds per square foot at the aisles and sixty
3. pounds per square foot in the thick seating areas." They go on
4. to mention that is necessary to do this particularly in the aisles
5. in order to meet the minimum fire standards. All of this proposed
6. work is in accordance with the present codes. That I believe it
7. to be extremely important, that I especially emphasize the following.
8. "The present structure of the south half of the fourth floor east
9. gallery is framed in such a manner that a large group of persons
10. in this gallery could cause a failure of that portion of the gallery
11. floor as well as the chamber floor. This was recently discovered
12. by our consulting structural engineers." The inspection holes were
13. made in the floor and at that time their attitude was that since the
14. condition would soon be rectified by the House rehabilitation project
15. there was no need to cause alarm. However, they now tell me that they
16. would strongly advise not allowing the public access to this portion
17. of the east gallery if the House rehabilitation project is not
18. done. And they wind up by saying simply stating, "this condition
19. exists because the columns supporting the load from that portion
20. of the gallery floor is supported on a channel laid flat under
21. the chamber floor. The entire structure depends upon the load-
22. carrying capacity of this channel which is rated at approximately
23. only twenty-five pounds per square foot for its stand and position.
24. This rating should be a hundred pounds per square foot. Our con-
25. sulting structural, mechanical, electrical and acoustical en-
26. gineers and myself would be able to supply any technical supporting
27. data for the above statement that was incorporated in this letter."
28. I think this bill ran into a great deal of controversy when we were
29. having some difficulty with the House and their operation in
30. relationship to our own bills. It ran into some difficulty when
31. there were some irresponsible statements made in one of the Chicago
32. newspapers that indicated that a remark was made about a kick-
33. back and then it subsequently came out that this remark supposedly

1. was six years old and we have statements that the remark was never
2. made at all. This bill blew up a great deal of controversy that
3. wouldn't have existed. This bill would have gone through this
4. Senate with probably no dissenting votes had those two situations
5. not existed. I personally feel that on the basis of this professional
6. engineers and architect's report, we have a responsibility to pass
7. this bill to put that House and the House galleries and the House
8. floor in safe condition not only for our fellow members who sit
9. over on that side of the aisle but for the public that enjoy using
10. it as much as they do. And I urge an aye vote on this bill.

11. PRESIDENT:

12. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. Well, I have a bill over in the House that is some interest
15. to some members of this Senate. And that is the electronic roll
16. call device. I received an offer three or four days ago that
17. that bill would be looked upon favorably providing that I could
18. see my way clear to support this measure. I told them I couldn't...
19. that I agreed with Senator Clarke that the issue needed an airing.
20. I didn't know whether there was anything wrong or not but it did need
21. an airing before we proceeded any further. In any case what we will
22. end up with is at least we could have achieved some quid pro quo.
23. That's down the drain. The electronic roll call is down the drain
24. right now, too, so what we are doing in effect is giving the House
25. exactly what they wanted and nothing to the Senate since the electronic
26. roll call is now on second reading and it would take at least another
27. day to achieve that. So I simply suggest to you that I thought that
28. it would be better for the Senate not to have this device than to
29. proceed under the taint that existed or the possibility of a taint.
30. And so I made the judgment that I wouldn't trade my vote for it.
31. I want to suggest that what we've done with this negotiation, which
32. I assume will proceed favorably is to proceed and give the House
33. exactly what they wanted and the Senate will limp along as best it can.

1. PRESIDENT:
2. Senator Mohr.
3. SENATOR MOHR:
4. I wonder, Mr. President, if the President pro tem would
5. yield to one question.
6. PRESIDENT:
7. He indicates he will.
8. SENATOR MOHR:
9. Senator, what is the possibility of calling Senator Horsley's
10. resolution 3...Senate Resolution 347 which is on the Secretary's
11. Desk?
12. PRESIDENT:
13. Senator Partee.
14. SENATOR PARTEE:
15. Well, of course, I don't know. I certainly don't have any-
16. thing to do with how that body is run. I would suggest however
17. that all matters relating to this subject will be called before
18. they leave. I'm sure that resolution will be called. I just can't
19. see their ignoring it. I'm sure they will call it but...
20. PRESIDENT:
21. The resolution in question is before this body and it will be
22. called whenever Senator Horsley requests. Senator Mohr.
23. SENATOR MOHR:
24. Well, I wouls...
25. PRESIDENT:
26. Just a moment. Senator Partee.
27. SENATOR PARTEE:
28. No. I though he referred to a resolution that's over in
29. the House. Isn't that what you said?
30. PRESIDENT:
31. The Chair's understanding is your reference to Senate Resolution
32. 347 which is before this body right now. Is that correct?
33. SENATOR PARTEE:

1. He can call it anytime he wants to call it. There's no sweat
2. there. No problem there.

3. PRESIDENT:

4. Senator Mohr.

5. SENATOR MOHR:

6. Well, I would like to hear from Senator Horsley and yourself.
7. If this resolution is going to be called and passed, it would have
8. an effect on my vote. I won't comment any further. If that reso-
9. lution were to be called and...well, I'll say this. If the reso-
10. lution will be called period, it might change my outlook.

11. PRESIDENT:

12. Senator Horsley.

13. SENATOR HORSLEY:

14. Mr. President, I would like to explain for Senator Mohr's
15. benefit that we discovered after this 347 was introduced that, in
16. order to have the investigation commission do it, it had to be a
17. joint resolution. So I did introduce a joint resolution to do
18. this same thing. We passed it here in the Senate and it's been
19. languishing over in the House on the Secretary's desk ever since
20. and we can't get it pried loose. So as of the moment the resolution
21. has merely passed this body and is laying in the House and has not
22. been pried loose that will investigate all of the contracts and the
23. architectural firms. I agree with you. I think it ought to be pried
24. loose and passed in the House but it hasn't been done.

25. PRESIDENT:

26. Senator Mohr.

27. SENATOR MOHR:

28. Okay. Thank you, Senator, for clearing up that point. I now
29. know how I'm going to vote and I would just say again we're sitting
30. over here with a hammer over our heads by the Speaker of the House.
31. I don't appreciate that type of operation. I would think that, if
32. he were operating on good faith, he would call that resolution and
33. pass that resolution.

1. PRESIDENT:

2. Senator McBroom.

3. SENATOR MCBROOM:

4. Well, Mr. President and members of the Senate, I don't want to
5. belabor this point any further but I would like to just say this in
6. the closing days of this session. I'd like to extend my personal
7. congratulations to my seatmate Senator Clarke, and to the President
8. pro tem, Senator Partee, who I think have done a magnificent job
9. in keeping their cool throughout this session under circumstances
10. under which I'm not sure I could have kept my cool sometimes, who
11. have acted as and deported themselves as gentlemen. I have rarely,
12. if ever, if ever this session seen actions by Senator Clarke or
13. Senator Partee where they permitted sponsorship to jeopardize our
14. work or jeopardize legislation. And I extend my congratulations
15. to both of them. I think, unfortunately, that this particular
16. program, through no fault of Senator Clarke's or Senator Partee's,
17. has become one that has involved personalities rather than the merits
18. of the bill. And while I'm talking about personalities and who
19. likes who and who doesn't like who, who happens to be friendly and
20. who happens to be cordial, I'd like to admonish the House that they
21. ought to attend to their business the way our minority leader and
22. our President pro tem have endeavored to attend to the business here
23. in the Senate. I don't think that safety has anything to do with
24. who sponsors a bill, or whether you like the Speaker of the House
25. or don't like him, or whether you like Representative Choate or do
26. not like him. I don't think that, furthermore, I don't think that
27. something that happened six or seven years ago allegedly, and I'd
28. like to emphasize, Mr. President, allegedly, allegedly, happened
29. six or seven years ago, should jeopardize safety either. I think
30. Senator Baltz has adequately documented the need for this piece of
31. legislation and when it comes to voting I intend to vote aye.
32. Thank you, Mr. President.

33. PRESIDENT:

1. Senator Walker.

2. SENATOR WALKER:

3. Thank you, Mr. President, members of the Senate. I thought,
4. until this morning, that all the attorneys could give a report two
5. meanings but I've found out that laymen are equally adept at that.
6. I'm looking at a report here of June the 1st on this proposed pro-
7. ject and it says, "During the course of our admittedly limited field
8. investigation down here considering the probabilities of the occurrence.
9. They didn't read that into the record. This isn't a question of
10. personalities, it's a question of spending. One of the Senators
11. made a remark that someone is going to get hurt. I hope I'm not
12. one of those that's going to get hurt because I'm going to vote no
13. on this. I'm not going back to my district after what the newspapers
14. have had to say about this project. And I'd like to refresh your
15. memories just a little bit. "Blair's Rich Lifestyle Costs Taxpayers."
16. Goes into this project and others. "New Office Dispels Orphan
17. Feeling." That's the Clerk's office over there. Along the lines
18. of the spending that's occurred, I think this is out of the Chicago
19. Heights Star, "Gus Rose, Harvey resident, Public Relations Director,
20. salary of seventeen-five," That's what we draw, brother Senators.
21. "Law-Making in an Isolation Ward," Chicago Today. And this from
22. the Journal, "If remodeling is really necessary, then it should
23. be kept to a basic minimum, to meet safety standards and eliminate
24. the extras." That report I first read from tells you that that
25. balcony was taken care of in 1963. And again quoting that report,
26. "the probability this could happen, our limited investigation." This
27. is old hat. I understand the idea of enclosing the Legislature in
28. the glass house now has been abandoned. WIND. "For reasons best
29. known only to themselves, the members of the Illinois House have
30. voted to spend one million dollars of your tax dollars to redecorate
31. the chambers." WBBM. "There He Goes Again." This is entitled
32. "Blair's Bamboosley." "House Speaker Blair stomping on the public's
33. right to know and squandering the public's money." I don't see how,

1. in the light of what the media has had to say about this project
2. in the past 30, 60 days, how anyone can conscientiously support it.
3. The Chicago Daily News, "Deficit Leadership Tying into this Proposed
4. Remodeling." "Decision to Drop Glassed in Chamber Proposal Could
5. be Beginning of End for Blair." And many, many more. I'm not
6. going to belabor this any further but I will say this. That I, as
7. well as a number of Legislators on this side of the aisle and per-
8. haps the other, have been approached within the last week or ten
9. days. "Walker, if you'll go for this, your bills will come out of
10. the House." I should care less and I'm dropping six bills over
11. there that I introduced at the request of the Illinois Municipal
12. League and they're good bills but I can truthfully say that, if
13. this hurts Sargent and the Municipal League, I couldn't make a
14. trade to vote for this. I've had other overtures made. Don Moore
15. is handling a bill over there that I was unfortunate enough to be the
16. Senate sponsor of. I've been approached as late as yesterday, "if
17. you'll support this, your bills will come out." I should care less
18. whether those bills are called or not. I will only say this. In
19. my short tenure there as Speaker, if anyone wanted a bill called,
20. the bill was called. I know it's the prerogative of the Speaker.
21. I know it's a powerful office. But I also know that it has to be
22. handled with fairness and integrity and I don't feel that it's
23. being handled in that manner. And that's my objection. It's not
24. a question of personalities. It's a question of the way that office,
25. eliminating myself, that has been held by some illustrious predecessors
26. is being treated at the present time and the way he's trying to
27. treat my constituents and your constituents, the taxpayers. I submit
28. to you that we should oppose this bill and vote no. Thank you.

29. PRESIDENT:

30. Senator Partee may close the debate.

31. SENATOR PARTEE:

32. It has been mentioned that the bill is unamended. That's quite
33. right. They wanted to put on an amendment to reduce the amount by

1. the reductions that they were taking out in terms of taking out
2. the glass portion and taking the press off the floor. The modi-
3. fications are not written in. But what you're saying, I think,
4. and it's implicit in what you say, is that those persons in charge
5. of the House would not do what they say. Now, I have not found
6. them to be without integrity nor have I found them to be unaccountable.
7. And they say to me they will do that, I think they will. I think
8. we've gotten off on a tangent in terms of the Speaker. The Speaker
9. has been constantly referred to. I would bring to your attention
10. that the House of Representatives has, in its membership, 177 members.
11. The Speaker is but one of them. Those members of the House of
12. Representatives who serve the people from my district have asked
13. me to help get this bill passed. This is not a bill for the
14. benefit of the Speaker or the majority leader alone. It's for the
15. benefit of the comfort and working conditions of all members of
16. the House who overwhelmingly supported this bill. So when you
17. get on a tangent about the Speaker and what someone says about
18. the Speaker, you are doing violence to and you are ignoring the wishes
19. and desires of all of the other people in the House who voted for
20. this bill. They tell me they are tired of being in the kind of
21. cramped quarters that they are where they can't have any leg room.
22. They don't have the kind of comfort we have over here and part of
23. this is intended to ameliorate this situation. As to the electronics
24. voting bill which Senator Knuepfer passed over to the House, I, because
25. I had some other duties, had not had the opportunity to go over to
26. say to him or to send him word that the electronics voting bill of
27. the Senate has been accommodated. It is a fact that it is on Second
28. Reading of the Calendar but the substance of that bill has been
29. amended into a bill which will come back here for concurrence. So
30. that part of it has been accommodated. I would hope that we would
31. give to the 177 members, 175, let's say, minus the Speaker and the
32. Minority Leader, but give the persons who represent your district
33. as you do, who are in the House, who voted for this bill, their wish

1. and their desire. This is not the Speaker's bill or Mr. Choate's
2. bill. This is the bill voted overwhelmingly by the electorate of
3. that House, by the membership of that House. And I, for one, shall
4. not go back to my district and say to those three Representatives
5. who voted for this bill who come from my district that, because I
6. was hung up on something, I deprived them of a commodious place in
7. which to work. And I'm going to ask for a roll call.

8. PRESIDENT:

9. Secretary will call the roll.

10. SECRETARY:

11. Arrington, Baltz...

12. PRESIDENT:

13. Senator Baltz.

14. SENATOR BALTZ:

15. Mr. President, members of the Senate, for Senator Mohr's
16. edification I have information that Senator Horsley's resolution
17. will be called today in the House. I don't know whether Senator
18. Horsley has that or not. I disagree with Senator Knuepfer when
19. he talks about making deal offers and also with Senator Walker.
20. What actually defines a deal, I don't know. There's many commit-
21. ments made on this floor and between two Houses. "I will be glad
22. to support your measure. I need some help on mine. Can you make
23. this arrangement?" I suppose this is a deal and I suppose that
24. there's nothing the matter with this. It's been going on from
25. the start of the United States Congresses and the first state
26. governments. Actually, I wanna be very brief on this. I think
27. that this bill and this project, after hearing all of the speakers,
28. all of the debate, and all the opposition, I come to the only con-
29. clusion that there are personalities involved in this, there is the
30. difference in the operation of the two Houses involved in it, there
31. is some rather loosely put together newspaper innuendos of some
32. kind of chicanery in this. I cannot see that in this bill. This
33. is part of the rehabilitation of this Capitol Building that's been

1. going on now for a number of years that we are all agreed to. I
2. certainly believe that this bill and this vote is an important
3. vote. I would hate to say and I certainly don't mean to be throwing
4. this out in the way of a threat, this has got to be a conscience
5. vote. You have to rise above all the petty differences that have
6. caused this bill difficulty and say, do we want to make that part
7. of this Capitol establishment safe for our fellow House members
8. and safe for the public. It's bigger than Blair, it's bigger than
9. the Senate. It's a rehabilitation bill that's needed for the
10. safety of the public and I vote aye.

11. SECRETARY:

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

15. PRESIDENT:

16. Senator Groen.

17. SENATOR GROEN:

18. Mr. President, members, I regret very much that leadership
19. that has called this bill this morning did not recognize the action
20. of this body in passing Senator Horsley's joint resolution and
21. sending it to the House for concurrence. It seems to me that, by
22. that resolution and its content, an expression of lack of confidence
23. in what was going on with the renovation of the House chambers
24. had been indicated. And it would seem to me that a better procedure
25. would have been to say that resolution constitutes the sense of the
26. Senate and it would seem to me that the House would then want to
27. take the position that Senate joint resolution be acted upon prior
28. to the calling of this bill in this Chamber. And until they
29. demonstrate that good faith by their action on the Senate Joint
30. Resolution that was sent over I cannot vote for this bill. I would
31. hope that, and unfortunately this is on postponed consideration,
32. we cannot...but I wish it had been on Third Reading or that we might
33. be able to consider it again and simply advise the House, you pass

1. the Senate Joint Resolution we sent to you, demonstrate your good
2. faith in this whole matter, and we'll vote for this bill. Unfortunatel
3. that can't be done, so I have no alternative but to vote no.

4. SECRETARY:

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

10. PRESIDENT:

11. Request for call of the absentees. The absentees will be
12. called.

13. SECRETARY:

14. Arrington, Bruce, Chew, Clarke...

15. PRESIDENT:

16. Senator Clarke.

17. SENATOR CLARKE:

18. I'd just like to say a word. This is a vote of conscience,
19. you're darn right. And I'd like to just say for the Senate's part,
20. that I deeply resent the presssure tactics that have been used on
21. this side and I'm sure on the other side for those few that wouldn't
22. vote before from the other side of the rotunda to try and get this
23. bill through if they do. I think it's despicable. It is certainly
24. more than dealing. It's using the hammer-lock and that's the only
25. type of action that they know and I certainly would vote no.

26. SECRETARY:

27. Fawell, Gilbert, Graham, Harris, Knuppel, Lyons, Merritt,
28. Ozinga, Partee, Rosander...

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. I've listened very carefully to the debate and I've witnessed
33. the rudeness that so often comes from across the hall and the ill

1. consideration that's extended to many members of the Senate,
2. both with respect to their bills and with respect to things
3. that would be commodious for us. I feel that all of these things
4. illustrate more strongly than ever the need for a unicameral
5. legislature in the State. Each time we come to adjournment
6. we're plagued by the same matters. Nevertheless, I think
7. the business of the people should be con . . . should be placed
8. above the pettiness of those people who may lead, in anybody,
9. at any time. I feel here that there has been a case made for
10. the safety of those who visit and particularly for convenience.
11. Anyone who visits the House floor has to realize how difficult
12. it is for 177 members to operate in the atmosphere which exists
13. there. The people's business, as was decided by the Constitutional
14. Convention, is not best served by the large body without ade-
15. quate facilities. I've opposed the restaurant in the basement
16. here to the tune of two-thirds of a million dollars, and I've
17. opposed the expenditure of additional funds, and I don't know
18. how wise it is that we're moving our offices across the street
19. and for what usefulness when we really realize what little time
20. we're here and how much of the time we spend in the Chamber.
21. I nevertheless will vote aye for this . . . for this resolution
22. or this money.

23. PRESIDENT:

24. On that question the yeas are 31, the nays are 16, and
25. 1 present. The bill having received a constitutional majority
26. is declared passed. Motion to reconsider by Senator Partee.
27. Motion to table by Senator Neistein. All in favor of the motion
28. to table signify by saying aye. Contrary minded. Motion to
29. table prevails. Request for a verification has been made.
30. The senators will be in their seats. Secretary will call the
31. affirmative votes.

32. SECRETARY:

33. Baltz, Bidwill, Carpentier, Carroll, Cherry, Chew, Course,

1. Donnewald, Dougherty, Egan, Hall, Hynes, Johns, Knuppel, Kosinski,
2. Kusibab, McBroom, McCarthy, Neistein, Newhouse, Nihill, O'Brien,
3. Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith,
4. Swinarski, Vadalabene.

5. PRESIDENT:

6. The . . . Is Senator Cherry here? Remove Senator Cherry's
7. name from the . . . Senator Rock? Senator Rock is here. On
8. that question there are 30 affirmative votes. The bill . . .
9. Senator Course is here. We have some amendments to Senate
10. bills that have to be acted upon for . . . 1424. Senate
11. Bill 1424, Senator McBroom.

12. SENATOR McBROOM:

13. Yes . . . Mister . . . Okay. Fine. I'm willing to do
14. that, Mr. President. Pardon? Senator Mohr and Senator Soper
15. said same roll call, so I'd, uh . . . This has to do with the
16. Supervisor of Assessments salaries, Mr. President. When it was
17. sent over to the House the . . . They're now . . . The reim-
18. bursements go out monthly and it's been burdensome for the
19. Department of Revenue. The bill, as it left the Senate, would
20. provide that it be paid twice annually. The amendment . . .
21. The House amendment says that the payment by the State to the
22. various counties would be made in advance so that the counties
23. could get their money more rapidly. I don't think it's contro-
24. versial. I move to concur.

25. PRESIDENT:

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

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. PRESIDENT:

5. Savickas aye. On that question, the yeas are 45, the
6. nays are none. The Senate concurs in the House amendment.
7. Senator Carroll? Senate bill 1550 with . . . Senator Carroll.

8. SENATOR CARROLL:

9. Mr. President and Senators, I'd like to concur in
10. Amendment Number 3 to Senate Bill 1550 and non-concur on
11. Amendment Number 1, Number 2, and Number 4.

12. PRESIDENT:

13. The . . .

14. SENATOR CARROLL:

15. The first order will be the concurring one, I presume.
16. Right?

17. PRESIDENT:

18. Yes. Now if the Chair may make the suggestion, we can
19. save a roll call if you simply non-concur, and then as part
20. of the conference committee report, you'll have all amendments.
21. Senator Carroll?

22. SENATOR CARROLL:

23. Well, we want to concur on Amendment Number 3, but non-
24. concur on Amendment Number 1, 2, and 4.

25. PRESIDENT:

26. You can proceed that way, or what the Chair is suggesting
27. is simply non-concur and make Amendment Number 3 part of your
28. conference committee report. If you want to go . . .

29. SENATOR CARROLL:

30. I don't know. I'd sooner do it the other way.

31. PRESIDENT:

32. All right. Senator Carroll's motion is concur in Amendment
33. Number 3. Can you . . . Can you . . .

1. SENATOR CARROLL:

2. Yes. I'll tell you what they are. Amendment Number 3.
3. This is the appropriation for Public Aid for this next year.
4. Amendment Number 3 returns the Institute of Social Policy to
5. the bill, the appropriation of 1.9 million dollars. Amendment
6. number 1 that we're nonn-concurring in is the amendment that has
7. to do with the transferability of funds in the various deapart-
8. ments. Amendment Number 2 takes the Mediceck money out of
9. Public Aid and puts it in the Department of Public Health.
10. Amendment Number 4 takes 400 thousand dollars out of the
11. Personal Services section of this particular bill.

12. PRESIDENT:

13. Senator Partee.

14. SENATOR PARTEE:

15. I think Senator Carroll meant to say it takes the Medi-
16. check Program out of Public Health and puts it in Public
17. Aid.

18. SENATOR CARROLL:

19. Right.

20. SENATOR PARTEE:

21. Okay.

22. SENATOR CARROLL:

23. You're right. That's what I meant. I'm sorry. I said it
24. wrong, I think.

25. PRESIDENT:

26. All right. Motion is . . . Senator Bruce.

27. SENATOR BRUCE:

28. Just one question on Amendment 3. We've discussed that.
29. Is the million-nine set forth now rather than Experimental
30. Projects, it goes in as the Institute of Social Policy, or
31. are we still going to leave that as a line item called Experi-
32. mental Projects?

33.

1. PRESIDENT:
2. Senator Carroll.

3. SENATOR CARROLL:
4. One million nine for the Institute of Social Policy.

5. PRESIDENT:
6. Senator Savickas.

7. SENATOR SAVICKAS:
8. My question then is for one million nine, what is Social
9. Policy?

10. PRESIDENT:
11. Senator Carroll.

12. SENATOR CARROLL:
13. That is a program that has been in existence for the
14. last 4 years, I believe. I may . . . may . . . 3 or 4 years,
15. and originally it was 3 million 5 hundred thousand dollars.
16. This appropriation this time was less. It was 2 or 3 million
17. dollars. It was reduced to 2 point . . . 2.3, it's now reduced
18. to 1.9 and . . .

19. PRESIDENT:
20. Senator Savickas.

21. SENATOR SAVICKAS:
22. Well, that was very good, but what is it? What does it
23. do?

24. PRESIDENT:
25. Senator Smith apparently wants to respond to that question.
26. Senator Smith?

27. SENATOR SMITH:
28. Over a considerable numbers of years, Senator Savickas, the
29. argument has been made that of those on Public Aid who need a
30. given type of training. Some few years ago, we did, as the
31. Senator just said, appropriated some 3 millions of dollars as
32. an experiment for the continuance and maintenance of this particular
33. program. They have seen fit to reduce the appropriation here

1. and the amount asked for is as the Senator just stated. In
2. all facets of life now, the argument is and properly so I
3. think, that training prepares the individual for a life of
4. usefulness. That's all that this appropriation is, trying to
5. remove people from the public rolls.

6. PRESIDENT:

7. Senator, just so that the Chair understands. Is this all
8. . . . is this in connection with your motion to concur. Is this
9. part of your amendment to concur . . . you're concurring in,
10. Senator Carroll, this discussion?

11. SENATOR CARROLL:

12. Yes. It . . .

13. PRESIDENT:

14. All right. Okay. Senator Savickas.

15. SENATOR SAVICKAS:

16. Well, my next question I now would be, has this program
17. produced any results? Has it reduced the budget in at least
18. a proportionate share to what we're spending on it?

19. PRESIDENT:

20. Just a moment. Senator . . . Senator Smith.

21. SENATOR SMITH:

22. The records in the Public Welfare offices indicate
23. that it has brought about a savings in excess of the expenditure,
24. Senator.

25. PRESIDENT:

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

28. SENATOR CARROLL:

29. Well, nothing, except to ask for a favorable vote.

30. PRESIDENT:

31. Motion is to concur on Amendment number 3, to be
32. followed by a motion to non-concur in Amendments 1, 2, and
33. 4. On the question of concurring, the Secretary will call the

1. roll.

2. SECRETARY:

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

11. PRESIDENT:

12. Senator Sours.

13. SENATOR SOURS:

14. I have a question, Mr. President. Will the Senator
15. yield? Has there been reinstated in this bill the Illinois
16. Institute for Social Policy funds?

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. You mean the program that's going on in Peoria at the
21. present time? Yes. Part of it has; not all of it. One million
22. nine hundred thousand has been reinstated, and that's what
23. we're voting on at the present time.

24. PRESIDENT:

25. Senator Sours.

26. SENATOR SOURS:

27. I would like to, in explaining my vote read an excerpt from
28. a communication I received on that subject. Here's what it says:
29. The fact is that the Institute superimposed additional paper work
30. on all agencies rather than initiated any efficient procedures.
31. The program is bureaucratic and duplicates service referral
32. methods. They best performed their function of inter-agency
33. cooperation by providing a common aggravation. The taxpayer is

1. being cheated if I.S.P. is supposed to save money. In addition
2. to costing more by disrupting the already over-burdened worker,
3. the service access system community workers are knocking on
4. doors . . . Listen to this . . . asking people if they need
5. money or services from Public Aid. The writer further comments,
6. we taxpayers do not need anyone drumming up more business for
7. them. Also, S.A.S. followed up on denied Public Aid cases to
8. see why they were not eligible and often times created additional
9. work by the caseworker having to deny the same case twice. wiWith
10. that I vote no.

11. SECRETARY:

12. . . Swinarski, Vadalabene, Walker, Weaver.

13. PRESIDENT:

14. Swinarski aye. On that question, the yeas are 34, the
15. nays are 3. The Senate concurs in Amendment number 3. Senator
16. Carroll moves that the Senate non-concur in Amendments 1, 2, and
17. 4. All in favor signify by saying aye. Contrary minded. The
18. motion prevails. Is . . . Senator Saperstein? Aye on the
19. last roll call? All right. Horsley? Is Senator Horsley on
20. the floor? Senator Graham? House Bill 4096. We have a
21. conference committee report on that.

22. SENATOR GRAHAM:

23. Yes, Mr. President and members of the Senate. 4096, the
24. appropriation to the Department of Personnel. There was about
25. a 230 thousand dollar cut placed on in the Senate. The House
26. restored it by amendment. The conference committee that was
27. appointed agreed that the money should be returned to the
28. appropriation. The conference committee report indicates that
29. should be done, and I move the . . . that we do adopt the con-
30. ference committee report on House bill 4096.

31. PRESIDENT:

32. Senator Rock.

33.

1. SENATOR ROCK:

2. Yes. Mr. President, I rise in support of Senator Graham's
3. motion as a member of that conference committee. You will recall
4. that this is the appropriation for the Department of Personnel.
5. They sustained a large budget reduction cut in the House. It
6. came over to the Senate; we added an additional cut. The
7. conference committee merely restores what the Senate Democratic
8. Task Force had previously cut, and I urge our members to support
9. this.

10. PRESIDENT:

11. It . . . Secretary . . . Senator Bruce.

12. MR. BRUCE:

13. Just because there's a slight disagreement in the task
14. force, I would like to state that I, personally, do not plan
15. to vote for this. The . . . I refused to sign the task force
16. report for this reason. To clue in the members, we had
17. a great debate yesterday about teachers' pensions and school
18. formulas that within this budget we have restored items of
19. an extremely low priority, and though the amounts may be small,
20. I believe this General Assembly must face the problem of what
21. we're going to do with money. We have a test validation study
22. for 20 thousand dollars out of contractual. Last year we gave
23. them the personnel to do it; now they say they have to do it
24. outside. They've kept the people on the payroll that were
25. supposed to do it. In the Medical Maintenance Program,
26. they asked for this project last year. Now they're getting
27. 50 thousand dollars to do a study of how we can maintain the
28. medical health of our state employees. For eight cents, they
29. can write to Virginia and find out all the studies they need
30. to know on medical maintenance programs. There's a consultant
31. out there that I have conferred with and would be very glad to
32. give the State of Illinois assistance. Postage has gone up
33. some 34 thousand dollars this year alone. It's that kind of

1. expenditures, gentlemen, that are going to lead us to face
2. that question. It's in the Constitution which says we cannot
3. exceed revenues, and I will later on today have some comments
4. concerning that, but at this point it's another one of those
5. bills that is going to put us over the top. We are exceeding
6. our revenues against the mandate of the Constitution.

7. PRESIDENT:

8. Secretary . . . Secretary will call the roll.

9. SECRETARY:

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

19. PRESIDENT:

20. On that question, the yeas are 35; the nays are none.
21. The Senate accepts the conference committee report. Senator
22. Horsley, we have . . .

23. SENATOR HORSLEY:

24. May I be recorded aye on that last vote.

25. PRESIDENT:

26. Senator Horsley will be recorded aye on the last one.
27. We have the report here on the . . . I'm a little confused.
28. On 4102, these are . . .

29. SENATOR HORSLEY:

30. Well, if, Mr. President, you're confused, don't feel
31. bad, because I'm very confused, too. We're all snarled up,
32. we might as well be frank about it, with 1550, and there's
33. no need of having two conference committees out fighting each

1. other at the same time on the same subject matter, and I think
2. we better wait until they come back on 1550 to see what develops,
3. because the substance of one or two items is involved in both
4. bills.

5. PRESIDENT:

6. All right.

7. SENATOR HORSLEY:

8. And I believe we'd save time if we'd put it off for a
9. little while.

10. PRESIDENT:

11. All right.

12. SENATOR HORSLEY:

13. I would . . .

14. PRESIDENT:

15. Senator Horsley?

16. SENATOR HORSLEY:

17. I would like to call that constitutional amendment when
18. you get around to it so that we could get that over to the
19. House.

