

TRANSCRIPT -- 77TH GENERAL ASSEMBLY

NOVEMBER 1971 SESSION

NOVEMBER 4, 1971

PRESIDENT:

The Senate will come to order. Prayer by the Chaplain, Reverend Dennis R. Groen, Concordia Seminary here in Springfield. Pastor Groen. Reading of the Journal. Moved by Senator Palmer the reading of the Journal be dispensed with. All in favor signify by saying aye. Contrary minded. The motion prevails. Committee reports.

SECRETARY:

Senator Donnewald, Chairman of Assignment of Bills assigns the following to Committee: Agriculture and Conservation, House Bills 2532, 3545, 3690 and 3691; Judiciary, House bills 810, 811, 1976, 1977, 1881, 1985, 1986, 1987, 1988, 1989, 1991, 1992, 1993, 1994, 1995, 1998, 3082 through 3534, 3737, 3738, 3739; Local Government, House bill 2646. Senator Lyons, Chairman of the Appropriation Division, Committee on Public Finance reports out Senate bills 1307, 1311, 1213, and 1314 with the recommendation Do Pass, House bill 2827 with the recommendation Do Not Pass, House bills 3033 and 3037 with the recommendation Do Pass. Senator Cherry, Chairman of the Executive Committee reports out House bills 1792, 2899, 3088 with the recommendation Do Pass, Senate resolution number 253 with the recommendation Adoption, Senate joint resolution number 55 with the recommendation for Adoption; Senator McCarthy, Chairman of Financial Institutions reports out House bill 2766 with the recommendation Do Pass. Senator Chew, Chairman of Transportation reports out House bill 2460 with the recommendation Do Pass; Senator Dougherty, Chairman of Local Government Committee reports out house bill 19, 1049 and 2646 with the recommendation Do Pass.

PRESIDENT:

Petitions. Resolutions; Motions, Introduction of bills. Messages from the House. I have a resolution from Senator Berning.

SECRETARY:

Senate joint resolution No. 56, introduced by Senator Berning.

PRESIDENT:

Executvie Committee. Senator Berning, we have to suspend the rules for the introduction of that. Our rules say we can't have a Constitutional amend-

ment introduced after a specified date, I can't remember what it is, in April or May.

SENATOR BERNING:

Then Mr. Chairman, I respectfully request a suspension of the rules and acceptance of this resolution and consigning it to the Executive Committee for intermin deliberation.

PRESIDENT:

Is there objection? Leave is granted. The bill is introduced..... The resolution is introduced and it is referred to the Executive Committee. Messages from the Governor.

SECRETARY:

A message from the Governor by Arthur R. Swanson, Assistant to the Governor. Mr. President; The Governor directs me to lay before the Senate the following message: To the Honorable the Members of the Senate of the 77th General Assembly I have nominated and appointed the following named persons to the offices enumerated below and respectfully ask concurrence in the confirmation of these appointments by your honorable body.

PRESIDENT:

Executive Committee. Messages from the House.

SECRETARY:

Message from the House, Mr. Selcke, Clerk. Mr. President: I am directed to inform the Senate that the House of Representatives has adopted the following preamble and joint resolution in the adoption of which I'm instructed to ask the concurrence of the Senate to wit: House joint resolution 104. Resolved by the House of Representatives of the 77th General Assembly of the State of Illinois, the Senate concurring therein, that when the House adjourns on Friday, November 5, 1971, it stand adjourned until Monday, November 8, 1971, at 1 o'clock p.m. and when the Senate adjourns on Thursday, November 4, 1971, it stand adjourned until Monday, November 8, 1971, at 12 o'clock noon.

PRESIDENT:

Senator Partee moves the adoption of the Adjournment Resolution. All in favor signify by saying aye. Contrary minded. The resolution is adopted.

SECRETARY:

Message from the House, Mr. Selcke, Clerk. Mr. President: I am directed to inform the Senate that the House of Representatives has passed bills of the following titles in the passage of which I am instructed to ask the concurrence of the Senate to wit: House bill 1668, 1669, 1781, 1849, 1850, 2033, 2222, 2397, 2416, 2453, 2485, 2667, 2881, 2916, 3066, 3071, 3077, 3544, 3588, 3600, 3623, 3624, 3636, 3646, 3648, 3650, 3653, 3674, 3682, 3686, 3702, 3744.

PRESIDENT:

Senator Mohr.

SENATOR MOHR:

Mr. President, I wonder if I might have leave of the body to advance House bill 3600 to the order of second reading. I have cleared that with the leadership on the other side and I don't know of any other objection.

PRESIDENT:

Is there objection? Leave is granted. Senate bills on second reading. 1302, Senator Partee, do you want to hold that on second reading?

SENATOR PARTEE:

Let's move it to third with the understanding that if anyone has an amendment, I will bring it back.

PRESIDENT:

1302.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senate bills on third reading. 491, Senator Ozinga, do you want to hold? 890 Senator McCarthy. Senator McCarthy, 890.

SENATOR MCCARTHY:

Tab that for the moment, please.

PRESIDENT:

1164, Senator Berning. Hold. 1283, Senator Groen. 1287, Senator Merritt.

SENATOR MERRITT:

Yes, Mr. President and members of the Senate. I think the membership is certainly well informed on this particular transfer bill regarding those universities and the Board of Governors. It would provide for a 2.1 million transfer...I mean a 2.2 million transfer from various line items to other lines items; also, it appropriates 600 thousand of the excess income funds for personal services and other needs. I'd certainly appreciate a favorable roll call vote..

PRESIDENT:

Is there any discussion? Senator Partee.

SENATOR PARTEE:

I don't think he is going to have any opposition here, but I would ask him to hold it just for a minute until Senator Hynes gets back on the floor, please.

PRESIDENT:

It will be held. 1296, Senator Dougherty. Is Senator Dougherty on the floor? 1299, Senator Weaver.

SENATOR WEAVER:

Mr. President, I suppose Senator Partee wants Senator Hynes on the floor.

PRESIDENT:

He is on the floor now, so maybe we can go ahead with this. 1299 and then we'll get back to yours Senator Merritt, also. 1299.

SENATOR WEAVER:

Mr. President, members of the Senate, 1299 is a transfer from the Equipment Fund to the Personal Service Fund in the amount of \$2,100,000. I think everyone is familiar with the bill. If there are any questions, I will try to answer them. If not...

PRESIDENT:

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

SECRETARY:

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

PRESIDENT:

Senator Hynes.

SENATOR HYNES:

Mr. President and members of the Senate. In explaining my vote, I would like to say very simply that I think this is a very unfortunate situation in which we are placed. We have, and this holds true for all the bills in this series...we have been wrangling about the level of funding for our colleges and universities in this State for several days, in fact, even in the last session. These bills represent at best a stopgap. In fact, in my judgment, there will be an unfortunate impairment of the operations of our universities because we are taking money from essential capital accounts and transferring it to operations. It's really simply a question of balancing priorities. It is imperative that this money be put into operations. It is our position that the necessary funds are available to do so from general revenue. We have been unable to get any support for that position and, therefore, our only alternative is to accept this proposal. I think that we are going to see in the long run that it is an undesirable approach. We are going to have to restore this money next year at a higher cost and we are not going to be able to make up for the damage that will be done during the interim. So, I suggest these bills be passed, but again I consider it a most unfortunate situation. I vote aye.

SECRETARY:

Johns, Knuepfer, Knuppel.

PRESIDING OFFICER: O'BRIEN

Senator Knuppel.

SENATOR KNUPPEL:

I have severe misgivings about any group of people who come here and say they need money and later, after they don't get it, say that they have it in another pocket. Now, if I don't like something, the only way I know to stop it is not to say I don't like it and not to sit here mealmouthed and say, "Well, we've got to do it." There's one way to stop it and that's to say "No". N-o.

PRESIDING OFFICER: O'BRIEN

Continue with the roll call.

SECRETARY:

Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,

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

PRESIDING OFFICER: O'BRIEN:

Laughlin aye. Neistein aye. The yeas are 42 and the nays are 1. Having received a constitutional majority, the bill is declared passed. Senator Merritt, Senate Bill 1287.

SENATOR MERRITT:

Yes, Mr. President and members of the Senate. I think you all heard the explanation before. We were waiting for Senator Hynes to be on the floor. I would appreciate a favorable roll call vote.

PRESIDING OFFICER: O'BRIEN:

Any further discussion? The Clerk will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: O'BRIEN

Neistein aye. Bruce aye. Senate bill 1287 the votes are 41 yeas 1 nay. Having received a constitutional majority, the bill is declared passed. The chair recognizes Senator Carroll.

SENATOR CARROLL:

Mr. President and members of the Senate. We have a distinguished guest here today that's from up in my area. I would like to present Richard Martwig who is Superintendent of Schools of Cook County, Mr. Martwig.

MR. MARTWIG;

Thank you gentlemen. It is a very great honor and pleasure for me here. I have never had the opportunity to see the functions and the reactions of you as your responsibility for the people of this State and I only...I can only tell you this that I really am greatly motivated by the kinds of action

that are taking place and I'd only like to commend you now for your efforts.

Thank you very much.

PRESIDING OFFICER: O'BRIEN

Senator Laughlin.

SENATOR LAUGHLIN:

Mr. President and members of the Senate. Senator Gilbert is unable to be here today and he asked me to call Senate bill 1286. I've discussed this with Senator Hynes. I understand there is no objection to it. It's one of these transfer of fund bills and I would appreciate your support for it.

PRESIDING OFFICER: O'BRIEN

Any further discussion on the bill? The clerk will call the roll.

SECRETARY:

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

PRESIDENT:

Nihill aye. Neistein aye. Knuppel no. Donnewald aye. Alright. Carroll aye. On that question the yeas are 41 the nays are 1. The bill is declared passed. 1300, Senator Hynes.

