

TRANSCRIPT -- 77TH GENERAL ASSEMBLY

OCTOBER 1971 SESSION

NOVEMBER 8, 1971

Prayer by Reverend Don Allen Rose, Concordia Seminary, Springfield, Illinois.

PRESIDENT:

Reading of the journal. Moved by Senator Chew the reading of the journal be dispensed with. All in favor signify by saying aye. Contrary minded. The motion prevails. Senator Bidwill.

SENATOR BIDWILL:

The journal should show that Senator Mohr is absent because of illness.

PRESIDENT:

The journal will so show. Committee reports.

SECRETARY:

Senator Donnewald, Chairman of Assignment of Bills, assigns the following: To Agriculture, House Bill 3707; Elections, House Bill 707, 3681; Executive, House Bill 3639; Labor and Commerce, House Bills, 2079, 2397, 2396; Local Government, House Bills 2780 through 2786, 2788, 2789, 2790, 2802, 2803, 2806 through 2817, 3636, 3647, 3736; Revenue, House Bill 3734; Transportation, House Bill 3680; Constitutional Implementation, House Bill 1851.

PRESIDENT:

Resolutions. Introduction of bills. Messages from the House.

SECRETARY:

Message from the House, by Mr. Selcke, Clerk: Mr. President. I am directed to inform the Senate that the House of Representatives has passed bills with the following titles, in the passage of which I am instructed to ask concurrence of the Senate, to-wit: House Bill 3018, 3061, 3557, 3625, 3677, 3678, 3696, 3699.

PRESIDENT:

Senate Bills on second reading. Senate Bills on second reading. 674, Senator Knuepfer. All right. 1090...1308, Senator Saperstein. 1308.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1311, Senator Sours.
1311 on second reading. 1311.

SENATOR SOURS:

Mr. President, Senators. Is that on third reading?

PRESIDENT:

This is on second reading.

SENATOR SOURS:

Well, then, I have an amendment. I'll bring it right down. If I
can find it.

PRESIDENT:

Can you explain your amendment, Senator?

SENATOR SOURS:

This is a remedial amendment that was suggested at the time of the
hearing of the Committee. It strikes lines 26 and 27 in the bill, and
adds: in administering the Illinois Controlled Substances Act. It makes
it a better bill. That's my only comment.

PRESIDENT:

Is there any discussion? All in favor of adoption of the amendment,
indicate by saying aye. Contrary minded. The amendment is adopted.
1312, Senator Saperstein. You'll have to speak into your mike, Senator.
Senator Saperstein, do you wish this called or do you want it advanced?

SECRETARY:

Second reading of the bill. No committee amendments. One floor
amendment offered by Senator Saperstein.

PRESIDENT:

Can you explain your amendment? Just a moment, please. Can you
explain your amendment, please.

SENATOR SAPERSTEIN:

Yes, sir. The bills, as originally introduced, were...set a retro-
active date to 7/1/71 to 6/30/72, and the bill strikes those dates, and
the amendment makes this bill shall become effective on its becoming a law.

There is also a change in the date because of this change of becoming effective, and it moves up the date from December 1 to December 15.

It also strikes line 23 and includes the following: on the basis of this acceptance and approval for the purpose of this Act, the programs to equalize educational opportunities in effect on or after July 1, 1971. Any programs that are in effect on July 1, 1971, shall be eligible for the reimbursement. It's just a realignment of the dates.

PRESIDENT:

Is there any discussion of the amendment? All in favor of the adoption signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading. 1313, Senator Saperstein. Do you wish that called?

SENATOR SAPERSTEIN:

Yes. Here are the amendments.

PRESIDENT:

1313

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Senator Saperstein has an amendment.

SENATOR SAPERSTEIN:

Yes, sir. This amendment does the same thing in terms of moving up the dates and making it effective on becoming a law.

PRESIDENT:

Is there any discussion? All in favor of adoption of the amendment indicate by saying aye. Contrary minded. The amendment is adopted. Any further amendments? Third reading. 1314, Senator Saperstein, do you wish that called?

SENATOR SAPERSTEIN:

Yes.

PRESIDENT:

1314.

SB 485
2nd Reading
11-8-71

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SENATOR SAPERSTEIN:

This amendment which...these amendments which I will send up does the same thing. It moves up the bills and changes the effective date.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Senate bills on third reading. 82, is Senator Harris on the floor? Senator Harris. 82. Third reading. It's on third. 485, Senator Knuepfer. Senator Knuepfer.

SENATOR KNUEPFER:

Senate Bill 485 is a bill that comes from the township supervisors, Troy Kost, specifically, township bill. It has, in the past, engendered some opposition, so I would suggest you might pay some attention to this bill. The bill has been up before. It is a bill designed to make the townships a more viable unit of government. One of the concerns with township government is that, in some areas, the townships are so small that they cannot possibly provide any level of services whatsoever for the citizens in those townships. This bill, in effect, sets up a standard and says that any township of less than \$6,000,000 assessed valuation, and the assessed valuation did not come from me; again, it came from the Township Officials Association....

PRESIDENT:

Just a moment....just a moment, Senator.

SENATOR KNUEPFER:

As being a large enough area so that they could have the revenue to provide, or a large enough assessed valuation, so that they would have enough revenue to perform services that a township is supposed to perform under the laws of this State. It also sets another limitation of 126 square miles in the event that a township cannot get to this \$6,000,000. Under the new Constitution, the reorganization of

governmental boundaries must...is protected by the referendum requirement. This bill requires the townships, or the county rather, to redraw township boundaries where they are under \$6,000,000 in assessed valuation; but the question is not settled here and this is the difference between this bill and in the past. The question then goes to referendum, and should the voters of the township not be in accord with the proposal made by the County Board then those boundaries would not be withdrawn. The second part of the bill is to provide for coterminous municipal townships in townships...municipalities over 25,000. It is obviously designed to provide greater efficiency by providing township boundaries coterminous with municipalities. The city of Decatur is probably one of the outstanding examples of a town that has tried to achieve, in the past, coterminous boundaries without success. As I understand now, there are 3 separate townships that come into Decatur township or into the city of Decatur. Again, we are protected by the referendum proceedings which is required under the terms of our new Constitution. I would be happy to answer any questions that I can on the bill. In summation, its purpose is simply to provide a township's government with enough revenue so that it can do the township...the job the townships are supposed to do. If a township does not have enough revenue to do the job that it's supposed to do, it obviously is going to fall flat on its face, and the citizens of the county or the area are not going to feel very kindly disposed toward township government. We are trying, under this legislation, to make them a more viable form of government where their assessed valuation presently does not permit this.

PRESIDING OFFICER: (Vadalabene)

Any further debate? Senator Baltz.

SENATOR BALTZ:

This bill, Senator Knuepfer, seems to resemble the old one enough that it would allow a number of townships, even in the northern counties, to be consolidated. Now, I opposed this bill before. I said that if this became law that we might just as well go all the way and vote commission

form of government into all of the counties in the State of Illinois. I am one that believes that township government is viable now; it's still closest to the people. This bill has a tendency to destroy it, and by the reduction in the number of townships in any given county, although there may be, in some instances, advantages in forming city-township governments in certain counties. You mentioned Decatur. I think Joliet is another city that could become a city-township type of government. This, in effect, does away with township officials in these areas. I believe that they're needed. I think that they do an adequate job in serving the needs of the people in the general assistance program and other programs. As I say, I feel that this is a very drastic change in the law that...the laws that exist in the State that now make up counties, whether they be township or commission form of counties; and I would have to oppose this bill in spite of the fact that there is a referendum attached to it. I think it's a bad bill and should be defeated, and certainly should have the interest of every downstate Senator here.

PRESIDING OFFICER: (Vadalabene)

Any further debate? Senator Knuepfer, you can close the debate.

SENATOR KNUEPFER:

Well, I think I've said most everything to begin with. All I can suggest is what Senator Baltz said at the end. It is protected all the way through by the referendum proceedings. If the people of the township decide that this question of viability exists and the township is viable, even though it may have less than this amount of assessed valuation, in their wisdom, they can continue it. It was the feeling of Mr. Kost and the Township Officials Association, who are trying to resolve the problems, as they see them, of some of the very tiny downstate townships that they ought to be consolidated. It is my feeling as well that, if you want government to perform a job, you've got to give it tools. If you don't give it enough valuation to have the financial muscle to provide the services it is supposed to, it's going to fall into disrepute and eventually it's going to fade away. I look on this as a bill to save and strengthen

townships. I think it is that or I would not be supporting it, and I would request a roll call and ask for an aye vote.

PRESIDING OFFICER: (Vadalabene)

Being no further debate, Senator Knuepfer moves the adoption of Senate Bill 485. 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.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

In view of the early starting here, I wonder if I could get a call of the absentees?

PRESIDENT:

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

SECRETARY:

Arrington, Bidwill, Carroll, Clarke, Collins, Coulson, Fawell, Groen, Horsley, Knuepfer, Knuppel, McBroom, Mitchler, Mohr, Neistein, Ozinga, Romano, Savickas, Smith, Swinarski, Walker, Weaver.

PRESIDENT:

On that question, the yeas are 32, the nays are 11. The bill is declared passed. 488, Senator Rock. Hold and 89, also. 491, Senator Ozinga. Senator Ozinga, Senator Ozinga. O.K. 675, Senator Knuepfer. Hold. 890, Senator McCarthy. Is Senator Carpentier on the floor? 1002. 1062, Senator O'Brien. Hold. 1164, Senator Berning. Senator Hynes those bills. 1275...can those be tabled now? You want to move to table 1275, 76 and 77?