20. PRESIDENT:

21. Senator, why don't we do that right now, and if we can
22. do it with a minimum of oratory, it would be appreciated.
23. Senator Horsley is recognized.

24. SENATOR HORSLEY:

25. I think this thing has been completely explained, and I
26. think it was passed unanimously the other day, and it is a
27. resolution that provides for a Session to be held in the odd-
28. numbered years for six months, and the even-numbered years
29. on budget items only, and is wide . . . widely supported by
30. organizations in the state and so I'll just say no more and
31. take a roll call on it so we can get it over to the House.

32. PRESIDENT:

33. Is there any discussion? Senator Rock.

1. SENATOR ROCK:

2. Yes. Mr. President, members of the Senate, I just want to
3. make this one point to Senator Horsley. I did vote for it last
4. time, and will vote for it this time. I think there's one thing
5. we might reflect on, however, and maybe we can change it in the
6. House, it seems to me that being a duly elected member of the
7. General Assembly, I don't think we should put ourselves in the
8. position where we are prohibited from introducing anything at
9. all. Now whether or not the matter that we introduce is acted
10. upon expeditiously or acted upon at all is something else, but
11. I don't think we ought to prohibit the sheer introduction of
12. matters because I think that's one of our prime purposes, is
13. the introduction of legislation.

14. PRESIDENT:

15. Is there further discussion? Senator Horsley may close
16. the debate. Secretary will call the roll.

17. SECRETARY:

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

27. PRESIDENT:

28. Carroll aye. McBroom aye. Horsley aye. Sours aye. Bruce
29. aye. On that question, the yeas are 39; the nays are none.
30. The Senate adopts Senate Joint Resolution 78. Senator Partee?
31. Senate Bill 1433 with the House amendment is your . . . Senator
32. Partee.

33.

1. SENATOR PARTEE:

2. Yes, we're going to concur in those amendments.

3. PRESIDENT:

4. Do you want to explain very briefly what it is?

5. SENATOR PARTEE:

6. I defer to Senator Gilbert or Hynes, one or the other.

7. PRESIDENT:

8. Senator . . . Senator Gilbert.

9. SENATOR GILBERT:

10. This . . .The amendments here . . . There were a couple
11. of technical amendments in this bill, as I understand, that
12. did not change anything in the substantive matter, but the
13. main change is the taking of the money from the Urban Education
14. Program of approximately 4 million of which was put in the
15. amendment that we put on yesterday to the School Problems
16. Commission bill which we passed. And that is the main purport
17. of this amendment to reduce the appropriation, but the appropri-
18. ation . . . 4 million of it, approximately, was put in another
19. bill, and I recommend that we accept this amendment of the
20. House. This is in compliance with what we worked out in relation
21. to the School Problems Commission bill which we passed here
22. yesterday.

23. PRESIDENT:

24. Senator Hynes.

25. SENATOR HYNES:

26. That is correct, and there is one other change, a decrease
27. of 128 thousand dollars in the Educational Assessment program,
28. which is offset by an addition of 111 thousand in the Early
29. Childhood Disability Screening program.

30. PRESIDENT:

31. Secretary will call the roll.

32. SECRETARY:

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

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

9. PRESIDENT:

10. Palmer aye. Ozinga aye. Latherow aye. Collins aye.
11. On that question, the yeas are 46; the nays are none. The
12. Senate concurs in the House amendments. We're now going to
13. proceed to some House bills on 3rd Reading, with amendments,
14. so that we can take care of them and the House can either
15. concur or we'll move toward conference committees. Senator
16. Knuepfer, are you ready on 4449 . . . and can that be tied
17. in on one roll call with 4448?

18. SENATOR KNUEPFER:

19. Yes. They're both part of a package. It's the appropriation
20. for the junior colleges, 4448, 4449. I think we've discussed
21. the issue. If anybody has any questions, I'll try to answer
22. it, otherwise it's the appropriation, it's been gone over by
23. the task force, there were no changes in it, and I would
24. appreciate a favorable roll call.

25. PRESIDENT:

26. Is . . . Senator Bruce?

27. SENATOR BRUCE:

28. Yes, Mr. President. I will . . . just . . .

29. PRESIDENT:

30. Senator Bruce.

31. SENATOR BRUCE:

32. I'll yield to Senator Dougherty.

33.

1. PRESIDENT:
2. Senator Dougherty.
3. SENATOR DOUGHERTY:
4. Did you add that amendment on it which should have provided
5. for the deletions and the prevailing wage?
6. PRESIDENT:
7. Senator . . . Senator Knuepfer.
8. SENATOR KNUEPFER:
9. That was amended on Monday, Senator, to eliminate Section 8
10. which did just that, and Senator Partee pointed out that Section 8
11. also had another connotation at that point in time.
12. PRESIDENT:
13. Senator Dougherty.
14. SENATOR DOUGHERTY:
15. That is no longer in there. Is that what you're trying to
16. tell me, sir?
17. PRESIDENT:
18. Senator Knuepfer.
19. SENATOR KNUEPFER:
20. What is no longer in there?
21. PRESIDENT:
22. Senator Dougherty. Senator Dougherty.
23. SENATOR DOUGHERTY:
24. The amendment in there deleted the prevailing wage section.
25. Is that right? Now that amendment is now out.
26. PRESIDENT:
27. Senator Knuepfer.
28. SENATOR KNUEPFER:
29. It wasn't . . . My amendment deleted that section. That
30. section was not an amendment as it came to us. It was part
31. of the bill. Oh, I guess . . . Somebody tells me that was
32. a House amendment that put it on the bill. I didn't realize
33. that. When I saw the bill, it was in there. It is now

1. deleted, yes, sir.

2. PRESIDENT:

3. Senator Bruce.

4. SENATOR BRUCE:

5. Yes. Going to another item that's in that bill other
6. than prevailing wage, and that is the requirement that those
7. colleges who are going to receive the equalization grants, be
8. required to charge a tuition. I made comment earlier when
9. Senator Knuepfer was not here concerning that. My own district
10. will now receive 260 thousand dollars less because they took
11. the stand that they would not charge the tuition even though
12. mandated by the second floor and those in the Illinois Junior
13. College Board. They have stood by their guns. We will lose
14. the 260 thousand dollars. All the junior colleges in the
15. State of Illinois except two now charge a tuition. A dream
16. that was formulated when junior colleges were . . . districts
17. were formed throughout the state has now come to an end. Every
18. junior college district in the State of Illinois now requires
19. students to charge a tuition except my own and the City of
20. Chicago. That's just a footnote to the speech, see comments made
21. three days ago. Thank you.

22. PRESIDENT:

23. Senator Knuepfer may close the debate.

24. SENATOR KNUEPFER:

25. Yeh. There's not much more to say. All I can say is the
26. best to my knowledge, Senator Bruce, the, as I understood it,
27. the junior colleges generally were all . . . were under . . .
28. would have been 100 percent except . . . agreed on this package
29. except for the junior college district that you represent. It
30. is my understanding further that if you were to charge only
31. \$1.53 for your junior college district per credit hour why then
32. they would be entitled to the 262 thousand, but the Junior College
33. Board told me that there was a meeting of all of the junior college

1. districts and with the exception of the one you represent they
2. were all in accord on this package. That's all I know of it,
3. and I would appreciate a roll call.

4. PRESIDENT:

5. Secretary will call the roll.

6. SECRETARY:

7. Arrington, Baltz, Berning, Bidwill, Bruce, . . .

8. PRESIDENT:

9. Senator Bruce.

10. SENATOR BRUCE:

11. Just this brief comment, Senator Knuepfer, and that is that it
12. is a little hard to be voluntary when the second floor and the
13. Junior College Board says either put on a tuition or we're not
14. going to give you the money. To say that each junior college
15. board in the State voluntarily has added tuition is a fraud. They
16. were told to put it on. They met, yes, not in a friendly give and
17. take discussion of the merits of tuition. They were given
18. an advance copy of the bill and told that this is the way
19. it's going to go in, pass your tuition, everybody get in line.
20. No, the \$1.53 would raise 260 thousand dollars that we esti-
21. mate . . . that's times 18 I would point out, each sem, er, quarter
22. hour. We estimated we would lose 260 thousand dollars because
23. of the number of students who could not attend. You missed my
24. comments of three days ago in which my district is the lowest
25. in assessed valuation per full time equivalent student in the
26. State of Illinois. To tell my citizens that they must, in
27. addition to taxing themselves at the highest rate with the
28. lowest assessed valuation, and then add on a tuition is
29. folly. We just don't have the money. And so, to the kids in
30. my district, we just don't send them to junior college this year.
31. Hopefully in November we can have a change.

32. SECRETARY:

33. . . . Carpentier, Carroll, Cherry, Chew, Clarke, Collins,

1. Coulson, Course, . . .

2. PRESIDING OFFICER (Senator Rock):

3. What . . . For what purpose does Senator Saperstein
4. arise?

5. SENATOR SAPERSTEIN:

6. I believe it's a point of personal privilege. I wanted
7. to ask the . . . at this point in the roll call, because of
8. a statement that Senator Knuepfer made that at a recent meeting,
9. all the representatives from the junior colleges were
10. present except those represented by Senator Bruce. Now,
11. would he hold the bill, please, until I can ascertain from the
12. president of the City Junior Colleges of Chicago, whether or
13. not he was there and agreed to this proposition of tuition or
14. no equalization.

15. PRESIDING OFFICER (Senator Rock):

16. Senator Saperstein, I think, because we are on roll call,
17. the only thing the Senator could do is postpone consideration.
18. I think your request is out of order. Continue the roll call.

19. SECRETARY:

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

27. PRESIDING OFFICER (Senator Rock):

28. Neistein aye. Palmer aye. Rock aye. McBroom aye. Ozinga
29. aye. Bidwill aye. On House Bill 4448, the yeas are 41; the
30. nays are none. This bill having received a constitutional
31. majority is declared passed. On 4449, the yeas are 41; the
32. nays are none. This bill having received a constitutional
33. majority is declared passed. House Bill 4682, Senator Graham.

1. Senator Graham. 4682, Senator Graham.

2. SENATOR GRAHAM:

3. Yes. Mr. President, members of the Senate, 4682 is a
4. bill that requires notification to the Secretary of State
5. 20 days before a, as amended, 20 days before a referendum is
6. going to be held for affecting home rule, er, the municipality
7. proposal for home rule and also requires or suggests that
8. the Secretary of State also be informed as to the outcome
9. of the election. I ask for a favorable roll call.

10. PRESIDING OFFICER (Senator Rock):

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

12. SECRETARY:

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

22. PRESIDING OFFICER (Senator Rock):

23. Sours aye. Berning aye. O'Brien aye.

24. PRESIDENT:

25. Senator Gilbert? On that question, the yeas are 39;
26. the nays are none. The bill having received a constitutional
27. majority is declared passed. Senator Gilbert, on 4528 on
28. postponed consideration, are you ready on that now?

29. SENATOR GILBERT:

30. Yes.

31. PRESIDENT:

32. 4528.

33.

1. SENATOR GILBERT:

2. I would like to point out first that this bill which
3. originally started out as a million dollars has now been
4. reduced to 350 thousand dollars. I think that some of the
5. opposition to this bill when it was first called was because
6. of the amount of the appropriation which at that time was
7. 590 thousand dollars. And then I think that there was not an
8. understanding of what this bill does. This bill has the
9. recommendation of the Board of Higher Education. It's a
10. part of Phase 3 of the Master Plan. It allows the public
11. and private institutions to enter into inter-institutional
12. compacts and agreements. There was some question raised about the
13. fact that they could enter into agreements with universities
14. outside the State of Illinois. The only compact that we've
15. had going in this, and we've been funding it for the last
16. few years, is the Quad-City Program, and every time they
17. have entered into any agreement with an out-of-state university,
18. the out-of-state university has put in the proportionate amount
19. of money as the State of Illinois or as of the Quad-City
20. agreement. I do not know of strenuous opposition to this at
21. this time. There were two or three members who opposed it
22. before who have indicated to me that they now accept this
23. inasmuch as we have amended it down to 350 thousand dollars.
24. I would ask for a favorable roll call.

25. PRESIDENT:

26. Senator Hynes.

27. SENATOR HYNES:

28. Very briefly, Mr. President, members of the Senate, I
29. rise in support of this legislation. I think this is a very
30. important bill. It's going to result, I think, in a long
31. term savings by encouraging universities, combinations of
32. universities, both private and public, and private and
33. private, to get together to share facilities and thereby

1. avoid duplication of effort and unnecessary expense. It
2. was originally part of the Governor's budget at 1 million
3. dollars. It has now been reduced to 350 thousand dollars
4. which is adequate to get the program off the ground. The
5. first experiment, which has already been funded from prior
6. years--the Quad-Cities Project, Graduate Center Project--has
7. been highly successful. I would urge all members to support
8. this legislation. In addition, I might add, the appropriation
9. has been taken out of the bill, and has . . . we have already
10. passed the appropriation as part of the budget of the Board
11. of Higher Education, so that this is simply the enabling
12. legislation to go along with it.

13. PRESIDENT:

14. The Secretary will call the roll.

15. SECRETARY:

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

25. PRESIDENT:

26. Rock aye. Laughlin no. Ozinga aye. On that question
27. the yeas are 35; the nays are 3. The bill having received a
28. constitutional majority is declared passed. 4671, Senator Clarke.
29. For your information, what we're doing is we're taking the
30. bills with amendments so that we can have House action on those
31. and then we'll proceed with the other bills. 4671, Senator
32. Clarke.

33.

1. SENATOR CLARKE:

2. This is a bill relating to the Exposition Fair, as you
3. see, to give the Governor the authority that he now has under
4. the Service Recognition Fund, to transfer excess funds into
5. the General Fund. We worked this out with the amendment that
6. was put on this bill yesterday so that it would require 110 percent
7. to be held in reserve against the bond interest and other obli-
8. gations. I would appreciate a favorable roll call. Mr. President,
9. this bill has 4670, 4672, 4673 as companion bills. I wonder
10. if we could take them all in the same roll call?

11. PRESIDENT:

12. Is there objection? Leave is granted. That would be
13. then, 71, 72, and 73. Is that correct?

14. SENATOR CLARKE:

And 4670.

16. PRESIDENT:

17. And 4670, right. Leave is granted. Secretary will call
18. the roll.

19. SECRETARY:

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

28. PRESIDENT:

29. Kosinski aye. Saperstein aye. Groen aye. Johns aye.
30. Cherry aye. Nihill . . .

31. SECRETARY:

32. . . . Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

33.

1. PRESIDENT:

2. On that question the yeas are 37. The nays are none.
3. The bill...the bills having received a constitutional majority
4. are declared passed. 1434, Senator...is Senator McCarthy on
5. the floor? 1434, Senator McCarthy.

6. SENATOR MCCARHTY:

7. Yes, Mr. President, before I go to 1434, I wonder if
8. Senator Dougherty would take...Senator Dougherty, I wonder
9. if you'd take 4558 back for the purpose of attaching that
10. amendment.

11. PRESIDENT:

12. 4558 is brought back by Senator Dougherty for purpose of
13. amendment. Senator McCarthy offers Amendment Number one. Can
14. you explain the amendment, Senator?

15. SENATOR MCCARTHY:

16. Yes, Mr. President, this amendment was worked out by
17. Representative Choate and the Governor's office where it adds
18. a new section of grants on downstate and nonpublic transporta-
19. tion. There was some controversy as to the form of that excess
20. grants as the bill passed the House and this is designed to
21. alleviate any objection to it. Senator Dougherty's seen the
22. amendment. I move its adoption.

23. PRESIDENT:

24. Is there any discussion? Senator Clarke.

25. SENATOR CLARKE:

26. Yes, Mr. President, there's so much confusion around here,
27. nobody can hear anybody. I don't know what the Senator said
28. and I'd think we'd like to know.

29. PRESIDENT:

30. Senator McCarthy may explain what...4558 is being brought back
31. to Second Reading for purpose of amendment and Senator McCarthy
32. is offering his amendment. Can you explain it again briefly,
33. Senator?

1. SENATOR MCCARTHY:

2. Yes, this is an amendment worked out by Representative
3. Choate and, I understand, with the Governor's office where any
4. grants to the downstate or nonpublic transportation units wouldn't
5. have to meet the three conditions in section nine. And so it's
6. putting the additional grants into a new section, Section 11,
7. where the grants may be made upon the discretion of the Depart-
8. ment of Transportation.

9. PRESIDENT:

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. Senator McCarthy, I've got two amendments as well to offer
13. on this bill. I'm just wondering as a matter of procedure if
14. I can explain my amendments before we vote on any of these a-
15. mendments so that this whole body can understand what the thrust
16. of your amendment and my amendment...I didn't know you had a-
17. mendments to offer. And I would want to make sure that they would
18. be coordinated if this Body accepted them.

19. PRESIDENT:

20. I wonder if we can't, rather than getting into a public
21. discussion on this, why don't Senator Dougherty, McCarthy, and
22. Knuepfer, can you get together and compare notes and we'll just
23. hold off on that right now. Are you ready on 1434, Senator
24. McCarthy? Senator McCarthy.

25. SENATOR MCCARTHY:

26. Yes, I'm ready on 1434. What this bill does as amended is
27. to change in the principal and interest act, to change the depletion
28. allowance on oil from 27 and a half to 22.

29. PRESIDENT:

30. Just a moment, please. Turn up the volume a little bit.
31. Let's get some order. Senator McCarthy.

32. SENATOR MCCARTHY:

33. Yes, this bill as amended changes the depletion allowance

1. on the principal and income act from 27 1/2 percent down to
2. 22 percent. I move for a favorable roll call.

3. PRESIDENT:

4. Is there any discussion? Senator Sours.

5. SENATOR SOURS:

6. Mr. President and Senators, I had thought originally
7. with the excision of the trustees' invasion of the corpus
8. for half of his commission, after that was taken out of
9. the bill, I thought it might otherwise be acceptable to our
10. side, but upon further examination, even with that portion
11. taken from the bill by the amendment, I believe our side,
12. at least, ought to refuse to support it. Let me state why,
13. too. The present Illinois law allows the life tenant to
14. receive 72 1/2 percent of the income from the sale of minerals
15. from the land in which he has a life tenancy. Many times
16. oil property is devised, for example, by a husband to his
17. wife for life and at her death to some vested remainderman.
18. Anyway, the present law says the life tenant may take from
19. the ground 72 percent of the income and allow 27 1/2 percent
20. of the income to the principal. That's the remainderman or
21. one to who would ultimately own the property. Now this bill
22. as amended proposes to change the percentages to 78 and 22
23. respectively. The reason given for the change is that this
24. will bring the Illinois law into conformity with the Federal
25. Tax Reform Act of 1969. That act changed the federal depletion
26. allowance on oil and gas wells from 27 1/2 percent to 22 percent.
27. It also changed the depletion rates for various other minerals . . .
28. other minerals to 22 percent, but gold, silver, copper, and
29. iron ore, as well as oil shale, to 15 percent. Now what troubles
30. us on this side is that it is not entirely clear why the principal
31. and income act of this State must conform to the federal. It
32. may be advantageous as a bookkeeping matter, but other than that,
33. we know of no reason. As a matter of fact, this bill will actually

1. decrease the amount of money a life tenant can look forward to
2. for no evident reason. That is all I have to say on this side,
3. and I would urge our side not to support this bill.

4. PRESIDENT:

5. It . . . Senator Sours.

6. SENATOR SOURS:

7. And I've so informed Senator McCarthy, so he's not
8. surprised.

9. PRESIDENT:

10. Is there further discussion? Senator McCarthy may
11. close the debate.

12. SENATOR McCARTHY:

13. Well I have nothing to add to the debate. The bill is,
14. in fact, noncontroversial, but Senator Sours indicated that
15. he had some reservations because the bill was amended, but I
16. suggest to you that the bill is entitled to a roll call and I
17. would urge the people that have been knowledgeable on this
18. matter to give it an affirmative vote.

19. PRESIDENT:

20. The Secretary will call the roll.

21. SECRETARY:

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

31. PRESIDENT:

32. Knuppel aye. McBroom aye. How is Senator McBroom recorded?
33. You are recorded in the negative. Neistein aye. Kosinski aye.

1. Newhouse aye. Laughlin no. Berning no. Ozinga no. Carroll
2. no. Johns aye. On that question the yeas are 24; the nays are
3. 11. The bill having failed to receive a constitutional majority
4. is declared defeated. Is Senator Savickas on the Floor? Senator
5. Vadalabene, are you ready on 4285? 4285, Senator Vadalabene.
6. SENATOR VADALABENE:

7. Thank you, Mr. President and members of the Senate. House
8. Bill 4285 is a quadrennial bill, designed to revise the pay
9. schedule of county officers. The judges and states attorneys
10. have now received consideration by the Legislature leaving
11. the county officers the only county elected officials who have
12. not been granted a revision of their salary schedule brackets.
13. This bill only affects two county officials--the Recorder of
14. Deeds and the Circuit Clerk. Unless they get this pay . . .
15. minimum pay increase, it will be eight years without a pay
16. increase and I would appreciate a favorable report, er vote.
17. This bill is supported by the County Clerks, Recorders, the
18. Treasurers, the Circuit Clerks, and the Sheriffs.

19. PRESIDENT:

20. Senator Laughlin . . . I am advised that the Chicago Sun
21. Times photographers are taking pictures for the information of
22. the Senate. Senator Laughlin.

23. SENATOR LAUGHLIN:

24. Yes, Senator Vadalabene, I had some information on this
25. bill, and I have mislaid it in all this mess I've got on my desk.
26. But when the bill passed the House, it is my understanding, you
27. correct me if I am wrong, it was the maximum amount that could
28. be paid to these officials which had been increased. Now what
29. you did by amendment the other day, was to mandate an increase
30. at the lower level--the minimum. Is that not right?

31. PRESIDENT:

32. Senator Vadalabene.

33.

1. SENATOR VADALABENE:

2. That is correct, Senator.

3. PRESIDENT:

4. Senator Laughlin.

5. SENATOR LAUGHLIN:

6. Inasmuch as I don't have my material, and you do, do you
7. mind telling the members what you've done when you've raised
8. the minimum for the . . . I think this is something that should
9. be left up to local officials and here . . . to decide, and if
10. we raise the top level, then they can go up. But, if we
11. raise the bottom level and the top level, then they have to
12. go up.

13. PRESIDENT:

14. Senator Vadalabene.

15. SENATOR VADALABENE:

16. Yes, that's exactly what the reason was by giving them
17. a top level did not necessarily mean they were going to get
18. a raise, but by giving them a minimum level, that would assure
19. them of a raise that they won't receive, that they haven't
20. received and will not receive for eight years, and nobody
21. has went that long.

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. I don't . . . I don't understand, Senator, that they can't
26. get a raise. For example, I've got . . . Some of this information
27. has now been given to me. You're talking about, say in a county
28. popular ran . . . population range, 30 to 60 thousand, you raise
29. the old maximum from 13,700 to 17,700, and, all right, 4 thousand
30. dollars. In that same classification, you raise the minimum
31. 3 thousand. Why . . . why . . . My question, quite frankly, is
32. why don't we permit the local governing body to determine how
33. high these salaries should go? And I don't know how you can say

1. is, they aren't going to get a raise.

2. PRESIDENT:

3. Senator Vadalabene.

4. SENATOR VADALABENE:

5. Well, this was the concensus of the associations, the
6. different county officials and their argument again, I have
7. to go back to it, is that they will not get a raise in eight
8. years if we don't establish a minimum salary for them, because
9. some of them will not go to the maximum, possibly. This is
10. the only answer I can give you.

11. PRESIDENT:

12. Senator Laughlin.

13. SENATOR LAUGHLIN:

14. Well, my comment is, I realize that they might not go
15. to the maximum, but they could go to the maximum, or they
16. could someplace between the present minimum and the new maximum
17. prior to your amendment of this bill, and that's so, is it not?

18. PRESIDENT:

19. Senator Vadalabene.

20. SENATOR VADALABENE:

21. Yes, Senator Laughlin. What you say is correct.

22. PRESIDENT:

23. Is . . . Is there further discussion? Senator McBroom?

24. SENATOR McBROOM:

25. Senator Vadalabene, may I ask you a question?

26. PRESIDENT:

27. Senator Vadalabene indicates he'll yield.

28. SENATOR McBROOM:

29. Senator Vadalabene, isn't your point based on experience
30. that if there isn't a floor put in that usually nothing is
31. done. Isn't that the point of your amendment?

32. PRESIDENT:

33. Senator Vadalabene.

1. SENATOR VADALABENE:

2. Yes, that's exactly correct, and that's the point I
3. was trying to make with Senator Laughlin.

4. SENATOR McBROOM:

5. Thank you.

6. PRESIDENT:

7. Senator Latherow.

8. SENATOR LATHEROW:

9. Well Mr. President and members of the Senate, when I
10. looked at this bill yesterday, apparently they didn't send me
11. the amendment on it. All I saw on it was the increase in the
12. maximum, which is . . . If the county board wants to take the
13. privilege to raise them on the maximum, that's their business.
14. They raise the money for it. Now then on . . . This with the
15. amendment, you're increasing the minimum and forcing many of
16. these counties, possibly, I don't know how many, to raise
17. the salaries, because they can say the State Legislature
18. caused us to raise them. Now I think, if you put an amend-
19. ment on here to do away with the minimum entirely, I'll vote
20. for your bill.

21. PRESIDENT:

22. Senator Sours.

23. SENATOR SOURS:

24. Some of us on this side have that same objection, Senator
25. Vadalabene. What we are doing; we are telling a local board
26. that you're too chintzy, that you've got some good courthouse
27. people who deserve more than they're getting, but your board
28. will not honor that legitimate commitment, so we're going to
29. make you do that whether you like it or not. Now we've heard
30. a lot about home rule for the last two or three years. We've
31. heard a lot more about it in the last Session, but I see nothing
32. wrong with having the elected officials who now comprise what
33. we formerly called our county board of supervisors. I see nothing

1. wrong with their fixing the salaries, but not on a minimum
2. basis, because then we are telling them you don't have enough
3. sense to do this; we're going to do it for you. We're going
4. to drag you right up to the pit and throw you in, and we do
5. that regardless of the tax consequences. That's why most of
6. us on this side . . . I think most of us, are opposing this
7. bill. It's the minimum requirement.

8. PRESIDENT:

9. Senator Groen. Senator Weaver.

10. SENATOR WEAVER:

11. Mr. President, we passed the salary increase for the
12. township assessors just a week or so ago. Also in that bill,
13. we removed reference to a minimum. We just inculcated a
14. maximum. I think it'd be reasonable to expect that all these
15. elected officials' minimums be deleted from the bill and just
16. handle it with a maximum, Senator. Would you be willing to
17. accept a . . . or amend this bill to do that?

18. PRESIDENT:

19. Senator Vadalabene. Can you repeat the question,
20. Senator Weaver?

21. SENATOR WEAVER:

22. Senator, I just wondered if you would delete the minimum
23. altogether, as we did in the township assessors' bill that we
24. passed a week or so ago.

25. PRESIDENT:

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Well, Senator Weaver, at this late stage of the game
29. I think I would like to go with the bills.

30. PRESIDENT:

31. Senator Fawell.

32. SENATOR FAWELL:

33. Senator, uh, Vadalabene, in regard to the classification

1. which begins in line 17 on page 2, referring to counties con-
2. taining 300 thousand or more in evidence, but less than 1 million,
3. it appears as though you have not amended that wording so that
4. the minimum is still 16 thousand. Is that correct?

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Where did you say, Senator Fawell?

9. PRESIDENT:

10. Senator Fawell.

11. SENATOR FAWELL:

12. On the second page, it would be lines 17 through 20.
13. You . . . In the bill itself, you referred to not less than
14. 16 thousand per annum and not more than 27 thousand per annum.
15. Now that had not been amended? Excuse me, I do have the answer.
16. I see it in the back of the amendment. That has been amended
17. also. So that the minimum is now 20 thousand dollars which is
18. being mandated in the County of DuPage for instance. Well,
19. I . . . The only comment that I have here is that our County
20. of DuPage, and I think most counties, are, at the present time,
21. pretty well strapped for funds. In fact, they are, I think, hoping
22. that they can still usurp a bit of the tax funds that school
23. districts are levying by having a fee that can be affixed to
24. their collection obligations, which I don't really agree. But
25. to cast these further obligations of mandatory pay, I object to,
26. just as I object to the mandatory obligation that there must
27. be an add-on for the associate judges. I think that ought to
28. be discretionary. I don't like the add-on at all, but if the
29. add-on is there, I think it ought to be discretionary. When
30. you stop and add up all of the mandatory payments which we are
31. casting upon counties in this State, I think that we better stop
32. and also ask ourselves how they're going to raise these funds.
33. Most of them are not home rule. I think only Cook County is a

1. home rule county, so I would agree with the sentiment that has
2. been expressed on this side thus far that we give them the
3. discretion, then if they have the funds and the wherewithal
4. to be able to do so, but to mandate them from Springfield and
5. to say this is what you have to do, I don't think is reasonable.
6. PRESIDENT:

7. Senator Vadalabene, you may close the debate.

8. SENATOR VADALABENE:

9. Thank you, Mr. President and members of the Senate. I
10. just want to say in closing that the coroners were taken care
11. of by a minimum salary, the judges were taken care of by
12. a fixed salary, the states attorneys were taken care of by a
13. fixed salary, supplemented by counties I might add, the
14. judges court of claims was fixed by a fixed salary. We're
15. talking about two offices, the recorder of deeds and the
16. circuit clerks. We're talking about two offices that are a
17. fee office that take in way more than their expenses are.
18. And I might add in saying about the Legislature did this
19. and the Legislature did that, the Department of Public Health
20. just this year implemented a program where, for instance, the
21. Lions Club was spraying for mosquitoes in my hometown, and they
22. can't do that anymore even though they were offering a public
23. service, unless they were licensed and regulated someone who
24. knew how to handle it, and the Department of Public Health
25. said the Legislature made us do this. But if you remember, this
26. was an administration bill. I don't mind taking any heat when
27. the people say the Legislature made us do this, but to deprive
28. these people of eight years of salary when everybody else is
29. getting raises I think is deplorable, and I ask for a favorable
30. vote.

31. PRESIDENT:

32. The Secretary will call the roll.

33.

1. SECRETARY:

2. Arrington, Baltz, Berning, . . .

3. PRESIDENT:

4. Senator Berning.

5. SENATOR BERNING:

6. I feel constrained to explain my vote. I was prepared

7. to support the measure until the minimum level was raised.

8. Under these circumstances, then, I must vote no.

9. SECRETARY:

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

18. PRESIDENT:

19. Dougherty aye. Request for a call of the absentees.

20. The absentees will be called.

21. SECRETARY:

22. Arrington, Baltz, Bidwill, Bruce, Carroll, Coulson, Gilbert,
23. Harris, Knuepfer, Lyons, McCarthy, Merritt, Mohr, Ozinga, Romano,
24. Rosander, Soper, Sours, Swinarski, Vadalabene, Walker.

25. PRESIDENT:

26. Swinarski aye. On that question the yeas are 33; the
27. nays are 9. The bill having received a constitutional majority
28. is declared passed. Senator Vadalabene moves to reconsider.
29. Senator Kosinski moves to table. All in favor of the motion
30. to table signify by saying aye. Contrary minded. Motion to
31. table prevails. 4544, Senator Chew.

32. SENATOR CHEW:

33. Mr. President, could this come after my request I made of

1. you?

2. PRESIDENT:

3. It could. All right. We'll hold it for a little while
4. here. 4436, Senator Gilbert, you wanted to explain something
5. on that?