SENATOR HYNES:

Mr. President and members of the Senate. Senate bill 1300 appropriates \$699,000 to the Board of Regents for the purpose of refunding monies collected as a result of tuition increases. In effect, this bill amounts to a legislative rejection of the tuition increases imposed at the Regency universities. Very briefly, during the past session this body considered very carefully the question of tuition increases. A subcommittee reported on the question. A position was taken against tuition increases. Monies that would have been collected from that source were excised from the appropriation bills of the



colleges and universities. Notwithstanding that fact, the Board of Regents, I might say at the urging of the Governor, imposed a tuition increase commencing in September of this year on the schools under their jurisdiction. They have begun to collect that tuition increase money and it is our judgment that the tuition increase should not be imposed and that the monies should be refunded. One of the, I think, most persuasive arguments in favor of this action can be found in a simple look at the condition, circumstances under which a typical student finds himself because of events of recent months. We have, first of all, a generally poor economic climate which has effected the situation of the families of these students and of the students themselves. There was an extreme shortage of summer employment this past summer. There was an extreme shortage of off campus employment during this term. Because of the budget reductions made by the Executive, student jobs have been slashed. Because of reductions made by the Executive, scholarships have been eliminated. And now, as a final act in this master plan, we propose to impose a tuition increase. Notwithstanding these factors I suggest that it is wrong, that it is unfair to impose a tuition increase at this time and particularly I say so when only the Board of Regents has seen fit to make such a move. The other universities in this State have not imposed tuition increases and I do not believe that the Board of Regents should be allowed to do so. I would urge your favorable support for this proposal.

PRESIDENT:

Is there any discussion? Senator Knuepfer.

SENATOR KNUEPFER:

Yes, I'd like to talk to this issue for a moment. I do recognize that there was a subcommittee decision to do nothing at this point and time. That was, as far as I am concerned, only a subcommittee decision and that question was never brought before this body and had it been brought before this body I would have argued vigorously against it. It seems to me that some years ago, as part of the master plan, one of the conditions that we eventually hoped to obtain was to provide that tuition would be on the order of one-third. All universities, if this is a target, all universities are far below this at

the present time, that is one-third of the cost. Tuition is no where near one-third. As the cost of higher education has gone up, we have not in any of our universities, except in this last year, raised the cost of tuition. So, it is actually getting to be a smaller and smaller part. It seems to me that the last philosophy that this body officially adopted was the philosophy that tuition would generally be increased and, while it may have been specifically within your subcommittee you came to a different conclusion, we are not in accord as I read it, with the master plan. I frankly suggest that we ought to oppose this bill. I think we ought to encourage the universities to take a look at their costs and take a look at the percentage and propotion that students are spending for that. Education, after all, not only benefits the State of Illinois, but has a very specific benefit to the person who is undergoing the educational experience. I think there is a great deal to be said for having the person undergoing the educational experience, the person who will benefit financially for the rest of his life, bear perhaps even more than the one-third which is this arbitrary goal set by the master plan. I think it is a desirable thing because when you kick into something, when you put your money in, you feel more obligated to get something out and I would suggest from my point of view that this legislation ought to be defeated.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Mr. President and members of the body. I would like to call your attention to a couple of provisions in a House bill which passed by a 154 to 0, House bill 3646. And this measure, gentlemen and lady, provides for the distribution of the very funds that the tuition increases have provided and which this bill 1300 would eliminate. And two specific examples are this: at Northern Illinois University, out of these funds that we have before us in this bill the authorization to pay back, there would be \$95,000 allocated for student jobs alone. At Illinois State University there is \$20,000 to be appropriated from these funds which will be needed to get an additional

\$180,000 in federal loan funds for the benefit of students. I submit, gentlemen and lady, that it would be irresponsibility in its worst sense to pass Senate bill 1300 and deny the schools the use of this money for the benefit of the students, the very persons about whom we are most concerned.

PRESIDENT:

Senator Clarke.

SENATOR CLARKE:

Mr. President. I don't want to prolong this debate, but I would just like to say that I think that Senator Knuepfer and Berning have articulated our position. There are considerable number of scholarships or tuition waivers that are sufficient and I think that this side should vote against this bill.

PRESIDENT:

Senator Hynes may close the debate.

SENATOR HYNES:

Well, very briefly, to respond to a couple of the comments that were made. The first, and I think most interesting comment and one that should be carefully considered, is that of Senator Berning's about the board of Regents planning to use part of the tuition increase money to establish student jobs. It seems to me comical that we would raise tuition in order to have sufficient funds to put students to work so that they can earn money to pay the tuition increase. It doesn't make sense. Furthermore, in terms of whether there was a legislative decision on this question, Senator Knuepfer, the appropriations bills introduced by the universities in last session contained appropriations of tuition increase money and those appropriations were taken out of the bills, which is the only type of legislative action that could be taken, which was an indication, a statement that the Legislature did not want tuition increases. Reference was also made to the magic formula of one-third of the instructional cost which keeps coming back and back. That figure has no more magic than one-half of the instructional cost, one-quarter of the instructional cost, one-fifth of the instructional cost or any other fraction. It is a figure plucked out of the air by the Board of Higher Education to allow it to arrive at a level

of revenue they thought it would be desirable. There is no rational or other basis for that figure. And finally, I might add that in terms of tuition increases, tuition at the state colleges and universities has gone up 123% in the last two years. We had a tuition increase just last January. We do not have a comprehensive, well organized scholarship program and until we get one, to me, it is wrong, it is unfair to impose an additional tuition increase. I would urge your support for this proposal.

PRESIDENT:

The Secretary will call the roll.

SECRETARY:

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

PRESIDENT:

Senator Graham

SENATOR GRAHAM:

Mr. President and members of the Senate. It seems to me that we must have almost reached the end of the line in the political efforts being made in this session of the General Assembly surrounding the appropriations directed toward our institutions of higher learning. I think everyone has had an adequate crack at this thing to the extent that he has attempted to curry the favor, in the opinions of some, of everyone. I think that the members of this Senate that have served any amount of time down here know full well that you can't be everything to everyone and succeed in public life. That's what we've been trying to do around here for a couple of weeks on these university appropriations and I think that the adequate thing to do is to vote no, kill this bill, get off of the university kick and go on with the business of the General Assembly. I vote no.

SECRETARY:

Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

I can only point out that if the House bill should pass and this bill should fail, then what we would have done, in effect, was to have resolved some of the problems of those students whose needs are the greatest. What we would do by defeating this measure is to make this money available so that when the House bill comes over here we can then address ourselves to the high needs student, to those who really need the money rather than those who may be marginal needs or not needed at all. I vote no.

SECRETARY:

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

PRESIDENT:

Newhouse aye. Palmer aye. On that question the yeas are 25 the nays are 10. The bill having failed to receive the constitutional majority is declared defeated. 1296 Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President and members of the Senate. Senate bill 1296 is a bill sponsored by myself and Senator Graham and the Election Laws Study Commission. This bill is a result of a constitutional mandate that requires that we set up a State Electoral Board to have general supervision over the election operations in the State of Illinois. At the outset I might say that both Senator Graham and I were in agreement a long time ago that there was no need for this body. We felt that there was sufficient machine within the Elections Laws Study Commission to handle this bipartisan body. I am a former chairman, Senator Graham is a former chairman and we are now co-chairmen. We have been on this commission since the very beginning. This bill was drafted by the professional staff of our commission. The members of that staff

are Mr. Franklin Loding, an attorney from Chicago and former attorney for Operation Eagle Eye. The democratic member from DuPage County is Mr. Frank Roan who is not allied with the regular organization, if you will. He is more or less an independent democrat. The members of the consulting staff are Mr. Stanley Cusper, Chairman of the Board of the Chicago Board of Election Commissioners and Mr. Dan Brown, the republican County Clerk from Warren County. They worked long and hard on drafting this bill. We believe this to be the answer of the mandate of the constitution. Briefly, I will explain the bill in this manner. The bill provides that the Electoral Board will be made up of four members....

PRESIDENT:

Just a moment...please. Senators Horsley, Neistein...please.

SENATOR DOUGHERTY:

The Electoral Board will be made up of four members to be selected in the following manner. The leadership of the House and of the Senate, the pro tempore and the minority leader, the speaker and the minority leader in the House, each will select two names and they will be presented to the Governor. Of these eight names the Governor will select the four members. The Chairman will be elected by the membership of the commission and no party can hold a chairmanship for more than two years. It shall rotate every two years; thus assuring bipartisanship. The bill provides that we take over all the duties of the State Electoral Board. It further provides that all of the duties of the Secretary of State in relation to elections will be assumed by this new body. There are provisions for salaries. There are provisions for the appointment of the Chief Clerk. All of the employees including the Chief Clerk will come under the Personnel Code. He will be subject to removal, however, for misfeasance or malfeasance by the members of the commission. All other will come under the Personnel Code and be accepted on or rejected on that basis. We have worked long and hard and we feel that this bill calling for the new State Electoral Board will be in consonance with a new Election Code that is now being drafted and may be introduced in the latter days of this

session or the early part of the next session. We feel that this will satisfy everybody. We are of the opinion and we have made it plain within the bill itself that the local election authorities, by that I mean the County Clerks and the Boards of Election Commissioners, do not surrender any of the autonomy they now enjoy. This will be merely supervisory and will have the right to report to the State's Attorney of that particular county if, in their opinion, something wrong has occurred. Every safety factor has been built into it. I feel quite sure that this is the bill that the constitutional convention had in mind and I ask my friend, Senator Graham, to join with me in verifying that what I have said today.

PRESIDENT:

Senator Graham. Just a moment please. Right around Senator Graham there, please.

SENATOR GRAHAM:

I have my cane. I can start with it in a little bit.

PRESIDENT:

Senator, you may have to use it.