SENATOR HYNES:

I so move.

PRESIDENT:

Senator Hynes moves to table 1275, 76 and 77. All in favor signify by saying aye. Contrary minded. The motion prevails. 1283, Senator Groen. 1292. Is Senator Lyons on the floor? 1297, Senator Sours.

SENATOR SOURS:

Yes, Mr. President and Senators, that bill provides for a license for two years, \$20.00 for ceremonial vehicles such as would be driven by the American Legion and the various fraternal organizations. It provides for two years, \$20.00. I understand there is no opposition to it.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

I'd like to ask the Senator from Peoria a question. Does Senator Mitchler know you have this bill?

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Well, I have the feeling that Senator Mitchler is quite aware of the presence of this bill on this calendar this day.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President. If Senator Sours has no objections, I have a similar bill with a similar purpose in mind which I introduced in the October Session early. He moved his before I moved mine. I'm perfectly willing to buy his bill. I would like to be added as a co-sponsor.

PRESIDENT:

Senator Sours indicates there is no objection. Senator Groen's name will be added. Senator Mitchler.

SENATOR MITCHLER:

In reply to Senator Graham, the shifting car of the Forty and Eight la sociate 40 oms at 8 shavo - that's French, Senator, resides in the Pekin and Peoria area. That's why Senator Groen and Senator Sours are the chief sponsors.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

In concluding the luminous debate on this bill, Mr. President and Senators, I would like to suggest to Senator Mitchler that I, too, got the good posture medal in World War II.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

Mr. President and Senators, I object to the two gentlemen speaking in French and German, and not using the Spanish language that...we've passed some money in here so I think somebody should say a few words in Spanish on this.

PRESIDENT:

Is there further 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, 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:

Swinarski, aye. Hall, aye. Vadalabene, aye. Neistein, aye. On that question, the yeas are 44, the nays are 1. The bill is declared passed. 1302, Senator Partee. Hold. 13...Senator Carroll has a motion in connection with a Conference Committee on an emergency matter.

Senator Carroll is recognized.

SENATOR CARROLL:

Mr. President and members of the Senate. House Bill 2867 that passed this body by 56 to 0 on June 30th and got lost in the shuffle in the House, and did not pass over there, and came back and a Conference Committee was appointed; and the Conference Committee have unanimously approved on this bill and, therefore, I ask concurrence in the Conference Committee report. This is an emergency bill and I understand refers... 35 votes. Perhaps I haven't made the right motion here.

PRESIDENT:

What is the number of the bill again, Senator? House Bill 2867. I'm advised, Senator Carroll, that the Secretary does not have the Conference Committee report here.

SENATOR CARROLL:

The Conference Committee report was turned into the Secretary on Thursday. When? Well, then I'll hold it until the misinformation that I was given on it...He tells me they haven't got a copy of it over there. So, will you hold it until I find out about it.

PRESIDENT:

We'll hold the motion until we have that. House bills on third reading. The Chair is going to just go through the list. If you have any House Bills that can be tabled without difficulty, you will not make anyone unhappy by doing so. 44, Senator Gilbert. 206, Senator Palmer. Senator Palmer.

SENATOR PALMER:

Senator Chew, what do you want to do on that?

PRESIDENT:

Hold it. 219, Senator Newhouse.

SENATOR NEWHOUSE:

Hold it.

PRESIDENT:

220, the same then. 232, Senator McCarthy. Senator McCarthy.

SENATOR McCARTHY:

Can we call these bills for passage?

PRESIDENT:

That's exactly right.

SENATOR McCARTHY:

All right, Mr. President and members of the Senate, House Bill 1232, sponsored in the House by Representatives Kenneth Miller, Jonathan Ham and Soderstrom, is a bill that amends the Illinois Drainage Act. It raises the commissioners' compensation from \$8.00 to \$20.00 a day. Representative Miller asked me to handle this bill, and he explained to me that, in some drainage districts in his district, that the commissioners themselves actually do the manual labor; and this would pay them \$20.50 an hour for their manual labor which they have to pay for themselves. He said that they are doing the emergency work along with him. He says there is a provision in the bill that would force them to take the \$20.00 a day; that is a permissive in nature and they could turn it back. He thinks it is a good bill. I think it's absolutely uncontroversial and would ask for a favorable roll call.

PRESIDENT:

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

SENATOR MERRITT:

Mr. President and members of the Senate. Senator McCarthy has a point of inquiry. Going from that \$8.00 to \$20.00 a day is a 150% increase. I just wonder how you can do this under the existing price freeze.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

I think that the passage of the law would be subject to veto by the Governor. If he finds that that violates the price structure outlined by President Nixon, he can use his powers of the amendment.

and change the effective date of the law, and also I think, even if the law became put on the books, if there was anything about phase II or phase I or the new plan or the old plan, that that matter could be superimposed upon the decision that is reached by this legislative body. If you have serious question, Senator Merritt, if you feel, if you feel, if you feel, Senator Merritt, that this is against the spirit of the President's declaration of August 15th and his subsequent declaration of October 7, then you should register yourself in opposition to the bill.

PRESIDENT:

Senator Merritt.

SENATOR MERRITT:

Senator, again I'm not registering my serious objections because I think you made a fairly reasonable explanation. What I'm talking about percentage-wise when the President may be talking about 5% or something, we're talking about a 250% increase here, and I just think, under whatever guidelines there may be, that this would never fit into...that's the only comment that I have, Senator.

PRESIDENT:

The Secretary...Senator Berning.

SENATOR BERNING:

A thought arises that...

PRESIDENT:

Just a moment. Let's hold down the noise, please. Just a moment. We're not going to go ahead until we get a little more order. Proceed, Senator.

SENATOR BERNING:

I would like to ask the sponsor what his interpretation is of the obligation of the court here when I understand we have made provision to remove court appointments of such individuals as Drainage District Commissioners. Does the court then still retain the obligation as indicated here to scrutinize claims for compensation and expenses?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

First of all, it's my understanding that the question by Senator Berning is quite appropriate. The bill is phrased where it would be audited by the court. I believe he has pointed out there that there is a technical defect.

PRESIDENT:

Do you wish to hold the bill?

SENATOR McCARTHY:

Well, I don't care about...I haven't checked with Representative Miller recently on the matter. He seemed to think the matter was some matter...Might I make this inquiry. Suppose the bill doesn't get called this week. Has there been a determination yet as to whether or not this legislation stays alive?

PRESIDENT:

There has not been such a determination yet.

SENATOR McCARTHY:

Well, I think for a little bill like here, there has been a couple of good questions raised, and I think rather than impose upon the Senate, I think the two questions...and I congratulate the two Senators for raising those two questions. I'll hold the bill and see if I can't get answers to that.

PRESIDENT:

The bill will be held. Senator Johns, do you wish to call, too, that series there?

SENATOR JOHNS:

Yes, I believe I will, Mr. President.

PRESIDENT:

233. Now the first 7 bills there, 233 through 239.

SENATOR JOHNS:

Right.

PRESIDENT:

Can they be voted on as a package?

SENATOR JOHNS:

Yes they can, Mr. President.

PRESIDENT:

Is there objection to that procedure? Consent is given. Senator Johns will explain the bills.

SENATOR JOHNS:

Lady and gentlemen of the Senate, Mr. President. This series of bills are to provide and/or allow more flexibility in bond issues in meeting the market at the time of the sale. As you will see, 233 through 239 are for each singular fourth district. They do not change the rate of interest set by the Illinois Legislature and the Taxpayer's Federation does support the measure, the Municipal League supports it, and it is only through this flexibility that we might be able to sell the bonds once they are voted on. I would appreciate a favorable roll call on this particular series of bills.

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, 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:

Hall, aye. Coulson, Aye. Cherry, aye. Vadalabene, aye. Knuppel, aye. O'Brien, aye. On those bills, the yeas are 43, the nays are 1. The bills are declared passed. 240, Senator Johns. For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

Just a point of information, Mr. President. It was my understanding that we were to come back here to override the Governor's vetoes or amend them and to take up revenue or implementation of the Constitution. Am I correct in that posture or...somewhere I heard it. I don't know whether I heard it on TV, or if I read it, or if they were the rules of the Senate.

PRESIDENT:

It was discussed. These are not rules of the Senate.

SENATOR NEISTEIN:

It was discussed where?

PRESIDENT:

On the floor here among other places.

SENATOR NEISTEIN:

But those aren't the rules. You can take up anything.

PRESIDENT:

Those are not the rules. We can take up anything except those....

SENATOR NEISTEIN:

That's why we're taking up these bills to raise the drainage inspector from \$8.00 to \$20.00 and stuff like that.

PRESIDENT:

I don't recall that specifically being mentioned in the rules, but...

SENATOR NEISTEIN:

But that's why we're taking those type of bills.

PRESIDENT:

Right, right.

SENATOR NEISTEIN:

And, how many more weeks are we going to be here, Mr. President, to take up that kind of....

PRESIDENT:

I would refer that question to the President pro tempore.

SENATOR NEISTEIN:

Well, Mr. President pro tempore, maybe you can answer me.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

I already told your staff member. Didn't you get the message?

PRESIDENT:

240, Senator Johns.