6. SENATOR GILBERT:

7. This is the Metal Mines Act, if you recall, I amended the
8. bill as it came from the House and it includes the complete
9. new act. I told you at the time that I would not call the
10. bill for 3rd Reading unless everyone had the chance to study
11. it. They have not had. The bill is being held, and all of
12. you who are in areas that are affected by this, it is hoped
13. that between now and November Session that some action might
14. be taken. I want the bill to remain as it is at the present
15. time. 4436. That's the Metal Mines Act, and it's a complete
16. new act. There's no hurry on it, and it can either be enacted
17. in November if the people get together; if not, it should be
18. introduced again next year.

19. PRESIDENT:

20. House Bill 2646 on Consideration Postponed. Senator
21. Knuepfer.

22. SENATOR KNUEPFER:

23. House Bill 2646 was last called in the dying days of the
24. last session and it got 29 votes and I think there were 32
25. people on the Floor. About four weeks ago I got to the Order
26. of Postponed Consideration. I started to call House Bill 2646
27. and Senator O'Brien had a problem with it that I thought we
28. might be able to be resolved. I don't know whether that has
29. been resolved or whether it has not been resolved. The purpose
30. of House Bill 2646 is very simply to permit dental assistants
31. to assist the dentist and to provide . . . to assist him in providing
32. reversible dental procedures. An amendment was offered to the
33. bill at Senator Neistein's suggestion which eliminated an area

1. that he considered objectionable and that was in the area of
2. faculty and teaching. The bill is supported by the American
3. Dental Association, the Illinois Dental Society, the American
4. Dental Hygienist's Association, the Illinois Dental Hygienist's
5. Association, etc. and etc. You may remember a young lady last
6. year who was helpful in explaining the bill, Loretta Purcell,
7. and she, at that time, represented the Dental Hygienists. I
8. thought very frankly that it was very forward looking of the
9. dental hygienists to support this kind of legislation. They
10. feared no competition from this category of assistants. Rules
11. and regulations will be promulgated under this bill by the
12. Department of Registration and Education. I would be happy to
13. entertain any questions or I, otherwise, appreciate a roll call.
14. PRESIDENT:

15. Is...Senator ParTEE.

16. SENATOR PARTEE:

17. I was almost not going to ask the question until you said
18. that rules and regulations would be promulgated by the Department
19. of Registration and Education. And this is one of the things
20. that always bothers me, Senator. I saw a particular piece of
21. legislation which we had passed here when implemented by de-
22. partmental rule and regulation and I didn't recognize the bill.
23. Are there any standards, or shouldn't we have standards, which
24. would circumscribe the action of the persons involved or do we
25. leave our legislative authority to others? I'm concerned about
26. that because I certainly feel that in any area, particularly in
27. an area in a field like this of paramedicine, which I know is
28. coming, recognize is coming, and I'm sure we ought to structure
29. all our programs so that they'll be on par throughout the field,
30. medicine, dentistry and all related sciences, they oughta all be
31. about at the same level of participation so that they're recognizable.
32. Now, when we pass this bill and then leave it to the Department of
33. Registration and Education to, by rule and regulation, implement it

1. I think we're not passing legislation. We're just simply handing
2. over on a platter a particular job to a non-legislative body and
3. asking them to, you know, do what they think they should with it.
4. And that bothers me. You know. When you say rules and regulations
5. to be set up by them, what does that mean?

6. PRESIDENT:

7. Senator Knuepfer.

8. SENATOR KNUEPFER:

9. Well, in response to Senator Partee, Senator, when this
10. bill was in committee and, subsequently, when it got on the floor,
11. and I think Senator Rock was involved in this debate, we discussed
12. exactly the same thing and the conclusion that we came to, be it
13. right or be it wrong, is that the legislative protection was in
14. the area of spelling out reversible dental procedures. Now, the
15. dentists tell me that that is pretty clear-cut to them. Just as
16. you lawyers have a jargon that is not clear-cut to some of us who
17. are non-lawyers, reversible dental procedure is a procedure which
18. obviously can be reversed. So if somebody does make a mistake,
19. it can be reversed and retracted. Now, the rules and regulations
20. will be promulgated, as I understand this, around the premise,
21. the legislative premise, of reversible dental procedures. I, as
22. a non-dentist, would hesitate very frankly to get into the problems
23. of spelling out just what an assistant is qualified to do and what
24. he is not qualified to do the same as I would hesitate to discuss
25. what a lawyer's field of expertise is or is not. The only thing
26. I can say, Senator, is I think the protections lie in the legis-
27. lative spelling out of reversible dental procedures and the Depart-
28. ment of Registration and Education will then only discuss...it
29. will then only promulgate regulations concerning those procedures
30. which they believe to be reversible and which are not reversible.

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. Well, all that's all right, Senator, but many's the time
2. that a bill comes to this Legislature which contains nomenclature
3. with which we as legislators are not familiar. Reversible den-
4. tistry is certainly something that none of us, off the top of our
5. head, would understand. I would assume by its language it means
6. what it says. But by the same token, there's some other rather
7. serious questions here and it occurs to me that, if the dental
8. profession really wants this kind of help, and they want this
9. kind of bill, they might prepare a bill setting forth those things
10. that would be set forth by the rules and regulations, bring it
11. here in a package, and we could on the basis of common sense
12. and life experience, make a judgment after they shall have
13. testified about it as to whether or not we feel that this is in
14. the best interest of people. We might want to ask a question
15. something like this: If an assistant performs a particular act
16. and if it is deleterious to the person involved, has that person
17. a suit. If he has a suit, is it against the dentist or against
18. the assistant? May they be both jointly joined in the complaint?
19. You see, there are just so many things, just myriad things,
20. and I won't bother to mention that are implicit and involved in
21. what relationship the people have to this new kind of assistant.
22. I know what the likes of a client or a patient is as respect to
23. dentists. I do not know what the likes of a patient will be in
24. respect to an assistant. I can't even tell or even speculate
25. what it might be until I have seen the rules and regulations.
26. Hence I think to leave the rules and regulations to the drawing
27. of a department of the State is a very bad and serious thing as far
28. as people are concerned.

29. PRESIDENT:

30. Senator Cherry, Senator Saperstein, and ladies and gentlemen
31. of the Senate, let's keep our remarks brief. We can't be spending
32. this much time on every bill. Senator Cherry.

33. SENATOR CHERRY:

1. Very brief, and to supplement Senator Partee's comments,
2. and objections to the bill, Senator Knuepfer in his definition
3. of reversible dentistry may be well known to him. But here we're
4. called upon to pass a bill which includes the right to engage
5. in reversible dentistry. I don't think there's any man here
6. unless he has some familiarity with dentistry would know what is
7. reversible dentistry. I've had much experience with dentists.
8. I've paid many bills. My wife and my family have been patients
9. of dentists. And they've gone through every gamut of having
10. work done on their teeth. And we talk about it a great deal.
11. But I believe that the term reversible dentistry is so vague
12. and indefinite in the context of this legislation that I couldn't
13. possibly support this bill. Another error in this bill, in my
14. opinion, is the vagueness of the term dental assistant. Who do
15. we want to give this power to? It says here as used in this
16. section, "Dental assistant means an individual employed in a
17. dental office and trained to assist the licensed dentist in the
18. rendering of professional treatment and service to the public."
19. It doesn't say how much training. It doesn't say whether they
20. needed to go to school. It doesn't say that they're licensed.
21. It doesn't say anything excepting that they're trained in a dental
22. office. What does that mean? What are they trained in . . . mix
23. cement? Are they trained in taking an x-ray? Are they trained
24. in what? In keeping the instruments clean? And again, it's so
25. vague and indefinite that I just don't think we should pass this
26. bill at this time. Senator Knuepfer, I think this bill requires
27. much more study than the words and paragraphs contained here that
28. you're asking us to pass now in this bill which is vital to the people
29. who are necessary to have medical dental treatment.

30. PRESIDENT:

31. Senator Knuepfer may close the debate...and I'm sorry, I'm
32. cutting off a few Senators here from debate because this is a bill
33. on postponed consideration. We've argued it before and I think we're

1. taking time that we're going to have devote to some other bills.

2. SENATOR KNUEPFER:

3. I'm not going to spend a long time on this. All I can say
4. is my children went to a, and still to go, to a Indiana ortho-
5. donist who uses this kind of a technique. He has . . . there are
6. eight girls, eight people in a chair, eight patients at one time,
7. and there are two orthodontists. The value of this is that ortho-
8. dontia today from this clinic now costs exactly the same as
9. orthodontia costs my family back in the 1930's. As far as the
10. licensing goes, these are a pair of professionals, someday we're
11. going to have to learn to accept them. I can't understand how
12. we can give it more study. We've studied this bill for over a
13. year now. If you don't believe in the concept, you don't believe
14. in the concept. I can suggest to you that the bill provides
15. very clearly that they will work under the responsibility, direction
16. and supervision of a licensed dentist. Responsibility is the key.
17. If you want to reduce or hold the line on medical expenses in this
18. area, you are going to have to adopt some kind of paraprofessional
19. training. Otherwise, you assume that there are only two kinds of
20. people...

21. PRESIDENT:

22. Senator will conclude his remarks.

23. SENATOR KNUEPFER:

24. ...that can work in this and that is a hygenist or a den-
25. tist. Vote it up or vote it down. I think it's a good bill.
26. If you don't vote for it this time I would suggest to you, you're
27. going to be supporting it in the future.

28. PRESIDENT:

29. Secretary will call the roll.

30. SECRETARY:

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

1. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
2. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neis-
3. tein, Newhouse, Nihill...

4. PRESIDENT:

5. Senator Nihill.

6. SENATOR NIHILL:

7. Explaining my vote will be no. This reminds me of an assembly
8. line making a Ford, a Cadillac, that one mechanic will tell the
9. other fellow what to do. If you're looking for a cheap job, you're
10. going to get one. This is a bad bill. I vote no.

11. SECRETARY:

12. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
13. Saperstein, Savickas, Smith...

14. PRESIDENT:

15. Senator Saperstein.

16. SENATOR SAPERSTEIN:

17. I want to very briefly explain my vote because I want Senator
18. Knuepfer to know that we accept the principle. However, we think
19. the bill is written too vaguely and I was going to speak in reference
20. to the rules and regulations also. I think if we come back next
21. time and be more specific about what we mean about rules and re-
22. gulations and eligibility and training, etc., we could support
23. this bill. I vote present.

24. SECRETARY:

25. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

26. PRESIDENT:

27. On that question, the yeas are 16. The nays are 4. One
28. present. The bill having failed to receive a constitutional
29. majority is declared defeated. Now, we have some messages.
30. Senator Dougherty, the House did not accept the conference committee
31. report on House Bill 1954. They request a second conference
32. committee. Do you move to accede to their request for a second
33. conference committee?

SENATOR DOUGHERTY:

1. Move.

2. PRESIDENT:

3. All in favor signify by saying aye. Contrary minded.
4. Motion prevails. Senator Baltz...is Senator Baltz here? Sen-
5. ator Baltz, the House has refused to recede from their amendment
6. on Senate bill 1369 and request a conference committee. Senator
7. Baltz moves that the Senate accedes to the House request. All
8. in favor signify by saying aye. Contrary minded. Motion prevails.
9. Senator Latherow...is Senator Latherow here? We'll get to that
10. shortly then. Is Senator Cherry...on Senate Bill 1484, the House
11. has refused to recede from their amendment and request a conference
12. committee. Senator Cherry moves that we accede to their request.
13. All in favor signify by saying aye. Contrary minded. Motion
14. prevails. We'll get to Senator Latherow's bill as soon as he
15. returns to the floor. We now will go to the first priority
16. bills. We're through with...oh, we do have a few bills that need
17. to be amended yet. We'll get to those. I don't see the two
18. sponsors on the floor right now. 2215, Senator Bruce has two
19. bills he wants to amend and...Senator Dougherty is there. Senator
20. Dougherty and McCarthy and Knuepfer, are you ready on that one?
21. All right, we'll hold off. Senator Bruce, are you ready on that
22. one? Senator Bruce.

23. SENATOR BRUCE:

24. Mr. President, I'd like to have House Bill 4689 called back to
25. the order of Second Reading for the purpose of an amendment.

26. PRESIDENT:

27. Can you explain the amendment briefly?

28. SENATOR BRUCE:

29. Yes, there are two amendments to be adopted...I've got to
30. get them in right order. Yes, amendment number 1 in the Senate
31. changes just two words. It changes "school board members" to
32. "public school educators"...I'm sorry, it changes "teachers" to
33. "public school educators" so that we can also include on the

1. commission educators in higher education schools. We changed
2. the word "school boards" to "educational governing boards" for
3. the same reason, so that members of the board of regency colleges
4. can also serve on the commission. The commission is the one to
5. create a bill for public school educators.

6. PRESIDENT:

7. This is amendment number one.

8. SENATOR BRUCE:

9. Amendment number one.

10. PRESIDENT:

11. Is there any discussion?

12. SENATOR BRUCE:

13. I move its adoption.

14. PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

17. Senator...Mr. President, Senator Bruce, the only thing that
18. you and I talked about it, there isn't a member of the general
19. public not somewhat intimately associated as an educator or
20. a member of a school board included on this commission, is there?

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Well, Senator Laughlin, as we discussed, there are six
25. public members...

26. PRESIDENT:

27. Just a second. The Chair is going to rule this is not germane
28. to the amendment here. Well, the Chair's going to rule it is not
29. because it's not...yea...is there further discussion of the amend-
30. ment? You're really discussion the bill. All in favor of the
31. adoption of amendment number one, indicate by saying aye. Contrary
32. minded. The amendment is adopted. Amendment number two is offered
33. by Senator Bruce. Can you explain that?

1. SENATOR BRUCE:

2. Yes, amendment number two allows two public members to be
3. appointed by tthe Superintendent of Public Instruction. That's
4. an agreement that has been worked out so that he is adequately
5. represented in the proceedings and changes to membership from
6. 13 to 15 on the commission.

7. PRESIDENT:

8. Is there any discussion of this amendment? All in favor
9. signify by saying aye. Contrary minded. The amendment is adopted.
10. It's returned to Third Reading. We will get to your bills after
11. some intervening business. Priority bills now. 2215, Senator
12. Berning and 3068, Senator Hynes. Senator Berning, are you ready
13. on 2215?

SENATOR BERNING:

15. Yes, Mr. President.

16. PRESIDENT:

17. 2215, Senator Berning.

18. SENATOR BERNING:

19. 2215 does just what is it says, provides Illinois Police Training
20. Act to insure required participation. The bill in its present
21. form makes only two substantive changes: requires that probationary
22. police officers must successfully complete their initial minimum basic
23. training at a police training school and then it removes the five
24. hundred dollar limitation on the state's share of the cost of
25. training police officers who do take the course. The rest of the
26. changes in the bill are purely technical in nature. The state's
27. share of the cost is limited to half of the total cost of the
28. training program whereas it used to be a mandatory fixed \$500
29. as the maximum. This present bill is in its original form...
30. pardon

31. PRESIDENT:

32. Are you through...

33. SENATOR BERNING:

1. Whereas in the past with a maximum payment of \$500, it meant
2. that participating municipalities frequently had to assume the
3. major share of the cost. Whereas by changing it now to one-half
4. of the cost, it would mean that using the average figure of
5. about \$1500 for training each trainee, the participating muni-
6. cipalities will receive \$750 rather than the 500. It has the
7. complete endorsement of the law officers...local government
8. law officers training board and the Illinois Police Training
9. Institute. I believe that there are no serious questions any-
10. more and I would appreciate a favorable roll call.

11. PRESIDENT:

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

13. SECRETARY:

14. Arrington, Baltz, Berning, Bidwill, Bruce, Carpenntier,
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, Neeistein, Newhouse, Nihill, O'Brien,
20. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
21. Savickas, Smith, Soper, Sours, Swinarsski, Vadalabene, Walker,
22. Weaver.

23. PRESIDENT:

24. Hall aye. Kusibab aye. Kosinski aye. On that question,
25. the yeas are 39. The nays are none. The bill having received
26. a constitutional majority is declared passed. 3068, the Secretary
27. will call the roll.

28. SECRETARY:

29. 3068? Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
30. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
31. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
32. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
33. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,

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

4. PRESIDENT:

5. Fawell aye. Ozinga aye. O'Brien aye. On that question,
6. the yeas are 35. The nays are none. The bill having received
7. a constitutional majority is declared passed. Senator Latherow,
8. you were off the floor when we received a House message on Senate
9. Bill 1439. They have refused to recede from their amendment;
10. they are requesting a Conference Committee. Senator Latherow
11. moves that the Senate accede to the House request for a Conference
12. Committee. All in favor signify by saying aye. Contrary minded.
13. Motion prevailss. 4163, Senator Clarke. The next bills to be
14. called now are 4163, Senator Clarke, 4185, Senator Knuepfer,
4508, Senator Latherow. 4163, Senator Clarke.

16. SENATOR CLARKE:

17. 4163 is the omnibus commission appropriation bill. It has
18. about 30 commission appropriations in it so I think we all are
19. interested in this bill and I'd appreciate a favorable roll call.

20. PRESIDENT:

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

22. SECRETARY:

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

31. PRESIDENT:

32. Sours aye. Merritt aye. Weaver aye. Carpentier aye. Rock
33. aye. On that question, the yeas are 39. The nays are none. The

1. bill having received a constitutional majority is declared passed.
2. 4...is Senator Knuepfer on the floor? 4185, Senator Knuepfer.
3. SENATOR KNUEPFER:

4. Senate Bill 4185 is the annual appropriation for the Office
5. of Planning and Analysis which is a part of the Executive office
6. of the Governor. The purpose of Senate bill 4185, and I can be
7. as brief or as lengthy as this body desires, I will try to be
8. very brief initially and if the questions indicate that a lengthier
9. reply is in order, I will try to do that. There are some eight
10. agencies within the State of Illinois that presently are engaged
11. in planning, some in conservation, some in health services, some
12. in public aid, and a variety of agencies. This governmental
13. office, the Office of Planning and Analysis, is an attempt by
14. the Governor to coordinate the various plans to provide uniform
15. base data, so that they are all working with the same base
16. information. Beyond that if you have any question I will be
17. happy to try and answer them.

18. PRESIDENT:

19. Is there any discussssion? Secretary will 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,
24. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
25. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,
26. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock...

27. PRESIDENT:

28. Senator Partee.

29. SENATOR PARTEE:

30. Just one question, Senator Knuepfer. This is the money that
31. came out of Local Government Affairs and now it's back in the
32. Governor's office, is that right? And I take it it does not in
33. any way jeopardize any federal monies which come as a result of

1. federal grants available?

2. PRESIDENT:

3. Senator Knuepfer.

4. SENATOR KNUEPFER:

5. There are two Federal dollars for every State dollar in this
6. bill. So for every dollar we've appropriated and this is some
7. hundred and ninety thousand, there will be two dollars of Federal money
8. to assist us in the same program.

9. SECRETARY:

10. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
11. Sours, Swinarski, Vadalabene, Walker, Weaver.

12. PRESIDENT:

13. O'Brien, aye. On that question, the yeas are 31. The
14. nays are none. The bill having received a constitutional majority
15. is declared passed. 4508, Senator Latherow. Yea, hold. All
16. right. Senator Egan has a motion. Circumstances somewhat unusual,
17. I would ask the attention of the body.

18. SENATOR EGAN:

19. Thank you, Mr. President, members of the Senate. Your
20. attention would be greatly appreciated. I'm not sure that everyone,
21. I know some of us know, that this morning the United States Supreme
22. Court struck down the death penalty. Now, to the best of my know-
23. ledge, they did it on the basis of the Eighth Amendment to the United
24. States Constitution which reads that excessive bail shall not be
25. required nor excessive fines imposed nor cruel and unusual punish-
26. ments inflicted. Their opinion states that the death penalty is
27. a cruel and unusual punishment and thereby unconstitutional. Now,
28. that places the current bail law in Illinois somewhat out of tune
29. with their decision. And I am going to ask your help in amending
30. the section of the Criminal Code on bailable offenses which refer
31. to the death penalty as a possible punishment. The law reads "All
32. persons shall be bailable before conviction except when death
33. is a possible punishment." There are only three categories of

1. criminal offenses where death is a possible punishment. Number
2. one, is murder. Number two is aggravated kidnapping. And number
3. three is treason. So what I am going to ask your support in
4. changing is the words "when death is a possible punishment" to
5. "murder, aggravated kidnapping and treason." We are not changing
6. the substance of the Act in one bit but we are changing the
7. wording so that the Supreme Court decision will not allow those
8. people who are currently in jail waiting trial for having been
9. charged with the crime of murder, I don't know of any for treason,
10. I don't know of any for aggravated kidnapping, but there are some
11. 500 throughout the State of Illinois that are waiting trial. In
12. order to do this I am asking leave to remove House Bill 4220 which
13. is a criminal bill sponsored by myself in the Senate from the
14. Judiciary Committee. House Bill 4220 has been read a second time.
15. I'm asking that it be removed from the committee and placed on
16. the order of Third Reading. Having done that, I would ask that it
17. be removed to Second Reading so that I can amend this section
18. which I have just read and then place it back on Third Reading,
19. pass it from the Senate, have the House concur in the amendment,
20. and the law will then be in proper shape. So, Mr. President, my motion
21. is to remove it from the committee and place it on the order of
22. Third Reading.

23. PRESIDENT:

24. Motion is to suspend the rules for the purpose of taking this
25. bill out of committee and place on Third Reading...discharge
26. committee. Senator Laughlin.

27. SENATOR LAUGHLIN:

28. I'm completely in sympathy and I've discussed this matter with
29. Senator Egan. I have a question to the parliamentarian as to
30. whether this is the right motion or not because I understood Senator
31. Egan to say that the bill had been read a second time. Now, how
32. does he get it out to Third Reading then. This is my problem and if
33. this is become a law I want it to become effective.

PRESIDENT:

1. The Constitution requires three readings as you know. It
2. has been read twice. Then the motion was to re=refer it to
3. committee. The motion is to suspend the rules and then we're free
4. to do almost anything so long as we comply with the Constitution.
5. Motion is to suspend the rules to bring the bill...to discharge
6. committee to bring the bill out to Third Reading. Then you will
7. bring it back to Second Reading for purpose of an amendment,
8. return it to Third Reading and if he gets 30 votes then pass it, and
9. it will be in compliance with the Constitution and with the rules
10. of the Senate. Is there any discussion? Senator Graham.

11. SENATOR GRAHAM:

12. I only have one short statement and I presume that Senator
13. Egan is doing what a good lawyer would do to put us in conformity to
14. the United States Constitution. I only have one statement to make
15. and I'm sure the Judges in Washington will . . .

16. SENATOR EGAN:

17. ...on everyone's desk. It does what I said. It deletes
18. the language "death" as a possible punishment and includes the
19. offenses of murder, aggravated kidnapping, and treason in the place...
20. in those words and I would ask that the amendment be adopted.

21. PRESIDENT:

22. Is there any discussion? All in favor of the adoption of
23. the amendment indicate by saying aye. Contrary minded. The
24. amendment is adopted. Now we will have to have intervening
25. business. We're checking this thing out to make sure it was also
26. read a second time so there's no question on it. 4622, Senator
27. Davidson. You wanna...hold that. 4667, on the Calendar is out
28. of place. It is just before 4682, Senator Graham's bill. It
29. should be up earlier. We are calling it in its proper numerical
30. order. 4667, Senator Graham.

31. SENATOR GRAHAM:

32. Mr. President, members of the Senate, 4310 is an important
33. companion adjunct to this bill. I would like to consider them

1. both at the same time if I might.

2. PRESIDENT:

3. 4310 on the same roll call?

4. SENATOR GRAHAM:

5. Yes.

6. PRESIDENT:

7. Is there objection? Leave is granted. We will vote on
8. 4310 and 4667 on the same roll call.

9. SENATOR GRAHAM:

10. Just briefly, Mr. President and members of the Senate.
11. These two bills are intended after a long survey to make possible
12. for the Northwest suburban area of Cook County to have a com-
13. plete Secretary of State's facility. This idea and program was
14. started under the late Secretary of State, Paul Powell, and it
15. takes a long time to accomplish it. The provisions are for
16. 5 million dollars, three hundred and...three million and some
17. which is reappropriated. Every suburban Legislator, Cook and
18. Lake County, are proponents and sponsors of this legislation,
19. and I would ask for a favorable roll call. There is one facility
20. in Southern Cook County, two in the City of Chicago and none in
21. the Northwestern area of Cook County and they have a great area
22. population. I ask for a favorable roll call.

23. PRESIDENT:

24. Is...Senator Bruce.

25. SENATOR BRUCE:

26. Well, Senator Graham, aren't we doing this work out of the
27. Motor Fuel Tax Fund rather than out of General Revenue or the
28. Capital Bond Development Act?

29. PRESIDENT:

30. Senator Graham.

31. SENATOR GRAHAM:

32. These facilities, so I'm informed, cannot and have not ever
33. been constructed out of the Bond issue or any Bond Revenue Act.

1. They have been a part of and have been constructed continually
2. out of the road fund. We continue to use the same program
3. we have for years.

4. PRESIDENT:

5. Is there further discussion? The Secretary will call the
6. roll. Roll call is on both bills. 4310 and 4667.

7. SECRETARY:

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

17. PRESIDENT:

18. Horsley, aye. Mohr, aye. On that question on those two
19. bills, the yeas are 39, the nays are none. House Bills 4310
20. and 4667 are declared passed. Senator Egan, what is the
21. number of your bill again?

22. SENATOR EGAN:

23. 4220.

24. PRESIDENT:

25. 4220. Senator Egan is recognized.

26. SENATOR EGAN:

27. Thank you, Mr. President, and members of the Senate. The
28. discussion, I am sure, has enlightened everyone hopefully. If
29. not, I'd answer any questions and ask for a favorable roll call.

30. PRESIDENT:

31. Is there any discussion? Senator Sours.

32. SENATOR SOURS:

33. Senator Egan, I believe that case you are discussing applies

1. just to two different offenses and none other. Isn't
2. that correct?

3. PRESIDENT:

4. Senator Egan.

5. SENATOR EGAN:

6. It applies to the death penalty. The death penalty has
7. been abolished. In Illinois there are only three offenses which
8. are punishable by death. There are three, Senator: murder,
9. aggravated kidnapping and treason.

10. PRESIDENT:

11. Senator Sours.

12. SENATOR SOURS:

13. But the case you mentioned in the Supreme Court hits
14. squarely on only two offenses and whatever else remains would
15. be at best dicta. Do you agree?

16. PRESIDENT:

17. Senator Egan.

18. SENATOR EGAN:

19. Well, I haven't read the opinion, Senator Sours, but I am
20. told that it is all encompassing.

21. PRESIDENT:

22. Senator Sours.

23. SENATOR SOURS:

24. I have been informed that it isn't. I have been informed
25. that it applies to the two cases that were considered. I believe
26. they were consolidated into one case and I believe that the offense
27. was murder and rape and for no other offense.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Yes, Mr. President, I've been working with Senator Egan all
32. morning on this problem. I want to make perfectly clear that this
33. amendment does not in any way, shape or form attempt to reinstitute the

1. death penalty. It's concerned only with the code of criminal
2. procedure and only with the bail section of that code of
3. criminal procedure. The only thing we're trying to do is
4. that it said that if the punishment possibly is death, then
5. you are not bailable. Now there is no possibility of the death
6. penalty apparently, but we still do not want to allow these
7. people out on bail.

8. PRESIDENT:

9. Senator Laughlin.

10. SENATOR LAUGHLIN:

11. Yes, I concur with Senator Rock. We're talking here now
12. about bail and bail alone, and when we substitute the situation
13. where the offense charged is murder, aggravated kidnapping or
14. treason instead of the words death as a possible punishment for
15. the offense, we're simply maintaining the restriction in the
16. bail...bailable...bailability of the offense under the statute.
17. That's all it does.

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. I think everything that everybody else has said is correct. Except
22. I think one thing else ought to be said and that is this: Even if
23. a person is charged with murder, he is still bailable under certain
24. circumstances where the proof is not evident nor the presumption
25. great and when he files an affidavit and prepares...presents evidence
26. on that question, he is still bailable. Except for that procedure,
27. he would not be.

28. PRESIDENT:

29. Senator Egan may close the debate.

30. SENATOR EGAN:

31. Yes, and I want to add to that, Senator Partee, that this
32. amendment does not change that.

33. PRESIDENT:

1. The Secretary will call the roll.

2. SECRETARY:

3. Arrington, Baltz, Berning...

4. PRESIDENT:

5. Senator Berning.

6. SENATOR BERNING:

7. Yes, thank you, Mr. President. Apparently there is little
8. we can do but concur in this, but I must say to you, Mr.
9. President and members of this Body; that it's with a heavy
10. heart that I would have to concur, not because I would take
11. any joy or have any relish in the taking of a human life even
12. though that is or was the possession of a despicable character,
13. but here again is an example of the high handed attitude of the
14. Supreme Court in usurping the authority of the State of Illinois.
15. Our citizens, when they adopted the new Constitution, reaffirmed
16. the death penalty and I subscribe to that because I conscientiously
17. feel that the death penalty on the books is somewhat of a deterrent
18. to those criminals who so lightly regard the lives of our fellow
19. citizens: yes, your neighbor, your son, your daughter, your wife,
20. you yourself. It would seem to me that the Supreme Court has
21. again acted contrary to the best interests of the average citizen
22. and now will guarantee that the average citizen will almost
23. certainly have to arm himself. Reluctantly, I vote aye.

24. SECRETARY:

25. ...Bidwill, Bruce, Carpentier, Carroll...

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Carpentier.

28. SENATOR CARPENTIER:

29. Well Mr. President and members of the Senate, it wasn't
30. too many years ago with...we had a fellow on death row and he
31. decided because he read the bible he got religion so his sentence
32. was commuted and he was put back amongst the regular inmates at
33. Joliet. I think it was all of about three months after that he

1. turned around and stabbed and killed another inmate; so I didn't
2. see where all these great cries of human mistreatment because we
3. put these animals, and that's exactly what they are when they
4. take somebody else's life away...I think this is a sad day for
5. the United States and it's an awful sad day for the poor person
6. on the street because everybody's going to...they can take pot
7. shots at anybody from now on. I don't want any part of any
8. of this whether it's legal, illegal or otherwise. I'm going
9. to vote present on this.

10. SECRETARY:

11. ...Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
12. Donnewald, Dougherty, Egan, Fawell...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Egan.

15. SENATOR EGAN:

16. Mr. President and members of the Senate, particularly Senator
17. Carpentier. This bill in no way condones what the Supreme Court
18. has done. What this bill does, Senator Carpentier, is will dis-
19. allow those 500 persons in Illinois charged with murder from being
20. bailed before they are convicted so I would ask your support to
21. keep them in jail until they are convicted. That's what this bill
22. does. It does not condone anything that the Supreme Court has
23. done.

24. SECRETARY:

25. Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes...

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Hynes.

28. SENATOR HYNES:

29. Mr. President and members of the Senate. This amendment
30. simply attempts to keep the law with respect to bail in exactly
31. the position it was in prior to that Supreme Court decision; so that
32. there is the right to make certain limited categories of offenses
33. nonbailable: aggravated kidnapping, murder and treason. There still

1. is a right as pointed out, if a proper showing is made, to obtain
2. bail even in those cases; but unless this amendment is adopted, bail
3. will be granted automatically in every case regardless of the gravity
4. of the circumstances which is not, in my judgment, a desirable
5. situation. I, therefore, vote aye.