SENATOR GRAHAM:

Mr. President and members of the Senate. I think Senator Dougherty said most of what I would have to say with regard to this bill. I think that this idea, if it's bad, can be blamed on paraphrasing Senator Sours, the old gentleman's convention and the League of Women Voters. If it's good, we'll take credit for it. But be that as it may, despite the fact that most of the people in the General Assembly that have had any dealings with the conduct of elections through the years have turned their backs upon a state central election authority for the purpose of the conduct of elections, feeling certainly that that was a departure from the feeling expressed by most people that the closer to the voters the better the administration, thinking that those prerogatives should remain with the County Clerks and those in the local areas. We were mandated to do something different that what we thought

perhaps was correct. And despite the fact that many people have said they wanted a nonpartisan board to conduct elections in Illinois, you gentlemen have heard me say many times that you give me someone that is nonpartisan and I'll give you someone that shouldn't be in government at all. So, what we have really attempted to do is to come up with a bi-partisan board. This board is about as close to the people in the State of Illinois, the membership will be, as is possible to ascertain under the current Constitution. Because the members that will be selected by the Governor will be appointed by the members of the General Assembly. I don't know how much closer you can get to the people back home if these fellows are responsive to their organizations and I think they are. This is not going to be inexpensive or an easy job. I submit to you that the members appointed to this commission for the first couple of years are going to have a full-time job. And they're going to labor long hours that they do not believe they will now; because we, in effect are going to be saying to this new board that they assume the responsibilities of determining the guidelines governing the conduct of elections throughout the State of Illinois and that they have to deal with the Boards of Election Commissioners and County Clerks and they, in turn, are not too easy to convince sometimes with changes in elections. I know that there are other bills, perhaps, that will be considered by this General Assembly; but there is no bill..., without fear of contradiction, there is no bill that we will consider dealing with this subject matter that has had as many hours put in on it as Senate Bill 1296. It represents what I believe is the best thinking of the people who have worked for about 14 years in this field and I submit to you that we should pass this bill over to the House because we must have this Board of Elections. And I'm not so sure that we're not 6 months late and I'm not so sure that you don't remember that I told you that last June. But, be that as it may, we're going to have to file petitions with somebody starting December 13. I don't think it will be with this board but we'd better have them ready and I ask for a favorable roll call.



PRESIDING OFFICER: MOHR

Senator ParTEE.

SENATOR PARTEE:

Mr. President and members of the Senate. Very often when we raise our mikes we raise it for the purpose of criticizing or being denunciatory about something. I stand this morning to be complimentary to Senators Graham and Dougherty, particularly, and to the other members of the Elections Laws Commission who have carefully structured an excellent piece of legislation. This legislation came about after many years of in depth work by a committee which was bi-partisan and by lawyers who cooperated and worked well together though they represented the two parties. I think that they have done a very excellent job here. The need, of course, for this bill is quite evident and apparent to all of us. I think that the work product which has been presented by 1296 commends itself to your approval. I think this is a fine piece of legislation and I earnestly solicit, along with them, your votes for this bill.

PRESIDING OFFICER: MOHR

Senator Knuepfer.

SENATOR KNUEPFER:

I just like....I don't know whether I should address this question to Senator Dougherty or Senator Graham, either one of you. What I want...what I really want to know is: What is the jurisdiction of the State Election Board and what is the jurisdiction of the local election boards under this bill, and what is the relationship of the State Board to the local boards?

PRESIDING OFFICER: MOHR

Senator Dougherty.

SENATOR DOUGHERTY:

I believe I tried to answer that in my statement. I had anticipated this. The general jurisdiction is the jurisdiction of the Secretary of State has at this moment and the jurisdiction of the State Electoral Board. These duties will be taken over by this new board and, as I stated before, under the

amendment to this bill we assured that the jurisdiction...the autonomy, if you will, now enjoyed by local election authority is maintained. It has general supervisory powers only to the extent that we have uniformity, if you will. That it will be same in Lake County as it is in Alexander County. That is what we have been trying to do. We've tried...the first attempt was made in that horrendous and large election and this resulted in the need and I think there are contained in this bill enough measures of protection to local authorities to operate in the manner they deem the best..., in the best interest of the voters in their particular area.

PRESIDING OFFICER: MOHR

Senator Knuepfer.

SENATOR KNUEPFER:

The State Election Board has no jurisdiction within the operating arena or area of any of the local boards. It simply prescribes the ground rules. From then on the local boards are on their own. Is that...okay, thank you.

PRESIDING OFFICER: MOHR

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President, the bill will require 35 votes. It has an emergency clause.

PRESIDING OFFICER: MOHR

The clerk will call the roll.

SECRETARY:

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

PRESIDING OFFICER: MOHR

The yeas are 49, the nays none. The bill having reached the constitutional majority is declared passed. Senator Sours, do you want to call 1297?

SENATOR SOURS:

No. We don't have the amendment yet.

PRESIDING OFFICER: MOHR

House Bill 1309, Senator Davidson. I'm sorry, Senate Bill.

SENATOR DAVIDSON:

Mr. President and members of the Senate. This...the calendar states exactly...this is a highway easement on certain lands and it has been approved by the Department of Public Works and Buildings and I would entertain a most favorable roll call.

PRESIDING OFFICER: MOHR

The Secretary will call the roll.

SECRETARY:

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

PRESIDING OFFICER: MOHR

Bruce aye. The yeas are 43 the nays are none. The bill having reached the constitutional majority is declared passed. Are there any other Senators that have bills on third reading? Senate bills on third they'd like called. House bills on third. We don't have any requests for House bills on third. Senator Graham.

SENATOR GRAHAM:

I sent up a request yesterday for House bill 2167. I would like to have it considered at this time.

PRESIDING OFFICER: MOHR

House Bill 2167. Senator Graham.

SENATOR GRAHAM:

House bill 2167 is a bill that establishes one school district for the entire State of Illinois for the purposes of administering and getting federal funds and so forth dealing with the education and rehabilitation of inmates of our correctional institutions. The bill, as we proposed last year, left this power within the discretion of the Department of Corrections. Since then, through the efforts of the Department of Corrections and the Superintendent of Public Instruction, there has been an amendment added to the bill which set up a board that will be the governing body for establishing procedures, setting up the funds, making the requests and so forth. We are now getting some Title II money for our juvenile institutions, but we're getting very little federal help for the adult institutions in the state and we can see, with the passage of this bill, we can probably be getting somewhere in the neighborhood of \$150,000 to \$300,000 per year in federal funds to use in the rehabilitation processes of our prisons. The new board will be the Director of Corrections, the Assistant Director in charge of juveniles, the Assistant Director in charge of the adult division, 2 members selected by them, 4 by the Superintendent of Public Instruction, totaling 9 members in all that will be supervising this program under the provisions of House bill 2167. It has been very generally agreed that this bill is an acceptable method of accomplishing our purpose. It has wide national and state support and, of course, I think I can say without fear of contradiction at this time, that we have bi-partisan support for its passage and I ask for a favorable roll call.

PRESIDING OFFICER: MOHR

Any discussion? The clerk will call the roll.

SECRETARY:

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

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

PRESIDENT:

Bruce, aye. Rock aye. Collins aye. Newhouse aye. Romano aye. Palmer aye. Hall aye. Neistein aye. On that roll call the yeas are 41 the nays are none. The bill is declared passed. Senator Berning, House bill 789.

SENATOR BERNING:

Thank you, Mr. President. House bill 789, by Representative Harber Hall and several other members of the House, revises the participation of the counties and the State in the inheritance tax. Historically and through the present time the inheritance tax revenue to the county is 4% of that tax. Now, the justification for changing this percentage under 789 to a fifty-fifty participation between the county and the State is simply this. The inheritance tax is generated by a resident of the county, essentially his estate generated there in the county, all of the work in processing the inheritance tax report and computing the tax is the responsibility of the County Treasurer. It's inconceivable that revenues generating within the county, rightfully belonging to that local level of government, should almost entirely accrue to the benefit of the State. This would be a very simple means for the state to share revenue, badly needed revenue, with the counties. I don't know that it's necessary, but I will remind you, if anybody is listening, that under the terms of the new Constitution the county is no longer able to generate income through the services provided through the extension and collection of taxes. This represents a sizable reduction, then, in the income, the revenue, operating revenue of the county. The counties, every one of them, have been seriously hurt. I can't speak for all of them but

for my County of Lake this amounts to a reduction in income of about \$3,500,000. Here we have an opportunity to provide the vehicle for the counties to recover some of this lost revenue. This passed the House with a substantial majority. Heard in Committee the other day. There was no objection. Representatives of the Department of Revenue were in attendance, more particularly, Mr. Ice, who voiced no objection. I respectfully recommend to your favorable consideration House bill 789.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President, I think I should direct my question not only to Senator Berning, but to the leadership of the other side of the aisle. Senator Berning, how much, what would be the loss to the state if your bill were to be successful?

PRESIDENT:

Senator Berning.

SENATOR BERNING:

This of course, can only be estimated Senator. But I do have the figures of the gross receipts for 1969, the gross receipts, 53.4 million. 1970, this is the fiscal years now. The fiscal year 1970, 65.3 million. Fiscal year 1971, 60.1 million. Approximately, approximately the State's revenue would be impaired to the extent of about \$25 to \$30 million dollars.

PRESIDENT:

Is there further discussion? Senator Clarke?

SENATOR CLARKE:

Well, at this point in time, Senator, how can the State afford that kind of a loss?

PRESIDENT:

Senator Berning?

SENATOR BERNING:

I would say that it would be in a position to absorb this loss just as well as the counties are in a position to absorb the loss generated, constitutionally, by the elimination of their ability to earn fees, namely the extension and collection of taxes. The counties have been decimated financially. Something has to be done. This seems to me one of the more logical methods of replacing somewhat that revenue, particularly since it is generated in each case within that county. What more logical explanation for the benefits to accrue than that it is money, local money, and ought to stay local.

PRESIDENT:

Senator Mitchler.