SENATOR JOHNS:

Thank you, Mr. President. It was under the assumption that we were taking bills that I proceeded to call this particular series. Again, this particular series of bills is supported by the Taxpayer's Federation, Municipal League, and I might add that the bonding houses have reviewed these particular bills, Chapman and Cutler, and have approved of them. But, in essence, these bills are to enable many cities that have, under present legislation, held referendums and once the bonds were approved by the majority of people, they have been unable to sell them. So we are removing those restricting parts of the bills in order to move these particular bonds for each of these particular elements of interest in each bill. And I see there are some questions and I will do my best to answer them.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Yes, Senator, would you yield to a question? I've just taken a quick look at this bill and I notice that, first of all, we have the home rule amendment so it doesn't apply to any of those people so I don't know why it should apply to anybody else. What you are doing here is deleting the requirement at a referendum that the people know how much will be the maximum interest rate paid on bonds which they authorized, if they so authorize it by approving with their votes at the referendum. Is that not right?

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

Yes sir, yes sir, I believe that is correct.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

We don't even do them the courtesy of putting in what the maximum rate is at a given time, do you? Well, I think...

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Well, I mean, I don't care if the Taxpayer's Federation and the Municipal League or anybody else is for this bill. I think the people who voted a referendum are at least entitled to know what the maximum interest rate is. Now, it may be that you can make a case for saying that you shouldn't limit it to 5% because the interest fluctuates; but, in any event, they ought to know and they shouldn't be charged with figuring out for themselves what the maximum rate of interest could be. For that reason, I think it is a bad bill.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I wanted to make that same comment when I stood alone on the bills just passed 47 to 1 and Sours looks like a sore thumb. Referenda ought to tell the one who is going to pay the bill what the bill is going to be. That's the trouble with this whole series. Laughlin hit on it right on the head. That's what's wrong with this, and once you disguise by the legal rate, they would have to call their lawyers who would have to adjourn for half an hour to find it to give an honest, accurate answer. That's what's wrong. I think this...I'd be curious to know, and I have no desire to be offensive, who wants this bill? The LaSalle Street bankers? The bond houses?

PRESIDENT:

Senator Johns.

SENATOR JOHNS:

Mr. President. I think their criticism is justified. On further examination of the bill and due to the time element, I'd be glad to hold these and do further work on them. You see...because...I see that your criticisms are justified. I picked these bills up as a matter of help for one of my colleagues in the House, and I would be glad to rewrite them - rework them - put them in good shape. Thank you, Mr. President.

PRESIDENT:

The...Senator Graham.

SENATOR GRAHAM:

If Senator Soper will let me have the floor I am going to do what he is thinking about, I think. Having voted on the prevailing side on 233 and 239, I would like to move the vote by which they were adopted to be reconsidered.

PRESIDENT:

Motion to reconsider...

SENATOR GRAHAM:

So he can send them all back, so he can hold all of them...

PRESIDENT:

Bills 233 through 239. The sponsor, Senator Johns.

SENATOR JOHNS:

Mr. President, as always I am glad to do this. I will be glad to go right along with that statement.

PRESIDENT:

The indication is that there is no objection on the part of the sponsor of the bill to that procedure. Ah..Can we agree, that we... rather than go through the roll call, simply write out...take out from the record the passage of the bills. Is that agreeable, Senator Johns? Is there objection on any part of any member of the Senate to that? Leave is granted. 233 through 239 and the remainder in that series will remain on the calendar. 266, Senator Sours. 286, Senator Dougherty. Senator Dougherty on the floor. Hold. 331, Senator O'Brien. 311,

Senator Bruce. 335, Senator Dougherty. Senator Dougherty.

SENATOR DOUGHERTY:

No, that is subject to a consultation with Senator Groen.

PRESIDENT:

Will be held. 353, Senator Graham. Senator Graham.

SENATOR GRAHAM:

Mr. President and members of the Senate. House Bill 353 comes to me under the sponsorship of my housemate in the House that will provide for authorization of out of district visits by school children. It provides that also after amended, as I understand it, that the funds will not be forthcoming from the school district and the arrangements will be made by the schools under the sponsorship of the schools for educational privileges which the youngsters will get from language trips, field trips and so forth. There is an amendment been added to the bill that would allow the distance involved to allow out-of-state trips for some of the suburban or immediately adjacent schools close to the dunes. For instance, to travel over to the dunes for the purpose of educational field trips. Also prohibits, as I understand it, the restriction now in the law that prohibits out-of-state trips much the same as some of the schools have used in our district for trips to Mexico and other points beyond the boundaries of the United States. I have an idea that there are some gentlemen on this side of the aisle that are active in the Committee on Education that have a few things to say on this bill. At this time, I feel, perhaps, that I will either be yielding to Senators Laughlin and/or Gilbert.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

This is surprising, Senator Graham. I don't always like to always be in this position so I had hoped that Senator Gilbert would do this because he is the minority spokesman on education. I just alert you to what this bill does. It says you can go on a jaunt to Europe, Asia, most

any place you can figure out a place to go. If you go for the purpose of supplementing a particular course of instruction --to conduct educational tours within or without the district. And it covers, naturally, the pupils or employees or both of any schools or schools within the district. Now, I don't know whether this will promote charter flight by school teachers or not, because I don't think the teachers and students have to go at the same time. It is a question of policy -- it is a question of whether you think it is essential or necessary that this sort of permission be given in the statutes of the State of Illinois to the local school districts. I, for one, happen to think that it is completely unnecessary and unwise.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Mr. President and Senator Graham, I wonder if you would answer a question for me.

PRESIDENT:

He indicates he will.

SENATOR LATHEROW:

What I am wondering about is these tours, and you say these would be sponsored by the Board of Education or by the schools and so on. If they get half way on the trip, in other words, if they get there and not back and the air company goes under or the company they are traveling on, who has the responsibility of getting them on home, then?

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Well, I think we have gone through that. I think, if a person...the first thing that they would immediately become aware of is that they have chartered the wrong airline, and after that I am not sure who will get them home.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Mr. President and Senator Graham. Now this proposition has come up before the school boards at many times, and private travel agencies have handled different trips to different countries for school children, and had teachers organized to accompany the, ah, school children. But once, I want to alert the body, but once the school board puts its stamp of approval on these and says it is sponsored by the school, there is a responsibility and liability on part of that school board, whether it is definite or not definite; but they could be sued and it causes a lot of expense to the schools. Now, ah, the one proposition that Latherow brought up -- suppose they are stranded somewhere. Then the parents think that as long as it is sponsored by the school, the school district should pay the way back or be responsible for the irresponsible travel agency. So they try to keep this out of the schools, and at this time they don't even allow the registration of the school children on a flight like this to be made in the schools. They have to go outside the schools so that, in no way they are connected with this thing. Now you can imagine that, if you had some 200 students take a chartered plane and that plane dropped in the ocean someplace, you can imagine the responsibility on the part of the school district if there was a lawsuit; and the chartered flight wasn't sufficient insured and the lawsuit could break the community. I don't think that the district should take this responsibility.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Senator Soper's convincing dialog overwhelms me, but we were not going to use planes, Senator, we were going to use buses. And I haven't had any of those in the middle of the ocean for quite a while.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

Well, Senator Graham, I don't think your bill limits it to buses. Does it? I think the people can go anywhere under this bill.

PRESIDENT:

Senator Gilbert. Senator Graham.

SENATOR GRAHAM:

I was only thinking about buses. I don't know what the people are thinking about.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

I think that we have adequate laws today for the school districts to take the students on trips within the State and to adjoining states. It seems to me that this is something that is being opened up primarily for the travel agencies and not for the benefit of the school districts. I do not see that this legislation is necessary, and I agree with Senator Soper. The school districts could become involved in another situation similar to the Kaneland school district which we had to bail out by a \$750,000 appropriation a number of years ago when the children were killed in this bus accident; and that is the first time, of course, that the school districts were held liable by the Supreme Court and that is why we did it as the Legislature. But, in the event that the flight was not properly, or the school bus or whatever group it is, are not properly insured, I am afraid that the school district itself, if it was the sponsoring agent, could be held liable, and certainly become involved in a lawsuit at a great expense to the district.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I was going to ask Senator Graham, Mr. President and Senators, with reference to these European trips. Is it true one doesn't have to go to Europe to marry a broad.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Mr. President, in closing the debate, I will answer his question by telling him that I will check with my attorney and let him know. If I may close the debate on this bill, I think there is considerable opposition that is why it is hanging around. I think, in due respect to the House sponsor of this bill, and Mrs. Chapman is deeply sincere in her attempt to provide this kind of legislation for one district in particular, which is Township High School District No. 214 in the Arlington Heights area, and we have considerable correspondence on what they feel is important about this. They feel that legislation being made permissive instead of mandatory eliminates some of the problems that some of our learned attorneys seem to believe it doesn't. I think that, so Senator Neistein doesn't make the motion I fear he is going to make again - 102 times a day, let's get on with the roll call.

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:

Lyons, aye. Groen, no. Hall, aye, Cherry, aye. Partee, aye. Bruce, aye. On that question, the yeas are 18, the nays are 17. The bill, having failed to receive the constitutional majority, is declared defeated. Senator Graham.

SENATOR GRAHAM:

I don't have enough votes so it wouldn't be in order to move to re-

consider, would it?

PRESIDENT:

I don't think you need to do that. 490, Senator Gilbert.

SENATOR GILBERT:

House Bill 490 amends the act in relation to powers and duty of the Board of Trustees at Southern Illinois University in relation to the revenue producing buildings and structures. This changes the law to make it in compliance with the Judicial Article. It changes the wording by the present law, says enforceable either in law or in equity by suit, action, mandamus or other proceedings. It changes the law to make it in compliance with the Judicial Article by saying enforceable by mandamus or other civil action. This and the next two bills are an attempt to put the revenue and the Change of Venue Act at the university bond issue in connection with the - I mean in accord with the Judicial Article. I ask for a favorable roll call.

PRESIDENT:

Senator Gilbert, is there any objection to having the same vote apply to all three bills?