6. SECRETARY:

7. ...Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
8. Laughlin...

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Laughlin.

11. SENATOR LAUGHLIN:

12. Well yes, as someone who has consistently voted during the
13. time I've been down here against the abolition of the death
14. penalty and who still feels that way, this nonetheless has
15. nothing to do with my position in that regard, and I think it's
16. wise that we adopt this law. Aye.

17. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Carpentier. Carpentier aye. Senator Mitchler.

24. SENATOR MITCHLER:

25. Aye.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Aye. Latherow aye. On that question the yeas are 43, the
28. nays are none. This bill having received a constitutional
29. majority is declared passed. House Bill...Is Senator Bruce on
30. the Floor? Yes, Senator Johns. Senator Bruce. Senator Bruce,
31. 4688.

32. SENATOR BRUCE:

33. Yes, Mr. President, if we could take 4889 first since the bills

1. evidently got confused. That creates the Commission, and 88 is
2. the appropriation. Perhaps if we discuss the bill, the Commission
3. first, then the appropriation.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. 4869.

6. SENATOR BRUCE:

7. 4689.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. 4689, I'm sorry.

10. SENATOR BRUCE:

11. House Bill 4689 creates a new commission to study and produce
12. a collective bargaining bill for public school educators. I
13. think the President will remember the some twelve months of
14. hearings that we have had as a special subcommittee on public
15. employee collective bargaining. I chaired that committee. Senator
16. Mitchler also sits with us as does Senator Harris. We have spent
17. many hours trying to draft a public employee collective bargaining
18. bill. In my own estimation, it is impossible to get all the five
19. groups who are interested in that bill to accept one measure: the
20. nurses, the teachers, the state employees, the higher education
21. people and policemen and firemen. Those five groups cannot be put
22. under the jurisdiction of one bill. The House went through the
23. same problems we have had with Senate Bill 1112 and House Bill 1 and
24. they have concluded and, I believe at this point, wisely although
25. reluctantly I agree to that, that we must now begin to approach the
26. problem from one sector at a time: the nurses, the public employees,
27. the teachers, higher education and police and fire; so this com-
28. mission is created to study and produce a bill to that effect which
29. will relate only to public school educators. Now the bill was
30. amended today to include more input from the O.S.P.I. and that is
31. that the Superintendent can now appoint two of the public members
32. In addition, the bill was amended to insure that higher education
33. would be included in this new commission study. That is, public.

1. members could be professors and public members could be members
2. of governing boards of universities. I believe that was a wise
3. choice since both junior colleges and our senior institutions
4. are in need of some type of bill that will regulate collective
5. bargaining. I'm hopeful that this committee will be created;
6. that they can bring back a report and it will serve more as a
7. vehicle to get the various groups together in one place to sit
8. down and draft a bill that they can all live with. I am...this
9. is the first commission that I have ever sponsored to create and
10. I would say that a fifteen thousand dollar appropriation will be
11. coming along in 4688. I am quite sure that that appropriation is
12. at least three times what we require, but if I felt that we could
13. do with this...without a commission, I would do so. Unfortunately,
14. it seems to me that there need to be some official action by this
15. Body to create a commission to go through that genesis of appointing
16. and making some sort of official action so that the people involved
17. know that this legislative body is serious about creating a new
18. bill that will relate only to public school educators. I would
19. hope for a favorable vote.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Groen.

22. SENATOR GROEN:

23. Mr. President and members. Senator Bruce, you are taking
24. me back six years with this bill because as I recall, it was just
25. six years ago that for the Illinois Education Association, I handled,
26. as the principal sponsor here in the Senate, their what was called
27. a professional negotiators...professional educators negotiations
28. bill. That dealt only with educators, school teachers and so on,
29. and it was the overwhelming sense of the Body that educators should
30. not be treated separately; that any solution to the public employee
31. problem had to embrace all persons in the public sector or sector
32. and not just one separate bill for educators, another for one segment
33. of public employees and so on down the line. As a result of which,

1. that bill failed. There was another bill in at that time that
2. did embrace all public employees and we have had similar bills
3. ever since. None of them have ever been successful in passing
4. both Houses and being signed by the Governor. I don't know
5. what success your Commission is going to have, but I can refer
6. you to that bill. I can furnish you with a copy. In my judgment
7. it was still a pretty good bill and may well have served to avoid
8. some of the problems that have plagued us ever since. But
9. I . . . I'm just skeptical as to how much this Commission can
10. accomplish. In view of the thinking of what I think still
11. represents the overwhelming thinking of the majority of the
12. members of this body, that you cannot segregate these into
13. special classes and have a separate act covering prof . . . or
14. covering negotiations for different classes or different segments
15. in the field of public employees.

16. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Sours.

18. SENATOR SOURS:

19. I feel pretty much the same way, but not entirely. At the
20. present time we have a Labor Laws Commission and I presume if the
21. professoriate desires to become democratic and become unionized
22. that we could put that classification of employment into labor
23. laws. If the professors want to be unionized, if they want
24. bargaining agencies, then I think appropriately their problems
25. would be put in the Labor Laws Commission. Now this Labor
26. Laws Commission has been functioning and it has been studying
27. collective bargaining. I believe it would cover teachers and
28. college professors as well as bricklayers and plumbers and
29. steamfitters. The Labor Laws Commission in this State has
30. made legislative proposals to this end and is continuing the
31. studies. One such commission is enough expenditure of time,
32. money and talent. Now what happens if this bill passes. It
33. will entitle every other segment of the employment spectrum to

1. have a special little commission to study collective bargaining
2. legislation for their own little desires. Now this is a very
3. bad precedent and I urge the members on this side to vote
4. against it.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Laughlin.

7. SENATOR LAUGHLIN:

8. Mr. President and members, I'm compelled to vote against
9. this bill. I don't like the way it's made up, as well as the
10. other reasons that have been given by Senator Sours and Groen.
11. I think this will be a self-serving commission. I think if we
12. took public members and at least part of the commission members
13. had no connection with the school board and weren't teachers,
14. we might get a better mix. What I'm afraid is, that this is
15. going to sit down, be a cozy group, they're going to come out
16. with something and then it will have sort of an aura of
17. respectability with it. And when it comes, everybody just says
18. yes, that's a good commission and they're all involved in this
19. work and therefore we approve it. I for one, if I were going
20. to be here again, would not necessarily vote that way, but
21. I . . . I've seen it happen before.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Is there any further discussion? Senator Bruce may close
24. the debate.

25. SENATOR BRUCE:

26. Just briefly in response to Senator Sours. Senator Sours,
27. the Labor Laws Commission has spent a great deal of their time
28. in drafting a bill that relates to all public employees. And
29. that is the bill over which I have chaired a subcommittee for
30. more than a year. And I have concluded through those meetings
31. that there is absolutely no way that you are going to get all
32. five interested groups in the State of Illinois to agree to
33. one bill. Now that's my determination after . . . and I think

1. Senator Mitchler may agree. And having gone to those 8:30
2. meetings many, many mornings here before we went into Session,
3. you just can't get them to agree. Now I think that it's time
4. to try another approach. Now if this is somehow going to be
5. official action, fine. I think that perhaps we ought to have
6. some official action in education. I read an article yesterday
7. in the paper in which it said, less than I believe 10% of the
8. school districts in the State of Illinois have settled on
9. contracts for next year. We are going to have teacher strikes
10. whether or not this Legislature acts. I think it's more
11. reasonable that we act. Lock both sides into some sort of
12. reasonable collective bargaining procedure, so that they can
13. resolve conflict and keep teachers from striking and board
14. members from being voted out of office. I think it's a much
15. more reasonable way to handle conflict resolution.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. For what purpose does Senator Gilbert arise?

18. SENATOR GILBERT:

19. Well, I was going to ask if the Commission that you chair
20. Senator, could not have made a recommendation or could make a
21. recommendation from the information that they have obtained
22. for a separate type bill for the teachers or educators, if
23. that's what you feel is needed. Rather just because it's a
24. Commission and it makes an overall study, doesn't necessarily
25. mean, I don't believe, that they have to come in with one bill
26. to encompass all of the things they have studied. And I just
27. wonder if you have not gained enough information from your
28. study that you could recommend a separate bill. Now I have
29. to . . . at one time, and I don't remember what year it was,
30. handled a bill that came from the House here, which was a
31. separate bill for the teachers alone. I think it's about the
32. same time Senator Groen is talking about a bill that encompassed
33. everyone. And at that time I favored a bill separate for the

1. a . . . an edu . . . a professional negotiation bill for the
2. educators. I think that there is adequate information available
3. and particularly in the light of your Commission, that you could
4. have come in or could from what you have at the next Session,
5. come in with a recommendation for a separate bill for the, a,
6. professional negotiation for educators.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. The Secretary will call the roll. Are we going to take
9. both bills on one roll call? 4 . . . 4689. The Secretary will
10. call the roll.

11. SECRETARY:

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

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. In explaining my vote, I discussed this with Senator Bruce.
22. Now, Senator, I know the work, and you're to be commended for your
23. efforts on that special subcommittee in our Labor and Commerce
24. Committee. But the fact that we have a Labor Laws Commission,
25. that is primarily delegated the authority to investigate these
26. problems, I can see, as Senator Laughlin pointed out, that
27. this would become a so-called blue ribbon type of study
28. commission and the report that they would give back would sort
29. of be of a mandate type, sort of like someone investigating
30. salaries for State Officers, reporting back. They sort of have
31. a blue ribbon type of effect upon those and it would be sort
32. of an scapegoat for some to vote for it. They'd say, well it
33. was a recommendation of this Committee and it was made up of

1. public and legislators, representatives from both the
2. education and the school board, and for that I would fear. I
3. think that we have volumes of material and I think it should
4. be a recommendation of the Labor Laws Commission, as to
5. whether or not we want a separate . . . type of negotiable
6. instrument for educators. And I think that we would be getting
7. into something. We wouldn't solve anything for next Fall by
8. this Commission and it might be better to . . . if we were
9. going to get into this, hold it off until next year. And I'm
10. going to have to vote no.

11. SECRETARY:

12. Mohr . . .

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Mohr.

15. SENATOR MOHR:

16. Mr. President, I'll be very brief. But I just want to
17. point out to members of the other side of the aisle, that this
18. is a Commission Bill, and you know how Senator Partee feels
19. about Commissions. I think that in view of the fact that it's
20. doing the work of other Commissions, it's all the more reason
21. that you shouldn't support it. Now I'm going to be watching, and
22. maybe I'll even get a copy of this roll call. I vote no.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. For what purpose does Senator Merritt arise?

25. SENATOR MERRITT:

26. I believe they just passed over my name. May I explain my
27. vote at this time?

28. PRESIDING OFFICER: (SENATOR ROCK)

29. You certainly may, Senator.

30. SENATOR MERRITT:

31. Just very briefly, it looks like to me if we're going to
32. start to single out special interest groups, create commissions
33. especially just study their given problem, we're gonna have

1. firemen, policemen, everybody else in with special commissions.
2. I'm not against the concept certainly of having good study. I
3. hope the Labor Laws Commission continue to do so. On that
4. basis I vote no.

5. SECRETARY: (MR. FERNANDES)

6. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
7. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
8. Sours . . .

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. Mr. President, just a sentence or two about this. Every
13. bill similar to the subject matter of the proposed commission
14. that's ever come into this Chamber has always had one ingredient
15. in it which makes it impossible to pass it so far as most of
16. us are concerned, and that is this. The employee wants to
17. determine policy, whether he be a school teacher, a college
18. professor or a craft union person. It is that ingredient in
19. these bills that makes it impossible for some of us to support
20. them. I recall one where it would give a bargaining agency
21. the right to determine corporate policy. May I say, I don't
22. have to own one share of stock in U. S. Steel to control it
23. absolutely if I have the power to determine policy. That's
24. what's wrong with what would be the product of this Commission
25. and in the other way, its been mentioned. There's a Labor
26. Laws Commission already. I don't think that's at all germane to
27. a college professor who is not a Democrat. He is an aristocrat
28. by definition. And why he wants a union, why he wants anybody
29. pawing over his contracts, I'll never understand. I vote no.

30. SECRETARY: (MR. FERNANDES)

31. Swinarski, Vadalabene, Walker, Weaver.

32. PRESIDENT:

33. Senator Gilbert.

1. SENATOR GILBERT:

2. I'd like to ask the Lieutenant Governor if there is any
3. conflict of interest, any ruling he might have to make on
4. this bill.

5. PRESIDENT:

6. Whether I'm an aristocrat or a democrat after I become a
7. professor...request for a call of the absentees. The absentees
8. will be called.

9. ASSISTANT SECRETARY: (MR. FERNANDES)

10. Arrington, Baltz, Berning, Bidwill, Bruce, Carroll, Chew,
11. Course, Groen, Harris, Lyons, Neistein, Newhouse, O'Brien,
12. Ozinga, Romano, Rosander, Savickas, Smith, Soper, Walker, Weaver.

13. PRESIDENT:

14. Postponed consideration. All in favor signify by saying aye.
15. Contrary minded. The motion prevails. The next...Senator Horsley
16. is recognized for purposes of making a motion.

17. SENATOR HORSLEY:

18. Mr. President, we have before us House Bill 40...4102, I believe.

19. PRESIDENT:

20. 4102.

21. SENATOR HORSLEY:

22. 4102. We had two amendments to that bill which were adopted
23. in the Senate. The first amendment is the one that takes the
24. Medipac program and puts...takes it out of the Public Health
25. bill. There is a conference committee working now on the matter
26. of whether or not it would be left in Public Aid or go to Public
27. Health, but because of the lateness of the hour, I think maybe we'd
28. better get a conference committee working on this; but I'm going
29. to try first to move that the Senate recede from Amendments 1 and 2
30. which were adopted in the Senate and which the House refused to
31. concur in. That will mean that the Medichek will then be in...
32. probably in both bills. I don't know what the conference com-
33. mittee is going to do because the House took it out of the Public

1. Aid bill, but if they should put it in both bills, it would
2. be up to the Governor then to decide which bill he would
3. leave it in and he could veto it out of one or the other, but
4. because of the lateness of the hour, I would now move that the
5. House recede from Amendments No. 1 and 2. I don't know why
6. they didn't take 2. It's just merely a clarifying and cleaning
7. up language; but in order to clean the issue up, I might add that
8. what I'm saying would have nothing to do with the million seven
9. that was added for local governments. That would be left in
10. the bill and a million five added for the Municipal Tuberculosis
11. Sanitarium would be left in the bill and this would not affect
12. that; but it would put the sixty-four thousand dollars back that
13. is much needed by the Department for the environmental program
14. and then, of course, the Medichek matter would be lapsed. So,
15. that in effect would be the substance of what we're talking about,
and I would now move that the Senate recede from Amendments 1 and 2.

17. PRESIDENT:

18. The motion is that the Senate recede from Amendments 1 and 2.
19. Senator...Senator Bruce.

20. SENATOR BRUCE:

21. Yes. Well, Senator Horsley you made very good sense about
22. an hour and one-half ago when you said that since Public Aid is
23. now in the process of negotiation and from my tentative under-
24. standing, we have reached an agreement on the Public Aid budget.
25. You could save this Body a great deal of time if you would with-
26. draw your motion until such time as we know what happens to
27. Public Aid. If they do the Medichek system and leave it in
28. Public Aid, you have saved us a very long and tedious conference
29. committee and we are going to be here at least another two to
30. three hours. If the hour starts to wane, I'm sure that we would
31. be glad to have yet another conference committee, but we've got
32. them all over the building. I would hate to try to attend one
33. more, and if you can withdraw your motion, I'm sure within two to

1. three hours we can have the entire Public Aid, Public Health
2. budgets resolved.

3. PRESIDENT:

4. Senator Horsley.

5. SENATOR HORSLEY:

6. Are you taking bets on that two to three hours? I'd like
7. to get in a pool on the time if you've got one going.

8. PRESIDENT:

9. Right now the question is not the pool, but with the motion.
10. Do you want to temporarily withdraw that, Senator?

11. SENATOR HORSLEY:

12. I'll withdraw it temporarily, for at least an hour or so.

13. PRESIDENT:

14. All right. We will now proceed to the second priority bills
15. that are marked on the Calendar here. 2882. Is that...Is anyone
16. handling that for Senator Harris? Senator McCarthy, are you
17. handling 2882 for Senator Harris? All right. 3077, Senator Hynes.
18. Is Senator Hynes on the floor? 3080, Senator Davidson. Hold.
19. Is Senator Savickas on the floor? Okay, on the next column. 4155.
20. Is Senator Graham on the floor? Will...he'll be back very shortly.
21. We'll get back to that one then shortly. 4179. Is someone handling
22. that for Senator Harris? No. All right. Senator Clarke.

23. SENATOR CLARKE:

24. We're getting down...down the list of that page, but I just
25. wanted to ask out of deference to an old colleague of ours in arms
26. if we could take up 4510. I just talked with Senator Rock and
27. he said he's perfectly willing to go ahead with that.

28. PRESIDENT:

29. 4510. Senator Rock.

30. SENATOR ROCK:

31. Yes, Mr. President and members of the Senate. You recall
32. this bill came over from the House. It was sponsored by Represent-
33. tative McDevitt. It was picked up by Senator Walker and Senator

1. Horsley. They've asked me to handle it because I handled
2. a former Court of Claims legislation. This is an amendment
3. to the Court of Claims Act and while the Calendar says it
4. merely contains a salary increase, it does other and much more
5. significant things than a salary increase. This bill was put
6. in at the request of the Court and the Attorney General of
7. this State. It makes one, two, three substantive changes
8. in addition to the salary increase. I...we might as well
9. face the salary increase first because I'm sure that's where the
10. bulk of the problems, if any, is going to come from. It amends
11. the Section 4 of this Act and says: "Each judge shall receive
12. a salary of \$16,000 per annum." They are presently receiving
13. nine. There are three judges. Now, it seems to me that although
14. we have in fact deferred action on other judicial salary increases
15. with the sole exception of the magistrate associate judge increase.
16. But this is a matter of paramount concern, should be considered
17. by us at this point. We have by a policy decision of this House
18. and the House of Representatives decided that we will defer the
19. question of judicial salaries. Those judges are elected. These
20. judges are appointed. They work for the legislature. They come
21. in with recommendations for awards to be made by appropriation
22.
23. figures, but just to give you an idea of what this Court does...
24. their work has increased tremendously. I'll just point out two
25. other things: There's an amendment to the section concerning
26. wrongful imprisonment which says that before a prisoner who is
27. now released, whether it be on some technicality or whether, in
28. fact, found innocent, before he can come to the Court of Claims,
29. he shall receive a pardon from the Governor. This is currently
30. in the Court of Claims statute in New York. It's something that
31. I have personally advocated ever since I was prosecuting these
32. cases for the State of Illinois some seven or eight years ago.
33. In addition to that, Senator Horsley, I know, is interested in this;

1. that the upper limit of the tort liability is increased from
2. \$25,000 to \$100,000. Currently, I think the State has the
3. only maximum limit left on the statute books. If one were to
4. sue a municipality, for instance, one can sue for any amount.
5. The way the statute reads now, you can sue and receive only
6. up to \$25,000, which in my judgment is patently not enough or
7. unconstitutional at the worst. We have raised...in order to
8. defer that question, we have raised the maximum amount to
9. \$100,000. I think we should consider this bill. It's vastly,
10. vastly important to the Court of Claims and to the Attorney
11. General of this State. I would ask for a favorable roll call.
12. PRESIDENT:

13. Is there any discussions? Senator Horsley.

14. SENATOR HORSLEY:

15. I would merely reiterate what Senator Rock has said and I would
16. add that there are now over 700 cases pending before this Court
17. and they now have claims pending for more than one billion dollars;
18. and in every one of these cases they have to study and write a
19. separate opinion and the time that it is taking to handle the
20. additional burdens that we have been put upon the Court is making
21. this practically a full time job. Now I think they're greatly in
22. need of this raise that this bill will provide and I think Senator
23. Rock stated correctly that probably even the hundred thousand is
24. unconstitutional. I don't think we have a right to place a limit
25. on it that will stand up because the U.S. Supreme Court has just
26. affirmed judgments totalling more than a half a million dollars
27. out of the fairgrounds accident which happened in 1968 when the
28. grandstand fell and one claim was \$480,000 and was against the
29. federal government and the Supreme Court reversed it and held that
30. the State of Illinois had to pay. So, I would urge this side of
31. the aisle to vote for this raise and to vote for this change because
32. of the tremendous workload and the number of contractors that are
33. now having to go before the Court of Claims to get their claims

1. allowed in addition to all the prisoner's cases that they're
2. handling. It's just simply more than...there's only three judges
3. involved.

4. PRESIDENT:

5. The Secretary will call the roll.

6. SECRETARY:

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

15. PRESIDENT:

16. Baltz aye. Neistein aye, Newhouse aye. Hall aye. Senator
17. Knuppel. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Since I consider the Court of Claims entirely unnecessary, please
20. record me as voting no.

21. PRESIDENT:

22. Hynes aye. Senator Sours.

23. SENATOR SOURS:

24. I'd like to remind Senator Knuppel that the City of Gettysburg
25. still has an ordinance that prohibits the discharge of firearms
26. in the corporate limits of the city.

27. PRESIDENT:

28. On that question the...on that question the yeas are 43,
29. the nays are 1. The bill having received a constitutional majority
30. is declared passed. Senator Rock.

31. SENATOR ROCK:

32. Just as a point of personal privilege, I had intended to
33. make this announcement before Senators Bidwill and Carpentier

1. walked off the floor. I want to point out and thank personally
2. on behalf of the boys baseball of Springfield, all the members
3. of the House and the Senate, especially Senators Carpentier and
4. Bidwill, who made the annual softball game such a tremendous
5. event and I want the membership to know that we have netted by
6. that ballgame \$1,043 for the boys baseball of Springfield, and I
7. want to thank you all. Next year the Senate will win.

8. PRESIDENT:

9. There's no direct connection between that announcement and
10. the Court of Claims bill, is there Senator? Senator Graham, you
11. were off the floor a few moments ago. 4155. Senator Graham.

12. SENATOR GRAHAM:

13. I think that I have to check with my lawyer, Senator
14. Dougherty. He had some objections to this bill the other day.
15. Can't we just...

16. PRESIDENT:

17. We'll hold it. Senator Chew. 4544.

18. SENATOR CHEW:

19. Thank you, Mr. President. I want to point out that this bill
20. amends the vehicle code and it reduces the age from 21 to 18 where
21. an individual is able to obtain a driver's instruction permit or
22. driver's license without parental consent. That's all it does. It
23. came out of the House 100% and I would appreciate a favorable vote
24. here, and I'm available for questions if there are any.

25. PRESIDENT:

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

27. SECRETARY:

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

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

3. PRESIDENT:

4. Knuppel aye. Senator Fawell. Merritt aye. Fawell aye.
5. Senator Fawell.

6. SENATOR FAWELL:

7. I have not voted, but I would like to ask Senator Chew...
8. Senator Chew, does the Secretary of State's office support this
9. bill?

10. PRESIDENT:

11. Senator Chew.

12. SENATOR CHEW:

13. Senator Fawell, the Governor and the Secretary of State's
14. office are in accord with it and they do support it.

15. PRESIDENT:

16. On that question the yeas are 33, the nays are none. The bill
17. having received a constitutional majority is declared passed. Now,
18. we're going to go back and pick up the bills that are not...Senator
19. Chew moves to reconsider. Senator Course moves to table. All in
20. favor of the motion to table signify by saying aye. Contrary minded.
21. The motion to table prevails. We're going to go down the list now
22. and take the bills that are not on...that have not been taken
23. yet. 1339. Senator Fawell. 1339. Want to call that at this
24. time, Senator Fawell? Why don't we get back to you very shortly
25. here then. 2528, Senator Kusibab. Hold. 2648. Is someone
26. handling...is someone handling that for Senator Harris? 2648.
27. Is Senator Knuepfer on the floor? I think he was...2708. Hold.
28. Senator Hynes, 3077. Do you wish to call that? Is Senator Mohr on
29. the floor? Or...excuse me, Senator Groen. Do you wish the floor?

30. SENATOR GROEN:

31. Mr. President, I just wanted to make a suggestion actually.
32. It would be in order. You're trying desperately to find people
33. to call bills.

1. PRESIDENT:

2. That's not the case yet.

3. SENATOR GROEN:

4. Well, there are...bill after bill after bill. They either
5. aren't on the floor or they are not calling the bills and passing
6. them. I wonder if we might not just adopt an approach where if
7. someone wants to call a bill, let them notify the Chair that they
8. want the bill called and we might avoid considering some bad bills
9. still on this Calendar.

10. PRESIDENT:

11. Well, let's go through the whole list once and then we will,
12. I think, follow the procedure you are suggesting. Senator Fawell,
13. are you ready now on your bill? 1339. Senator Fawell.

14. SENATOR FAWELL:

15. Mr. President and members of the Senate. House Bill 1339 is
16. Representative Burditt's bill and it creates what is referred to
17. as the Illinois Freedom of Information Act. This bill is based
18. on the federal Freedom of Information Act and requires disclosure
19. of public records with a number of exemptions which are spelled
20. out in Section 4 of the Act. Basically the bill refers to all
21. state and local agencies, local public entities are included
22. within the definition of the public entities or local agencies
23. which they are referred to in the bill as coming within the
24. purview of the bill. So, basically, it's simply a bill that
25. makes it clear that any member of the public by paying a reason-
26. able fee is able to be assured that he can have a copy of public
27. records. That is what the bill does and I would appreciate the
28. support of the Senate. I do not know at this time of any
29. opposition. Now, if somebody would want more detailed explanation,
30. I would be more than glad to give it, but the...it simply is a
31. disclosure of state and local public records. It's a very
32. broad definition of what those public records are and in Section
33. 4...if you'll refer to Section 4 on page 2 and page 3

1. and going over to page 4, there are a number of exceptions
2. which are set forth. In other words, memoranda and notes for
3. instance, taken which are not formal public records would be
4. exempt and matters which would divulge professional information
5. which can not and should not be divulged. But otherwise, the
6. ordinary records, business records, which are maintained by
7. state and local governmental entities, is clearly set forth
8. as being part of the records which anybody who would want to
9. apply for a copy thereof, could obtain a copy. There is a
10. clause, however, that sets forth that he must pay a reasonable
11. fee to cover the cost of the reproduction of these public
12. records.

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. I don't want to hold this up, Senator, but I did have
17. some notes here on this subject which indicated to me that there
18. were probably too many exceptions. If you just hold it a
19. moment I think maybe we could work it out, I don't want to
20. spend a lot of time or spin my wheels. Could we just hold it
21. a minute until I find this thing? Okay.

22. PRESIDENT:

23. He indicates that is satisfactory. Senator Laughlin you
24. want to . . . Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Yes, Mr. President and members, this bill was introduced
27. in March, 1971. And it's been a long time a brewing. And to
28. me it could be significant. Some years ago, Senator Sours had
29. a bill and the question was whether or not separate records of
30. any kind had to kept by public officials so that they could
31. be readily made available. And frankly I haven't had time to
32. look at this but I wondered if that was so? Well, if he's going
33. to call it again, we can ask it now. If he's not going to call

1. then I . . . I'll wait.

2. PRESIDENT:

3. Well he is going to call it again a little later. So
4. if you want to discuss that with him and . . . 4 . . . is
5. Senator Rock on the floor? Senator Saperstein, do you wish to call
6. 4264? 4264, Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. Mr. President and Senators, 4264 is identical with Senate
9. Bill 1431 which passed out of the House . . . Senate, and
10. has passed the House. The sponsor of 4264 is desirous of
11. passing this bill. I urge your support.

12. PRESIDENT:

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

15. SECRETARY:

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

25. PRESIDENT:

26. . . . aye. Fawell, aye. Weaver, aye. Newhouse, aye.
27. Course, aye. . . . aye. . . . aye. On that question the
28. yeas are 30, the nays are 1. The bill having received a
29. constitutional majority is declared passed. 4331. Is
30. Senator Carroll on the Floor? 4408, Senator Baltz. Senator
31. Baltz.

32. SENATOR BALTZ:

33. Mr. President and members of the Senate, 4408 simply

1. implements the Constitution by providing that all fees
2. collected by elected or appointed officials of units of
3. local government and the circuit court clerks, must be
4. deposited with the appropriate treasurer of the unit upon
5. receipt of these funds. It exempts overpayments, tax redemptions,
6. trust funds, special funds which must be kept separate. Units
7. of local governments would include all counties, municipalities
8. and special districts. It does not include school districts.
9. This language apparently is in the Constitution, but it is
10. felt that it also should be in the statutes. And that's the
11. purpose of this bill, and that's the only purpose of it.

12. PRESIDENT:

13. Senator Sours.

14. SENATOR SOURS:

15. My Circuit Clerk contacted me recently in connection with
16. this legislation. The Clerk was interested when. Some of
17. these clerks don't want to have to go to the bank depository
18. at the end of each business day. And I was wondering if the
19. Senator knows when the . . . the funds must be deposited in
20. the bank.

21. PRESIDENT:

22. Is . . . Senator Baltz.

23. SENATOR BALTZ:

24. Senator . . . Senator somewhere here I have information
25. that this . . . they have to be deposited in the accounts where
26. they belong, either daily, weekly or monthly.

27. PRESIDENT:

28. Is there further discussion? The Secretary will call
29. the roll. Just a moment. Senator Berning.

30. SENATOR BERNING:

31. I'd like to also clarify that with the sponsor because
32. this bill says "upon receipt." Now that would mean the
33. recorder, every time he gets a fee for a recordation, must

1. trot over to the treasurer's office and deposit it. Now
2. where does it say that we have authorized daily, weekly or
3. monthly. That was a measure that I tried to pass and as I
4. recall couldn't get the support and it was defeated.

5. PRESIDENT:

6. Senator Baltz.

7. SENATOR BALTZ:

8. Well, let me see. In Section 2, it says all elected or
9. appointed officials of units of local government and Clerks of
10. the Circuit Courts are authorized by law to collect fees, which
11. collection is not prohibited by Section 9 of Article 7 of the
12. Constitution, shall deposit weekly, daily or at least monthly
13. all such collected fees with the County Treasurer or Treasurer.

14. PRESIDENT:

15. Senator Berning.

16. SENATOR BERNING:

17. Oh, for Christ sake. I'm sorry. Do you have an amendment
18. there?

19. PRESIDENT:

20. Senator Baltz.

21. SENATOR BALTZ:

22. That's the bill.

23. PRESIDENT:

24. Senator Berning.

25. SENATOR BERNING:

26. Well the bill in my book merely says, shall be deposited
27. upon receipt. Now, if my bill in my book is not correct, then
28. I . . . my question is not valid.

29. PRESIDENT:

30. Senator Baltz.

31. SENATOR BALTZ:

32. Senator Berning, you'll find this almost identical language
33. in the Constitution. The only reason for this little simple

1. bill is when a new Treasurer or new Circuit Clerk is elected
2. or a fee officer, somebody hands him a book and says this is
3. your duties. It . . . and they take it out of the statute
4. book. So this is not in the statute, so he doesn't read the
5. Constitution, so he takes the money home and he puts it in his
6. dresser drawer, Because . . . you know. So this just simply
7. tells him he's got to deposit it. The same as in the Constitution.
8. That's all this bill does.