SENATOR MITCHLER:

Mr. President and members of the Senate. In analyzing this bill, I can see where Senator Berning is doing a commendable thing in looking after the counties to provide additional revenue to them. I don't know exactly what the breakdown of the distribution of this loss of revenue to the State of some \$25 to \$30 million dollars would be county by county. I would be interested in knowing what it would be for the counties that I represent and how it would affect them. But beside from that I think this type of sharing of revenue that previously was enjoyed by the State with counties and local municipalities has been something that we have been doing for the past several years. In fact, I point it as one of the main thrusts of the Ogilvie administration. It starts with the sharing of the state income tax of 12% of the amount collected. Just a couple of years ago we increased the amount of state sales tax that counties and municipalities would receive to a full one cent of the five cents collected. We've done many of these things to give money back to the counties and local governments. And theoretically, this would mean that locally they would not be required to increase real estate property and personal property taxes by the amount of revenue they received from the State through increased funding. I would say that if such a bill as House bill 789 were passed, that again the State is being responsive to local governments

and providing them with additional revenue. However, with the State facing the extreme financial crisis that we are, there's almost so much that father can give to his sons and daughters and those creatures of the General Assembly which are local governments. And, I think before we hastily pass a bill during this fall session that was introduced way back on March 4th in the House and took this long to get to this body, and hurriedly through, I think that we should take another look at it. Perhaps could be coupled with this amount of money to be applied to the relief we're giving on local taxes when we attempt to abolish the personal property tax in which we're mandated by the Constitution to provide an additional revenue of some type. Perhaps some study should be made and this bill should be held and put in that study to determine if this cannot be applied to that revenue that we are giving to the local counties. Now as far as helping the local counties and you say that they are in a bind, yes they are in a bind. In my County, Kane County, in acting because they are in that financial crisis because of the loss of collection of fees, just this past week voted not, voted not to build a new courthouse which would have been costly to the tune of about \$18,000,000. So, when you don't have the money, you can't spend it. That's all the counties are going to have to learn, just like we're going to have to learn sooner or later on the State.

PRESIDENT:

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

SENATOR BERNING:

Thank you Mr. President, I realize that a bill of this nature is certainly not going to be without controversy. But let me reiterate, that not only the counties but all of our taxing districts have suffered a financial loss and will suffer greater loss as the impact of the elimination of personal property tax is felt. I think I was derelict in not pointing out that the proceeds of this bill do not accrue exclusively to the county, but only in its just share of what is the ratio in which it participates in the tax collections of real estate and personal property tax. The rest of the taxing



districts participate in exactly the proportion, and I don't need to remind you that in most cases this represents about 80% of the revenue accruing to the schools. I think this is desirable, innovative and forward looking legislation. I earnestly solicit your favorable vote.

PRESIDENT:

The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins

PRESIDENT:

Senator Clarke.

SENATOR CLARKE:

Mr. President. I really think Senator Berning ought to hold this bill until next week when we see if we do anything on the personal property tax. I see this bill distributes the money to all the taxing districts proportionately, and if we do give some relief of that nature, why maybe this is a way to make it up. But I think it's premature this week and I'm going to vote no.

SECRETARY:

Collins, Coulson, Course, Davidson, Donnewald, Dougherty,

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Despite the very laudatory effect of this bill, nevertheless, I feel I would be derelict if I were to take and deprive the state of some 30,000,000 of dollars in badly needed revenue. I appreciate the bind that the counties find themselves in and am trying my best to assist them to regain some of those funds, but I believe that this would be robbing Peter to pay Paul. We know the State's in a financial bind, and I believe that to deprive them of this badly needed revenue would be very bad action on our part. Therefore, I vote no.

SECRETARY:

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

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Having been swayed by the eloquence of my leader on this side, I would like to postpone consideration on this bill until next week.

PRESIDENT:

Motion to postpone consideration. All those in favor signify by saying aye. Contrary minded. Motion to postpone consideration prevails. For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

Just a question, Mr. President. When am I in order to move to strike all bills on third reading?

PRESIDENT:

That motion is always in order.

SENATOR NEISTEIN:

Well, I'm going to consider that motion with my staff.

PRESIDENT:

Senator Newhouse, I understand you wish to make a motion in connection with some bills on third reading. Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, there is a series of bills that parallel a series of bills that Senator Graham sponsored and which have been signed into law. And I want to table these bills that are the exact same bills that came over from the House. There is a long series of them, they go 637 through 645, 685, 690, 694,

696 and 698, 703, 704, 705, 706, 708 and 709. 711, 12, 14, 15, 16, 17, and 18. Now those are all registration bills and I move that they lie on the table.

PRESIDENT:

Motion to table. In that connection, Senator Graham, or something else.

SENATOR GRAHAM:

In that connection.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Mr. President, I, at this time, wish to say thank you to Senator Newhouse for the efforts that they have put in this area, he and his committee, congratulate them on tabling these bills. They were duplicatory in many areas to ones we passed last year. I think we generally agreed that what I said the other day was the truth. That perhaps in the area of rehabilitation and prison reform we ought to stop for awhile and consolidate our gains; and I think that's what we are doing now. And I'm happy to see that Senator Newhouse agrees with my philosophy.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

If I might add in this same connection. I think this is a fine thing to do and I would suggest to the members, if any of you have like motions, to make them as quickly as possible because it simply cuts down the printing and the printing costs and the size of the calendar. So, if any of you have any motions of that nature, please make them as soon as possible.

PRESIDENT:

The Chair heartily concurs. Motion is to table 637 through 718 on the calendar. Is there further discussion? All those in favor of the motion

to table signify by saying aye. Bills are...728 and 730 immediately after that, Senator Newhouse, they are not included in the motion? Okay. For what purpose does Senator Bidwill arise?

SENATOR BIDWILL:

I wish to make an announcement Mr. President. That next Monday at noontime I would like to call a Republican caucus in 419 at noon Monday.

PRESIDENT:

The Senate goes in Session at noon, but you are welcome to hold your caucus on the floor at the same time.

SENATOR BIDWILL:

Well, that could be arranged, but that's the instructions I get and I always follow instructions. My leadership said that they want to caucus at 12 o'clock, and I'm just passing that on, Mr. President.

PRESIDENT:

It seems that whenever we try to accommodate the members we just get into a pattern of noncompliance with what the structured committees and hearings are set for. I remember a long time ago when I came down to the Senate, when we started on Mondays at 10 o'clock and I would come down on Sunday night to be here at 10. I didn't think that we could do it that way and we thought it would be best to give members a chance to be with their families on Sunday night and they could come down on Monday morning from home. So that's why we set our Monday meetings for noon, and which gives everybody plenty of time. Now, it occurs to me that if we want to have a caucus, and I think Senator Donnewald is going to make such an announcement on this side, we are going to have our caucus Monday at 11 o'clock so that we can be on the Floor at noon.

PRESIDENT:

Senator Bidwill.

SENATOR BIDWILL:

That's perfectly alright with me, Senator Partee, 11 o'clock is fine.

PRESIDENT:

We still have more business. We are not about to adjourn. It was just announcements. Senator Donnewald.

SENATOR DONNEWALD:

While we are making announcements about caucus, the Democrats will have a caucus at twelve, I mean eleven.

PRESIDENT:

Senator Mohr. Senator Mohr.

SENATOR MOHR:

I'd like to move to table House bill 2371.

PRESIDENT:

Motion to table House bill 2371. All in favor signify by saying aye. Contrary minded. The bill is tabled. Senator Neistein.

SENATOR NEISTEIN:

In answer to some of my critics on the other side of the aisle that said no guts, I just conferred with my staff and there are certain bills that we have to exempt from striking on third reading. So, the staff is getting them ready. I just consulted Walter. We'll have our bills, the exempted bills ready, and Monday I am prepared to make that motion to strike all bills on third reading or on the Calendar, or both.

PRESIDENT:

Senator Sours has 1297. It's a Senate bill on third reading. It will mean going out of order, is there any objection to that? Senate bill 1297 on third reading. Is there objection?

SENATOR SOURS:

Mr. President. I wanted to pull it back to amend it.

PRESIDENT:

Alright. 1297 is pulled back to second reading for purposes of amendment.

SENATOR SOURS:

Mr. President and Senators. This bill concerns the license tag costs, the vehicle license tag costs, for governmental, religious and not-for-profit organization vehicles. Fraternal organizations, veterans groups, and all that. And it provides for a registration fee of \$20. I move the adoption.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Third reading.

SENATOR SOURS:

Mr. President.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I had one other motion while we were there, and I have discussed this with the Pro Tem and also with the Chairman.

PRESIDENT:

Just a moment. The Secretary advises me that he does not have the amendment.

SENATOR SOURS:

I just left it up there.

PRESIDENT:

Alright, they have it now.

SENATOR SOURS:

Now, I should like to refer to House bill 3598 which came over today on a message, and I have discussed with Senators Partee and Lyons. It concerns the now defunct and out-of-business Executive Mansion Commission, in which the Chairman three years ago ordered some printing prior to the time the Governor fired the Commission. There is a printing bill that is unpaid, and it so happens that it is owing to a Peoria Printing Company that I have no connection with, I do not represent, I know them well. It's in the sum of \$2,860. I'd like to make the proper motion that this bill be advanced to

second reading without reference because we are getting late in the session. Ah--Chairman Elward at the time ordered printing and later, as some of us will remember, the commission went out of business. Didn't even have enough money to pay for the dinners.

PRESIDENT:

Is there objection? Leave is granted. And while we are off the regular order of business, Senator Dougherty you had a request?

SENATOR DOUGHERTY:

Yes Mr. President. I am sure the membership will recall that some few days ago I introduced a series of bills having to do with county board elections in the township counties of Illinois. There were a number of bills in the series. House bill 283 is at the present on the order to postponed consideration. House bill 284 was tabled and now House bill 285...I believe I am not recorded on that bill. If you recall the record will show that I did not vote on that bill so, therefore, I wish to cast my vote on the prevailing side, that is it would be nay; and then ask....

PRESIDENT:

Just a moment. Is there objection...? This does not change the results. Is there objection having Senator Dougherty recorded in the negative. Is there objection? Senator McBroom objects. Senator Dougherty.

SENATOR DOUGHERTY:

Well, I was going to move to reconsider the passage of this bill for the reasons that I feel...

PRESIDENT:

Just a moment. Yes, The problem is that unless we have unanimous consent we cannot record you in the negative.