SENATOR GILBERT:

No, they are all nonsubstantive changes and do this as I have stated.

SENATOR KNUEFFER:

Ah...I am just trying to...I don't understand how it changes the present statute, Senator. What is the...how does it change the relationship between the trustee's power as it presently exists and as it will be?

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

It changes it in the sense that you now do not have equity or law if the matter is mandamus or other civil action under the new Judicial Article. That is the only change in the Act. In other words, at the present time, it is a question of suit on the bonds can be by either equity, either in law or in equity by suit, action, or mandamus or other

proceedings. Under the Judicial Article, the wording should be by mandamus or other civil action if they are taking some action on the bonds. That is the only change.

PRESIDENT:

The...is there further 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,

SENATOR GILBERT:

Mr. President, I wish to point out that this does not grant any new power. It is merely the matter of enforcement of actions against the University Trustees on this particular bonds. They are not getting any new powers at all.

SECRETARY:

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:

Sours, aye. On those bills, the yeas are 42, the nays are none. The bills are declared passed. 515, is Senator McCarthy on the floor? Senator McCarthy, 515. Senator McCarthy.

SENATOR MCCARTHY:

Yes, ah, Mr. President. House Bill 515, sponsored by Representatives Borchers, Alsup, Jones and Cox, appropriates \$50,000 to the Department of Conservation for the purchase and rehabilitation and a state memorial....The former...the home occupied by former Governor Richard J. Oglesby. It further provides that the Department of Conservation has given authority after acquisition to lease the property to any local political sub-division in Macon County. I think what they envision is

that, if the Department deems it wise, and if there is, say a Macon County Historical Society in existence in the future, that this bill would authorize the Department and the Historical Society or some local unit of government, if I have picked out the imprecise term, ah, the maintenance and care of the home in the future. But that is optional. This is merely to appropriate the sum indicated to the Department of Conservation for the purchase of this home as a memorial. I solicit your vote.

PRESIDENT:

Is there any discussion? Senator Knuepfer.

SENATOR KNUEPFER:

Uh, I, I would take it, by its stand stature all by itself, that it probably is an unbudgeted item. It seems to me that the proper way to handle this since, without an emergency clause, it could not be effective, in any case, until July 1 of 1972, it seems to me that the proper way of handling this is to try and get this bill into the Governor's 1972 budget. It will be as...it will be effective as of the same date, in any case, as that budget would pass and it will provide us with the information as to whether the Bureau of the Budget has scrutinized this project and found it within the range of priorities which the Department of Conservation has set up. I, personally, would think that if, well, unless it is built into the next year's budget indicating that the Department of Conservation and the Bureau of the Budget have both approved of this, that we ought not to forward this bill on to the Governor and ought to provide a no vote.

PRESIDENT:

Senator Cherry.

SENATOR CHERRY:

May I inquire of the sponsor, when did Governor Oglesby serve as the Chief Executive of this State?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Well, Senator Cherry, I, I, I do not have the exact dates in front of me. I do know this...it was all done, I believe, I believe in the 19th century. He was a third... three-time Governor of the State of Illinois.

PRESIDENT:

Senator Cherry.

SENATOR CHERRY:

I, uh, respect the answer, and it seems to me so much time has passed, and the need for money today is certainly much more important than simply buying the home of our third Governor or fourth Governor of our State. And I think, with the substantial lack of money our State has, I don't think we should approve this bill whether it is in this session or the next session, as Senator Knuepfer has indicated. I think we should oppose this bill and save \$50,000 or more.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Uh, let me, uh, state to the body this, that, uh, the viewpoints expressed by Senator Cherry and Senator Knuepfer have some merit. First of all, Senator Cherry, Governor Oglesby served from the years 1865 to 1869. He then served from 19...1869 to 1873; following that he had some tour... some service in the United States Senate and, upon returning from that body, he again was elected by the people of the State of Illinois in the year 1885, serving a four-year term, finishing his gubernatorial service in 1889. That is given to me by the courtesy of our former colleague, the former Chairman of the Senate Committee on Conservation, uh, Senator Richard Larson, eminent historian. Uh, Senator Knuepfer's objections do not have the merit that Senator Cherry's do. Senator Knuepfer has told me and, in effect, told the House sponsor how to handle this legislation. I note that the bill was heard in the Committee on Appropriations in the House, after having received the approval of the Department of Conservation in the House and, since Republicans control both committees, I would presume one of two things. Either that the Department of Conservation

and the Bureau of the Budget was in favor of this bill or else, if they were against the bill, the Republican majority didn't pay any attention to their persuasion. Senator Knuepfer, I think you find yourself in the same position where bills are handed to you....

PRESIDENT:

Just...just a moment. Please...let's...please...gentlemen!

SENATOR McCARTHY:

I feel that there is an adequate remedy for the position you put forth. If the Governor, under powers granted to him by the new Constitution, does not feel that the amount appropriated herein is within the framework of the present budget or the future budget, he may exercise his indication by withholding his signature from the bill. And I've seen other bills go through that have gone through the House and the Senate Committees and have met the approval of this Chamber and I suggest that this is such an item. Now, Senator Cherry, however, his objection, when he occupies a position of leadership on the side of this aisle convinces me that the prognosis for the bill's survival at this date on this time is not too good. So, unless I get a view from Senator Cherry to the contrary, I will just ask that this bill not be considered as having been called, until such time as Senator Cherry indicates that....a contrary view.

PRESIDENT:

The bill will be held. 518, Senator Hynes. Senator Hynes on the floor. 518, you wish to hold that? 590, Senator Sours.

SENATOR SOURS:

Mr. President, Senators, this bill does exactly what the syllabus says, nothing more, nothing less.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Is this the bill, Senator, that we asked if you would accept an amendment to and you said no? Is this the same bill?

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Yes, ah, Senator Partee, that is the same bill.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Then, I have the same opposition.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I think we can have a roll call on this, win, lose or draw. I think the Chamber should know this; that the opposition on the other side has to do with a similar bill which was vetoed or, ah, which was altered by the Governor. The mere fact that they, on the other side, were offended by that has nothing to do with this bill. If you don't want to vote for it, fine, I'm not going to jump off the bridge. It's a good bill. That's all I have to say.

PRESIDENT:

Secretary will call the roll. Senator Laughlin.

SENATOR LAUGHLIN:

Yes, Mr. President. Senator Sours, would you be good enough to tell us what the bill does. Up to this point, no one knows except you and Senator Partee.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Yes. This bill, Senator Laughlin, authorizes, for example, the Peoria Building Com...the Public Building Commission to construct a jail, for example, out of the business district and actually out of the municipality but in the county.

PRESIDENT:

Is there further 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:

Baltz, aye. Knuepfer, aye. Mitchler, aye. Request for a call of the absentees. The absentees will be called.

SECRETARY:

Arrington, Chew, Course, Donnewald, Dougherty, Egan, Fawell, Gilbert, Groen, Hall, Horsley, Hynes, Johns, Knuppel, Kosinski, Kusibab, Laughlin, Lyons, McCarthy, Merritt, Mohr, Neistein, Newhouse, Nihill, O'Brien, Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Am I recorded. I'd like to vote aye with this comment. I think we're stretching a good thing a little too far when an otherwise good bill, that admittedly has some local significance for me, but that's not too material, fails to pass because of an action of a Governor. As all of you know, he doesn't call on me too often for advice. I understand that. It seems to me, however, that when we pair off one bill against another, the very purpose of good legislation fails; and that's why we're here, that's why we're being paid, and I have no desire to be petty but I cannot let that go unchallenged, and hence these comments. I vote aye.

SECRETARY:

Swinarski, Vadalabene, Weaver.

PRESIDENT:

On that question, on that question, the yeas are 23, the nays are 3. The bill, having failed to receive the constitutional majority, the bill is declared defeated. 598, Senator Dougherty. Senator Dougherty, 598.

SENATOR DOUGHERTY:

Mr. President, members of the Senate. House Bill 598 is a bill that provides certain regulations in the sale and distribution of eye glasses and sunglasses. This bill provides that all eyeglasses or sunglasses, as the case may be, must be subjected to a heat treatment to assure certain hardness to the ability to withstand certain shocks. The shock is a...the..one that tests the impact of a 5/8th inch steel ball dropped from a height of 50 inches to assure the glass against being broken by an accident of some type or other. It also provides that these glasses be laminated, and they should be issued only on the order...can be violated only on the order of an optometrist or an ophthalmologist. It further provides the main reason of making this test. It provides also that no frames may be sold that contain any form of a solution, nitrate or any other highly flammable materials. The bill requires it be administered by the State Department of Health, and has a fine of \$500.00 for each violation. And the Act takes effect January 1, 1972. Now, the effective date was changed to July 1, 1972. This latter has the support of the Department of Public Health. I was not present when testimony was heard, but those heard on two occasions in committee. It was amended to suit the desires of the Department of Health and some others who are desirous to put it in the most favorable position for passage. I think it's a good bill. I solicit your support.

PRESIDENT:

Is there any discussion? Senator Laughlin.

SENATOR LAUGHLIN:

Well, Mr. President, Senator Dougherty, I don't think I've ever asked this question, and many have, but I'm going to ask you now, who wants

this bill? It seems to me it has...I'd like to make this comment before you respond...it contains within itself all the necessary ingredients which leads one to suspect it could be a special interest bill. Now, I may be most unfair, so could you respond.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

You're not being unfair, Senator. I...in fact I asked the same question, but I am told that, within the field of optometry and ophthalmology they feel this is a good bill. This is the sole reason....and I did ask the same question as did yourself.