9. PRESIDENT:

10. Senator Berning.

11. SENATOR BERNING:

12. Well, I'll have to defer to a constitutional expert. If
13. this bill as written does not supercede the Constitution, all
14. right. But as written, this would in it's literal interpretation,
15. require the deposit every day, of every nickel, that every
16. office takes in. And that I submit is an intolerable burden
17. not only on that office holder, but on the County Treasurer as
18. well. And therefore, I respectfully suggest that this bill
19. ought to say not upon receipt, but at least monthly.

20. PRESIDENT:

21. Senator Baltz.

22. SENATOR BALTZ:

23. He ought to do it more often than that. All this bill
24. does is to keep the money out of his dresser drawer at home.
25. It says he shall deposit the fees with the County Treasurer or
26. Treasurer. It doesn't say daily, it says upon receipt. Now
27. that can be weekly or whatever specified. It simply says he
28. can't take the money home with him. He has to deposit it in
29. the proper account. It's as simple as that.

30. PRESIDENT:

31. Senator Berning.

32. SENATOR BERNING:

33. Well, if it's as simple as that, it's as simple then to

1. understand that no Treasurer or any office holder ever took
2. anything home and put it in a dresser drawer and I categorically
3. reject that implication. I would not be a party to impugning
4. any of our elected officials. But this says upon receipt and
5. that is cash in hand the moment it's there.

6. PRESIDENT:

7. Senator . . . Senator Baltz.

8. SENATOR BALTZ:

9. Senator Berning, if you're not satisfied with the simplicity
10. of this bill, why you have a choice of voting. Thank you.

11. PRESIDENT:

12. Senator Gilbert.

13. SENATOR GILBERT:

14. I might advise Senator Berning that I sent one to the
15. penitentiary when I was State's Attorney. A Circuit Clerk
16. who took it home with him.

17. PRESIDENT:

18. Senator Palmer.

19. SENATOR PALMER:

20. Senator Baltz, I'm a little confused too. I have the same
21. question that Senator Berning has. Do you know the present
22. procedure of the Recorder of Deeds? Does he have to deposit
23. daily the funds he receives with the County Treasurer? Or
24. does the Constitution require him to do that now?

25. PRESIDENT:

26. Senator Baltz.

27. SENATOR BALTZ:

28. I'll read for you the language that's in the Constitution.
29. It's in this Blue Book on page 43. It's Section 9, I think,
30. of Article 7 that says . . . deals with compensation, it says -
31. compensation of officers and employees and the office expenses
32. of units of local government shall not be paid from fees collected.
33. Fees may be collected as provided by law and by ordinance and shall

1. be deposited upon receipt with the treasurer of the unit.
2. Fees shall not be based upon funds. Well, now...that's that's
3. what I'm talking about. Just that one sentence. Fees may be
4. collected as provided by law and by ordinance and shall be
5. deposited upon receipt with the treasurer of the unit. This
6. bill simply puts it in the statute books. This is in the
7. Constitution.

8. PRESIDENT:

9. Is there...Senator Sours.

10. SENATOR SOURS:

11. It seems that I precipitated this body badinage, here,
12. and maybe I should try to settle it. This bill as I asked an
13. honest question, I got an honest answer. It's a good bill and
14. it ought to pass.

15. PRESIDENT:

16. The Secretary will call the roll.

17. SECRETARY:

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

26. PRESIDENT:

27. Request for a call of the absentees. The absentees will
28. be called.

29. SECRETARY:

30. Arrington, Bidwill, Bruce, Carroll, Cherry, Chew, Clarke,
31. Coulson, Donnewald, Dougherty, Graham, Hall, Harris, Hynes,
32. Johns, Knuepfer, Knuppel, Kosinski, Latherow, Lyons, McBroom,
33. Neistein, Newhouse, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,

1. Rosander, Saperstein, Savickas, Soper, Walker.

2. PRESIDENT:

3. Partee aye. Romano aye. On that question the yeas are 26,
4. the nays 1. The bill having failed to receive a constitutional
5. majority is declared defeated. Earlier today House Bill 4329
6. was taken from the table. Senator Knuepfer offered an amendment
7. and there was some disagreement as to the bill at that point.
8. Senator Knuepfer now has an amendment. It is brought back to
9. Second Reading for purposes of amendment. Can you explain the
10. amendment, Senator?

11. SENATOR KNUEPFER:

12. The amendment I discussed briefly. 4329 amends the State
13. Property Control Act and it allows the sale of surplus state
14. property to local government units. The amendment that I am
15. offering now is a very brief one and what it says in essence
16. that local governmental units may not dispose of property that they
17. received with a few exceptions. The reason for the may not is
18. nobody wanted local government to be in the position of acquiring
19. property from the State and then immediately selling it for a profit.
20. When I suggested I would introduce this amendment this morning
21. Senator Cherry and Senator Partee suggested that they wanted
22. a good close look at this before the issue came up. It has
23. been discussed with them. It is my understanding that it is acceptable
24. to them at this point in time and I would, therefore, move the
25. adoption of Amendment No. 1 to House Bill 4329.

26. PRESIDENT:

27. Is there any discussion? All in favor of the adoption
28. of the amendment indicate by saying aye. Contrary minded. The
29. amendment is adopted. Further amendments. Third Reading. Now,
30. I have a...Senator Merritt, I have the conference committee
31. report on Senate Bill 1329. Do you wish to take that up at this
32. time?

33. SENATOR MERRITT:

1. ...be fine.

2. PRESIDENT:

3. Senator Merritt. Senate Bill 1329.

4. SENATOR MERRITT:

5. Well, I'm not going to delabor the issue. There was just
6. one section of that Department of Business and Economic Development
7. budget that was taken out and that is the new Illinois program. It
8. was restored in the House by four hundred and fifty thousand which
9. was just about the amount of expenditure this year...within two
10. thousand dollars at least. Hopefully, we do have some agreement
11. here. I know that the conference committee was assigned by
12. seven members. Unless there is great questions on it, why, I
13. just move the adoption of the conference committee report.

14. PRESIDENT:

15. Motion for the adoption of the conference committee report.
16. Is there any discussion? Senator Rock.

17. SENATOR ROCK:

18. Well, as I indicated, I think, Senator Bruce and I are attending
19. a conference committee on Conservation, but we are opposed to this
20. conference committee report. You recall that the new Illinois
21. program called for funding in the amount of \$700,000. Last year,
22. we cut that amount in half on the basis that we did not think the
23. program was of that high a priority. This year even more shored
24. up in our belief we cut the program entirely. The House restored
25. some \$450,000, as I recall. I believe that's the substance of this
26. conference committee report, is it not, Senator Merritt? It restores
27. \$450,000 to this program, as I said. There is little else I can
28. say. Senator Bruce and I are...neither of us signed the
29. conference committee report. We are of the opinion that this is a,
30. at best, a low priority item in funding and that amount is just
31. too much.

32. PRESIDENT:

33. Is there further discussion? The Secretary will call the roll.

1. Senator Partee.

2. SENATOR PARTEE:

3. Senator Merritt looks a little harrowed. I think that I
4. should say to him that I had taken a different approach, but
5. I have been persuaded by my members that perhaps this isn't in
6. the best interest; so, probably, rather than to take the time for a roll
7. call, maybe you ought to have a second conference committee.

8. PRESIDENT:

9. Is the...does someone want to make a substitute motion
10. here that the Senate do not...then we can do it by voice vote
11. since we obviously will not have...apparently the 30 votes for
12. acceptance of the conference committee. You want to make a
13. motion, Senator Rock?

14. SENATOR ROCK:

15. I will certainly make the proper motion.

PRESIDENT:

17. All right.

18. SENATOR ROCK:

19. The motion would be then to nonconcur in this conference
20. committee report and ask for a second conference committee. Is
21. that the idea?

22. PRESIDENT:

23. That is correct. That can be done by voice and we can save
24. the roll call then, Senator Merritt, if that's acceptable. Senator
25. Merritt.

26. SENATOR MERRITT:

27. No roll call. What was his motion?

28. PRESIDENT:

29. That we...the Senate do not accept the conference committee
30. report.

31. SENATOR MERRITT:

32. Okay.

33. PRESIDENT:

1. The motion by Senator Rock that the Senate do not accept
2. the conference committee report on Senate Bill 1329. All in
3. favor signify by saying aye. Contrary minded. The Senate does
4. not accept the conference committee report and requests of the
5. House the creation of a second conference committee. Senator
6. Merritt.

7. SENATOR MERRITT:

8. Mr. President, on 1329, I also move for a second conference
9. committee.

10. PRESIDENT:

11. Senator Merritt will be shown as making a motion requesting
12. a second conference committee.

13. SENATOR MERRITT:

14. On 1329.

15. PRESIDENT:

16. Right and that is accepted by the Senate. Senator Knuepfer,
17. do you want to call 4329 at this point? Senator Knuepfer.

18. SENATOR KNUEPFER:

19. Ah, I don't know why not. This now is the...wait a minute...
20. excuse me. Let me wait a couple of minutes. I'm distributing
21. this...Is that the amendment right there? 4329? Okay. The
22. amendment is being distributed to everybody right now so that you can
23. all see what it says specifically. It does put this limitation
24. on there or some other possible limitations such as the bidding
25. procedures that were suggested. I frankly couldn't see how to
26. put a bidding procedure in without getting everything back to
27. Springfield again and then this would defeat the purpose of the
28. Act. The sole purpose of this bill right now is to permit the
29. State of Illinois to dispose of some of its surplus equipment
30. to needy, local governments. If there are any questions, I will
31. answer them or try to answer them. Otherwise, I would appreciate a
32. favorable roll call.

33. PRESIDENT:

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

2. SECRETARY:

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

11. PRESIDENT:

12. Senator Partee, aye. Saperstein, aye. Chew, aye. Merritt, aye.

13. Senator Groen. Dougherty, aye.

14. SENATOR GROEN:

15. Well, Mr. President, I think this is a very important bill
16. and if he doesn't have the votes, I want to talk about something
17. to stall for time while he rounds them up. There are conference
18. committees going on all over and there...

19. PRESIDENT:

20. Let's call the absentees and see where we stand then. The
21. Secretary will call the absentees.

22. SECRETARY:

23. Bidwill, Bruce, Carroll, Collins, Davidson, Donnewald, Egan,
24. Graham, Groen, Hall, Harris, Hynes, Johns, Knuepfer, Knuppel,
25. Kosinski, Latherow, Lyons, McBroom, Mohr, Neistein, Newhouse,
26. Nihill, O'Brien, Ozinga, Palmer, Rock, Romano, Rosander, Savickas,
27. Smith, Soper, Swinarski, Vadalabene, Walker.

28. PRESIDENT:

29. Donnewald, aye. Ozinga, aye. Johns, aye. Groen, aye. McBroom,
30. aye. Bruce, aye. Latherow, aye. On that question, the yeas are 36,
31. the nays are none. The bill having received a constitutional majority
32. is declared passed. Is Senator Dougherty...I know he walked on
33. the Floor to vote here just a moment ago. Senator Dougherty, on

1. 4558, you were working on an amendment. Has an amendment been
2. worked out on that, Senator McCarthy or Dougherty?

3. SENATOR DOUGHERTY:

4. Mr. President and members, I'm prepared to accept the
5. amendment offered by Senator McCarthy. However, I'm not prepared
6. to accept the amendment offered by...the amendments offered by
7. Senator Knuepfer.

8. PRESIDENT:

9. Is Senator Knuepfer on the Floor? All right. 4558 is
10. brought back to Second Reading for purposes of amendment.
11. Senator McCarthy offers Amendment No. 1. All right. Can you
12. explain your amendment, Senator?

13. SENATOR MCCARTHY:

14. Yes, Mr. President. What Amendment No. 1 does is, it restores
15. Section 9 of the Act to the way in which the existing law is and
16. insofar as the addition is concerned, there is the addition of
17. Section 11 which provides that grants may be made to...to transit
18. districts other than the CTA without any necessity of matching
19. grants and that this amendment was worked out by Representative
20. Clyde Choate in accordance with some objections that were raised
21. in the House. It's agreeable with the sponsor, and I move its
22. adoption.

23. PRESIDENT:

24. Motion for the adoption of Amendment No. 1. Senator Knuepfer.

25. SENATOR KNUEPFER:

26. I want to say that we concur in Amendment No. 1 and, in fact,
27. are dropping one of our amendments because one of our amendments
28. would have done somewhat the same kind of thing. So, I would
29. urge the Senators on this side of the aisle to support Amendment
30. No. 1.

31. PRESIDENT:

32. Is...is there further discussion? I was in conversation.
33. You're not in opposition to the amendment?

1. SENATOR KNUEPFER:

2. No, no, we're not.

3. PRESIDENT:

4. Is there further discussion? All in favor, signify by
5. saying aye. Contrary minded. The amendment is adopted. Senator
6. Knuepfer now offers...

7. SENATOR KNUEPFER:

8. Now, I had two amendments that I had offered this morning.
9. One of them was a mistake and did the reverse of what we wanted
10. to do. The other one has substantially been accomplished through
11. Senator McCarthy's amendment. I have given Senator Dougherty a
12. copy of amendment which will then be Amendment No. 2 which we
13. would like to offer; and Amendment No. 2 in essence says that
14. 25% of these funds will be allocated to the downstate traffic
15. distric...traffic...downstate...to downstate transit districts.
16. It does it in effect by saying...by putting a limitation, a 75%
17. limitation upon these use by the Metropolitan Transit Authority
18. and the Urban...and transit authorities created under the Urban
19. Transportation District Act. We well recognize that, I think, the
20. Chicago area does need substantially more. Now, while it has
21. some 50% of the population within the CTA district, this amendment
22. is recognizing their needs by suggesting that 70, not more than
23. 75% of the funds can be allocated there. I don't think it is
24. unfair in any way, shape or form, but downstate we have communities
25. like Rockford, Peoria, Springfield, Decatur and many others. Under
26. the present terms of the bill that passed here the other day, it
27. is entirely conceivable, or about two weeks ago, that the whole
28. \$200,000,000 could be allocated to the, either the Urban Trans...
29. either transportation districts created under the Urban Trans-
30. portation District or the CTA. We think that 25% ought to be
31. reserved. Now, let me suggest that there was a similar principle
32. that Senator Dougherty and I discussed not long ago and this had to
33. do with the urban...the Industrial Anti-pollution Bond Act; and

1. Senator Dougherty insisted and I think rightly so, that of the
2. total \$250,000,000, we allocate a certain sum...in this case,
3. \$75,000,000 to small business so that the General Motors and the
4. U.S. Steels could not eat up the whole sum. The philosophy in
5. this amendment is exactly the same. We're suggesting that
6. Chicago, you deserve the lion's share--the lion's share is 75%,
7. but we're suggesting that Decatur, Springfield, Rockford, Rock
8. Island, many other communities want to have some guarantee that
9. some of the funds that this legislature authored...authorized
10. under the Bond Act, go to them and I would simply ask for con-
11. currence in this Amendment No. 2 on the basis of this premise.

12. PRESIDENT:

13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. I resist Amendment No. 2 for this reason: That Senator
16. McCarthy's amended guarantees at least 10% would go to the
17. downstate areas plus the fact that it contained within the
18. Section that he amended there is reasons the Director of Trans-
19. portation may, if in his discretion there is need to raise
20. the allocation to any, to any of these districts, he may do so
21. if in his discretion he thinks there is need. So, therefore,
22. the 10% as guaranteed by Senator McCarthy's amendment should
23. be sufficient because with the leeway granted to the Director
24. of Transportation, we are assured that 10%, at least, will go
25. to the other metropolitan transit districts and you are limiting
26. the Chicago and the CTA to 75%, you are leaving a gap of 15% there
27. which is incorrect, it's unnecessary. He has that authority
28. within the...his discretion right now. Under the amendments,
29. I am resisting this amendment. I'm sorry, but I feel it is
30. necessary to do so.

31. PRESIDENT:

32. Senator Knuepfer may close the debate.

33. SENATOR KNUEPFER:

1. Well, I'll close the debate by saying there is absolutely
2. no guarantee under Senator McCarthy's amendment that 10% will
3. go to the municipalities. The language is not a guarantee as
4. this is and I would suggest that cannot, that cannot happen.
5. Senator Dougherty, I can only say to you that if we pass the bond
6. issue and said that the proceeds of that are to go to all counties
7. but Cook, I know who would raise a very substantial ruckus. Now,
8. I think we've been more than fair in saying that the bond issue
9. which is all of the people's money, all of the people of this
10. State, and when we say that you can have 75% of that and we
11. downstate want only 25 and I want to point out to you that that
12. 25% represents nothing to DuPage County which has no Transit
13. Authority. I am thinking of the Springfields, the Rockfords, the
14. Decatur, but when we say to you, we put in half of the money,
15. we want a guarantee of getting one quarter of that out, I don't
16. think that's the least bit unreasonable and I would ask for a
17. favorable roll call.

18. PRESIDENT:

19. The...request for a roll call has been made. The Secretary
20. will call the roll. Those in agreement with Senator Knuepfer will
21. vote in the affirmative. Those in agreement with Senator Dougherty
22. will vote in the negative.

23. SECRETARY:

24. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
25. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
26. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
27. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
28. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
29. Mohr, Neistein...

30. PRESIDENT:

31. Senator Neistein.

32. SENATOR NEISTEIN:

33. Just a question. I want to address the Chair, Mr. President.

1. Was there a motion to reconsider the vote on that bond program
2. for the 581 million when we passed that? There was a motion.

3. PRESIDENT:

4. I don't know.

5. SENATOR NEISTEIN:

6. Well, I would like to know before I vote if there is a
7. chance to revive that bond program.

8. PRESIDENT:

9. Well the Chair is not able to respond to your question,
10. Senator, right now.

11. SENATOR NEISTEIN:

12. Well, I'll vote no while your looking up whether we can
13. revive the vote by which the bond program passed.

14. SECRETARY:

15. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,
16. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
17. Swinarski, Vadalabene, Walker, Weaver.

18. PRESIDENT:

19. Senator Knuepfer.

20. SENATOR KNUEPFER:

21. I don't . . . I don't think I'm re . . . am I tuned in
22. here? I don't think I'm recorded yet. For the benefit of those
23. who are engaged in conference committee and did not hear the
24. debate, all that this does is protect the downstate areas of
25. this State, so they get 25% of the funds available that this
26. legislative body is going to have to raise under the Bond Act.
27. Now if the City of Chicago thinks 25% for all the rest of the
28. State is unreasonable, then I think they have cause to examine
29. what they consider unreasonable. We don't want much. 25% isn't
30. an awful lot, and I vote aye.

31. PRESIDENT:

32. Swinarski, no. Weaver, aye. How was Senator Cherry
33. recorded? Knuppel, no. On that question the yeas are 22, the

1. nays are 23. The amendment is defeated. Verification has
2. been requested. Senators will be in their seats. Senators
3. will be in their seats. The . . . the . . . you want the
4. verification of the negative votes, rather than the affirmative
5. votes. The Secretary will call the . . . those voting in the
6. negative.

7. SECRETARY:

8. Cherry, Chew, Course, Donnewald, Dougherty, Egan, Hynes,
9. Johns, Knuppel, Kosinski . . .

10. PRESIDENT:

11. Senator Knuppel is here.

12. SECRETARY:

13. Kusibab, Neistein, Nihill, O'Brien, Palmer, Partee, Rock,
14. Romano, Saperstein, Savickas, Smith, Swinarski, Vadalabene.

PRESIDENT:

16. Lyons' name was not read. The move to reconsider by Senator
17. Dougherty. Motion by Senator Kosinski to table. All in favor
18. of the motion to table signify by saying aye. Contrary minded.
19. Motion to table prevails. Senator Graham, 412 . . . is Senator
20. Graham on the Floor? 4126, do you want to call that up? Senator
21. Neistein.

22. SENATOR NEISTEIN:

23. Did you find out the answer to my inquiry if there was
24. a motion to reconsider the vote on that highway program, bond
25. program for that 900 million or 600 million . . .

26. PRESIDENT:

27. We have . . . we have researched and there are two answers.
28. Number one is the motion was made, and number two even if the
29. motion hadn't been made, the bill is no longer in the possession
30. of the Senate, so the motion wouldn't be valid.

31. SENATOR NEISTEIN:

32. The point was made. I think the point was made though,
33. Mr. President.

1. PRESIDENT:

2. The point was made very eloquently by you, Senator Neistein.
3. Senator Graham, 4126.

4. SENATOR GRAHAM:

5. While I'm getting a copy of the bill, I know not the least
6. about it right at this present time. This bill had some
7. controversy surrounding it earlier and Senator Partee, I think,
8. agreed with the sponsor that it was all right. So, if you want to
9. hold up until I get the bill and explain it farther,...I don't have
10. it in front of me...I will.

11. PRESIDENT:

12. Is there any discussion? Senator Partee.

13. SENATOR PARTEE:

14. I think this is the one we agreed to put back on, which
15. agreement, of course, did not embrace supporting it. Yeah,
16. we agreed to put it back on but that did not, you know, entail
17. agreement to support it. I'm against it. I want you to
18. know that.

19. PRESIDENT:

20. Senator Graham.

21. SENATOR GRAHAM:

22. If we can wait just a moment until I get the bill so . . .

23. PRESIDENT:

24. All right. We'll get back to it very shortly. Senator
25. Fawell on 1339, has that been worked out yet?

26. SENATOR FAWELL:

27. No. There appears to be enough questions that I think
28. perhaps, in due respect to the House sponsor, I'll hope that we
29. can hold that over and perhaps in the Fall be able to have
30. a more . . .

31. PRESIDENT:

32. 1339 will be held over. Senator . . . is Senator
33. Dougherty on the Floor? Senator Dougherty, 4531. You wish

1. to call that? 4531, Senator Dougherty.

2. SENATOR DOUGHERTY:

3. Mr. President and members of the Senate, I wish to call
4. House Bill 4531 back to the order of Second Reading for the
5. purpose of offering an amendment. The amendment is now up
6. on the Clerk's desk. I have given it to Mr. Hart some time
7. ago. I'll tell you what the amendment does.

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. This is an amendment to 4531, which as you know is a
12. consolidation of elections bills as they came out of the House.
13. Now what I am trying to do by this amendment is simply this.
14. We are trying to put it in the same form as is a consolidated
15. election section in the new Election Code. That's what it
16. does precisely, and it restores the villages that were left
17. out in this bill in the House. It puts the village elections
18. back into the bill. It rewrites the section of the present
19. code to revise the statute concerning precinct boundaries. Now
20. under this bill, as it was originally drawn, there was no
21. provision made to permit County Clerks to revise the elections
22. by the precinct boundaries. It gives them control over it and
23. they're with the County Clerk. And then there are standards
24. of . . . the standards are included that would insure that the
25. boundaries will be reasonable and will provide access to a
26. polling place to all voters. One precinct in each ward and
27. townshi...400 to 800 population. In highrise buildings, 800
28. persons.

29. PRESIDENT:

30. Just a moment please. Is there any discussion of the
31. amendment? Senator Graham.

32. SENATOR GRAHAM:

33. Mr. President, I told Senator Dougherty that I wasn't

1. going to oppose his amendment. I don't think I should. I
2. think he has a right to get the bill in the shape he wants
3. it. I told Senator Dougherty also, that we, on this side, are
4. not going to support the bill. But I think in any event, he
5. is entitled to put his amendment on and I agree with him in
6. the adoption of the amendment.

7. PRESIDENT:

8. All right. All in favor of the adoption of the amendment
9. indicate by saying aye. Contrary minded. The amendment is
10. adopted. Now can we go back to 4558, Senator Dougherty?

11. SENATOR DOUGHERTY:

12. Just . . . will you hold that for a few moments?

13. PRESIDENT:

14. We'll . . . we'll hold that. Senator Fawell is recognized.
15. Senator Fawell is recognized in connection with House Joint
16. Resolution 11. You will recall there was discussion on this.
17. If I may have your attention please. Just a moment. Let's
18. break up some of the caucuses. On House Joint Resolution 11
19. there was discussion yesterday. The Senator withheld the vote
20. on it yesterday. He is being recognized today for a vote on
21. the measure. Senator Fawell.

22. SENATOR FAWELL:

23. Yeah. Well I would like to have the attention of those
24. of us who are here...Senator Partee and others who made the
25. request to hold off the final decision on this House Joint
26. Resolution 11, which is the Resolution that would rescind the
27. previous action by the House and the Senate in regard to
28. requesting a Constitutional Convention for the purposes of
29. an amendment to the Constitution that would delete or rescind
30. or in effect abrogate the Supreme Court decision in regard to
31. one man - one vote. We've already had some debate on it. I
32. can just state to you that one man - one vote I think is here at the
33. high water mark insofar as the number of States that had passed

1. rescind . . . ah passed resolutions asking for the Constitutional
2. Convention. The number of States went up to about 33. Since
3. then several have rescinded and I believe that the main
4. reason for this was that most people felt that if a Constitutional
5. Convention was called, it would include many issues other than
6. the issue of one man - one vote. That in effect, if we have
7. a Constitutional Convention, we would be able to completely
8. rewrite the Federal Constitution. I don't think anybody on
9. the Floor of this Senate would want to see that occur. I also
10. would submit to you, that when I first came to the Legislature,
11. which is now 10 years ago, I represented a district of 700,000
12. people.

13. PRESIDENT:

14. Just a moment, please. Gentlemen. Senators Egan and your
15. entourage there. Senator Savickas. Gentlemen.

16. SENATOR FAWELL:

17. It's the same at our house. Nobody eats peanut butter,
18. except for my grandmother and she doesn't ride a bicycle anyway.
19. I appreciate your support.

20. PRESIDENT:

21. Those last remarks were powerfully persuasive, Senator
22. Fawell. Is there discussion. Senator Laughlin.

23. SENATOR LAUGHLIN:

24. Yes. Mr. President, having been a member who originally
25. sponsored a resolution like this, and believing in principal
26. that one man - one vote as applied to State Legislators is
27. not correct, at least as to one House, I don't wish to vote
28. for this. I wish to reaffirm my belief in this. So I wish
29. to be recorded no on the roll call.

30. PRESIDENT:

31. We will take a roll call on it. Is there further
32. discussion? The Secretary will call the roll. Those in agree-
33. ment with Senator Fawell, will vote in the affirmative, those

1. in agreement with Senator Laughlin, will vote in the
2. negative.

3. SECRETARY:

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

7. PRESIDENT:

8. Senator Fawell.

9. SENATOR FAWELL:

10. I . . . I just want again, to have the attention of the
11. body. There hasn't been and there won't be a great deal of
12. debate on this. But it is an important resolution in regard
13. to the rescission of our previous decision made by the House
14. and the Senate in regard to the one man - one vote Supreme
15. Court decision. We are herein, if this resolution passes, and
16. it has already passed the House, we would be stating that we
17. no longer desire to call or have called a Constitutional Convention.
18. I believe that if such a Convention is to be held, it would
19. end up rewriting the Federal Constitution. I think that is
20. one . . . probably the most salient point, not to mention the
21. fact that one man - one vote I think is fairly well engrained into
22. the fabric of our legislative makeup in our States. I vote
23. aye.

24. SECRETARY:

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

31. PRESIDENT:

32. Swinarski, aye. Smith, aye. Merritt, no. Latherow,
33. no. Carpentier, no. Mitchler, no. On that question, the yeas

1. are 24, the nays are 17. The Resolution is adopted. Senator
2. Graham.

3. SENATOR GRAHAM:

4. I just talk . . . I see my election law attorney is on
5. the Floor, Senator Dougherty. Senator, what have we decided
6. to do about 4155? I'm gonna . . .

7. PRESIDENT:

8. Senator . . .

9. SENATOR GRAHAM:

10. . . . call it and you're opposed to it. Well, 2916, I'm
11. trying to help us on the Calendar.

12. PRESIDENT:

13. Just a moment. For what purpose does Senator Horsley
14. arise?

15. SENATOR HORSLEY:

16. Well how many votes did this number 11 have?

17. PRESIDENT:

18. The motion to rescind any action requires the same votes
19. as the original action. So that . . . and the original action
20. in this case required a majority of those voting on the
21. question, and in this case a majority of those can rescind the
22. action. This is the same way when you have a vote to reconsider
23. an amendment. You have a majority has to vote to reconsider.
24. If you reconsider a bill, it requires 30, because passage of
25. a bill requires 30 votes.

26. SENATOR HORSLEY:

27. Well as I understood, it required 30 . . . 35 or 30
28. depending on the interpretation placed upon it for the original
29. amendment to be adopted by both Houses.

30. PRESIDENT:

31. That is not correct. The rule . . . this was in 1967, the
32. rules of the Body, in fact we . . . we dug up the rules of the
33. Body, and at that point it was . . . it required a simple majority.

1. And if some of you will recall, I was involved in the debate
2. at that time, and I . . . we had a rules change then the following
3. Session. Because I had discussed it with Senator Arrington
4. and since that time we have required a majority of those
5. elected, up until the time of the new Constitution on matters
6. like this. Senator Graham, 4155.

7. SENATOR GRAHAM:

8. Mr. President, on 4155 and 4126 in keeping with my feeling
9. that we shouldn't burden this General Assembly with roll calls
10. that are of no avail, I at this time will not call those two
11. bills. We'll leave them languish on the Calendar.

12. PRESIDENT:

13. 4155 will languish on the Calendar.

14. SENATOR GRAHAM:

15. And 4126.

16. PRESIDENT:

17. And 4126 will do the same. Thank you, Senator Graham. 4533,
18. Senator McCarthy. Hold. 4628, Senator Gilbert. 4628.

19. SENATOR GILBERT:

20. 4628 provides that local government with an alternative
21. issuing of either tax anticipation notes or tax anticipation
22. warrants. It is felt that the notes can be sold for an
23. estimated one half to one per cent lower interest rate and
24. extend it to all local governments. If this was used generally,
25. it is estimated that there might be as much as 5 million
26. dollars per year in savings to these local agencies. The
27. notes carry the full faith and credit of the issuing authority.
28. Now this is not the State but . . .

29. PRESIDENT:

30. Just . . . Just a moment. Senator Gilbert is not being
31. heard by his colleagues and he's entitled to it.

32. SENATOR GILBERT:

33. The notes, as I say would carry the full faith and credit

1. of the issuing agency. Whether that be a school district, a
2. park district or whatever it might be. The notes would be
3. issued under the same conditions as the tax anticipation
4. warrants are now issued. They could not exceed 7% interest and
5. the amount of notes issued could not exceed 75% of the taxes
6. levied for the issuing units of local government...the same
7. as that of tax anticipation warrants.

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. Mr. President, when Senator Gilbert called this bill the
12. other day there was some misunderstanding about the bill. I
13. was not in agreement with those who misunderstood the bill. The
14. bill as Senator Gilbert has called it is a perfectly good bill.
15. What he has said in defense of it is true. It can save a
16. great deal of money in interest on tax anticipation warrants.
17. These are issued in lieu of tax anticipation warrants. They
18. have saved the City of Chicago money, the Park District, the
19. Metropolitan Sanitary District. It's a very fine . . . it has
20. the full faith and credit. It's a different type of a note.
21. It's a very good bill and I urge the support of it.

22. PRESIDENT:

23. Senator Laughlin.

24. SENATOR LAUGHLIN:

25. Mr. President, I have a question. Senator Gilbert, if you
26. issue tax anticipation warrants they have to be repaid out of
27. the next tax monies collected. So it isn't quite the same as
28. a tax anticipation warrant. Because if I read the bill, they
29. don't have to be paid for as much as two years. Is that right?
30. So I think there is a difference between tax anticipation
31. warrants and these notes.