SENATOR DOUGHERTY:

Well then I am going to direct the attention of this body to the fact that by their disapproval of the bills that I offered they effected all that I prophesied at the time of the hearing. And another issue has come before us in that regard that the election for these so called local governmental

officials or county commissioners, county supervisors was scheduled to be held on April 4th. Now since we are going to have a regular primary for state officers, congressional officers and the members of the General Assembly, there is a difficulty proposed by the fact that they would be unable to use the voting machines on that election of April 4th. And I don't know just what they are going to do because if you read the voting machine act then the electronic voting devices, you will find that when the county adopts that method that they are heretofore forever barred from using any other method, if the tools are available. It is up to you gentlemen. I don't care. I have tried to do only what my conscience tells me I must do. This is an attempt to save the taxpayers of the several counties of Illinois a sum of some \$6,500,000 plus saving the voters from an error of confusion and I doubt very much if your elections are going to be in order if they are attacked in the courts. So if that is going to be the result, why, I am sorry it is on your shoulders not mine. I have tried.

PRESIDENT:

Is the...Senator McBroom you can...Senator McBroom.

SENATOR McBROOM:

Well, Mr. President and members of the Senate, I hate to object to Senator Dougherty's motion but I have repeatedly heard this figure \$6,000,000 cast around by newspapers and other members of the Senate. I have not seen any verification of this figure and I would repeat, Mr. President, what I said the other day. I don't see anything that is chaotic about it. I don't hear any great surge of voters in my district that are pleading for this change or pleading for these bills and, in conclusion, the four County Clerks in the district which I represent do not seem disturbed in the least about the fact that these bills have apparently, and as far as one member is concerned hopefully, gone down the drain. That is the only thing I have to say, Mr. President.

PRESIDENT:



Senator Partee.

SENATOR PARTEE:

Would Senator McBroom yield to a question? Have the four County Clerks in your area given any estimate of the additional cost of...for an election if these bills are passed?

PRESIDENT:

Senator McBroom.

SENATOR McBROOM:

Senator Partee, no I don't have a written statement from the County Clerks in my district as to what this would cost, but I think it's relatively easy to figure. It is the number of judges and it certainly wouldn't, in my opinion, begin to total the figure that I think, is cast around rather flippantly by the press, this 6,000,000.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Well, the reason I asked the question is I have heard personally from several County Clerks in areas, and in one particular county they told me that this election was going to cost them 70,000 additional dollars. And there are many County Clerks in areas where I don't even know the people because I have never been there, who are quite disturbed about it and I thought probably we should give this last chance to you to make some changes in your attitude so that you don't cost your county, some of which say that they are hurting very badly financially, this additional expenditure. So I just thought that when Senator Dougherty ran it by me I said yes I think we should give another chance to the membership to see if they did desire to save their county some money.

PRESIDENT:

Senator McBroom I understand persists in his objection. Is that correct? Senator Dougherty, the Chair is unable then to...Senator Dougherty.

SENATOR DOUGHERTY:

Senator McBroom I wish you...I want you to understand that this is not a capricious act on my part at all. It is merely a sincere desire on my effort to clarify the situation because I have some information and I don't know what the action was in the House sir. They do so many things over there I fail to understand some of them. But this is just an attempt on my part to clarify the situation. Thank you.

PRESIDENT:

Senator...Senator Knuepfer.

SENATOR KNUEFFER:

Are we done with this order of business?

PRESIDENT:

We are out of the order of business...

SENATOR KNUEFFER:

Well, when we are I have an order of miscellaneous business.

PRESIDENT:

We're on the order of miscellaneous business. Go ahead right now and then we'll...

SENATOR KNUEFFER:

House bill 2422 on first reading. I have talked to Senator Gilbert and the President Pro Tem and I would like it advanced to second reading without reference. The subject matter of House bill 2422 is the in the area of building a vocational school. My district has voted by referendum to tax themselves. What we want to do under this bill is to get under the IBA, because if we get under the IBA procedures we then guarantee a ceiling of \$18 per square foot. If we don't get under that there is no ceiling on the vocational education. It will, I think, save us some money, help us in the design of the building; and not only us but any vocational education. If there is any objection after everybody has had a chance to read it, I would be very happy to address myself to those. It is, I think, nec-

essary and the only reason I am asking it be advanced is we will be building in my county that vocational education center and we would like the State, through the IBA, to look over our shoulder and keep our costs as low as possible.

PRESIDENT:

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

SENATOR PARTEE:

I just wanted to say, Mr. President and members of the Senate, that sometimes we show our wisdom in strange ways and sometime during the last session we, by resolution, made Mrs. Charlotte Bruce the number one fan of the Illinois State Senate. And if she would stand you will see that she is here with a friend or friends as the case may be and that she has a date tomorrow with her obstetrician. She is going to deliver probably tomorrow and I think we should say that greater devotion have no fan than one who would come here to be with us the day before a blessed event. Mrs. Bruce.

PRESIDENT:

Senator Donnewald, you had a motion also in connection with a House bill in first reading.

SENATOR DONNEWALD:

Ah-yes Mr. President. I note that House bill 2916 was reported over from the House this morning and that particular bill is quite important to members of the General Assembly on both sides of the aisle and on both sides of the rotunda and it has to do with legislative vacancies and if I would...I would ask leave to pick up that bill and move it to the order of second reading without..., and by-pass committee.

PRESIDENT:

Is there any objection? Leave is granted. 1314, House bill on third reading. Senator Hall. Is Senator Hall on the floor? Senator Johns, 1512. Do you wish to amend that? -1512, House bill on third reading is pulled back to second reading for purposes of amendment. Senator Johns is recognized.

SENATOR JOHNS:

Gentlemen, lady and gentlemen of the Senate. If you recall yesterday, Senator Berning raised a question and I had passed out that amendment yesterday and you have copies of the amendment, Mr. Secretary. And all I had to do to satisfy Senator Berning, which I have done, is add 5 words and direct that the Treasurer shall file a monthly report with the County Clerk and, and this is where we made the change, and the chairman of the county board. That is the amendment and I ask leave of this body for this amendment to be taken in.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. Amendment is adopted. 1314, Senator Hall wishes to pull that back to second reading for purpose of amendment. Senator Hall is recognized.

SENATOR HALL:

Thank you, Mr. President, and members of...

PRESIDENT:

Just a moment, please. Gentlemen. Just a moment. Senator Neistein, you are blessed with a voice that carries overwhelmingly. Senator Hall is recognized.

SENATOR HALL:

Thank you Mr. Chairman and members of the Senate. In line with what the President Pro Tem suggested yesterday, and I think Senator Horsley also mentioned it, we want to amend House bill 1314 and there is a copy on everyone's desk and I would like to ask that this be adopted.

PRESIDENT:

Can you...In a sentence or two...

SENATOR HALL:

It simply...What it does is it amends House bill 1314 on page 1, line 15, by inserting after the word "furnish" the following: "in writing". And on page 1, line 17, after the word "and" by inserting the following: "obtain

written acknowledgement of receipt of notice from the party represented."

And on page 1, line 17, by striking the word "if".

PRESIDENT:

Is there further discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Senator Johns.

SENATOR JOHNS:

Mr. President, and lady and gentlemen of the Senate. I wonder if I might have 1512 heard now.

PRESIDENT:

1512, Senator Johns is recognized.

SENATOR JOHNS:

This bill has to do with the Treasurer of the counties and as I discussed at great length yesterday and the only objections have now been amended and I now ask for a favorable roll call.

PRESIDENT:

Is there any discussion? Secretary will call the roll.

SECRETARY:

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

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

I was going to say...suggest that Senator Baltz come back home and I was going to say I think, gentlemen, there may be some misinterpretation of these bills. I think that it is fair to say that there was, at the outset, some undesirable language in these bills which Senator Johns has attempted to amend out after talking with virtually everybody in the Capitol building. And, in effect, what these bills do, and I think he is sincere in it, that in the case of a vacancy may occur in this various offices that

we are making legal, maybe, what the county boards are doing now anyway. That they can appoint a successor and continue with the office and prevent a void. I see nothing wrong with the bill. I vote aye.

SECRETARY:

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

PRESIDENT:

Egan aye. Berning aye. Neistein aye. Dougherty aye. On that question the yeas are 38 the nays are none. The bill is declared passed. Senator Johns.

SENATOR JOHNS:

Now, Mr. President, we have a bill, 1511, which I'd like to have voted up or down on it's merits. No debate. As far as I am concerned, if you like it vote it up, if you don't kill it. Let's get on with it. Oh! I'm sorry. Someone said they couldn't hear me. This is 1511, concerning the coroners and fees and so forth. and we had a great debate on it yesterday. I would just like to have it voted up or down and be done with it.

PRESIDENT:

Is there any discussion? Senator Berning.

SENATOR BERNING:

Mr. President and members of the body, I don't like to be arbitrary about this particular bill, and I would just have hoped that the sponsor might hold it until we had a chance to attempt to work about something that would make it possible for a county to continue with the collections of fees. As most of you know, the counties are desparately hurt and while some of the coroners do not produce income, in my county the coroner's office is responsible for \$10,000 a year income and we can illafford to lose this.

PRESIDENT:

Senate...Senator Johns.

SENATOR JOHNS:

I would like to reply to that, Senator Berning. If under this bill, if this bill would be approved, for example, and the coroner's paid a salary, you're going to have less fees come in because there are going to be fewer inquests, you see.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

My, my coroner is paid a salary. His compensation is not predicated upon the earnings of the office. But for the costs of holding the inquests, which is substantial, the income offsets this and it otherwise would become a net loss of \$10,000 a year to the county. And as I said, with our reduced income already this becomes just an added burden we cannot absorb.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

I move the previous question.

PRESIDENT:

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

SENATOR JOHNS:

Gentlemen, I won't belabor you on this Thursday afternoon. Up or down!

PRESIDENT:

Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry,

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

PRESIDENT:

Cherry, aye. Senator Johns, do you wish to be recognized? On that question the yeas are 16 and the nays are 7. The bill having failed to receive the constitutional majority is declared defeated. Senator Hall is recognized on 1314. 1314.

SENATOR HALL:

Thank you Mr. Senate...Mr. President and members of the Senate. We called this bill yesterday, and I have complied. I put on the amendments that was required. And as I told you before this is a consumer protection bill. It simply protects people from being fraudulently induced to sign fire adjustment contracts by claiming to be able to have electricity and gas turned on again. Often persons representing to be officials of the fire department induce widows and old persons to sign up with fly-by-night agents. I'd like to solicit your most favorable support.