PRESIDENT:

Is there....Senator Laughlin.

SENATOR LAUGHLIN:

May I continue just a moment very briefly. What is the situation now with respect to sunglasses that are made available for retail, at retail, for customers?

SENATOR DOUGHERTY:

As I understand there are no specifications to...within the making of these glasses of, for whatever the way they make glasses of this type, I'm sure I don't know. There are no specifications written in to prohibit the sale of glasses that may contain these solutions...earpieces, if you will...make them highly inflammable and there are no safety measures that would require that the glasses be treated in such a manner that they will not break easily. Now, that's very frank.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Statistical evidence is available to show what damage or injury has been caused to people because of the fact we don't have such legislation.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I have no knowledge whatsoever. I was not present in committee when this bill was reported out do pass.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Well, I just make this comment, Senator Dougherty's word is always 1000% with me. He is an honest, honorable gentleman, and I respect him very much. I have grave doubts about any legislation phrased in the manner in which this bill is and I can't help that somebody's pockets are going to be a little bit better lined if the bill passes. For that reason, I'm going to vote no in the absence of any other evidence.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President, in view of the fact that I do not have a very good explanation, I would like to withhold it so I could get the sponsor to give me some more information.

PRESIDENT:

Bill will be held. 608, Senator Rock. 608.

SENATOR ROCK:

Mr. Chairman, I've just checked the session laws and Senator Newhouse had a bill which was Senate Bill 1086 which was amended in the Judiciary Committee. I'm told the Governor did sign it into law. It conforms identically to House Bill 608, so, therefore, I move to table 608.

PRESIDENT:

Motion to table 608. All in favor signify by saying aye. Contrary minded. Motion to table prevails. 612, no 622, is Senator Chew on the floor? 768, Senator Dougherty. Senator Dougherty, 768.

SENATOR DOUGHERTY:

768, Mr. President, members of the Senate, is a bill that was offered by some people in the outer reaches of Cook County to clarify something

within the Library Act. It provides that, when a library board or public library of any type whatsoever, leases a building or constructs a building but, particular in the leasing section, it provides as amended...it provides that when they find it necessary to, in a leased building that is, reconstruct or to rearrange, if you will or to rehabilitate in order to make it useful for library purposes and, on a lease that has at least 5 more years to go, they can remodel or reconstruct it on the basis of the need demonstrated for a building of this type. And it also provides that in this reconstruction, rehabilitation, call it what you will, the... every appropriate means will be taken to insure the accessibility by persons confined to wheel chairs. And then the other section applies also to buildings that are constructed directly for library purposes but are leased by the library board from the owners.

PRESIDENT:

Is there further discussion. Senator Sours.

SENATOR SOURS:

Mr. President, Senators. I have this question. Senator Dougherty, supposing I leased my property to the Peoria Public Library. Could it be enhanced in value by repairs or would it inure to my personal financial benefit?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I would say, sir, that it's entirely possible it would be, yes.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Would not this be a diversion of public funds and for private benefit?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

It would be pretty hard to make that charge when they must have at least 5 years at least to go. I mean, at least 5 years remaining in the lease before they could do it. In fact, libraries find it much easier to rent buildings than to construct them. They find it also easier to take, as does the post office, to take and to have a building built for that purpose, and then lease it for a given period of years in order to amortize and give a reasonable return on their investment. That's done everyday, particularly in the case of post offices. You know that as well as I do.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I just have the feeling that this might be, ah, actually of an unlimited financial nature and, for that reason, I for one cannot support it.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

As I said to you, this came from a town in the, in the town of Calumet City as a matter of fact, requested this here because they felt they were unable...they didn't have the funds to construct a building of their own. They are going to lease this building, but they wanted permission to ah, to ah, put it in proper shape to serve the purpose as the library, and also to provide that the people that are forced to use wheelchairs would have access to the facilities. I would like a roll call, I have no further....

PRESIDENT:

Is there further 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,

SECRETARY:

Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,

PRESIDENT:

Senator Mitchler.

SENATOR MITCHLER:

In casting my vote, I want to make this comment. We're down in the final week, and I'm now finding that a lot of these bills are coming, popping out of nowhere. Here's a bill, introduced in the House on March 3rd. It's a low-numbered bill, House Bill 768, just like that last one about, 515, on those eyeglasses, and I would ask everybody to do as I'm going to try to do, to be very alert to these bills that have been laying in limbo. And, in the final days, it's going to be brought up and bing, bing, bing, when we're half asleep down here. I'm going to vote no on this one and I'll be voting no on a lot of others.

SECRETARY:

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

PRESIDENT:

Saperstein, aye. Lyons, aye. Rock, aye. Savickas, aye. Bruce, aye. Nihill, aye. Neistein, aye. On that question the yeas are 25, the nays are 9. The bill, having failed to receive the constitutional majority, is declared defeated. Senator Collins has requested that we go out of the regular order of business to take up a House Bill on postponed consideration that another member of the Senate, who is going to have to leave the floor shortly, is interested in. Is there objection to going out of order for that purpose? Leave is granted. 2663.

SENATOR COLLINS:

Mr. President and members of the Senate. I think perhaps that maybe I owe an apology when I called this bill the other day because I didn't explain it very well and some of the members were...did not fully under-

stand it. I really believe now that all of the opposition, I think most of the members understand the bill. It's a re-writing of the Conservation departmental bill and I...it's eliminating some of the unnecessary verbiage and some mild changes in it, and I think it's a good bill, and would like to have everybody support it. I've got a short explanation, but I don't believe it's necessary.

PRESIDENT:

Senator Donnewald.

SENATOR DONNEWALD:

Well, Mr. President, I think a memorandum was passed out to each member last week after the bill had been postponed, and I'm sure that we, on this side, have no objection to the bill. I would ask for a most favorable roll call. Some of....One of the things that it does do, and I think it's quite important to the people interested in agriculture in the State....in the Senate here representing the rural areas. It does require a license for those that have private hunting reserves for animals, hoofed animals that are semi-wild or wild, and it also provides a fine for those violating that provision. I would support Senator Collins.

PRESIDENT:

Is there further discussion? Senator Latherow.

SENATOR LATHEROW:

This is a good bill. I found out what the cost of a turkey shoot license is.

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:

Ozinga, aye. Lyons, aye. On that question, the yeas are 45, the nays are none. The bill is declared passed. 783. Senator Groen.

SENATOR GROEN:

Yes. Mr. President and members, House Bill 783, and to Senator Mitchler. Senator Mitchler, this is a bill which has, for its sponsorship, the Illinois Township Officials. The bill was delayed originally because they wanted to get convention action on the bill, I am advised. Then, they ran into some legal problems that had to be resolved, and that's the reason primarily that the bill has been...has not been called earlier. Those have been revised and have been solved. I explained this bill pretty much at length on second reading when one of those difficult amendments, not a difficult amendment but a difficult problem involved in the bill was solved, and I might just say briefly that to reiterate what I said, perhaps, at that time. My interest in this bill goes back to 1955 when I had the Illinois Legislative Council prepare a study on the cost of maintenance of township highways in the State of Illinois. At that time, I was embarrassed by the fact that I found my own township of Pekin had the worst record in the State of Illinois. They spent more money per mile for maintenance of township highways than any other township in the State and actually was fifth in the nation. Certainly, not an enviable distinction. At that time, I introduced a bill which would have required the consolidation of township road districts maintaining less than 30 miles of highway. That was predicated on a study made which indicated that this was the minimum number of miles which a township could administer economically. That bill ran into opposition by the township officials of Illinois and failed at passage. They said, at that time, they would study the problem and, while it took them fifteen years to complete their study, the wheels of progress, good progress sometimes grind slowly, and this is one of those cases. So, I had at the start of this session, or really last year, I had the Legislative Reference Bureau bring that 1955

study up to date. And it was an amazing revelation of what has transpired during that 15-year period, and I'd just like to read from that report of the Council to you.

PRESIDENT:

Just a moment. Before we read from that report, we have about six Senators to your left. We will try to do our best, Senator.

SENATOR GROEN:

I introduced a bill this session that had the same purpose in mind as the bill we are presently considering. The township officials came to me and said we're trying to clean up our own house; we're trying to improve our own situation; would you wait for that House Bill to come over and not move your bill. I agreed to do that. House Bill 783 did come over and this is that report now from which I would like to read:

There are eight townships in Illinois that have local road districts, township road districts, that have fewer than five miles of highways, fewer than five miles, if you please, to administer and to take care of. Calumet Township, in Cook County, spent \$12,519, and spent.... that was to maintain 1.34 miles of highway. Grundy County, the Township of Morris, had \$6,510 to take care of two miles. Peoria in Rich...Peoria County in the Township of Richwoods had \$22,294 to take care of .81 of a mile. Port Byron in the township in Rock Island County was not too bad a violator. They have .09 of a mile but didn't spend any money for some reason. I don't know what happened to the highway. Rock Island Township in Rock Island County had \$1,051. Stites Township in St. Clair, and then we come again to Tazewell in Pekin, which is now running only second to Richwoods and Cook, Calumet Township in Cook County, they spend \$11,140 for 2.34 miles. Now, one of the interesting things about this, for example, is you take Richwoods in Peoria County, which is perhaps the worst offender, to take care of .81 of a mile, they purchased and have paid for a 1-1/2 ton truck, a number 12 Caterpillar grader, an engine sweeper, a Ford endloader, an International mower. Now, when the Legislative Council called the Highway Commissioner of Tazewell County to talk

to him, uh, of Pekin township and Tazewell County to talk about, uh, this problem, he said it's none of your business and I refuse to reveal what salary I got or how much money we spent. The Township Officials Association, gentlemen, recognize that the focus of public attention, the eye of the taxpayer, is on this unwarranted, excessive expenditure of township taxes, taxpayers from the, uh, monies from the taxpayer to take care of these small, few miles of highway that some of these townships have. So, what does this bill do? It says that, by January 1, 1975, if the township is maintaining fewer than 5 miles of highway, they must consolidate with some other township or they are automatically abolished as a local unit road district. It then sets up that in the event that happens, and these were the amendments that were worked out, that in the event that happens, because there is no township Highway Commissioner, then the township Board of Auditors perform the function for the levying of taxes. Uh, I, I believe this is a bill which will enhance the image of township government. I think it's a bill that probably lends itself to the preservation of township government. The township officials are to be commended for their effort to clean up their own house, to do something about a situation that literally does stink when we really look at it, uh, very closely. They want to straighten it out; they are asking our help in straightening it out; and I think we should render that assistance to them and give them the tools and the means to make a start in making more viable, making more progressive, more efficient, township government, and I ask for a favorable roll call.