32. PRESIDENT:

33. Senator Dougherty.

1. SENATOR DOUGHERTY:

2. . . . tax anticipation warrants. My inference was that
3. they were better than tax anticipation warrants because they
4. allow the lower rate of interest, because there was a guarantee
5. behind them. And they find it much easier to dispose of these
6. bond . . . these notes than they do tax anticipation warrants,
7. at the rate of one and one half per cent less.

8. PRESIDENT:

9. Senator Gilbert.

10. SENATOR GILBERT:

11. I was comparing . . . I was comparing them to tax
12. anticipation warrants, I didn't not make the statement about
13. two years, which I should of...that these notes must mature in
14. two years. Your tax anticipation warrants, as Senator Laughlin
15. has pointed out, must mature in one year. This may be part of
16. the reason why they might attract a smaller, a little lower
17. rate of interest. I don't know, but they have, as a practical
18. matter, where the taxing bodies that have used them, such as
19. the Forest Preserve District and the Chicago Board of Education,
20. have found that these notes bring them a lower interest rate,
21. they can sell them at a lower interest rate than they can tax
22. anticipation warrants. I know of no objection to this. This
23. bill has been held while the people who thought that there
24. might be some question about it, have thoroughly checked it
25. out and I know of no one in opposition and I'd ask for a
26. favorable roll call.

27. PRESIDENT:

28. Senator Sours.

29. SENATOR SOURS:

30. I just have one question to the sponsor. Let us assume
31. that a governmental entity has issued its limit of tax
32. anticipation warrants. May it then, in accumulative ways, put
33. out some of this paper? In this buy today and pay tomorrow.

1. PRESIDENT:

2. Senator Gilbert.

3. SENATOR GILBERT:

4. It is my understanding, Senator Sours, that you cannot
5. issue warrants and notes on the same year and you cannot issue
6. them for more than 75% of the taxes levied for the issuing
7. unit of local government. So I don't think that you could have
8. a duplication if it's limited to 75% of the taxes levied of
9. the issuing unit of local government.

10. PRESIDENT:

11. Senator Fawell.

12. SENATOR FAWELL:

13. I just wanted to rise in support of the bill. I've had
14. several calls from constituents back home, and in DuPage
15. County where we have not even issued our tax bills as yet, we
16. find that many of the taxing entities, school districts and
17. park districts, et al., all have to issue tax anticipation
18. warrants. And what the banks are pointing out, especially the
19. national banks, is that they have limits, severe limits on the
20. number of warrants they can pick up. But these limits do not
21. apply insofar as general notes are concerned. I see the only
22. difference here, the same limitations of 75% of outstanding
23. taxes applies. But it is a general obligation rather than
24. being an obligation that pertains specifically to the taxes
25. when, certain taxes when they do come in. And it is going to
26. enable our districts to be able to utilize their own local
27. banks in order to be able to borrow the money, which is quite
28. necessary. Especially in those counties where you have taxes
29. simply not coming in. So I think this is sound legislation and
30. I certainly support the same.

31. PRESIDENT:

32. Is . . . the Secretary will call the roll.

33. SECRETARY:

1. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
2. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
3. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
4. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
5. Kosinski, Kusibab, Latherow, Laughlin . . .

6. PRESIDENT:

7. Senator Laughlin.

8. SENATOR LAUGHLIN:

9. I'm still trying to read this bill and I got another
10. question. I'm sorry. First of all, there is really two
11. questions. It's supposed to be issued for a specific purpose
12. and maybe that ties with the provision at the bottom of one
13. and the top of two, and the last part of Section two. I'm
14. reading this fast, so I may be completely in error. Says it
15. shall be the duty annually of the County Clerk to extend the
16. tax therefor in addition to and in excess of all other taxes
17. heretofore or hereafter authorized to be levied by such unit
18. of government or on behalf of such unit of government. Now
19. I don't know whether this has the effect of permitting an
20. additional tax levy. I just don't know, and if someone knows,
21. why I'd appreciate an answer.

22. PRESIDENT:

23. Senator Gilbert. Just a moment please. Can we take
24. Senators Egan, Merritt, Representatives Craig, Campbell, Senator
25. Swanson, can we take that conference committee off the Floor
26. please. We're trying to maintain some order here. Senators
27. Carroll and Smith. Just a moment. Senators Bruce, Representative
28. Lindberg. Please, gentlemen. Senator Gilbert.

29. SENATOR GILBERT:

30. I'm advised that this does not allow any additional levy
31. of tax. It doesn't increase any tax that may be levied and
32. the purpose of the wording here is to give the full faith and credit
33. of the taxing agency by requiring the County Clerk to extend

1. the full amount that would be required to take care of these
2. notes, which may not be more that 75% of the amount levied.

3. PRESIDENT:

4. Is there . . . continue the roll call.

5. SECRETARY:

6. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
7. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
8. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
9. Sours, Swinarski, Vadalabene, Walker, Weaver.

10. PRESIDENT:

11. Newhouse, aye. Weaver, aye. McBroom, aye. Carroll, aye.
12. Saperstein, aye. On that question the yeas are 35, the nays
13. are none. The bill having received the constitutional majority
14. is declared passed. We have a number of resolutions that we'd
15. appreciate your attention on. Senator O'Brien is recognized on
16. the first. Senator O'Brien.

17. SENATOR O'BRIEN:

18. Mr. President and members of the Senate, I have a
19. resolution that was sponsored by Senator Sours, Senator Rock
20. and myself. I'd like to have a little order in the Chamber.
21. I'd like to read this resolution. Mr. President I'd like to
22. have the Senators in their seats if I could.

23. PRESIDENT:

24. Just a moment. Senator O'Brien has requested order.
25. Senator Neistein, will you be in your seat. Will the members...
26. Senator Smith. This is a resolution which affects the member-
27. ship of the Senate. We'd appreciate your attention. Senator
28. O'Brien may read the resolution.

29. SENATOR O'BRIEN:

30. (Reads Senate Resolution No. 404, introduced by Senators
31. Sours, Rock and O'Brien.)

32. Mr. President and members of the Senate, I wish to have
33. immediate suspension of the rules and adoption of this

1. Resolution and that all Senators be shown as co-sponsors.

2. PRESIDENT:

3. All Senators will be shown as co-sponsors. Senator
4. O'Brien, which one of the four categories does this fit in
5. here? Senator Cherry.

6. SENATOR CHERRY:

7. I think it would be most appropriate that before we hear
8. the response from Senator Neistein, that his staff be present,
9. too. So would you ask the gentleman from the restroom to be
10. here, please.

11. PRESIDENT:

12. Senator Neistein is recognized. I hope in about 30
13. seconds a few of you will call out time here as he speaks.
14. Now, Senator Neistein.

15. SENATOR NEISTEIN:

16. I'm gonna just take two seconds. I'm intently gratified
17. and it's the first time an honor like this has come my way. But
18. I'll say this, in 16 years that's the longest resolution I
19. ever heard and I want to thank everybody for the kind expression.
20. I only hope it's true.

21. PRESIDENT:

22. If the Chair can just add this word. You know, and I
23. sense we get to the point where we get tensed up and no one
24. can burst that balloon more effectively and get us down to
25. earth than Senator Neistein here. They're going to have to
26. have another . . . someone else to do that here, Bernie. We
27. have some additional resolutions.

28. PRESIDING SECRETARY: (MR. FERNANDES)

29. (Reads Senate Resolution No. 405, by Senator Kosinski
30. and all members of the Senate.)

31. PRESIDENT:

32. Just a moment. This is another resolution regarding this
33. Body. Just a second. The Senator isn't here, we'll hold up

1. on this resolu . . . read one of the other resolutions or
2. let's take the other resolutions.

3. PRESIDING SECRETARY: (MR. FERNANDES)

4. (Reads Senate Resolution 405, by Senators Carroll,
5. Graham, Bidwill, Latherow, Sours and Ozinga.)

6. PRESIDENT:

7. Just a second. All right. Proceed with the resolution.
8. This is a resolution that also affects the Senate.

9. PRESIDING SECRETARY: (MR. FERNANDES)

10. (Continues reading Senate Resolution 405.)

11. PRESIDENT:

12. Just a moment please. This is a resolution commending
13. one of our colleagues on his birthday. Just a moment. Proceed,
14. Mr. Secretary.

15. PRESIDING SECRETARY: (MR. FERNANDES)

16. (Continues reading Senate Resolution 405.)

17. PRESIDENT:

18. Senator Carroll.

19. SENATOR CARROLL:

20. Mr. President and Senators, you know I remember when
21. Senator Baltz and I served over in the House, oh this is about
22. ten years ago on one of his birthdays on which we had a
23. resolution and it stirred up quite a little bit of commotion
24. as he will recall. But one thing that I couldn't find out, and
25. that was his exact age to put in this resolution. So I don't
26. know whether he's 28, 30 or 29.

27. PRESIDENT:

28. All I know is your colleagues join in wishing you a very
29. happy birthday, Senator Baltz. Senator Sours.

30. SENATOR SOURS:

31. I just had one little comment. The Senator and his wife
32. and some friends and Mrs. Sours and I, in avoiding our creditors
33. for the summer time, we're going to go down to Champs D'Elysees

1. and up in the Bavarian Hills. And once in a while we'll have
2. a Bratwurst, Metwurst, Blutwurst and all the Wurst. Mid Beer.

3. PRESIDENT:

4. Senator Graham.

5. SENATOR GRAHAM:

6. Mr. President and members of the Senate, since my esteemed
7. seatmate and former cigarette lighter filler, before I quit
8. smoking, shoe tier and many other things that my friend performed
9. for me, when I was less capable of taking care of those little
10. chores than I am now, has been extremely close to me as a
11. friend. I'm gonna miss him. Since he's joined the Senior
12. Citizens Club I want to commiserate with him. They say life
13. begins at 40 but that was a different one. I'll tell you old
14. buddy, it changes again at 60. And Bernie, I'm gonna miss
15. you too, because I just heard of a new tune today you should
16. start playing. I observed it once, The Baltz Waltz.

17. PRESIDENT:

18. Senator Baltz is recognized.

19. SENATOR BALTZ:

20. Well, Mr. President and members of the Senate, I deeply
21. appreciate your warm and sincere resolution and I am very
22. grateful for that. I've spent most of my birthdays here in
23. the Legislature in past ten years. I must confess that I
24. look forward with a certain amount of trepidation to this one.
25. I will admit that I just hit 60 and every time you pass one
26. of those decade milestones, it's always a matter of some
27. concern. I . . . there wasn't any way I could stop it, so I
28. just had to let it roll along and arrive at me this morning.
29. I . . . my wife is in Arizona, she called up and got me out
30. of bed. She must have been up at 4:00. I hope to go down
31. there and join her as soon as this is over. I, too, will miss
32. all the warm fellowship and fine friendship that I have had
33. here in the Senate, and I certainly intend to come back and

1. visit you and just shake hands with all of my old acquaintances
2. from time to time. Thank you again for your thoughtfulness.

3. PRESIDENT:

4. All Senators will be shown as co-sponsors of that
5. resolution. We have some additional resolutions.

6. PRESIDING SECRETARY: (MR. FERNANDES)

7. Senate Resolution No. 406, by Senators Walker, Mitchler
8. and all Senators and its congratulatory.

9. PRESIDENT:

10. All right. Is there . . . all in favor signify by saying
11. aye. Contrary minded. The resolution is adopted.

12. PRESIDING SECRETARY: (MR. FERNANDES)

13. Senate Resolution No. 408, by Senators Weaver, Mitchler
14. and all Senators and it's congratulatory.

15. PRESIDENT:

16. All in favor of the adoption of the resolution indicate
17. by saying aye. Contrary minded. The resolution is adopted.

18. PRESIDING SECRETARY: (MR. FERNANDES)

19. Senate Resolution No. 409, by Senators Egan, Mitchler
20. and all Senators and it is congratulatory.

21. PRESIDENT:

22. All in favor of the adoption of the resolution indicate
23. by saying aye. Contrary minded. The resolution is adopted.

24. PRESIDING SECRETARY: (MR. FERNANDES)

25. Senate Resolution . . .

26. PRESIDENT:

27. We have a few more resolutions that will be held off at
28. this point. Do we have any . . . Senator Cherry, if I read
29. your signature correct, you're the sponsor of Senate Bill
30. 1484. We have a conference committee report. Senator, do you
31. wish to explain what the conference committee report does.

32. SENATOR CHERRY:

33. Mr. President and members of the Senate, the House

1. decreased the First Appellate Court District Clerk's Office
2. by twenty some odd thousand dollars on the basis that two
3. of the employees that are to be employed would not be serving
4. the entire full...the full year. They will be serving approxi-
5. mately six months of the year. The deletion is appropriate. I
6. have not been able to find that the House did anything incorrect,
7. and I am going to support the House reduction in the amount of
8. \$20,000 plus. I move for the adoption of the conference report.

9. PRESIDENT:

10. Is Senator Knuepfer...

11. SENATOR KNUEPFER:

12. Senator, I apologize. This Body is a little noisy. Would
13. you explain that once more please.

14. PRESIDENT:

15. Senator Cherry.

16. SENATOR CHERRY:

17. Senator Knuepfer, I understand from the House that they
18. reduced the First Appellate Court Clerk's appropriation \$20,000
19. plus, \$20, 650, I believe it was, on the basis that two
20. employees that they contemplated hiring would not serve a full
21. year; that they will serve approximately six months, and therefore,
22. the deletion--the reduction is appropriate. Okay.

23. PRESIDENT:

24. Is there further discussion? The Secretary will call the
25. roll. The motion is to adopt the conference committee report
26. on Senate Bill 1484.

27. SECRETARY:

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

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

3. PRESIDENT:

4. O'Brien, aye. McBroom, aye. On that question, the yeas are
5. 35, the nays are none. The conference committee report is
6. adopted by the Senate. Is Senator Carroll on the Floor? Senator
7. Carroll, we have a message from the House on Senate Bill 1130 with
8. amendments from the House. Now, are you aware of this? Are you
9. ready to make a motion on that?

10. SENATOR CARROLL:

11. Can you hold it a minute?

12. PRESIDENT:

13. Yes, you take a look at it. Senator Partee.

14. SENATOR PARTEE:

15. I've been talking with Senator Carroll about this. We're
16. going to...I'm sure he'll probably move to concur...we'll not
17. support that motion and we're going to have a conference committee,
18. it seems.

19. PRESIDENT:

20. Senator Carroll, is that correct?

21. SENATOR CARROLL:

22. I move that we do accept the amendments that came over from
23. the House.

24. PRESIDENT:

25. And Senator Partee moves to table that motion, is that
26. correct? And can we do this by voice vote. All in favor of the
27. motion to table, signify by saying aye. Contrary minded. The
28. Sen...no, the motion to table prevails. The Senate does not concur
29. in the House amendments. Senator Gilbert, we have a message from
30. the House on Senate Bill 1372. Senator Gilbert on the Floor? He
31. was just here a moment ago. Senator Gilbert, on Senate Bill 1372
32. regarding the School Building Commission. There is a House amend-
33. ment here.

1. SENATOR GILBERT:

2. Well, Senator Hynes, have you had a chance to look at this?

3. PRESIDENT:

4. Senator Hynes.

5. SENATOR HYNES:

6. The Scubbing Commission? Is this the School Building Com-
7. mission?

8. PRESIDENT:

9. That is correct.

10. SENATOR HYNES:

11. Could you hold that, please?

12. PRESIDENT:

13. Well, we can't be holding very much longer, Senator. You'd
14. better move one way or another.

15. SENATOR HYNES:

16. Could we hold it as long as we possibly can then?

17. PRESIDENT:

18. You can hold it five minutes, but we'd better...we can't
19. be holding at this point in the game very much. Senator Berning.

20. SENATOR BERNING:

21. Mr. President, earlier in the day there was a misunderstanding
22. of the effect of the house amendment on Senate Bill 1290. I asked
23. for a conference committee. We subsequently have learned that the
24. error we thought was present, did not exist; so, I would like to
25. move whatever is necessary to rescind the action asking for a
26. conference committee and then move to concur in the House amend-
27. ment.

28. PRESIDENT:

29. Well, you can simply have the conference committee report back
30. favorably with the House amendment. That's the way to handle that.
31. Conference committee was requested and has been appointed. Right?

32. SENATOR BERNING:

33. That would be the better procedure, Mr. President?

1. PRESIDENT:

2. That would be much simpler. Senator Berning, has the
3. conference committee report...been appointed?

4. SENATOR BERNING:

5. Not to my knowledge.

6. PRESIDENT:

7. Well, I think maybe we can. I don't recall doing this before,
8. but we'll...we can...Senate Bill 1290. Senate Bill 1290. The
9. motion is...the motion is to reconsider the vote by which the
10. Senate nonconcurred in the House amendment. On that...and request
11. a conference committee. Is there objection to that motion? Senator
12. Dougherty. The leave is granted. Senator Berning now moves to
13. concur in the House amendment. Can you explain the House amend-
14. ment, Senator?

15. SENATOR BERNING:

16. Yes sir, for the benefit of the members, Senate Bill 1290 is
17. the...is a statutory provision whereby the counties may recover
18. the costs they actually incur for the extension, collection and
19. distribution of property taxes. The House amendment merely tightened
20. up and made more explicit the procedure by which this may be done.
21. I think that we have answered all questions. The matter has been
22. reviewed with Senator Dougherty and his staff. If there are any
23. questions, I will attempt to answer them, but so far as I know,
24. there are now no longer any questions; and I would move that we
25. concur in the House amendment.

26. PRESIDENT:

27. Mo...Senator Fawell.

28. SENATOR FAWELL:

29. Well I am sorry I was not here on the day that we passed
30. Senate Bill 1290 because I believe that all of us when we go
31. back home and the taxpayers realize what we have done in giving
32. back to the county the right, I suppose, to go without limit,
33. as I read this bill, except that they're supposed to charge whatever

1. their cost of collection may be; but gentlemen and lady, what
2. we have done in Senate Bill 1290 is to further deplete the
3. financial resources of all of our local governments including
4. our school districts by once again giving to the county the right
5. to charge a fee for performing what I think they ought to perform
6. without charging a fee and I think if the county believes they
7. need more money to perform these basic services, it would seem
8. to me that they ought to levy the tax themselves and they ought
9. not to say to the schools, "You go ahead and levy the tax and then
10. shovel the money to us." And the people, of course, understandably
11. hold the school districts and the cities and villages responsible
12. for the high tax rate. Now, this was what we debated last Session,
13. I believe it was, when we finally did away with the 3% collection
14. fees which were disguised fees that the counties were able to bring...
15. utilize and bring in great sources of revenue. In fact, in my
16. County of DuPage they have built additions to the court house and
17. a new jail--a number of edifices which were actually constructed
18. with funds which came from school taxes; and, of course, the
19. people looked upon the school districts as the ones who were the
20. villains for the high school tax rates. Now, we're going right
21. back to the same thing, and I firmly believe that if the responsibility
22. of the county to levy its own taxes to be above board and tell the
23. people that this is where they're getting their money and not to
24. take the money from the other local tax districts, especially the
25. schools who are so sorely in need of those funds and I have the
26. highest respect for Senator Berning, but Senator Berning, I state
27. to you that what you're doing here is very close to a nonreferendum
28. tax increase and I don't think that it is a reasonable course of
29. action for us to take. I don't know...I would prefer thus to take
30. any course that could slow us down and bring about a result of this
31. legislation not passing. I would prefer, therefore, to see it at
32. least go into a conference committee where we can put limitations
33. in some specific percentages or dollar amounts or perhaps, I'll be

1. very frank and honest, I hope the bill just isn't reported out
2. at all or maybe we can simply say to the counties, "If you want
3. to levy a specific tax, that...that you can do that." So, I
4. do rise in opposition of the bill. I'm sorry I wasn't here to
5. talk on the bill when it passed.

6. PRESIDENT:

7. Senator Horsley.

8. SENATOR HORSLEY:

9. Well, I just didn't remember this bill, Senator Berning, and
10. I looked up in the Digest to find out it passed last November and
11. has been kicking around here for quite some time from November; but
12. the thing I'm concerned about, with all due respect to you, Amendment
13. No. 2 takes all of the guts out of this bill and rewrites it.
14. Wouldn't you agree with that?

15. PRESIDENT:

16. Senator Berning.

17. SENATOR BERNING:

18. Yes, the re...Amendment No. 2 rephrased the bill, but is
19. essentially the same identical provisions in a different fashion.

20. PRESIDENT:

21. Senator Horsley.

22. SENATOR HORSLEY:

23. As I understand it, Senator Berning, we've been talking here
24. about taking the money away from the school district. Most of us
25. were under the impression this was the old percentage levy idea,
26. but this...they can hire as many clerks as a county clerk wants
27. to hire. He then will apportion the money to the school district
28. or the township or whatever the unit is. They then...they then can
29. add to their tax levy and add another tax load onto the people in
30. their district as a part of their tax levy, the additional money.
31. Well, yes sir, it says right in Section B, in the amendments,
32. Senator Berning, "Charges under this Section shall be determined and
33. charged to the local unit." Each unit of local government upon

1. which a charge is imposed, shall provide in its annual budget
2. for payment of such charge and shall be liable therefore to the
3. county." So, they have to anticipate this charge and they include
4. it in their budget and pass it on to local taxpayers. I think this
5. is an unfair bonanza for the counties where we now are budgeting and
6. I...I've...I don't remember the bill passing, but I certainly
7. don't want to be a party to voting on this amendment. Now, I want
8. to vote no on the amendment.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Cherry.

11. SENATOR CHERRY:

12. Mr. President, before we get in any further controversy one
13. way or another on the bill, we're trying to get some information
14. on it, and can we just have about fifteen or twenty minutes and
15. maybe we can come to some conclusion for or against without ...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Berning has agreed to hold.

18. SENATOR CHERRY:

19. Okay.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Is Senator Dougherty on the Floor? Senator Dougherty.

22. SENATOR DOUGHERTY:

23. Yes Sir. I didn't hear you.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. 4558.

26. SENATOR DOUGHERTY:

27. I'll hold that for a moment.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. You're going to hold that for a moment. Okay. Senator
30. Coulson, for what purpose do you arise?

31. SENATOR COULSON:

32. Mr. President, if you have a moment, I have a complicated
33. series of oral motions on a bill which will not be voted on this

1. Session. I'm simply trying to get the amendments in shape
2. so that they can be looked at later. Do you want to kill a
3. few minutes with it?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. That's fine.

6. SENATOR COULSON:

7. This relates to House Bill 3768 which is Senator . . . I don't
8. know, Senator Hynes' bill, I think. It's to one of the State
9. Treasurer's. I offered an amendment on it yesterday and I find
10. a misprint on it; so, what I'd like to do is recall it to Second
11. Reading with the sponsor's permission; reconsider the vote on
12. Amendment No. 1; table Amendment No. 1; offer Amendment No. 3
13. in its place and then put it back on the order of Third Reading.
14. I'm sure that meets with the agreement of Senator Donnewald and I
15. who are the committee on nit-picking around here.

16. PRESIDING OFFICER: (SENATOR ROCK)

17. The motion...the first motion then would be to...

18. SENATOR COULSON:

19. ...to call it to the order of Second Reading...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Coulson has asked leave with Senator Donnewald to
22. call back 3768 to the order of Second Reading. So ordered.

23. SENATOR COULSON:

24. ...and then a motion to reconsider the vote on Amendment No. 1,
25. and then a motion to table Amendment No. 1, and then I offer for
26. adoption Amendment No. 3 which is on the Secretary's desk.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Okay. Senator...Senator, Senator Coulson has moved to re-
29. consider the vote by which Amendment No. 1 was adopted. All in
30. favor of that motion indicate by saying aye. All opposed. The
31. motion is reconsid...the adoption is reconsidered. Now, Senator
32. Coulson moves to table...

33. SENATOR COULSON:

1. Now, I move to table No. 1.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. ...Amendment No. 1. All in favor of that motion indicate
4. by saying aye. All opposed. Amendment No. 1...

5. SENATOR COULSON:

6. I offer Amendment No. 3 which just changes a word.

7. PRESIDING OFFICER (SENATOR ROCK)

8. Senator Coulson has moved the adoption of Amendment No.
9. 3 to House Bill 3768. All in favor of the adoption of this
10. amendment indicate by saying aye. All opposed. The amendment
11. is adopted. Any further amendments? Third Reading. 4628.
12. Does anybody have a House Bill on Third Reading he wishes to
13. call at this time? Senator Neistein, would you care to make
14. a speech or something. We seem to have created a vacuum here.
15. Senator Knuepfer, were you handling Senate Bill 1512 for Senator
16. Harris? It's in relation to airport authorities. Do you recall
17. that one? It's just come back from the House. Oh, all right.
18. Senator Horsley. Do you have a copy of the House amendments,
19. Senator?

20. SENATOR HORSLEY:

21. Yes, I have. The sponsor of the bill...it only changes the
22. word "incorporated"..."unincorporated" to "incorporated" and it's
23. a typographical error in the bill and is much needed. We have...
24. he's turned his file over to me...Harber Hall...and the airport
25. authorities in the State do not have the same power that sanitary
26. districts do and where there is a plot of ground, 60 acres or
27. more that is completely surrounded by the airport, they can
28. annex them to the airport authority and I think it's a good amend-
29. ment, and I would move the adoption...the concurrence with the
30. House Amendment.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Horsley has moved that the Senate concur in House
33. Amendment No. 1 to Senate Bill 1512. Senator Cherry.

1. SENATOR CHERRY:
2. Just a moment. Do we have a copy of the conference
3. report?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. No, it's a House amendment, Senator. It's a change of
6. one word, I believe.
7. SENATOR CHERRY:
8. We'll have it in a moment. It's on 1512? Who are the
9. members of the House...of the conference committee?
10. PRESIDING OFFICER: (SENATOR ROCK)
11. There is no conference committee. It's a House amendment
12. to a Senate bill.
13. SENATOR CHERRY:
14. No conference committee...What does the House amendment
15. do?
16. PRESIDING OFFICER: (SENATOR ROCK)
17. It changes the word from unin...it changes the word
18. "unincorporated" to the word "incorporated."
19. SENATOR CHERRY:
20. Oh, we'll take a look at it. Can we hold that for a moment.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Sure.
23. PRESIDENT:
24. Senator Hynes, are we...made any decision on Senate Bill 1372
25. yet?
26. SENATOR HYNES:
27. We're trying to see if we can't possibly adopt the amendment
28. rather than put it in a conference committee. We should know in
29. a very short time.
30. PRESIDENT:
31. All right. We have a...we have a resolution by Senator
32. Kosinski we can take at this time. The Secretary will read the
33. Resolution.

1. PRESIDING SECRETARY: (MR. FERNANDES)

2. (Reads Senate Resolution No. 410, by Senators Kosinski,
3. Romano, Course, and all mem . . . Rock, and all
4. members of the Senate.)

5. PRESIDENT:

6. Just a moment please. This is a resolution regarding one
7. of our colleagues. Let's maintain some order. Proceed.

8. SECRETARY:

9. (Continues reading Senate Resolution No. 410.)

10. PRESIDENT:

11. Senator Kosinski moves for the adoption of the resolution.
12. All in favor signify by saying aye. The resolution is adopted.

13. PRESIDENT:

14. We'll let you make another one of those long speeches,
15. Senator Kusibab.

1. SENATOR KUSIBAB:

17. Mr. President and fellow Senators, this is certainly . . . I
18. am certainly grateful for this resolution. I am going to miss
19. the Senate immensely, but conditions were so that I just couldn't
20. come back any more. Thank you very, very kindly.

21. PRESIDENT:

22. Senator Kosinski.

23. SENATOR KOSINSKI:

24. Mr. President and Senators, this is a sorrowful day for
25. me. Because my great friend, Senator Thad Kusibab, I have
26. known for a little over 21 years. I found him to be a
27. warm- hearted fellow who never could answer no to any of his
28. constituents or friends. I'm proud, very proud to have been
29. a friend of his and I hope that he will always be at my side
30. to help me and advise me in the capacity of which I now hold
31. as Senator. I . . . I also have to thank Thad for being a
32. great Senator and my Senator for 12 years. Thad, congratulations.
33. The very best to you and your lovely wife and family. God

1. give you health and keep you smiling always.

2. PRESIDENT:

3. Senator . . . Senator McBroom.

4. SENATOR MCBROOM:

5. Mr. President, while we're whiling away some time here, I
6. have a little story that might be amusing about Senator
7. Kusibab. In 1969 we officed across the hall from one another
8. and after each one of us were outlined in the newspapers for
9. voting for the income tax I received a letter and was told to
10. take a picture of the Capitol building because I . . . when
11. I went home because I would never see it again. And I went
12. over and showed Thad the letter. I said look at this. I'm
13. supposed to take a picture of the Capitol building because
14. I'll never see it again. Thad says, "well look at the letter
15. that I got. He said they have already got me retired. It
16. started out Dear Former Senator Kusibab."

17. PRESIDENT:

18. Senator Graham.

19. SENATOR GRAHAM.

20. Mr. President, I too will miss old Thad. You know he has
21. fond memories of many of our associations in the penitentiaries,
22. once being on that Commission. And he has one honor, if it is
23. an honor, a very dubious one. He was riding in my car when I
24. totaled it, hitting the only tree in the prison yards of Menard
25. Penitentiary. I had a slip of the pedal and Thad was there,
26. and God rest his soul, the former Representative Ed Shaw. So
27. I'm sure, as I miss you, Thad, and your long speeches, you shall
28. never forget the time that we took a drive in Menard Penitentiary
29. with you.

30. PRESIDENT:

31. Senator Sours.

32. SENATOR SOURS:

33. I'd like to say something too. I guess Thaddeus is a good

1. translation. It would be Lover of God, or God loved or God
2. beloved. I think the Senator has been one of the finest
3. exponents of good manners in my time here. And I, too, regret
4. his departure at the end of this term. He's been a good
5. inspiration.

6. PRESIDENT:

7. Senator Laughlin.

8. SENATOR LAUGHLIN:

9. Yes. The trouble you have here, is that I didn't get
10. up and say what I wanted to say about Bernie Neistein, who I
11. think has done a great job and did a good job with the Senate
12. Judiciary Committee as Chairman this time. And I repeat, I
13. enjoyed your confidence in me and our friendship together. And
14. Bernie, thank you very much and I'll miss you. And as far as
15. Thad is concerned, Mrs. Laughlin and I were privileged to
16. spend a little bit of time with the Senator and his wife, get
17. to know them a little bit, and they are wonderful people.

18. PRESIDENT:

19. I don't know if the Chair's list here is complete. But
20. in addition to Senator Kusibab and Senator Neistein, I think
21. the following Senators are retiring, and this I think, shows
22. the kind of loss we're going to have in the Senate here.
23. Senator Laughlin, Senator Gilbert, Senator Nihill, Senator
24. Swinarski, Senator Palmer, Senator Collins, Senator Groen,
25. Senator Bidwill, Senator Davidson, Senator Arrington, Senator
26. Coulson, Senator Baltz and Senator Rosander. That's going to
27. be a real dent in this Senate. We have another resolution.

28. PRESIDING SECRETARY: (MR. FERNANDES)

29. (Reads Senate Resolution No. 411, by Senator Hynes
30. and all members.)