PRESIDENT:

Is there any discussion? Secretary will call the roll.

SECRETARY:

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



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

PRESIDENT:

Latherow aye. McBroom aye. McCarthy aye. On that question the yeas are 30 the nays are 2. The bill is declared passed. On page 2...Senator Newhouse.

SENATOR NEWHOUSE:

Reconsider.

PRESIDENT:

Latherow aye. McBroom aye. McCarthy aye. On that question the yeas are 30 the nays are 2. The bill is declared passed. On page 2...Senator Newhouse.

SENATOR NEWHOUSE:

Reconsider.

PRESIDENT:

Motion to reconsider. Motion by Senator Vadalabene to table. All in favor of the motion to table signify by saying aye. Contrary minded. Motion to table prevails. On page 2 there are 3 easement bills, one by Senator Donnewald, 2948, and two by Senator Vadalabene, 364 and 3641. Is there objection to having one roll call apply to all three bills? Secretary will call the roll. 2948, 3640 and 3641.

SECRETARY:

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

PRESIDENT:

Clarke, aye. Soper aye. Mitchler aye. Romano aye. Lyons aye. Baltz

aye. On that question the yeas are 37 the nays are none. The bill...the bills are declared passed. On consideration postponed, Senator Savickas has asked to take up 1787. Is there objection to anyone..., to taking that up? Senator Savickas.

SENATOR SAVICKAS:

Well, I wanta bring back for amendment. I'd like to, uh, first of all, having voted on the prevailing side, move to reconsider the vote by which amendment number two passed this assembly and have amendment number two tabled and offer amendment number three to 1787. It...what it does, it has all of amendment two in, only it goes down a little further in the other sections... and on page 5 of the bill it strikes "plumbing" and inserts instead "licensed plumbers" and "licensed apprentice plumbers". And it strikes the words, "the department" and in lieu thereof substitutes the word "subject to constitutional limitations". I think, uh,...

PRESIDENT:

Is...Senator Savickas wants to pull it back to second reading for the purpose of amendment. Senator Savickas moves to reconsider the vote by which amendment number two was adopted. All in favor signify by saying aye. Contrary minded. Senator Savickas moves to table amendment number two all in favor signify by saying aye. Contrary minded. Amendment is tabled. Senator Savickas offers amendment number three. Are there any questions? Are there any questions? Senator Berning.

SENATOR BERNING:

Would the sponsor just, uh, yield to a question? Is this the amendment which has been worked out then with Mr. Townsend?

UNKNOWN:

Yes, yes it is.

SENATOR BERNING:

Thank you.

PRESIDENT:

Senat...Senator Savickas.

SENATOR SAVICKAS:

Yes. This amendment has been worked out with the, the plumbers unions and with the Department of Health, Mr. Joe Townsend.

PRESIDENT:

All in favor of the adoption of the amendment signify by saying aye. Contrary minded. The amendment is adopted. It is, continues to remain on postponed consideration. For...Senator Baltz.

SENATOR BALTZ:

I have an amendment to offer to this bill, too.

PRESIDENT:

On the same bill? It is on second reading the Chair will have to recognize that amendment also. Can you explain your amendment, Senator?

SENATOR BALTZ:

Yeh. Now this amendment simply takes out the \$50 a day per diem, uh, for uh, the plumbing board. This is agreeable to the Department of Public Health, and with the sponsor and, uh, Mr. Townsend the Attorney.

PRESIDENT:

Senator Savickas.

SENATOR SAVICKAS:

As far as the union, uh, the plumbers or the sponsor of the bill, we have no feeling one way or another on it. What it does, the board is estimated to meet four, probably, at the most four times a year. This removes the \$50 dollar pay that they would receive for meeting and there is really no feeling one way or another as far as the board members would be.

PRESIDENT:

Is there further discussion? All in favor of the adoption of the amendment indicate by saying aye. Contrary minded. The amendment is adopted.

Third reading. For what purpose does Senator Groen arise?

SENATOR GROEN:

Well, Mr. President, we...

PRESIDENT:

It, it...it remains on consideration postponed. I'm sorry, Senator Harris is correct. For what purpose does Senator Groen arise?

SENATOR GROEN:

If we are on the order of consideration postponed, and I believe we are.

PRESIDENT:

We...we are not...I...Senator Savickas asked to take it out of order and there was no objection. But...we have...

SENATOR GROEN:

Are we going to get to that order. There is no such order...

PRESIDENT:

This, this is correct. By tradition we take it up under the order of motions or as soon as we get through with our regular order. We will be through with our regular order very shortly. 3732, House bills on third, Senator McCarthy.

SENATOR McCARTHY:

Yes, Mr. President, uh, and members of the Senate. Uh, House bill 3732, and I'd like the attention of Senator Partee. I didn't get a chance to mention this to you, Senator Partee, I mentioned it to Senator Clarke. House bill 3732 represents the bill that is the agreement of the Employment Security Advisory Board agreement of September 16, 1971. It is an upward revision in the unemployment compensation rate of approximately 15%. The one that was agreed to by the 15 man board. There are some other features in the bill. As I mentioned, members of the Senate, this does elevate the unemployment compensation benefits approximately 15%. There are other changes in the law. Number one, it provides that notice shall be mailed to a former employer of a filing of a claim for extended benefits. It also reduces the downward, the adjusted state experience factor for 1972 and for 1973. This is brought about

because there has been an elevation in the amount of wages on which the contributions are paid from \$3,000 to \$4,200. And if approved by the Senate, by vote of 35 members or more, this bill would become effective February 6, 1972. Mr. President.

PRESIDENT:

For what purpose does Senator Berning arise?

SENATOR BERNING:

Is...is this bill printed? I don't have it in my book, and I'm wondering if it is available.

PRESIDENT:

Just...just a moment, someone...are these, is this bill printed? We're... we're checking. Just a moment, Senator Berning. Just...just a...Let's... Senator Clarke.

SENATOR CLARKE:

I wonder if, Senator McCarthy, if you'd mind holding until the first of next week? Would that be all right?

PRESIDENT:

The bill will be held. House bills on second reading. 20...331, Senator O'Brien.

SENATOR O'BRIEN:

Mr. President and members of the Senate. House bill 331...

PRESIDENT:

This...we're on second reading. Do you wish to advance it to third?

SENATOR O'BRIEN:

Advance it and I'd like to make a few comments if I possibly can.

PRESIDENT:

Well, ordinarily you save your comments until it's on third reading. 331.

SECRETARY:

Second reading of the bill. Amendment number one and amendment number four, amendment number five, number six. Four amendments. It doesn't state who they are offered by.

PRESIDENT:

Senator O'Brien do you move the adoption of the amendments?

SENATOR O'BRIEN:

I believe that the amendments are already on the, the bill. The bill was recommitted back to committee in June with the four amendments and then it was voted out in the Elections Committee the other day with the four amendments. Is that correct?

PRESIDENT:

Why, why don't we just hold it, and we'll get back to it the first part of next week. Why don't you check this out with the Secretary, Senator. There's a question...

SENATOR O'BRIEN:

Well, I know what's on it, I'm not sure that they know what's on it.

PRESIDENT:

Well, we'd better know for sure. I think we'd better hold it and we'll get back to that.

SENATOR O'BRIEN:

Well, maybe Senator Graham has that.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

I would suggest that the...I would suggest that the Senator be personally

responsible for seeing that these amendments are printed, the ones suggested here, and are on the Senator's desk next week. I think he could do that and alleviate some of the problems that the Secretary's office would have concurring.

PRESIDENT:

Will be held. 598, Senator Dougherty.

SENATOR DOUGHERTY:

I believe there's a committee amendment on that. Is there not, Senator?

PRESIDENT:

Do you wish it advanced?

SENATOR DOUGHERTY:

I wish to advance it, yes.

PRESIDENT:

All right. 598...for what purpose does Senator Palmer arise?

Yes, you...you were not in you...you wish that called also?

SENATOR PALMER:

House bill 206, I move to advance it please.

PRESIDENT:

All right...we'll get to it in a minute. 598.

SECRETARY:

Second reading of the bill. One committee amendment from welfare.

PRESIDENT:

Senator Dougherty moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments. Third reading. 206.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1317, Senator Latherow. Senator Latherow? Yes. 1317.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1318. 1318.

SECRETARY:

Second reading of the bill. One committee amendment from transportation.

PRESIDENT:

Senator Latherow moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary minded. The amendment is adopted.

Third reading. 1555, Senator Rock. 1555.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senator Rock.

SENATOR ROCK:

Yes, Mr. President and members of the Senate. 1467, 68, and 69, uh, I believe I pointed out the other day, were, uh, picked up by Senator Chew. Were they not?

PRESIDENT:

Well, Senator,...I hesitate to put Senator Chew's name here without his personal assent to it, so we'll just leave it unlisted until he's here again. 1611, Senator Soper. Senator Soper on the floor? 2520, Senator Dougherty. 2520.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from, by...from the floor? Third reading. 2615. That will be held. 2732, Senator Berning.

SENATOR BERNING:



Call it. There is an amendment, I think.

PRESIDENT:

O.K. 2732

SECRETARY:

Second reading of the bill. One committee amendment from...

PRESIDENT:

Senator Berning moves the adoption of the committee amendment. All in favor...Is that correct Senator?

SENATOR BERNING:

Right. Now, there is a second amendment there.

PRESIDENT:

Senator Berning moves the adoption of the committee amendment. All in favor signify by saying aye. Contrary minded. The amendment is adopted. Senator Berning offers amendment number two. Can you explain the amendment, Senator?

SENATOR BERNING:

The amendment number two is, uh, the amendment agreed upon between Senator Dougherty and his staff and our staff and I think meets all the objections. I believe that clerk has the copies there.

PRESIDENT:

Senator...All in favor of the adoption of the amendment signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading.

SENATOR BERNING:

Thank you.

PRESIDENT:

3080, Senator Davidson. Hold alright. 3574, Senator Dougherty. 3574, Senator Dougherty. 3574.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3597, Senator Sours.

3597:

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3621, Senator Hall.  
Senator Hall, 3621. Do you want that called? On second reading. 3621.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3662, Senator Hall.