PRESIDENT:

Is there....Senator Knuepfer.

SENATOR KNUEPFER:

I wanta say that I am totally in accord with what Senator Groen has said. One of the things, the unfortunate effects that happens, as the size of the, as the number miles of road decreases, in effect you get more and more for fewer and fewer people. Uh, a part of the funding comes from M.F.T. funds. Now, 50% of those, in the township roads....50% of

those township M.F.T. funds are returned to the municipalities on the basis of population. The other 50% are used for the township roads. Now you have some kind of a population distribution that is relatively equal as between those who live in the, uh, incorporated areas and the unincorporated areas, it's not a bad distribution, it's not inequitable. But, when you get down to less than 5 miles, you've got everybody in the township, in effect, paying a very substantial portion or losing a share of their M.F.T. funds for those who are, desire still to stay in the unincorporated areas. The only thing that makes this possible at all, the only thing that keeps this thing going, is the fact that these M.F.T. dollars are not returned to the township on the basis of one man, one dollar. They are returned on the basis of 50% goes to the unincorporated areas. It's all right, as I suggested earlier, when there is a substantial number of unincorporated, substantial number of miles in unincorporated territory. But, when you get down below five, you've got a tremendous sum of money available to support very few roads. It's an inequitable distribution at this point, and I am totally in accord with what Senator Groen is doing.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Just, just a question to the sponsor. Is it your interpretation that this action will, excuse me, successfully eliminate the Office of Township Supervisor, or should there be a provision where this prevails, where this action prevails in a township, that the Office of Township Highway Commissioner is automatically eliminated.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Senator, I'm sorry, I did not follow the question. What, uh, uh, I don't know precisely what you want me to answer.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Is it your interpretation that this legislation would automatically eliminate the *Office of Township Highway Commissioner*, or should there be provision in the bill to definitely spell that out.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Senator, reading from the bill, uh, it says: No township road district may continue in existence if the roads forming a part of the district do not exceed a total of five miles in length. On the first Tuesday in April...I said January and I stand corrected, it's April of 1975, or of any subsequent year next succeeding the reduction of a township road system to a total mileage of five miles or less, each such township road district shall, by operation of law, be abolished; and in my judgment, to answer your question, that would eliminate the *Office of Township Road Commissioner*.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Well, I, I don't want to dispute with you but I also read it that each year thereafter, if the situation prevails, the district is eliminated, but if someone has been elected prior to that and is still in office, uh, and a salary has been established, it seems to me that he is going to be eligible to collect it.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, that may be the case. However, the bill goes on by amendment to state that, in the event there is no *Township Road Commissioner* and it does anticipate that that office might be abolished, in that event the function, uh, shall be, uh, of, of the *Township Road Commissioner* deals

with the levying of the taxes, as you can imagine, would then fall upon the, uh, the Town Board. Now, it offers an alternative also by amendment, and this was another of the reasons for the delay. They could not agree on what should happen if there was no consolidation. What's going to happen to those. It then authorizes the Town Board to, by contract with the county, the city or a private contractor, to contract for the maintenance of those roads that do exist in that township that has a, a mileage of fewer than five miles.

PRESIDENT:

Is there further discussion? Secretary will call the roll. Senator Latherow.

SENATOR LATHEROW:

Senator Groen, I noticed in the distributions of funds it shall, they shall be distributed as if this were a county unit district and, in that case on counties where they are distributed according to the number of vehicles within the county. Now then, that county then, or whoever it will be that operates this, will pay for the cleaning and clearing, whatever it happens to be of these highways with no funds and from motor fuel taxes. Is that right?

PRESIDENT:

Senator Groen.

SENATOR GROEN:

No, that is not my understanding. My understanding is that they will, that the Board of Town Auditors will perform the function which was formerly performed by the, uh, the uh, Township Road Commissioner and uh, will be in a position to levy what tax is necessary to receive the monies they are entitled to receive from other governmental units. And, uh, uh, as I say by, may do it as the bill now reads, administered by the Township Board of Auditors by contracting with the county, or municipality, or a private contract.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Another question. With the figures you gave of what was donated to these counties, what the cost was, what would that cost have been, providing that had been done by contract with some municipality or with a private contractor? Would you answer that?

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Senator Latherow, I cannot personally give my word for this. All I can tell you is what Troy Kost and what the township officials have told me. It is estimated that it can be done for at, for not more than 1/3 of the present cost in these townships, and conceivably considerably less than that.

PRESIDENT:

For what purpose does Senator Cherry arise?

SENATOR CHERRY:

Previous question.

PRESIDENT:

Well...in fairness, before I recognize you on that motion, Senator Latherow had the floor. Senator Latherow.

SENATOR LATHEROW:

I wonder what's going to happen to these areas when you contract with someone for snow removal, and they're 30 miles away when the roads are blocked. Then, what are you going to do? Say: Well, I'm sorry you're going to have to wait until that outfit moves in here. You're going to be blocked for a few days.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Senator, at the present time, Richwoods Township, of these, is the only one that has a grader which would be suitable for a snow removal and it would seem to me that they would do the same thing that

they are doing now. Uh, they either, the Township Commissioner either hires somebody to do it, or he waits until the good Lord who put it there takes it away by raising the temperature.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Well, in the case of Nauvoo Township which I think has five mile of road. Warsaw Township has a few mile of road and on down through Adams, I can think of about three others down through there that might be considered in this. Are they just going to sit there and people be snowbound? You know, I haven't had one person ever complain to me about what their township government has been costing them, whether it be through the cost of the Supervisor or the roads they are maintaining. This is what bothers me, and then we come along and do away with the Commissioner.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President, to Senator Latherow, all I can tell you is that Nauvoo Township in Hancock County presently has 2.5 miles of road. They are eligible for motor fuel tax. Their Highway Commissioner is named Fred Hawes who gets \$15 a day and, in response to the inquiry of the Legislative Council who questioned him, he said that the only equipment he had was a truck. Uh, the road and bridge levy is 0.165 and the other levy is 0.05 so, uh, that's all I can tell you.

PRESIDENT:

Sen...Senator Cherry moves the previous question. All in favor signify by saying aye. Contrary minded. Motion prevails. Senator Groen may close the debate.

SENATOR GROEN:

Mr. President, again, just very briefly, it just seems to me that when units of government recognize deficiencies in their operation and they come to us for help and say, we want to eliminate something that is

a stigma on our operation; we want to improve our operation; we want to give the taxpayer better service for his money and reduce the cost of the taxpayer for the service that is performed; I think it is incumbent upon us to listen to their pleas and give them the help they ask. I would urge a favorable roll call.

PRESIDENT:

Secretary will call the roll.

SECRETARY:

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

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I, I must agree with what Senator Groen has said. He did have a bill in here, not, not precisely the same but along the same lines. And, when this bill came over, it was subject to some debate and he did amend the bill along the lines suggested by township officials. The township officials testified on behalf of the bill, uh, a Representative Moore who has Calumet Township was in favor of it. The, uh, Representatives of Cook County had no objection to the bill. And I think that what Senator Groen has done is in conformance with what was, the desires, that was expressed at the committee hearing. I vote aye.

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:

Kosinski, aye. Request for the call of the absentees. Knuppel, aye. Mitchler, aye. On that question, the yeas are 30, the nays are 9. The

bill, having received the constitutional majority, is declared passed. Senator Groen moves to reconsider. Senator Harris moves to table. All in favor of the motion to table signify by saying aye. Contrary minded. Motion to table prevails. Senator Carpentier, 802.

SENATOR CARPENTIER:

Mr. President, members of the Senate. House Bill 802 does exactly what the calendar says. It permits the municipal attorney to prosecute violations of Illinois Vehicle Code which occur within the municipality.

PRESIDENT:

Is there any discussion? Secretary will call the...Senator Rock:

SENATOR ROCK:

Yes, Mr. President, members of the Senate. It seems to me that this bill, while it does just exactly what Senator Carpentier says it does, uh, the ramifications and the import of it, uh, are a lot more widespread than what first appear. If, in fact, we allow the 126 municipalities which surround the City of Chicago to prosecute violations occurring within their corporate limits, and divest the State's Attorney of Cook County of this kind of authority, it seems to me we are opening up a situation of which we'd better take another look at. Especially in view of the fact that there is so much propagandizing, if you will, concerning the implied consent law. There will be, in fact, many, many more violations and prosecutions for driving under the influence. And, if we leave this in the hands of, rather than an essential prosecuting agency, 126, uh, different villages and towns which surround Cook County, I think we are going to get ourselves in a lot of problems. I rise in opposition to this bill.