31. PRESIDENT:

32. Senator . . . the boisterous Senator Nihill is recognized.

33. SENATOR NIHILL:

1. Mr. President and Senators, and my good friend, my
2. colleague here along side of me, Tom Hynes, and all you other
3. fine men and Esther Saperstein likewise. You know the Senate
4. is nothing new for me. I worked for a great law firm when
5. I was in high school and when I was in college. And I came
6. down here in the horse and buggy days. I'm gonna tell you,
7. you got a . . . you have it beautiful down here at the present
8. time. When they had no air conditioning. They were laying
9. around here at night. But they didn't spend so much time
10. down here as we're spending at this present time. I'm gonna
11. say this honestly. I've met a lot of good friends on the
12. other side of the aisle, believe me. You're gonna lose a
13. lot of good men with talent over there, likewise over here.
14. I sure appreciate everything you've all done for me down here.
15. And all the fellows on this side and that side of the aisle.
16. And Mr. President, I don't care who the next Lieutenant Governor
17. comes in here, he's not going to take your place. You have
18. a great disposition about yourself. Some men wouldn't be
19. able to take what you're taking up there, believe me. You're
20. just a great man and I appreciate everything said about me
21. here. And I'm not a boisterous fellow, believe me I'm not.
22. Maybe I didn't say enough down here and that's why they
23. said that about me, don't you see. But nevertheless, I wanted
24. to be a journalist when I was in school and whatever they
25. say about me is all right. Due to the fact, I went to school
26. and a newspaper man, he's gotta get stories and if he
27. don't have some . . . get a story that the people will read,
28. then he is not a very good man. Thanks a whole lot and I
29. appreciate everything.

30. PRESIDENT:

31. Senator Hynes.

32. SENATOR HYNES:

33. Mr. President and members of the Senate, before moving

1. for the adoption of the resolution, let me say that it has
2. been my great pleasure to have been Senator Nihill's seat-
3. mate. He has helped me greatly in every way in the legislative
4. process, and particularly in picking out and finding those
5. bad bills that we have to kill. So I move for the suspension
6. of the rules and the immediate adoption of this resolution.

7. PRESIDENT:

8. All in favor of the adoption of the resolution indicate
9. by saying aye. Contrary minded. The resolution is unanimously
10. adopted. Senator Palmer.

11. SENATOR PALMER:

12. I want to congratulate all of these gentlemen who have
13. been given this deserving honor. I'm standing up. But I,
14. just like Senator Laughlin, I too would like to say something
15. on behalf of the boy genius who has been my seatmate here.
Many of you gentlemen . . .

17. PRESIDENT:

18. You're referring to Senator Neistein and not Senator
19. Saperstein.

20. SENATOR PALMER:

21. Neistein, are you here? Many of you gentlemen have
22. served with Senator Neistein for many, many years. I have
23. only had one short term with him. But I have been fortunate
24. to have had his friendship for about 30 years, and it's a
25. very, very valuable friendship. There is nothing that I
26. wouldn't do for him and nothing he wouldn't do for me. And
27. that's the way it's been all these years. We've done nothing
28. for each other. But I am reminded of something today. Just
29. a few years back, I was invited to Neistein's Ward during
30. an election year, when he was running for the Senate, and
31. many, many of the speakers before me lauded him for his
32. work in the Senate, and repeated that he has been serving
33. in the Senate . . . and he was reelected many, many times. . .

1. about six or seven times. Then when it came my turn, I told
2. them that they should elect Senator Neistein again and again
3. and again, until he learned how to do the job. Now that
4. he has learned how to do the job, he is retiring. Well I
5. know that wherever Senator Neistein is going to expend or
6. display his talents, I'm sure he is going to spread cheer
7. and good will. For himself, I hope it's with abundance of
8. health and happiness.

9. PRESIDENT:

10. We do have some matters we can act upon now. We have
11. a conference committee report on House Bill 3639. Is Senator
12. Dougherty on the Floor? House Bill 3639. You want to
13. explain the conference committee report on that Senator
14. Dougherty.

15. SENATOR DOUGHERTY:

16. House Bill 3639, Mr. President and members of the
17. Senate, is a bill that came out of a series of bills in the
18. last Session, wherein with the Constitution, it decreed that
19. the courts could no longer appoint trustees of the various
20. governmental units. This bill provides that the Governor . . .
21. the water district, the appointments shall be made by the
22. presidents of the village boards of municipalities within
23. the district and them alone, and that it shall be reported
24. to the . . . under the amendment that I had, the President
25. of the County Board of the largest county would have the
26. power of appointment. We deleted that, and also we add . . .
27. the conference committee report adopted that instead of
28. reporting to the Department of Local Government that it
29. shall be reported to the Secretary of State. I urge concurrence
30. in the committee report.

31. PRESIDENT:

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

33. SECRETARY:

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

10. PRESIDENT:

11. On that question the yeas are 37, the nays are none.
12. The Conference Committee report is adopted. Senator Dougherty
13. on 45 . . . is Senator Dougherty on the Floor? Senator
14. Dougherty, 4531. Do you wish to call that up at this time?

15. SENATOR DOUGHERTY:

16. Yes Sir.

17. PRESIDENT:

18. 4531. House Bill 4531.

19. SENATOR DOUGHERTY:

20. Mr. President and members of the Senate, very briefly.
21. Senate Bill 4531 is a bill that came over from the House and
22. it is an extract, if you want to put it any other way, of
23. the consolidation of election section of the new Election
24. Code, sponsored by Senator Graham and myself. It consolidates
25. all of the elections and there will be an election . . . a
26. primary in May of every year and a general election in
27. November of that year. And the county candidates, of course,
28. will be disposed of on the even years, the presidentials,
29. and then the municipalites on the odd years. That would
30. include the City of Chicago, where the Aldermen would be
31. nominated in April or in May rather, and the Mayor also would
32. be elected in November. And it could provide for consolidation
33. of all of the elections . . . Park Districts, School Districts,

1. every area of government. I believe it to be good legislation
2. and I urge passage.

3. PRESIDENT:

4. Senator Graham.

5. SENATOR GRAHAM:

6. Mr. President, this is part of the result of . . . could
7. we have some order back here please.

8. PRESIDENT:

9. Just a moment. Please.

10. SENATOR GRAHAM:

11. This relates itself directly to the big Election Code which
12. we passed not too long ago. The contents of this bill were
13. lifted from the big Election Code. Word for word, verse
14. for . . . by verse. Now I am going to object to this, I
15. told Senator Dougherty this. First of all, the sponsorship
16. of this bill has spent no time, not even one minute, as a
17. member of the Elections Laws Commission since it's inception.
18. That's one thing. The next thing that makes me rise to oppose this,
19. that if we keep on extracting little parcels from our Election
20. Code, we're going to have nothing but a skeleton left. I
21. don't think that the people that worked so long on this
22. deserve it. And the last thing and the most important. One
23. of the things that was opposed so bitterly by so many people
24. in the big code in our hearings was the consolidation of
25. elections. And it seems to me that that big bill that this . . .

26. PRESIDENT:

27. Just a moment. Senator let's . . . Senator Graham is
28. entitled to be heard and let's break up . . . Senators Groen, our
29. good friend, Representative Wolf, Representative Shapiro
30. and friends all.

31. SENATOR GRAHAM:

32. Now just in finality . . . I'm not doing a thing that my good
33. friend, Senator Dougherty, didn't know I was going to do. But

1. it seems that the Election Code, as proposed, may have to
2. have a couple things did to it. We may have to extend the
3. effective date of it. And I am sure that the House determina-
4. tion on it is to keep it in committee and have some hearings,
5. and if they do, if the Election Laws Commission is reinstated,
6. which I think it will be, we will be having some hearings, too.
7. So perhaps we can come back in November or perhaps we can
8. come back in January. But I think we are semi-committed, at
9. least to the people who have a fear of this, to have some
10. hearings and have some reconsideration of the contents of
11. this. And on that basis, and no other, I suggest that we,
12. on this side of the aisle, refrain from favorable consideration
13. of 4531.

14. PRESIDENT:

15. Senator McBroom.

16. SENATOR MCBROOM:

17. Well Mr. President, just very briefly. I opposed the
18. original bill that Senator Graham is talking about and I
19. feel exactly the same about this. I think it's significant,
20. Mr. President, that to point to the members that the master
21. bill, for lack of a better name that Senator Dougherty and
22. Senator Graham, their Commission had worked on so many years,
23. has found stringent opposition in the House of Representatives
24. and is bogged down over there. I believe I'm quoting Senator
25. Graham correctly when he said in Republican Caucus and on
26. the Floor of the House that even the master bill was not
27. perfect and certainly this segment of the bill is not perfect.
28. There is so many ramifications to consolidation of elections
29. I can't . . . I couldn't imagine how that bill got any votes,
30. let alone pass the Senate. Since it's passage, I've been
31. on the telephone with County Clerks and City Clerks in my
32. district who are beginning to realize the ramifications of
33. that particular bill. And I think taking precipitous action

1. at 7:00 the night before we adjourn is just absolutely
2. ridiculous. And I would hope that there would be no votes
3. in favor of this bill and I'd certainly hope that there
4. would be none on this side of the aisle.

5. PRESIDENT:

6. Is there . . . Senator Dougherty may close the debate.

7. SENATOR DOUGHERTY:

8. Roll call.

9. PRESIDENT:

10. The Secretary will call the roll.

11. SECRETARY:

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

18. PRESIDENT:

19. Senator McBroom.

20. SENATOR MCBROOM:

21. No.

22. SECRETARY:

23. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
24. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
25. Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
26. Vadalabene, Walker, Weaver.

27. PRESIDENT:

28. Cherry, aye. Saperstein, aye. Vadalabene, aye.

29. SENATOR DOUGHERTY:

30. Mr. President, it is apparent that there is not enough
31. votes on the other side of the aisle. May I move to have
32. this put on post . . . consideration postponed?

33. PRESIDENT:

1. Motion to postpone consideration. All in favor signify
2. by saying aye. Contrary minded. Motion prevails. Senator
3. Gilbert are you ready with a motion on 13...Senate Bill 1372,
4. Senator Gilbert is recognized.

5. SENATOR GILBERT:

6. I move that we refuse to accept the House amendment and
7. ask for a conference committee.

8. PRESIDENT:

9. Motion is that the Senate refuse..nonconcur in the House
10. amendment and is there any discussion? All in favor signify
11. by saying aye. Contrary minded. Motion prevails. Senator
12. Carpentier.

13. SENATOR CARPENTIER:

14. Is the Senate Bill 1404 come back over from the House
15. yet?

16. PRESIDENT:

17. Not that I'm...that the Chair's aware of. We're getting
18. them immediately, as soon as they come in. We're now waiting
19. on action either by the House or conference committees. We
20. have perhaps 15 conference committees going right now. You didn't
21. bring your violin down by any chance?

22. PRESIDING OFFICER: (SENATOR PALMER)

23. Neistein, will you please be in your seat? Do you have
24. anything to say during this recess, Senator Neistein?

25. SENATOR NEISTEIN:

26. Tell us about the coffee without the cream.

27. PRESIDING OFFICER: (SENATOR PALMER)

28. Senator DeFily, will you please sit down. Be in your seat,
29. but I have to listen. I can't tell him from here.

30. PRESIDENT:

31. The Chair understands that there are some Conference
32. Committee Reports that soon may be available. We don't...the Chair
33. doesn't have them yet. However, we have some messages from the

1. House. Senator Graham, in connection with Senate Bill 1535,
2. the House has refused to recede from their amendments and
3. request a Conference Committee. Senator Graham, do you move
4. that we accede to the House request.

5. SENATOR GRAHAM:

6. Yes, Mr. President, and I might say this. As we see a
7. reason for people to leave and I understand that, I do accede
8. and suggest a conference committee as quickly as possible, and
9. we're talking about here, if we don't get the Conference Com-
10. mittee going and we don't do something about it, we're talking
11. about a penitentiary system that will be without any money on
12. July 1st and I do accede to their request for a Conference
13. Committee as soon as possible.

14. PRESIDENT:

15. Motion...Motion is that the Senate accede to their request.
16. All in favor signify by saying aye. Contrary minded. The motion
17. prevails. Senator Saperstein, on Senate Bill 1555, making ap-
18. propriations to the Superintendent of Public Instruction, the
19. House has refused to recede from their amendment and request
20. a Conference Committee. Your motion is that the Senate accede to
21. the request?

22. SENATOR SAPERSTEIN:

23. Yes, Sir. Have a Conference...

24. PRESIDENT:

25. Moved that Senator Saperstein moves that the Senate accede
26. to the request. All in favor signify by saying aye. Contrary
27. minded. The motion prevails. 1558. Senator Graham, are you
28. handling that for Senator Harris? 1558, an Act in relation to
29. the Illinois State Penitentiary.

30. SENATOR GRAHAM:

31. Where are we on that one, Sir? Yes, I was handling it.

32. PRESIDENT:

33. You are handling it? Well, the House has refused to recede

1. from their amendment and requested a Conference Committee.

2. Senator Graham moves...

3. SENATOR GRAHAM:

4. I accede to their request.

5. PRESIDENT:

6. ...that we accede to their request. All in favor signify
7. by saying aye. Contrary minded. The motion prevails. On Senate
8. Bill 1560, Senator Clarke, Knuepfer or McBroom. This is a bill
9. of Senator Harris's, An Act making appropriations for certain
10. ordinary and contingent expenses of State Government. 1560.

11. Who is handling that? Do you happen to know? Oh, Senate Bill
12. 1560. Yes, it's Senator Harris's bill. The motion is by

13. Senator Knuepfer that we accede to the House request for a
14. Conference Committee. All in favor signify by saying aye.

15. Contrary minded. The motion prevails. 1566 is an appropriation
16. for the General Assembly, Senator Harris. The House requests

17. a Conference Committee. Is...Senator Clarke, do you want to

18. move that we accede to their request? All in favor signify by
19. saying aye. Contrary minded. The motion prevails. Senator

20. Knuepfer.

21. SENATOR KNUEPFER:

22. I want to, if I may, address myself to Senators Partee and
23. Cherry, and I want to address myself in reference to House Bill
24. 3031 which would set up the Auditor General. Let me just relate

25. the facts of the situation. The bill passed both Houses. It
26. passed in a different version. A conference...can you quiet

27. down, please. A Conference Committee was appointed. The Con-
28. ference Committee did make a recommendation except insofar as the

29. members, the Democratic members, of the Senate refused to go along
30. and I am...I talked to Senator Cherry subsequent to this and he

31. suggests that this bill had best be handled in the Fall. I want

32. to point out what I think is a very substantial danger of handling
33. it in the Fall. It has to be done this year, I believe. It cannot

1. be done in January of next year. The danger, I think, of trying
2. to do it in the Fall is the fact that it will be totally political
3. or much more political than it is now. None of us at the moment
4. know of the composition of the legislative body which must make
5. this determination. The Auditor General...the determination of
6. who is the Auditor General has to be made by a three-fifths vote
7. of the members of this Body. We don't know who is coming back,
8. which party is going to be the dominate party, whose going to
9. be the Governor. I think this is an ideal time to pass this
10. kind of a bill. When we come back in November after the election,
11. we will all be considering our posture for the next year; and it
12. just seems to me that we will get the Auditor General who ought to re-
13. port to all of the General Assembly, be they Republican or Democratic,
14. and work for all of us. We will put him or put this bill in the
15. posture of being totally political for the next year and maybe
16. even jeopardize the bill. I'm simply asking for a reconsideration
17. of your decision to postpone this decision until the Fall on the
18. grounds that I think we can more objectively deal with the problem
19. today than we will be able to in November.

20. PESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. Well, Senator, this decision was not made precipitously. We
24. gave it a lot of thought and a lot of consideration. Frankly, we
25. think that if we hold this bill until November, we will get an
26. opportunity to do several things, the most important of which is
27. to strengthen this bill. The Auditor General should be the
28. least political animal in all of the political kingdom. I think
29. it will be a less political bill if we handle it in November than
30. if we handle it now. As a matter of fact, the Auditor General
31. if it is to be an effective office, ought to have an expansion
32. of duties a great deal more than is contained in this particular
33. present bill, and this as you know, is a office where the person

1. will hold for ten years. It's the least of the political
2. offices and the least amount of political consideration is
3. involved herein. For example, there are certain things, many,
4. many things, that the Auditor General of the United States performs
5. and performs competently that aren't addressed at all in this
6. bill. We want to add those things to this bill. We want to
7. have the time to prepare the necessary amendments to do just
8. that. We want to have a good bill, a strong bill, and we think
9. that the Auditor General in this bill is bereft of many of the
10. duties that ought to be his for him to do an effective job. As
11. I say, it's a ten year office. A person who takes this office
12. will be there for ten years, and he ought to have the power and
13. the strength to perform that job competently for the people, and
14. that's the reason we made this decision about the Fall. We think
15. it will be in a less political atmosphere.

16. PRESIDENT:

17. Senator Knuepfer.

18. SENATOR KNUEPFER:

19. I'm not going to call it. Obviously I don't have the votes
20. to do anything about it, but I would point out to Senator Partee
21. that this bill came over to this Body on June 27th of last year.
22. It's been over here a year. I don't claim that it's been perfect.
23. I have asked the Constitutional Implementation Committee or anybody
24. else to provide amendments to it. The Association of C.P.A.'s has
25. provided some amendments. We've had a lot of amendments. My con-
26. cern is simply the fact that I don't believe in November that
27. this Body can act in a nonpolitical way on this office. So be it.
28. The decision has been made by you. I simply wanted to ask you to
29. consider that and so be it.

30. PRESIDENT:

31. Senator Partee.

32. SENATOR PARTEE:

33. I don't want to elongate this, but there is one thing I

1. neglected to say to you that I think you ought to know that
2. influenced my decision and that is until we have finalized
3. the Comptroller bills and know precisely what they contain,
4. it will be most difficult to finalize this bill. That's another
5. part of the delaying decision.

6. PRESIDENT:

7. On Senate Bill 161, Senator Rock, we have a message from
8. the House with an amendment.

9. SENATOR ROCK:

10. Yes. Mr. President and members of the Senate, Senate Bill
11. 161 was sponsored originally in the Senate by Senator Merritt.
12. I am informed that an aide from the Governor's office did speak
13. with him. I have conferred with Senator Laughlin. This is the
14. vehicle that was chosen over in the House to utilize it as the
15. delaying of the effective date of the implied consent law. By
16. virtue of an amendment placed on this bill yesterday, the effective
17. date of the implied consent law will be delayed until October 1,
18. 1972. I would ask that the Senate concur in this amendment.

19. PRESIDENT:

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

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
23. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson...

24. PRESIDENT:

25. Cherry, aye. Just a moment. Let's maintain some order so that
26. we can hear.

27. SECRETARY:

28. ...Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell,
29. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,
30. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin...

31. PRESIDENT:

32. Senator Laughlin.

33. SENATOR LAUGHLIN:

1. Yes, in other words, there are two bills which are to pass:
2. one which postpones the effective date to October 1, which this is
3. doing, and the other one to January 1st. The Governor will make a
4. decision as to which one to sign. So, I encourage votes for this
5. bill. Aye.

6. SECRETARY:

7. ...Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,
8. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
9. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
10. Vadalabene, Walker, Weaver.

11. PRESIDENT:

12. Weaver, aye. Carpentier, aye. Neistein, aye. Fawell, aye.
13. Coulson, aye. Ozinga, aye. On that question, the yeas are 34, the
14. nays are none. The Senate concurs in the House amendment. Senator
15. Carpentier, we have a couple of your bills with House amendments
16. on them. ...on the Floor? Senator Groen is here. We have...
17. if I may have the attention of the leadership on both sides be-
18. cause we're going to be moving on these things when leadership
19. has not had a chance to see some of these things maybe. We have
20. Senate Bill 1461 back with a House amendment, Senator Groen.

21. SENATOR GROEN:

22. 1461 or 1283?

23. PRESIDENT:

24. Senate Bill 1461.

25. SENATOR GROEN:

26. I have not seen it, Mr. President.

27. PRESIDENT:

28. ...will be held temporarily. Senator Carpentier, we have two
29. bills of yours. Senate Bill 1404 with a House amendment and again,
30. I'm not sure that this...these have been seen. Senate Bill 1404,
31. Senators Clarke and Partee, I'm not sure you've seen this. Senator
32. Carpentier.

33. SENATOR CARPENTIER:

1. Yes, this has been checked by the other side, Mr. President.
2. PRESIDENT:

3. Well, the copies have been given to the leadership on both
4. sides but I'm not sure they've had a chance to check them. That's
5. the...Senator Carpentier may proceed.

6. SENATOR CARPENTIER:

7. Well Mr. President, I move to concur in the House amendment
8. to...the House amendment to Senate Bill 1404 which appropriates
9. \$725,000 to the Secretary of State's office for normal repairs
10. to buildings in Springfield and Chicago. This involves minor
11. repairs only and no major projects. The House retained \$150,000
12. cut made by the Senate, but the House struck Senator Horsley's
13. amendment attached on the grounds that: One - the Secretary
14. of State is required by law to secure approval of Space
15. Needs Commission and Secretary Lewis has done so. Amendment
16. Number two . . . or another reason is General Services has
17. funded the Space Needs Commission and the Commission will
18. act . . .

19. PRESIDENT:

20. Just a moment please. Gentlemen, let's give Senator
21. Carpentier our attention. Proceed Senator.

22. SENATOR CARPENTIER:

23. G. A. has funded the Space Needs Commission and the
24. Commission will act as required by law. All work exceeding
25. \$1,500 is on a bid basis only. I move for the adoption
26. of . . . I move to concur in the House amendment.

27. PRESIDENT:

28. Senator Horsley.

29. SENATOR HORSLEY:

30. Well I realize that there are some small jobs involved
31. in this. But your law does not apply to the matters of
32. add-ons. Now the add-ons is what we have had so much trouble
33. with around here and if you were taking this out merely for

1. the purposes that they have reported to you, Senator, I
2. could go along maybe with it. But you're leaving the whole
3. questions of add-ons wide open and you're even knocking
4. out the requirement that the Space Needs Commission has
5. to approve it. I think that is the present law, I agree,
6. I think it is the present law that you have to do it. But
7. on . . . after you once approve a contract you have no
8. authority whatsoever on add-ons on the Space Needs Commission.
9. And I, for that reason I object on this particular . . .
10. knocking this out in the House.

11. PRESIDENT:

12. Is there further discussion? The motion by Senator
13. Carpentier is that the Senate concur in the House amendment.
14. On that question . . . Senator Carpentier. On that question
15. the Secretary will call the roll.

16. SECRETARY:

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

26. PRESIDENT:

27. Coulson, aye. Vadalabene, aye. Rock, aye. McCarthy,
28. aye. On that question the yeas are 37, the nays are 2. The
29. motion to concur prevails. Senator . . . Senator Groen.

30. SENATOR GROEN:

31. I'm ready, Mr. President, on 1461.

32. PRESIDENT:

33. All right. We have one other bill of Senator Carpentier's.

1. 1399, Senator Carpentier.

2. SENATOR CARPENTIER:

3. Yes, I move to concur in the House amendment to Senate
4. Bill 1399. The House amendment to this bill incorporates
5. some work on the Senate side of the Capitol building and
6. some of the reappropriations as follows: Reappropriates
7. 5 million from Senate Bill 1396 passed by the Senate for
8. phase two and phase three on the Capitol rehabilitation. The
9. amendment does not include any additional funds for architects.
10. And reappropriates 500 for the Senate elevator from Senate
11. Bill 1403 still over in the Senate. It appropriates 2 million
12. 2 for phase three of the Capitol rehabilitation. All worked
13. on the Senate side. I move for the . . . that the Senate
14. now concur in the House amendment.

15. PRESIDING OFFICER: (SENATOR JOHNS)

16. Any discussion?

17. SENATOR KNUEPFER:

18. Mr. President.

19. PRESIDING OFFICER: (SENATOR JOHNS)

20. Senator Knuepfer.

21. SENATOR KNUEPFER:

22. Yeah. I just want to call to the members on this side
23. of the aisle, the attention of what this bill really does.
24. It goes ahead with the program that we thought, or some of
25. us thought, ought to be held in abeyance until such time as
26. we have an opportunity to look at things. It does not affect
27. the House, as I understand it, in any way, shape or form. The
28. amendment puts in the improvements to the Senate side, which
29. some of us thought were at best cloudy. I personally am
30. going to oppose the bill. I think there is no harm in a
31. six month delay until such time as the Audit Commission and
32. certain other bodies have had an opportunity to look into this.
33. The amendment puts back the language that is presently in

1. those bills which are now languishing on Third Reading in
2. this body, which obviously are not going to go anywhere.

3. PRESIDENT:

4. Senator Carpentier.

5. SENATOR CARPENTIER:

6. We've discussed this with the Secretary of State, and
7. he is going to cancel all present contracts and renegotiate
8. new contracts with the approval of the Space Needs Commission
9. and General Services. So I think that this clears it up.
10. All the present contracts are going to be cancelled. The
11. more we delay this work, the more cost is going to be added
12. to it. And with the assurance from Secretary Lewis that the
13. present contracts are going to be cancelled and we're going
14. to renegotiate, I move for the adoption of this House
15. amendment. I move to concur.

16. PRESIDENT:

17. Senator Clarke.

18. SENATOR CLARKE:

19. Before we vote on this question, could somebody answer
20. a question for me? Like the Pro Tem maybe. Has the House
21. acted on this . . . Senator Horsley's resolution, that we
22. were assured this morning they would do as soon as we passed
23. their rehabilitation bill?

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. I don't know, but I can have the answer in 5 minutes.
28. I think this should be held until we get that answer.

29. PRESIDENT:

30. There's a request that it be held. The Chair might
31. comment that we . . . I got that bill over here for my
32. signature very quickly this afternoon. Senator Horsley.

33. SENATOR HORSLEY:

1. I would like to inquire if this bill still appropriates
2. \$500,000.00 for the return of fees and taxes returnable on
3. application rejected? I can't find it in the bill. I went
4. down and looked. I know, but I looked in the amendment and
5. I cannot find it. Could we have just a moment to look at
6. that.

7. PRESIDENT:

8. Yes. Senator Clarke's suggestion was we hold the motion
9. temporarily Senator Carpentier. Is that acceptable? We will
10. hold it. Senator Groen is recognized in connection with
11. Senate Bill 1461.

12. SENATOR GROEN:

13. Mr. President and members, this is the bill which would
14. provide for the filling of vacancies on the State Investment
15. Board in the manner that was explained at the time, that
16. they would be filled in the same manner as original appoint-
17. ments and that the person would hold his office until his
18. successor was qualified. All Amendment Number One does to
19. the bill is says "Section 2 - This act takes effect upon it's
20. becoming law." And I would move for concurrence in the House
21. amendment.

22. PRESIDENT:

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

25. SECRETARY:

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

1. Vadalabene, Walker, Weaver.

2. PRESIDENT:

3. Egan, aye. On that question the yeas are 31, the nays
4. are none. The Senate concurs in the House amendment. We have a
5. conference committee report on Senate Bill 1369. Senator
6. Baltz.

7. SENATOR BALTZ:

8. Mr. President and members of the Senate, I move that the
9. Senate concur in the House action on House Amendment Number
10. Two.

11. PRESIDENT:

12. Senator Bruce.

13. SENATOR BRUCE:

14. Mr. President, I have not signed a conference committee
15. report and I would ask those on this side of the aisle not to
16. concur in that report. This is one of those situations where
17. the task force spent an inordinate amount of time on a
18. relatively small budget in hopes of reaching agreement so
19. that we would not have a conference committee report. The
20. agency decided that after they had agreed, at least with me, to
21. a . . . and the task force with a relatively . . . it is
22. three times the budget they had this year, that they would
23. go to the House and get more. And then they brought the
24. task force . . . the conference committee report here signed
25. by all the members already. I think that is not the way
26. that conference committee reports should be running today. I
27. believe the agency, with three times the money they had last
28. year, has sufficient money. Be glad to talk to them later on
29. on how much money they would need. But I would ask at this
30. point, that we not concur in the House . . . in the conference
31. committee report.

32. PRESIDENT:

33. Senator Groen.

1. SENATOR GROEN:

2. Senator, what agency of government are we talking about?

3. SENATOR BRUCE:

4. I'm sorry. This is the Comprehensive Health Planning Agency.
5. Comprehensive Health Planning and we're in a discussion over the
6. amount of money that should be given as grants to local planning
7. agencies. They spent in the neighborhood of \$45,000 last year.
8. The bill as it left the Senate would have had \$150,000. It is
9. now returned to us with \$200,000, four times what they spent
10. last year. It's a very good program, but three times the amount
11. they spent last year, I think, is more than adequate. We've
12. got to realize, as I mentioned in Appropriations, this is a strictly
13. self-induced demand program. The Department gets money, goes
14. out and induces those in the field to think that this is a good
15. program, they make demands on the Treasurer which must be fulfilled.
16. They go out and demand more money and it's one of those programs
17. that will escalate and I think we ought to put a lid. Three times
18. the amount of money we spent this year should be sufficient.

19. PRESIDENT:

20. Is there further discussion? Motion...Senator Baltz.

21. SENATOR BALTZ:

22. May I close the debate on this?

23. PRESIDENT:

24. You may.

25. SENATOR BALTZ:

26. Well, Mr. President, this Agency was only established last
27. year in the last Session and Senator Bruce was one of the co-
28. sponsors of the bill and I know he believes in the program; so,
29. it's a brand new Agency. At the time it was established, there
30. were only two areas in the State of Illinois that had area Compre-
31. hensive Health Planning Agencies--one was Chicago, the other was
32. East St. Louis. Both of them at that time were meagerly federally
33. funded. The Comprehensive Health Planning Act of the State of

1. Illinois which I passed with Senator Bruce's help. It's
2. Senate Bill 475. . . establishes a state-wide comprehensive
3. health planning agency that would help and aid local area
4. health planning agencies establish themselves in order to
5. determine the health needs of their community, and as of March 1,
6. 1971, as I said, there were two areas. As of January 1, 1972,
7. there were five areas. As of February 1, 1972, there were
8. seven areas. There are now thirteen and we expect that by June 30th
9. of next year...we hope to have the entire State covered; so, Senator
10. Bruce is correct when he says that they only spent \$47,000 at
11. that...in their aid in those areas last year because this was
12. all the areas that were then established. These areas have to
13. raise local funds in order to get State and Federal matching grants.
14. I say this, the Comprehensive Health Planning Agency in their
15. budget this year ask for \$302,000 in operations. We cut off
16. \$101,000 of that \$302,000, reduced operations to \$200,000. The
17. Agency says they can get along with that. They do need grant
18. money for these local area planning agencies that are now being
19. formed. This is seed money. They put this money in there. They
20. aid these agencies in getting established, setting up a staff.
21. This is a 51% consumer controlled operation in each local community.
22. Now, with the rapid growth of these that I have outlined at the
23. beginning of my talk, I think that it ought to be obvious to
24. you that maybe we can spend the whole \$250,000. We granted them
25. \$150,000 here in grant in aid. \$50,000 was added to the House
26. with the approval of the Democrat side as well as the Republican
27. side. This is what we're asking for--that the amendment that
28. the House put on increasing their grants from \$150,000 back to
29. \$200,000, not for the full \$250,000 they want--is what we're
30. talking about. Now, grant in aid money, if it is not necessary
31. to spend it, goes back in the General Fund. If we have it appro-
32. priated, we can get an equal amount from the federal government
33. which can help your local agencies all over the State--not only

1. in downstate areas but in Chicago. So, I feel that this is a
2. reasonable request. Senator Bruce is referring to some agree-
3. ments that were made, agreements that I said, "Yes, Terry, if
4. \$50,000 is all you can put back into this; this is the best I
5. can get, I'll pass the bill out with this." The House didn't
6. feel this way. They added another 50 of the 100 that was cut
7. off. So, I'm saying this to you. We've cut off \$102,000 in
8. operations. The Agency says they can get along if they have
9. to without that \$102,000. They do need the other \$100,000 in
10. order to get federal matching grants for this other \$50,000 we're
11. talking about and I urge your support of concurrence in this
12. Conference Committee Report on both sides of the aisle. This
13. is a brand new agency. They're growing. If the money isn't
14. needed, it won't be spent and I urge your aye vote.