3662.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3660. 3660.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3700, Senator Coulson.  
You wish it called, but held. Is that correct?

SENATOR COULSON:

That's right.

PRESIDENT:

Are there amendments on 3700?

SENATOR COULSON:

Mr. President, May it be understood that if, and as amendments are offered, they won't be acted upon but shall be reproduced in sufficient quantity to be available for collection and discussion at some group time.

PRESIDENT:

3...Senator Rock.

SENATOR ROCK:

Yes, Mr. President, also with the understanding it can be pulled back. This bill, House bill 3700 as amended, has not yet even been printed or received in the Senate...

PRESIDENT:

It...it is not being advanced now, it is being held on second. House bills on first reading. 701, Representative Ragner. Senator McCarthy.

SENATOR McCARTHY:

Wait...wait a minute.

PRESIDENT:

8...

SENATOR McCARTHY:

I'm sorry, sir, I don't have 701.

PRESIDENT:

Alright. 701. 1851. 1851, Senator McCarthy. 2079, 2079, Representative Hill. 2128, J. J. Wolfe. 2346, Representative P. W. Collins. 2351. Senator Clarke.

SENATOR CLARKE:

A, Senator, House bill 2351 is a very simple consumer protection bill that I just talked to the President Pro-Tempore about. All it does is ask repairman to itemize their bill so that you don't get cheated. You know what the labor is, you know what the parts are. I'd like to ask unanimous consent to have it moved to second reading.

PRESIDENT:

Is there objection? Leave is granted. 2396. Senator Egan.

SENATOR EGAN:

Mr. President, 2396 and also companion bill 2397 both passed the House at the same time. I assume it should be on the calendar. I assume that it's a mistake that it's not. I would like to be shown as being the Senate sponsor to both bills.

PRESIDENT:

We will show you as a Senate sponsor on 2396 and we'll check on 2397. 2422. That, that was the one that you, Senator Knuepfer, advanced. I'm sorry, yes. 2562 through 65, relative to sanitary districts. 2703. 2780, the whole series, Senator Harris, the whole series. 2882. 3063 and 3064 are Senator Hall. 3543. Senator Coulson or Berning? Senator Berning, 3543. Do you want to advance that to second without reference? It's advanced. 3572. Park Forest area, Senator Walker or Senator Baltz. Senator Baltz.

SENATOR BALTZ:

Mr. President and members of the Senate. I have talked to the President Pro-Tempore and leadership of this side of the aisle. This is a vehicle which enables the state government to send payments for revenue sharing to certain communities that didn't properly file their papers. I'd like to have it advanced to second reading without reference. It's agreeable to both sides.

PRESIDENT:

Is there objection? Leave is granted. 3639, Senator Dougherty. Senator Coulson will take 3642 and 3643. You...request that they be advanced? Is there objection? 3642 and 43. 3642, there is a question. Senator...

SENATOR COULSON:

For the first time this commission is now working about 60 hours a month and the proposal is to give the Chairman a partial salary and to give the members a partial salary. The salary of the Chairman would be \$7,500 a year. The total appropriation is \$27,000 in the second bill. They are working more

than they had expected, and strangely enough, apparently it's due to the sex discrimination cases that are arising.

PRESIDENT:

Is there objection? Leave is granted. 3647, Senator Sours. 3654, Representative Harold Washington's bill. 3680, Representative McCormick. Senator Savickas. 3681, Senator Egan is not on the floor, but we'll..., on your word we'll... alright. 3707: Senator Johns. 3734, Senator Sours. 3736. Senator Latherow. 819. No, that's just..., we're on the consent calendar there. Senator Graham.

SENATOR GRAHAM:

Did anyone pick up 701?

PRESIDENT:

No one did and we'll be happy to assign it to you.

SENATOR GRAHAM:

They, they just did.

PRESIDENT:

Alright.

SENATOR GRAHAM:

And 3681 too. I suppose, Senator Dougherty, it wouldn't be any use to try to advance these to second reading, would there?

PRESIDENT:

3681 someone's picked up.

SENATOR GRAHAM:

If you don't agree you can beat them out on the floor as easy as you can in committee.

PRESIDENT:

Do you wish to have 3681, Senator Graham?

SENATOR GRAHAM:

I don't wish to, but I'm going to take it.

PRESIDENT:

Alright. We'll assign it to you Senator Dougherty.

SENATOR DOUGHERTY:

Representative Tuerk asked Senator Egan to handle that bill, sir. They wouldn't give it to me, that's for sure.

PRESIDENT:

For what purpose does Senator McCarthy arise?

SENATOR McCARTHY:

To ask to pick up 2079. I forgot that I was suppose to take that.

PRESIDENT:

2079, Senator McCarthy. Senator Hall.

SENATOR HALL:

Mr. President and members of the Senate. I would like to have leave to advance these two bills without reverence to committee. They have to do with the sickle cell anemia test and these diseases are killers and if there's no objection I'd like to have those advanced...

PRESIDENT:

3063 and 3064, is there objection? Is there objection? Senator Knuepfer?

SENATOR KNUEPFER:

What do they do? Have you discussed this with either the President Pro-Tempore or our leadership or the committee chairman, Senator?

PRESIDENT:

Senator Hall.

SENATOR HALL:

I talked to the leadership of this side, I haven't had a chance to talk with any over on that side, Senator.

PRESIDENT:

Is there objection? There is objection, Senator Hall. Senator Knuepfer.

SENATOR KNUEPFER:

If you will clear this with either our leadership or with the chairman of the committee then I won't object. But I think it ought to be cleared with both sides of the aisle and I have just advanced one on the same pro-

cedure that I did clear it with both sides of the aisle. If you will clear with both, then I will withdraw my objection.

PRESIDENT:

The...

SENATOR KNUEPFER:

I don't think it's fair to do it on a one handed basis of simply clearing it with your own people. I think it ought to be cleared with us, I too, and then if there's no objection I am not going to entertain an objection.

PRESIDENT:

On, Senator Groen, you..., on consideration postponed, wanted to...Yes, excuse me, Senator Clarke, for what purpose?

SENATOR CLARKE:

Before we get on that, I'd like to be assigned a sponsor of 3680. That's the highway advertising and so forth bill.

PRESIDENT:

3680, someone, Senator Savickas took it. If you two can get together and..., we tentatively...

SENATOR CLARKE:

Well, it's administration bill and they asked me to handle it.

PRESIDENT:

Senator Savickas can you and...Is is agreeable with you if Senator Clarke handles it? Senator Clarke you are the sponsor of it. Senator Groen you had. Senator Groen.

SENATOR GROEN:

Yes, Mr. President on consideration postponed is House bill 2674. This is the bill requested by the Commissioner of banks and made necessary by the laws of national banks and the laws and of the state regarding state banks and the hours which they must remain open. You will remember that we amended the bill last week. Senator Partee and his staff, I believe prepared

the amendment which we adopted which severely restricted and changed the conditions under which such closings may be had. I explained it at great length. You will recall that the request is initiated by the local bank officials; it then comes to the commissioner of banks who reviews it and the situation and then determines whether or not the request of local authorities shall be permitted. The only provisions now under the bill as amended when a bank could close in violation of its published open hours would be under natural disasters, civil strife, power failures, interruption of communication facilities, robbery or attempted robbery. I believe in the condition in which the bill now finds itself, it is a good bill and I commend it to you.

PRESIDENT:

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

SECRETARY:

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

PRESIDENT:

Graham aye. Do you...to call...

SENATOR GROEN:

Mr. President. Well, Mr. President, this bill is apparently four votes short. I know we have a short count today. Many of the Senators had to leave. Would you call the absentees, please?

PRESIDENT:

Absentees will be called.

SECRETARY:



Arrington, Bidwill, Carpentier, Carroll, Chew, Course, Dougherty, Fawell, Gilbert, Hall, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Mohr, Neistein, Newhouse, O'Brien, Ozinga, Palmer, Rock, Saperstein, Savickas, Soper, Swinarski, Walker.

PRESIDENT:

Neistein aye. Knuepfer aye. On that question the yeas are 35 the nays are none. The bill is declared passed. Senator Hall is recognized.

SENATOR HALL:

Thank you Mr. President and members of the Senate. I have checked with the leadership on both sides and the Chairman of the Committee to which it was to be assigned and I have their approval to have the bills 3063 and 3064 advanced to second without reference to committee.

PRESIDENT:

Is there objection? Leave is granted. On the consent calendar there are two resolutions, one by Senator Neistein. We have one that indicates that Senator Johns is the sponsor, resolution on the consent calendar. I am sure that must be the House sponsor rather than the Senate sponsor. On...Is there objection to the adoption of both resolutions? Resolutions are adopted. Is there further business to come before the Senate? Senator Harris.

SENATOR HARRIS:

Mr. President I just conferred with the President Pro Tem in regard to one bill that has come over to us from the House. It was reported today but, of course, it isn't on today's calendar of first reading. It will be tomorrow. Might I have unanimous consent of the Senate for House bill 3636 to be read a first time tomorrow advanced, and not advanced to second reading, but advanced as this existing series that I picked up today so that we got the entire series in the same committee tomorrow.

PRESIDENT:

We can do that. It's House bill 3636 so that Senator Donnewald can assign all of them to the same committee. Alright, we can read it a first time, advance it to second reading, if there is no objection.

SENATOR HARRIS:

Tomorrow, no no...not advance it to second reading. Send it to the same committee that these bills are going to.

PRESIDENT:

Alright. Okay. It's done.

SENATOR HARRIS:

Thank you.

PRESIDENT:

Senator, Senator O'Brien, before, had a bill on second reading. If I may have the attention of both Senators Clarke and Partee. It was, what was the number again? 331. It had four amendments adopted and then, one of the last days in June, it was re-referred to committee. It is now back out on second reading. The amendments have been adopted. Now it was on consideration postponed originally. The question is do we advance it to third reading or do we advance it to consideration postponed since it comes out of committee again? Now we have no rules guiding us on this. I am frankly willing to abide by the decision of the leadership on this but we have to treat all bills the same, whatever our decision is. We are undoubtedly going to have others like this. Senator Partee.