PRESIDING OFFICER: (Senator Vadalabene)

Senator Berning.

SENATOR BERNING:

Mr. President and members. It looks as though the fears are just a little bit, uh, over extended. This says 'city'. Most of the incorporations are villages and I don't believe that this bill would apply to them.

PRESIDING OFFICER: (Senator Vadalabene)

Senator Neistein.

SENATOR NEISTEIN:

Uh, Senator Partee, I see this bill was introduced March 9. Why are we holding it until November the 8th, or whatever the hell it is today?

PRESIDING OFFICER: (Senator Vadalabene)

Senator Partee.

SENATOR PARTEE:

We're not holding it, Senator. The bills are called when the sponsors ask for them to be called. I don't know why they waited this late, but this is just the way it is. If this is what is asked to be called, then that's when it's called.

PRESIDING OFFICER: (Senator Vadalabene)

Senator Knuepfer.

SENATOR KNUEPFER:

I'm, I'm not sure whether my question is going to be addressed to Senator Rock or Senator Carpentier. Uh, let's start with, uh, Senator Carpentier, since he's the sponsor of the bill. Uh, under the home rule provisions, uh, is it not possible for any municipality under home rule to enact, in effect, the Illinois Vehicle Code and do this anyway. Is, is this not within the present powers of any home rule municipality if they desire it?

PRESIDING OFFICER: (Senator Vadalabene)

Senator Carpentier....do you care to reply?

SENATOR CARPENTIER:

I really couldn't answer whether or not it is, uh, would fall under that purview under the new Constitution. All I know is exactly what the calendar states, that this is a, uh, home rule provision, so to speak. If you're speeding in a city, they're the ones that are going to prosecute you instead of you going all the way downtown.

PRESIDENT:

Senator Egan.

SENATOR EGAN:

Uh, Senator Carpentier...

PRESIDENT:

Senator Carpentier.

SENATOR EGAN:

Uh, if, if you're looking at the bill, you'll see that this gives the municipality the, uh, the right to be selective in the case that it desires to prosecute. The problem there is that they can prosecute some cases, and they don't have to prosecute all. The State's Attorneys would feel a lot better about this bill if we should prosecute all of the cases that happen within the municipality and leave the State out entirely. I think that would accomplish your purpose. Do you think you could hold this until we could amend it? Or, at least discuss it with Representative Bluthardt to get his idea on it. I think that's what you want to accomplish and I think it can be done.

PRESIDENT:

Senator Carpentier.

SENATOR CARPENTIER:

All right. I'll hold it until you talk to Representative Bluthardt.

PRESIDENT:

The bill will be held. 807, Senator McCarthy.

SENATOR MCCARTHY:

Yes, uh, Mr. President and members of the Senate. Senate, or House bill 807 is an amendment to the provision covering the termination of dormant mineral interest in land. And, uh, what this bill does, or what the law does before the bill is put in here, is that any individual or other entity that has an interest in oil, gas, etc., that their interest is terminated after a period of inactivity of 25 years. Now, there isn't currently a provision where a person may preserve his right by recording them in the county courthouse, and all this bill does is to set up one book known as the Dormant Mineral Interest Record where such dormant

mineral interest should be recorded. Excellent legislation because people searching out titles to real estate, trying to extinguish the 25 year old dormant mineral interest has to search the grantor-grantee indexes and I think this is an excellent...this is a good roll call.

PRESIDENT:

Is there further 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, 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,

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Uh, Mr. President, I wonder if the sponsor would answer a question. Now, I can understand what this would do, uh, in counties where you have mineral rights or oil rights, but does this mean that the Recorder of Cook County, and of DuPage County and of Lake County and McHenry County... every county in the State of Illinois would have to keep a separate record? Is this what you wanta do? Have another book to look into?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

I am glad you asked that question, uh, Senator Soper and I don't think it requires the Recorder in counties where there are dormant mineral interest to keep a separate book unless such claims are filed. All the bill provides is, oh, about a 1-1/2 page amendment. It says that, in the counties where such interest should be recorded, that the notice should be recorded in a book known as the dorminal, Dormant, excuse me, Mineral

Interest Record. Therefore, if you have any county where you don't have Dormant Mineral Interest Records, you wouldn't have to keep the books, but in books where you do, it would be in one book so that the people could find it quickly.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Now, in some counties, I think there are sand and gravel interests and, uh, and maybe limestone interest. Would this, would this, ah, be an accommodation for those people?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

I believe it would, Senator.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Then you'd have to have a book in every county because I think every county has some sort of gravel pit and, if there were any interests, they'd have to set up a book in every county in the State.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Well, the only thing I can state to you, Senator, is that you know if it would be a benefit to the people in each county, I am certain that the Recorder would wish to, uh, make available for them recordings that would be easily capable of precisely finding.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Well, that may be for the interest of a few people but, if you wanted to find out whether there is a dormant interest, you could look to

the tract book and you could find out from that whether or not there is an interest. Why set up another book, uh, if there be three or four gravel pits in the whole county and one gravel pit can set up a separate book for that one gravel pit.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Well, that would be, Senator Soper, I think a very thin book, and we all know about the thin book stories that went around. There is just one document he could set up a book that would be a thin book. I don't - I think he remembers the thin book stories, do you not? And, for the people that would have thin books in their counties, this bill would not be an imposition. I think it's an improvement to the statute item submitted to you.

PRESIDENT:

Continue with the roll call.

SECRETARY:

Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Saperstein, aye.

SECRETARY:

We have 26. I've got him.

PRESIDENT:

Savickas, aye. Laughlin changes his vote from aye to no. Rosander, no. Senator Sours.

SENATOR SOURS:

Am I recorded. Well, I would like to make this statement because I think this is a bad bill, Senator McCarthy, because it doesn't define. It does not define dormant mineral interests and it puts on the Recorder of Deeds the administrative duty to make the definition and put on the dormant list that which he understands to be dormant. Now, we have some very valuable mineral rights here, and no coal company has written me or

talked with me, but I don't think we should leave up to a ministerial officer the duty or the right to define dormant mineral interests. I think it's a vicious duty we are placing on the Recorder of Deeds, who may or may not be a lawyer.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

I am persuaded by Senator Sours' remarks that perhaps this is too big a duty to impose upon a Recorder of Deeds. I might state, before I make my motion, that this bill normally would have passed, I think, unanimously on the last night of the session because there really is no objection to it that is blatant as against public policy. I think that it's a refinement of the legislative thinking that has brought forth these valid objections to these bills and, for that reason, I think this Fall Session is a ... has a good effect in that we are not passing bills in the Fall that might have passed the last night of the session. Based upon the objections that are made, I would move to postpone consideration.

PRESIDENT:

Motion to postpone consideration. All in favor signify by saying aye. Contrary minded. The motion prevails. 835. Is Senator O'Brien on the floor? 866. Is Senator Chew on the floor? 866, Senator Chew.

SENATOR CHEW:

Mr. President and gentlemen of the Senate. This is a Motor Vehicle Laws Commission bill and it deals with the Illinois Commerce Commission licensing tow trucks; and it exempts trucks that's used exclusively by owners or used exclusively in connection with service or repair operations. For instance, at a local service station, that could or could not be considered a tow truck because it is used primarily for small items like batteries and etcetera to get people going, but we're....In describing a tow truck, it's a truck that is for hire to tow automobiles or other motor vehicles and I would ask for a favorable roll call on it.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

Senator Chew, do I understand now that, if a filling station operator has a regular tow truck and he goes out and picks up wrecked trucks and takes them back to his place of business where they later are taken to some other place to repair and all, that he has to now come....comes under the Commission?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

No, he doesn't come under this bill. He still has that right because it would be the owner using it exclusively in service operation.

PRESIDENT:

Is there further 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, Johns, Knuepfer,

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

I hadn't had much chance to read it, but the thing that makes it sound like a special interest bill to me is the little paragraph here that says: This bill will foster sound economic conditions in the tow truck industry. That is enough to lead me to believe that this kind of a bill is designed to restrict those entering the business and to keep off the few of us who happen to be there without any further competition, and 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:

Senator Chew. Carpentier, aye.

SENATOR CHEW:

Mr. President, this bill is badly needed for people in the tow truck business who totally abuse the privities that we have. As you know, the scandal that's been in Chicago, centered around on the north side, which caused the City Council to pass an ordinance condemning that kind of operation; and I would like for the Senators to hold their little private conferences just for a moment to understand how essential this kind of legislation is. It will merely put the people that are in this towing business, registered with the Commerce Commission, and regulated whereby these abuses will no longer exist. I have found no opposition to the bill; it passed the House with an excellent vote. The members over there knew it was necessary, and I would ask you gentlemen to pass this bill out and send it to the Governor, and he's going to sign it because he realizes the importance of this bill, and may I request that you call the absentees, please.

PRESIDENT:

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

SECRETARY:

Arrington, Baltz, Berning, Bidwill,

PRESIDENT:

Senator Berning.

SENATOR BERNING:

I'd like to ask the sponsor..This bill does not apply to Chicago, does it?

PRESIDENT:

Senator Chew. The question is being directed to you, Senator Chew. Senator Berning.

SENATOR BERNING:

Does this bill have the home rule amendment, or is that not necessary and would Chicago be exempted from this anyway?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

No, it...Chicago would not be exempted from this. This would include Chicago.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Chicago is a home rule unit. Why is this necessary?

PRESIDENT:

Senator Chew.