15. PRESIDENT:

16. Senator Cherry.

17. SENATOR CHERRY:

18. We're going to support our Task Force efforts and results.
19. The only bad thing about the situation is something that has
20. occurred from time to time and I think it's time to put a stop
21. to it and that's muscle being used by agencies after they once
22. make a commitment and agreement in the Senate. The certain reductions
23. which were done and accomplished and completed and go back to the
24. House and renege on their agreements for reductions and try to
25. reinstate the money and the deductions that were made here. I
26. think it's time in this bill and in any other bill to stop these
27. kind of tactics. We're going to support our Task Force in what
28. they did originally and the agreements that were made by this
29. Agency and any other Agency.

30. PRESIDENT:

31. State...I wonder for the saving of time, Senator Baltz, you
32. have to get 30 votes for the acceptance of the Conference Com-
33. mittee, if we can't...if the motion can have a substitute motion

1. that the Senate not accept and by voice vote. Senator Baltz.

2. SENATOR BALTZ:

3. Yes, if you'll urge the people on that side of aisle that
4. believe in this concept to stand up, I would be happy to go
5. along with that idea.

6. PRESIDENT:

7. You have urged them. Senator Bruce moves that the Conference
8. Committee Report not be accepted. All in favor signify by say...
9. Senator Newhouse.

10. SENATOR NEWHOUSE:

11. Mr. President, I'd like to get one thing clear. Who made
12. an agreement with whom?

13. PRESIDENT:

14. Senator Bruce.

15. SENATOR BRUCE:

16. Well, if I may reconstruct the history of this particular
17. bill in some detail; that is, the Agency spent \$45,000. It was
18. the Task Force's opinion that we double that this year. They
19. requested 250. Then through conversations with both Mr. George
20. Lindley of Comprehensive Health Planning and Senator Baltz, that
21. figure was upped to \$135,000. It rested at that figure for a
22. couple of days. Then we were...Senator Baltz then said that an
23. additional \$15,000 was needed. He conferred with me, I discussed
24. it with him and I decided that an additional \$15,000 was needed.
25. It was my understanding at that point that the Agency could live
26. with \$150,000, have an adequate program next year and enjoy a
27. tripling of their budget and in very good expansion of a very
28. well...good program. That was the agreement. It has come back
29. here. A Conference Committee came back. I've talked with Mr.
30. Linsey on two...Lindley on two other occasions since the bill
31. left here. Both of those times I told him I had some serious
32. questions about any restoration above \$150,000. He informed me
33. that he knew of that. At that time, I told him that if it came back

1. I would like to see the bill. It came back, the Conference
2. Committee was completely assigned by every Democrat in the
3. House, every Republican in the House and every Republican in
4. the Senate. I frankly think that we should have had some opportunity
5. to confer on how much of that money should have been restored. I
6. have not and I would until such time as we do have a chance to
7. confer, I think we should not accept the Conference Committee
8. Report.

9. PRESIDENT:

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. Senator, I'm still not clear on who made the agreement with
13. whom. I'm...

14. PRESIDENT:

15. Senator Bruce.

16. SENATOR BRUCE:

17. The agreement was made between Senator Baltz and I on one
18. occasion and I believed we discussed that and talked with George
19. Lindley of Comprehensive Health Planning on at least two times. I
20. don't...cannot reconstruct what days, but we did confer on that.
21. I told him we would not be very much impressed by restoration over
22. there since we had talked with him on the amount of money he needed.

23. PRESIDENT:

24. Is...Senator Baltz.

25. SENATOR BALTZ:

26. Yes, in closing the debate on the subject, maybe the second time
27. I might be able to clear up some of the things that Senator Bruce...
28. I wouldn't want Senator Bruce to think that I had made a deal for
29. the total bill at all. I did plead for another \$15,000 for the bill
30. to go out of the Senate and he agreed to this and we passed it out
31. that way. I do want to say this, that at the time that the budget
32. was submitted, there only had been \$47,000 spent by the end of this
33. fiscal year. As of right now, there is some round number of a hundred

1. or \$107,000 that has been spent in grants in aid. As I pointed
2. out before, this is a brand new agency. It's rapidly growing.
3. Grants in aids can only be given if there is an operation in
4. effect. If there isn't any by next fiscal year where we expect
5. to have the entire State covered, this money won't be spent. We
6. won't be able to get the money from the federal government to
7. match it. So, I think that in the rapid growth of this Agency and
8. the great interest that people have at home in comprehensive
9. health planning and trying to meet their health needs, that there
10. is a strong possibility that \$200,000 even might be inadequate, let
11. alone the \$150,000 that Senator Bruce is arguing for. So, I would
12. still solicit your support because this...the area of Chicago for
13. you Chicago Senators, get real fine help from this Agency as well
14. as the downstate areas. I think it's a brand new agency. It should
15. be supported. It's only supported in the grant end of the ap-
16. propriation where if the money isn't spent, it reverts back and I
17. would urge your support of the House...concurring in the House
18. Amendment.

19. PRESIDENT:

20. The motion is by Senator Bruce that the Senate nonconcur in
21. the Conference Committee Report. The Conference Committee Report
22. not be accepted by the Senate. All in favor of that...Senator Baltz.
23. Division is requested. Will the Senators be in their seats. Division
24. is requested on this. Motion by Senator Bruce that the Senate not
25. accept the Conference Committee Report. Those in favor of the
26. motion by Senator Bruce, please...Senator Bruce. Those in favor of
27. the motion by Senator Bruce, please rise. Those please rise.
28. The motion prevails. Senator Groen. We have amendments...three
29. amendments from the House on Senate Bill 1283.

30. SENATOR GROEN:

31. Yes Mr. President and members, I'm familiar with all three
32. of these amendments. All three of these amendments to this bill
33. were proposed in the House under sponsorship of the Pension Laws

1. Commission. One of the amendments is only administrative in
2. clarifying...in affecting the Illinois State Board of Invest...
3. Board of Investment, makes no substantive changes at all. All
4. of these were approved by both the Commission and were submitted
5. at the request of the Board of Investment. The second amendment
6. revises the conversion option under the reciprocity law. Under
7. this option an employee desiring to transfer pension credit from
8. one system to another may receive proportionate pension credit
9. according to the respective rates of pension provided by the two
10. systems involved. You may recall that the Commission sponsored
11. this change in the reciprocity law at the last Session, some bugs
12. were found in it administratively. This will straighten those out.
13. The principles underlying the concept in the plan are not changed
14. by this amendment. The third amendment concerns the public school
15. teachers' pension retirement fund of Chicago. It increases the
16. limitation from 20 to 33 1/3% relating to common stock invest-
17. ment. That is the only substantive change. It also makes some
18. minor administrative changes. This also is...has the approval and
19. sanction of the Pension Laws Commission. I would move the adoption..
20. move the Senate concur in House Amendments 1, 2 and 3 to Senate
21. Bill 1283.

22. PRESIDENT:

23. Is there...Senator Knuepfer.

24. SENATOR KNUEPFER:

25. Senator Groen, refresh my memory. We had a vote on a bill which
26. related to the terms of the officers of the legislative bodies that
27. this Body turned down. Has that been put back in here?

28. PRESIDENT:

29. Senator Groen.

30. SENATOR GROEN:

31. It certainly has not, Senator.

32. PRESIDENT:

33. Motion is the Senate concur in the House Amendments...this is

1. not a Conference Committee Report. It's in connection with
2. some pension legislation. Senator Cherry.

3. SENATOR CHERRY:

4. Senator Groen, can you hold this for a moment please until
5. our staff checks the amendments. Do you mind?

6. SENATOR GROEN:

7. Okay.

8. PRESIDENT:

9. Amendments...the...they have copies of the amendments. I
10. assume they're satisfactory. I don't know. All right. We'll
11. hold off just a little bit on that then. On House Bill 2416. 2416.
12. We have a Conference Committee Report. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Thank you, Mr. President and members of the Senate. The
15. Conference Committee Report incorporated the two Senate Amendments
16. adopted in the Senate and it provides for an increase in the
17. amount of bond for the trustees and it contains other amendments
18. to provide for the orderly transition for the new Boards. The
19. ordinance adopted a new Board of Trustees shall become effective
20. when adopted and the term of the new trustees who are elected in
21. 1972 shall be for four years, and I move to adopt the Conference
22. Committee Report.

23. PRESIDENT:

24. Is there any discussion? Senator McBroom.

25. SENATOR MCBROOM:

26. Yes, there is discussion on it, Mr. President. House Bill
27. 2416 involves the Levy District in the East St. Louis area. We
28. had several meetings that were interrupted frequently...the Conference
29. Committee. There is dissention on this Report. Representative
30. Cunningham has refused to sign the Report. Representative McMaster
31. has. So have I. I have filed a protest to the Report in writing
32. with the...Mr. Wright. I'd like to point out to the members that,
33. in our opinion, the ones who dissented that this is an intrusion

1. upon the...an unwarranted intrusion on the rights of the
2. people in that particular area. The District was established
3. by referendum. Now it's a legislative intrusion as to tell
4. them what to do. If they want to divide and they want to have a
5. county boundary line between Madison County and St. Clair County,
6. I don't see where it's any business of us here in Springfield to
7. tell them to do that. There's plenty...there's provision to do
8. it by referendum. I'd also like to point out that it seems to
9. me as sitting and listening as a disinterested party in this
10. Conference Committee that we're engaging ourselves in the midst
11. of a family fight between Madison County and St. Clair County.
12. I don't think there's any necessity for this legislation at all.
13. PRESIDENT:

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, back in 1965 I recommended in a report that
17. this be done. I supported legislation as originally proposed
18. by Senator Vadalabene. I signed the report...Conference Committee
19. Report. I have not as of this moment reduced my support for
20. Senator Vadalabene in his efforts to split the two counties
21. of the Eastside Metropolitan Sanitary District and I intend to
22. support the measure.

23. PRESIDENT:

24. Is there further discussion? Senator Vadalabene may close the
25. debate.

26. SENATOR VADALABENE:

27. Roll call.

28. PRESIDENT:

29. Roll call is requested. The Secretary will call the roll.

30. PRESIDING SECRETARY: (MR. FERNANDES)

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

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

6. PRESIDENT:

7. Palmer, aye. Senator McBroom.

8. SENATOR MCBROOM:

9. Am I recorded, Mr President?

10. PRESIDENT:

11. Are you...Is Senator McBroom recorded?

12. PRESIDING SECRETARY: (MR. FERNANDES)

13. No, he is not.

14. PRESIDENT:

15. You are not.

16. SENATOR MCBROOM:

17. Well, just in conclusion Mr. President, I'd like to say again
18. that this legislation is designed to put the Illinois Legislature
19. in the midst of a family fight between Madison County and St. Clair
20. County. What they want to accomplish can be accomplished very
21. easily by referendum and I certainly would suggest to the members
22. on both sides of the aisle, our side in particular, to refrain from
23. voting on this. They can take care of their own...they can take care
24. of their own family in Madison and St. Clair County without our
25. interference and I vote no.

26. PRESIDENT:

27. Request for a call of the absentees. The absentees will be
28. called.

29. PRESIDING SECRETARY: (MR. FERNANDES)

30. Arrington, Berning, Bidwill, Carpentier, Carroll, Cherry, Chew,
31. Coulson, Donnewald, Fawell, Gilbert, Graham, Groen, Harris...

32. PRESIDENT:

33. Graham aye. Donnewald aye. Cherry aye.

1. ASSISTANT SECRETARY:

2. ...Horsley, Knuepfer, Latherow, Lyons, Merritt, Mitchler,
3. Mohr, Ozinga, Rosander, Smith, Soper, Swinarski, Vadalabene,
4. Walker, Weaver.

5. PRESIDENT:

6. Vadalabene, aye. Palmer, aye. Saperstein, aye. Senator
7. Vadalabene.

8. SENATOR VADALABENE:

9. Yes, Mr. President, I want to answer Senator McBroom's state-
10. ment that he doesn't want to get into the Madison-St. Clair County
11. fight, but I want to bring to his recollection that Senator Hall
12. is from St. Clair County. He voted aye. Monroe Flinn is from
13. St. Clair County, a member of the Conference Committee. He voted
14. aye. When the legislators from St. Clair County are voting aye,
15. I'm surprised Senator McBroom is attacking me on this kind of a
16. fight when our own Legislators are doing this.

17. PRESIDENT:

18. Just...for what purpose does Senator McBroom arise?

19. SENATOR MCBROOM:

20. I...I didn't...I didn't think Senator Vadalabene that I was
21. attacking you and if you construed it that way, I'm sorry; but I
22. happened to sit in the Conference Committee also and I listened
23. to the dialogue that went on there and I would say that there was
24. a mammoth amount of lack of enthusiasm on this particular measure,
25. Senator Vadalabene, and I'm sure you know exactly what I'm talking
26. about.

27. PRESIDENT:

28. On that...for what purpose does Senator Savickas arise?

29. SENATOR SAVICKAS:

30. Well Mr. President and members of the Senate, there is a lot
31. of lack of enthusiasm on many items before this Legislature and it
32. seems that we do inject our own interests into many counties that
33. we do not live in. I've never seen Senator McBroom or many other

1. Senators here who are withholding their votes hesitate to
2. interject their decisions on Cook County when they don't live
3. in it or many other counties in the State and now to cop a
4. plea as it is at this time, seems very strange indeed. I think
5. that since the two Senators in this Body are from these two
6. counties that are affected and they are both registering aye
7. votes for this that there should be more substantial support to
8. allow these two counties and these two Senators that are in
9. this Body the authority to do that which they are deeming neces-
10. sary. I think that we should get at least three or four more
11. votes on this bill.

12. PRESIDENT:

13. Aye...Horsley, aye. On that question the yeas are 29. Is
14. Senator Weaver voting in the affirmative? Is Senator Weaver...
15. are you voting in the affirmative? On that question, the yeas
16. are 30, the nays are 7. The Conference Committee Report is
17. accepted. Motion by Senator Vadalabene to reconsider. Motion
18. by Senator Savickas to table. All in favor of the motion to table
19. signify by saying aye. Contrary minded. The motion to table prevails.
20. Senator...Verification has been requested. The Senators will
21. be in their seats. The Secretary will call the affirmative votes.

22. SECRETARY:

23. Bruce, Cherry, Course, Donnewald, Dougherty, Egan, Graham,
24. Hall, Hynes, Johns, Knuppel, Kosinski, Kusibab, McCarthy, Mohr,
25. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,
26. Romano, Saperstein, Savickas, Swinarski, Vadalabene, Weaver.

27. PRESIDENT:

28. Senator Clarke.

29. SENATOR CLARKE:

30. Senator Ozinga.

31. PRESIDENT:

32. Is Senator Ozinga here? Remove Senator Ozinga's name. On
33. that question the yeas are...the yeas are 29...well, the Chair cannot

1. add names after the roll call has been locked in. The yeas are
2. 29, the nays are 7. The Senate...now, you can't postpone con-
3. sideration either. The yeas are 29, the nays are 7. The...the...
4. a request for a verification of the negative votes. The Secretary
5. will call the negative votes.

6. SECRETARY:

7. Baltz, Clarke, Collins, Davidson, Laughlin, McBroom, Sours.

8. PRESIDENT:

9. The Conference Committee Report is not accepted. Senator
10. Vadalabene. Do you wish...where is Senator...do you wish to
11. make a request for a second Conference Committee Report? Do you
12. wish to make a motion for a second...Senator Vadalabene moves to
13. request of the House a second Conference Committee Report. All in
14. favor signify by saying aye. Contrary minded. The motion prevails.
15. Senator Baltz.

16. SENATOR BALTZ:

17. Mr. President, if we may return for a minute to Senate Bill
18. 1369. We had considerable debate on it. I move to concur in the
19. Conference Committee Report. I think in the resulting debate the
20. actual motion that you voted on was a motion to nonconcur by Senator
21. Bruce. In the resulting confusion I failed to make the necessary
22. motion to request a second Conference Committee and I would like to
23. do that now.

24. PRESIDENT:

25. Yes. I...the...1369. Motion to...I think that was probably
26. done, but we'll make sure. Senator Baltz moves to request a
27. second Conference Committee. All in favor signify by saying aye.
28. Contrary minded. The motion prevails. We have another Conference
29. Committee Report on House Bill 4215. Senator Weaver, is that your...
30. Senator Weaver.

31. SENATOR WEAVER:

32. Mr. President and members of the Senate, I move to concur...to
33. accept the Conference Committee Report on House Bill No. 4215.

1. In essence this a reduction of approximately \$2,300,000.00
2. from this appropriation.

3. PRESIDENT:

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

6. SECRETARY:

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

16. PRESIDENT:

17. Egan, aye. McCarthy, aye. Vadalabene, aye. Partee,
18. aye. Johns, aye. On that question the yeas are 39, the
19. nays are one. The Conference Committee Report is accepted.
20. On House Bill 3544, Senator Bruce. 3544. Yours is the
21. first name listed.

22. SENATOR BRUCE:

23. Yes, I understand that.

24. PRESIDENT:

25. Yes, okay. Senator Bruce. Just a moment please.

26. SENATOR BRUCE:

27. Yes, Mr. President and members, the Conference Committee
28. Report to House Bill 3544 relates to a conveyance of land
29. by the University of Illinois to the Crawford County School
30. District. When the bill was introduced the Crawford County
31. School District was District 12, I believe. Between the
32. time it was introduced in the House and passed in the Senate,
33. and we can back here in this Spring Session, Crawford County

1. has reorganized their districts. The district conveyance
2. will now be to the oblong Crawford County School District,
3. with land in both Crawford and Jasper Counties, and the
4. District number is number 4. It's just a question that the
5. District is now reorganized. It is a conveyance of land
6. from the University of Illinois. It will be for educational
7. purposes. It adjoins the District. We passed the bill.

8. PRESIDENT:

9. Is there any discussion? Senator Sours.

10. SENATOR SOURS:

11. Mr. President, I find that there has been an interval
12. of about 17 days between the Senate Committee. What's
13. been . . . what's the cause of that?

14. PRESIDENT:

15. Just a moment. Please. Just a moment. Senator Sours.

16. SENATOR SOURS:

17. I find, Mr. President and Senators, there's been a
18. interval of 18 days between the Senate Committee appointed.
19. What's . . . what's been delaying this important legislation,
20. if it is that.

21. PRESIDENT:

22. Senator Bruce.

23. SENATOR BRUCE:

24. Yes, Senator Sours I may review with you. We passed that,
25. I believe on the 7th day of June and transmitted according
26. the Secretary's records to the House. They took until the
27. 22nd of June to take action on that. I got a word . . . a
28. note from Roscoe Cunningham, Representative Cunningham, this
29. morning asking what had happened. The Secretary of the House
30. checked his records. We had transmitted on the 6th of June
31. that we had nonconcurrent. They lost that. Representative
32. Cunningham has been waiting impatiently all those days, only
33. to find today, that it had been there for some 21 days. He

1. has acted expeditiously today and now we have the Conference
2. Committee Report, which was typed some three weeks ago, all
3. signed and ready to go.

4. PRESIDENT:

5. Senator Sours.

6. SENATOR SOURS:

7. Well Mr. President and Senators, that's like a stale
8. check, isn't it? That's my only comment.

9. PRESIDENT:

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

12. SECRETARY:

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

22. PRESIDENT:

23. Collins, aye. Graham, aye. Vadalabene, aye. Merritt,
24. aye. On that question the yeas are 39, the nays are none.
25. The Conference Committee Report is accepted. We have a
26. Conference Committee Report on Senate Bill 1439. Senator
27. Latherow.

28. SENATOR LATHEROW:

29. Well, Mr. President, I'm not in position to explain
30. this right now until I get a little correlation with it.

31. PRESIDENT:

32. All right. We'll hold off on that then. Is the . . .
33. well Senator Latherow says he isn't . . . needs a little

1. more explanation on it or . . . Senator Bruce are you . . .
2. Senator Bruce.

3. SENATOR BRUCE:

4. Yes, perhaps I can refresh a . . . the Senate cut a
5. \$1,128,000.00 out of that. \$128,000.00 was in operating and
6. a \$250,000.00 project, an experimental project. At this
7. point the experimental project on land reclamation is now
8. deleted from the budget and we have restored \$47,000.00 for
9. personal services and \$10,000.00 in travel, in the general
10. office. The Director has agreed with the cuts. He is quite
11. happy. The \$1,000,000.00 for the purchase of land was
12. removed here and concurred in by the House. So that's not
13. been in controversy. I believe that everyone is now in
14. agreement that mines and minerals . . . The Director I . . .
15. we've had a conversation. He agrees with the Conference
16. Committee Report.

17. PRESIDENT:

18. Senator Latherow moves that the Conference Committee
19. Report be accepted. Is there further discussion? The
20. Secretary will call the roll.

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
23. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
24. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
25. Graham . . .

26. PRESIDENT:

27. Senator Graham.

28. SENATOR GRAHAM:

29. In explaining my aye vote, I would like to suggest to
30. Senators Rock, Bruce, Dougherty and Fawell, that the House
31. members on the Committee on Conference on the corrections
32. bill are on their way to Arrington's office now. So we'll
33. meet as soon as the gentlemen of the House get here. Thank

1. you and I vote aye.

2. SECRETARY:

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

9. PRESIDENT:

10. Rock, aye. Vadalabene, aye. On that question the yeas
11. are 40, the nays are none. The Senate concurs in the
12. Conference Committee Report . . . accepts the Conference
13. Committee Report. The . . . Senator Groen is recognized in
14. connection with Senate Bill 1283. Senator Groen.

15. SENATOR GROEN:

16. Mr. President and members, I have explained the amendments
17. at length. I believe the . . . Senator Cherry has now had
18. a chance to confer regarding them and is satisfied. I would
19. renew my motion that the Senate do concur in House Amendments
20. 1, 2 and 3 to Senate Bill 1283.

21. PRESIDENT:

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

24. SECRETARY:

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

1. PRESIDENT:

2. Horsley, aye. Clarke, aye. Collins, aye. Latherow,
3. aye. Ozinga, aye. On that question the yeas are 38, the
4. nays are none. The Senate concurs in the House Amendment.
5. We have three resolutions. Mr. Fernandes will read the
6. resolutions. Just a moment. This is a resolution about
7. one of our colleagues. We'll ask our members to be in
8. their seats.

9. PRESIDING SECRETARY: (MR. FERNANDES)

10. (Reads Senate Resolution No. 412, by Senator Savickas,
11. Neistein and all members.)

12. PRESIDENT:

13. Just a moment. Is the Senator here? I don't think
14. he's . . . just a moment. Go ahead with the resolution.
15. Just a moment. Treat the Chairman of the House Appropriations
16. Committee with respect, Senator Savickas. Proceed with
17. the resolution.

18. PRESIDING SECRETARY: (MR. FERNANDES)

19. (Continues reading Senate Resolution No. 412.)

20. PRESIDENT:

21. All in . . . Senator Swinarski.

22. SENATOR SWINARSKI:

23. Mr. President and ladies and gentlemen of the Senate,
24. I know the one thing that I regretted some years ago,
25. was to lose my seat in the Senate. That was a little hard
26. thing for me to bear at that particular time and I may
27. have had a little animosity toward some members. But let
28. me say this. It's been a privilege for me to return here
29. to serve with all of you fine men and lady in this distinguished
30. Body. I know that the years ahead, if I have to . . . any
31. of them, I shall cherish them and any animosity I may have
32. carried before, for some of the unseating that happened
33. to me back in '65, I don't. And I further say this, I'm

1. very happy that we were able to resolve the two contests here
2. in this particular Assembly with the Republicans the way it
3. turned out. I know how I felt in '65. I was very happy that
4. things turned out the way they did. I certainly felt no bad
5. feelings toward anybody. I love all of you. You're my friends.
6. You've been a great joy to me for the two years I've been here.
7. Thank you.

8. PRESIDENT:

9. All in favor of adoption of the Resolution indicate by
10. saying aye. Contrary minded. The Resolution is adopted. Senator
11. Donnewald.

12. SENATOR DONNEWALD:

13. Well, Yes Mr. President, I have a Resolution No. 1 and I
14. know that isn't the proper number, but one of the Pages of the
15. Senate requested that I offer it and if I may, I would read it
16. and we'll dispose of it as you wish. Offered by the Pages of
17. the Illinois State Senate, Whereas, Senator Cecil A. Partee, President
18. Pro Tempore of the Illinois State Senate is to be congratulated
19. for his fine and always fair treatment of the Pages and; Whereas,
20. Senator Partee's always amiable and understanding personality will
21. be forever remembered and appreciated and; Whereas, Senator Partee's
22. actions have always expressed the highest level of honor and
23. dignity; Therefore, be it resolved by the Pages of the Illinois
24. State Senate that we gratefully commend the Senator's always
25. excellent treatment of we, the undersigned, and if I may, I'd
26. read them, and it's very, very brief.

27. PRESIDENT:

28. Go ahead.

29. SENATOR DONNEWALD:

30. Dan Shaughnessy, Charles Lloyd, Gerald Clemons, Mike
31. Daley, Diane McCarthy, Ann McDaniels, Daniel Phelps, Gary Sedlock,
32. Pat Narog, Barbara Knuepfer, Susan Brooks, Rosemarie Hensey, Walter
33. Duncheon, James Zerkle, Mark Suits, Alfred Haggerty, Susan Helfand,

1. Albert Cross, Jr. and Tim Ahlgrim. Be It Further Resolved that
2. a suitable copy of this preamble and resolution be presented
3. to the Honorable Senator Cecil A. Partee and that we sincerely
4. hope that he communicates our esteem and appreciation to the
5. rest of the Senators; adopted by the Pages of the Illinois Senate
6. on June 29, 1972.

7. PRESIDENT:

8. Senator Partee...

9. SENATOR PARTEE:

10. Let me just...just...

11. PRESIDENT:

12. In eighteen years I've never seen a Resolution like that.
13. That's a tribute to you. Senator Partee.

14. SENATOR PARTEE:

15. Let me just say that being a member of this Body has accustomed
16. me to the unexpected. I suppose it's a warm and wonderful feel-
17. ing that we have when we are given compliments by our peers. I
18. think it's an even more humbling feeling to have nice things said
19. about you by the young for they are our future and hopefully some
20. of the attitudes I've expressed and things I've done has caused
21. them to have this feeling for me. Let me say to them on behalf
22. of Senator Clarke and myself and the entire Senate membership
23. that we are grateful for your presence. We hope that by our
24. actions we inspire you to government service. We hope that one
25. day you will look upon these days you spent in the Illinois Senate
26. as a Page as a wonderful part of your life in which you learned
27. something about government. I'm sure that there are times when
28. you feel that we are something less than businesslike, but that,
29. too, is a part of life and being. Thank you very much, Pages.
30. We love you all.

31. PRESIDENT:

32. Senator Savickas.

33. SENATOR SAVICKAS:

1. Well Mr. President and members of the Senate, we have
2. another Resolution for another Democrat, and the word Democrat
3. is mentioned a few times and I noticed that Eddie Fernandes
4. kind of choked the last time when he read the word "Democrat".
5. If there's a problem, I'd be more than glad to read the
6. Resolution.

7. PRESIDENT:

8. We'll get to it in just a minute. Senator Sours.

9. SENATOR SOURS:

10. I wanted to with reference to this Page Resolution, Mr.
11. President, Ladies and Gentlemen of the Senate, refer to one
12. of my dear old friends, a man by the name of Seneca. He said,
13. Cecil Partee, in the purest of Latin, "In est parwa sua." "In
14. little things there is the greatest charm." What you've just
15. had thrown at you, you have deserved richly.

16. PRESIDENT:

17. We agree. We have two more resolutions.

18. PRESIDING SECRETARY: (MR. FERNANDES)

19. Senate Resolution No. 413 by Senator Savickas and Vadalabene.
20. (Reads Senate Resolution No. 413).

21. PRESIDENT:

22. Just a second. Is Senator O'Brien here? We'd better hold
23. off on that Resolution here. We may adopt it tomorrow here now.
24. We'll hold that Resolution.

25. PRESIDING SECRETARY: (MR. FERNANDES)

26. Senate Resolution...

27. PRESIDENT:

28. Here he is. Here he is. We need the thirtieth vote here,
29. Senator O'Brien. Proceed with the Resolution.

30. PRESIDING SECRETARY: (MR. FERNANDES)

31. Senate Resolution No. 413 by Senator Savickas and Vadalabene.
32. (Reads Senate Resolution No. 413).

33. PRESIDENT:

1. Senator Cherry.

2. SENATOR CHERRY:

3. I just briefly comment on this Resolution, Mr. President.
4. Danny O'Brien is one of the bright stars on the political horizon
5. in the City of Chicago, and even though he met a little set-
6. back several months ago, I think it's just one of those things
7. that occurs in the life of an individual which I'm sure he will and
8. can overcome in the future. He has exhibited great talent on
9. the Floor of the Senate for his first term and I think that
10. everyone here will agree that that comment is a fact; and I'm
11. sure we all wish him well and he has a great political future
12. in store for him. He is young enough to overcome the kind of a
13. set back that occurred recently, and I know he has the kind of
14. guts and spirit where this will not deter him in his future
15. years. We all wish him well.

16. PRESIDENT:

17. Senator Carpentier.

18. SENATOR CARPENTIER:

19. Well to sum it up, in my brief acquaintanceship with Dan, he's
20. the best damn left fielder we ever had.

21. PRESIDENT:

22. Senator O'Brien.

23. SENATOR O'BRIEN:

24. Well Mr. President and members of the Senate, I want to thank
25. you very much for those kind words. I would like to tell you that
26. I've enjoyed the two years that I've spent down here in this Body.
27. I've learned much. There's much that I've yet to learn. I hope
28. some day to have the opportunity to serve in the Office once
29. again. I really appreciate being down here, and I really ap-
30. preciate your kind words. Thank you very much.

31. PRESIDENT:

32. Senator, we have one more...All Senators will be shown as
33. co-sponsors on that Resolution...all these Resolutions. We have

1. one death Resolution. Is Senator Hynes here? Let's take...
2. we have a death Resolution. Yeah, it's a death Resolution
3. for someone in Senator Hynes' District. It's No. 440. All...
4. Will all the Senators in favor of the adoption of the Resolution
5. please rise. The Resolution is adopted. Senator ParTEE.

6. SENATOR PARTEE:

7. Mr. President, I'm going to make a motion, a motion that
8. we adjourn. I've been over to the House. I've observed their
9. Calendar. I've observed that there are some rather significant
10. problems with some rather significant appropriations. There's
11. also a problem with the School Aid Formula Bill. A Conference
12. Committee is in the process of being appointed on that question.
13. It is quite obvious to me that we cannot finish this evening, even
14. if we stayed through. So, I move, Mr. President, that we adjourn
15. until 9:30 tomorrow morning.

16. PRESIDENT:

17. Motion that the Senate adjourn until 9:30 tomorrow morning.
18. All in favor signify by saying aye. Contrary minded. The
19. Senate stands adjourned.

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