SENATOR PARTEE:

Well, when a bill goes from the postponed consideration calendar back to committee, it occurs to me that it ought to come out and go on the regular course rather than back to the consideration postponed calendar. If it goes back to committee and comes out, with or without amendments I would think that ought to be the rule. We don't have a formal rule on it, but it just seems to me to be reasonable.

PRESIDENT:

Senator Clarke.

SENATOR CLARKE:

I would just say that we don't seem to have any particular set procedures. We took two bills on postponed consideration today, so we are taking bills there as well as elsewhere and...

PRESIDENT:

It's just a question of where it should be placed on the Calendar.

SENATOR CLARKE:

No matter how long they want to stay here this year, this bill's had a full hearing it'll have another full hearing, and it's not going to get any more votes, I would guess, than it got the first time, so if you want to keep rehashing things, it's perfectly alright.

PRESIDENT:

Well...

SENATOR CLARKE:

...with some people, but I don't think it's a good procedure.

PRESIDENT:

Well, the Chair has not preference one way nor another. We're just going to have to arbitrarily decide.

SENATOR CLARKE:

Go...go ahead and put it on the Calendar then.

PRESIDENT:

We'll advance it to third reading then. We'll put it on third reading Calendar and if the Rules Committee wants to take up something like this, you can do that. Senator Berning.

SENATOR BERNING:

Mr. President and members of the body, I, sent a note up that obviously was mislaid or didn't reach the President.

PRESIDENT:

You, you did send a note up, and I'm sorry the Chair... It was the error of the Chair and it was right here. You were the first one to send a note up, as a matter of fact.

SENATOR BERNING:

This...

PRESIDENT:

House bill 1564.

SENATOR BERNING:

Yes, Mr. Pro Tem, this is House bill 1564 which I think now has been properly explained and there should be no question whatsoever as it has the endorsement of the leadership on both sides as far as I know and I see no reason to leave it on the Calendar. I think it is a good bill. It has been properly amended to meet all objections, and I would appreciate a favorable roll call.

PRESIDENT:

Is there any objection, discussion? Secretary will call the roll.

SECRETARY:

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

PRESIDENT:

Graham aye. Senator Graham.

SENATOR GRAHAM:

I think that some of the fellas ought to take a look at this bill and realize the importance of it while we're chatting and so forth and give Senator Berning an aye vote and that's what I intend to do, vote aye.

SECRETARY:

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

PRESIDENT:

Davidson aye. Bruce aye. Neistein aye. Hall aye. Nihill aye. Palmer aye. Hynes aye. Baltz aye. On that question the yeas are 31 the nays are none. The bill is declared passed. We have some resolutions. We have a great many resolutions and unless there is objection we will try and put many of them on the consent calendar.

SECRETARY:

Senate Resolution number 256 introduced by Senators McBroom, Weaver, Walker, and Mohr. It's congratulatory.

PRESIDENT:

Senator McBroom.

SENATOR McBROOM:

Mr. President, members of the Senate. This resolution is simply a congratulatory resolution. The mayor of the city of Kankakee was elected President of the Municipal League and I would like to move for unanimous consent...

PRESIDENT:

Is there objection? All in favor of the adoption of the amendment...er, the resolution signify by saying aye. Contrary minded. The resolution is adopted.

SENATOR McBROOM:

Mr. President, and I'd like to invite all members of the Senate to co-sponsor if it they...

PRESIDENT:

All members will shown as as co-sponsors.

SENATOR McBROOM:

Thank you.

SECRETARY:

Senate Resolution number 257 introduced by Senators Rock, Partee, and

Romano. It's congratulatory.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Mr. President and members of the Senate. This resolution is not very lengthy and I think one...it's one of interest to the whole membership and I would ask that all Senators be shown as co-sponsors and that we...I move to suspend the rules and ask for its immediate adoption. I'd ask the clerk to read it.

PRESIDENT:

The Secretary will read the resolution. The members will be in their seats.

SECRETARY:

"WHEREAS, November 5, 1971, marks the anniversary of Guy Fawkes Day in England, and the birthday of our youthful and renowned legal academician and beloved Colleague, the Honorable Thomas C. Hynes, Senator from the 28th Senatorial District on the southwest side of Chicago, Illinois; and

WHEREAS, Senator Hynes arrived on the Springfield scene at the beginning of this Session with the incomparable legislative credentials of: a B.S. degree in Political Science and History and a Juris Doctor Degree cum laude from Loyola University and its Law School respectively, having graduated from the Law School as first in his class while serving as editor-in-chief of its law review; and

WHEREAS, He has practiced law in Chicago since 1962 and has been a professor of law at John Marshall Law School since 1967; and

WHEREAS, His committee assignments in this body reflect our respect for his high academic honors, analytical and expository writing, and teaching experience in law, and are: Vice-chairman of the Committee on Education and a member of the Committees on Judiciary, Local Government, Public Finance

and the Appropriation Division of Public Finance; therefore be it

RESOLVED, BY THE SENATE OF THE SEVENTY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we heartily congratulate our beloved and highly respected colleague, the Honorable Thomas C. Hynes, on the occasion of his 32nd birthday; that we wish him many more terms of service in this body on behalf of the good citizens of his District whom he serves so capably; and that a suitable copy of this preamble and resolution be presented to Senator Thomas C. Hynes."

PRESIDENT:

The resolution is adopted. Senator Hynes in rebuttal.

SENATOR HYNES:

Thank you very much. Actually, I'm really taken by surprise, but I would say one thing...Now that I've hit my 33rd birthday, I'm much more interested and concerned about the Pension Legislation that's coming up. Thank you again very much. It's been a pleasure to be a member of the Senate and to get to know all of you so well.

PRESIDENT:

Additional resolutions. The resolution is one year off, incidentally. Go...go ahead.

SECRETARY:

Senate Resolution No. 258 introduced by Senator Mitchler. It is congratulatory.

PRESIDENT:

Senator Mitchler.

SENATOR MITCHLER:

Mr. President, members of the Senate. I have two of them there. Is this the one for the Old Second National Bank of Aurora or...

SECRETARY:

Father Joe.

SENATOR MITCHLER:

Father Joe. This, too, is a congratulatory resolution and I would appreciate leave of the Senate to have the names...

PRESIDENT:

Is there objection to...? Both resolutions will be shown as adopted.

SENATOR MITCHLER:

Alright...The Old Second National, too. Thank you.

SECRETARY:

Senate Resolution No. 259, 260, and 261 were introduced by Senator Mitchler, but he wanted those to go to the Consent Calendar. Senate Resolution No. 262 introduced by Senator Harris and all Senators.

PRESIDENT:

It's a death resolution. Senator...

SECRETARY:

He wants it on the Consent Calendar. He told me that...Senate Joint Resolution No. 56 introduced by Senators Smith, Cherry, Arrington, and Clarke. And that goes to the Consent Calendar.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

When I introduced that particular resolution, I was of the belief that many of the resolutions offered here would go to the Consent Calendar; however, this...

SENATOR NEILSTEIN:

Use the mike. I can't hear you.

SENATOR SMITH:

It doesn't make any difference...The more you hear me, the less you'd be inclined to agree. May I proceed, Mr. Chairman?

PRESIDENT:

You may proceed if I can get Senator Neistein's consent.



SENATOR SMITH:

This is a Joint Resolution of praise, and in a sense it's congratulatory, of Dick Viar who served for the past 13 or 14 years as the Executive Director of the Legislative Audit Commission. I think that all members here realize the importance of the Audit Commission. It delves into all facets of government both income and expenditure. It so happens that I have either fortunately or unfortunately been a member of that commission since it's inception, and inasmuch as this is to go to the House, we want it as a joint resolution because the commission is composed of Senate and House members. I should like to ask for suspension of the rules for the immediate consideration of the resolution.

PRESIDENT:

Is there objection? Resolution is adopted.

SECRETARY:

Senate Resolution number 263 introduced by Senators Newhouse, Smith, Hall and Partee.

PRESIDENT:

Senator Newhouse.

SENATOR NEWHOUSE:

Mr. President, Senators, this is a congratulatory resolution from the Chicago Urban League which is holding it's Golden Fellowship dinner on Saturday night and in view of the fact that it is happening at that time, I would like to move for suspension of the rules and its immediate adoption.

PRESIDENT:

Is there objection? All in favor signify by saying aye. Contrary minded. The Resolution is adopted.

SENATOR NEWHOUSE:

I would urge all Senators to join on this Resolution.

PRESIDENT:

All Senators will be shown as co-sponsors. Senator Groen moves that the

Senate stands...Senator Groen.

SENATOR GROEN:

Mr. President, before we do this, I'd like to have the attention of Senators Clarke and Coulson and Senator Partee. It seems that more and more frequently I arise to, to discuss a problem that I think is becoming more and more a serious problem.

PRESIDENT:

Just a moment, let's get some order. We've got a caucus back there. Senators Latherow, Knuppel, and their good friends back there, Representatives McLain and others. Please, gentlemen, let's...

SENATOR GROEN:

I would want it crystal clear that this is not brought about by these resolutions which were offered today, or any resolution that has been offered. I think they are fine things and I enjoy joining in them, but we now have a digest of three volumes. It's becoming more and more expensive, it's becoming more and more difficult to trace bills, sponsors in the index and I would suggest that the rules committee address itself to what can be done about this digest both to reduce it's size and to reduce it's cost. We are now in almost constant session. We publish this every week. It's a great expense to the taxpayer. It would seem to me that resolutions of a commendatory nature, for example, could be eliminated from the digest entirely. A reference might be made to them or something, but to list each one after each members name in the index makes it bulky, makes it expensive and seems to me could be dispensed with. The Secretary's office could have an index of resolutions, and it seems to me that great savings, greater efficiency could be attained if the rules committee would address itself to this subject matter and I would informally request that they do so.

PRESIDENT:

That makes an excellent suggestion, and it will be referred to the rules

committee. Senator Groen moves that the Senate stands adjourned until noon on Monday. All in favor signify by saying aye. Contrary minded. The Senate stands adjourned.