SENATOR CHEW:

There are many, many cities in this State that do not come under the home rule unit, and I might add, Senator Berning, that the Chicago City Council passed a resolution condemning the kind of practice that's been going on with tow truck business. As you know, there has been some investigation between tow truck operators and owners of various parking lots where they have just abruptly come in and taken people's cars, and they have damaged those cars, and people aren't getting paid for them. I know of one instance where guns were drawn because their family automobile had been damaged by some unscrupulous tow truck company over in the north side of Chicago. So Chicago is totally in favor of this kind of legislation, and I would ask you to support it. I'm sorry, Senator Berning, that you couldn't hear my answer, because I see you had another conference going. I'll repeat it if you want me to.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

I heard enough, Senator, that the City of Chicago has passed a reso-

lution objecting to certain practices, but I do understand they also have the authority to adopt any ordinance they want, and that's my point. I've heard from none of my communities and, if Chicago needs this, they're in a position to implement it. I fail to see the necessity for the bill. Besides, it seems to me that bill ought to carry an appropriation to provide funds for the Commerce Commission if they're going to have to take up the question of standards and licensing, and there's no appropriation here.

SENATOR CHEW:

Certainly, Senator, one has to buy...has to get a license, has to pay for it, and we feel the revenue from the licenses will suffice for the standards of equipment. Out in the nice neighborhood in which you live, out in Deerfield, I'm sure you don't have that kind of problem because all of your people out there are sophisticated; but sometimes in our urban centers--I mean Chicago--we encounter this kind of thing, gouging at business. And sometimes you might park your car on the street and a tow truck comes for it and calls it a mistake but yet you have to pay for the towing, and if it's not found there's a storage charge. We have had cases, Senator, in Chicago where cars were stored with the expressed consent of the owners and then they were charged abnormal fees. And some of these tow trucks were equipped with police radios and, when it's indicated that there has been an accident, sometimes the tow truck gets there before the police does. And these are the practices that we want to come under the Commerce Commission. I think it's an excellent bill and I would urge your support on it, Senator.

PRESIDENT:

Continue with the roll call.

SECRETARY:

Bidwill, Bruce, Carroll, Cherry, Chew, Collins, Coulson, Davidson, Fawell, Graham, Harris, Horsley, Hynes, Johns, Knuppel, Kosinski, Latherow, McBroom, Mitchler, Mohr, Newhouse, Ozinga, O'Brien..

PRESIDENT:

Senator O'Brien.

SENATOR O'BRIEN:

Mr. President and members of the Senate, I'd like to lend my support to this bill. I represent an area which is full of high-rises on the near north side of the City of Chicago. Senator Chew referred, a couple of minutes ago, to some practices that weren't legal that were taking place within the limits of the City of Chicago. I want you to know about one operator within the limits of the City of Chicago and preferably working on the near north side where all the high-rises are where you have a lack of parking facilities. Many people in that area park in No Parking zones posted by the City of Chicago and the Department of Streets and Sanitation. They do this with the...knowing full well that they will receive a ticket for it in front of a fire hydrant or that they're going to stay for 5 or 10 minutes. Well, this individual, besides his private contracts that he has for Jewel's and parking lots throughout the near north side of the city, also tows cars which are in violation of city signs without the permission of the City of Chicago. Some of the instances that have taken place when people go to get their automobile back when it was parked in a No Parking zone for the city or something of this nature, have just been unbelievable. People have been beaten, they won't take checks, there are many court cases that are coming out of it. It is really a problem situation in the near north side of the City of Chicago. I think that this is good legislation, and I think that we should have uniform standards for tow truck operators throughout the State of Illinois. Of course, the city is going to address itself to the problem. It has, in a small way, but I think the State should also, because it will become a problem in many of your areas in times to come. I vote aye.

SECRETARY:

Rock, Savickas, Soper, Sours, Swinarski, Walker, Weaver.

PRESIDENT:

For what purpose does Senator Mitchler arise?

SENATOR MITCHLER:

I don't believe I'm recorded, and I've been trying to analyze to cast a vote. In explaining my vote, this is the first time in the Fall Session that I've ever had occasion to be appalled, but I am appalled at the fact that all of the direction of this bill goes to the City of Chicago with all of their problems; and I, like Senator Berning, and what we were discussing was, do we have any problems in my community? I hear of none of the tow truck operators or people who come in contact and have the need for the services of tow truck operators wanting the Illinois Commerce Commission to provide equipment standards, and licensing, and all of this for their tow trucks. Now, what makes me appalled at this bill is here we're having this home rule power, the greatest thing that has ever come to local home rule governments, and this is an area in which the City Council of Chicago could pass an ordinance and could control these; and you're standing up admitting...to this body and to the entire State of Illinois about the inefficiency and the inability of the City of Chicago to control its tow truck operators. You're admitting that there's unscrupulous practice, mischief going on in that city with respect to tow trucks and, in order to solve it, you have to come down to the Illinois General Assembly and pass House Bill 866 and have the Illinois Commerce Commission take on another responsibility providing for indemnity bond, equipment, standards, licensing; and all of these provisions--tells them...tells the tow truck operators that they have to sweep up the glass, every owner or operator or driver of a tow truck shall comply with the standards of removing glass from the highway, and all of these little things. You're going to cause more problems for downstaters. I'm appalled that the City of Chicago has to ask the State of Illinois to provide this protection for their people. I vote no.

PRESIDENT:

Saperstein, aye. On that...Knuppel, aye. On that question, the

AB 1197
11-8-71
Fred [unclear]

yeas are 28, the nays are 10. The bill, having failed to receive a constitutional majority is declared defeated. 1058, Senator Latherow. 1092. Is Senator Johns on the floor? 1092. Do you wish to take that up, Senator Johns? 1129, Senator Johns? 1138, Senator Vadalabene? 1138. Hold. 1139, Senator Smith? Hold. 1172, Senator Dougherty? 1177, Senator Carpentier? Senator Carpentier. Senator Carpentier.

SENATOR CARPENTIER:

I'd like to come back to that tomorrow because we have an amendment for that bill. Senator Walker is getting it drafted and we'll have it ready by in the morning.

PRESIDENT:

1197, Senator Rock? 1197.

SENATOR ROCK:

Yes, Mr. President and members of the Senate, House Bill 1197 is an amendment to the Consumer Fraud Act. You will recall that, back in 1967, Senator Gottschalk sponsored a series of bills which were termed the Consumer...the Consumer's Bill of Rights or Consumer Credit Code. Among that series of bills was a substantial amendment to the Consumer Fraud Act and one of the provisions of that series of bills was the enactment of what's called Section 2b which, in effect, is the 3-day cooling off period. That provides that, where merchandise is sold or contracted to be sold under one or more contracts to a consumer as a result of a direct solicitation or call on the consumer at his residence, without the consumer's having solicited that call, the buyer--the consumer--has 3 days, 3 full business days, within which to void that contract. House Bill 1197 enacts...if enacted will amend that section of the Consumer Fraud Act in two respects. It will reduce the amount--the dollar amount--from \$50.00 to \$25.00, and it will, at the same time, provide that on the contract or on the bill of sale, or on the invoice, or on the receipt, or however the person transacts his business, the buyer must be made aware of this law which has been in effect since 1967. As it presently exists, while the consumer has the right, he may not have the

knowledge of the right, so that this bill--this amendment--will say that, at the time the sale is made or at the contract is signed, the salesman is under an obligation to furnish the buyer with a written receipt or contract containing a notice of cancellation which will inform the buyer that he may cancel the sale within any time within 3 days. Such written notice of cancellation may be sent by the buyer to the seller to cancel the contract. In effect, what we're doing, is saying this, in fact, is a good law; this has been a good law since 1967. The only thing is now we would like the buyer to be aware that there is such a law on the books. I would ask your favorable support.

PRESIDENT:

Is there any discussion? Secretary will call...Senator Walker?

SENATOR WALKER:

Thank you, Mr. President, members of the Senate. I opposed this legislation when Senator Gottschalk had it 4 or 5 years ago. I'm still opposed to it. At that time, I was criticized for making the statement that, as far as I'm concerned, this door-to-door solicitation or door-to-door peddling...as far as I'm concerned, it's as American as apple pie. I know from experience that it takes a certain amount of initiative and a certain amount of persistence, and I just can't see what we're doing to the summer students who are endeavoring to work their way through school, perhaps selling magazines subscriptions, what we're doing to the door-to-door peddler, if you please, who is selling vacuum sweepers, appliances. I just don't feel that all these safeguards are necessary to protect the buying public. You're not only reducing the amount, they can cancel the contract now, this bill provides you have to give them a notice of cancellation. I think you're doing away with a group that, I will admit, are rapidly diminishing, but it does give a college kid, as well as others, who have the initiative to go out and ring a few doorbells whether it be siding, encyclopedias, or what have you. I say, as far as I'm concerned, it is not a good bill. It has a good Senate sponsor, I will admit, as it had the last time. Maybe it is a matter of principle

but I am entirely opposed to legislation such as this, and I would urge a vote no on the same.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Yes, Mr. President. Senator Rock, the other day in Judiciary Committee, we discussed a bill which addressed itself to the same subject matter, I think, so I have taken the time to read this one. Now, the thing that puzzles me more than anything else is the language on lines 22 and 23, if there's been no amendment, and if there has been I don't have it in my book, such written notice of cancellation may be sent by the buyer to the seller to cancel the contract. Now, how in the world-- you aren't going to help anybody out. They are going to have to be able to prove they did it and there has got to be an address to mail it to. I think this is woefully inadequate unless I am missing something that I don't read in this bill. I would appreciate your comment.

PRESIDENT:

Senator Rock. Senator Partee.

SENATOR PARTEE:

I think it is a very good bill, but I was surprised to hear Senator Walker--Senator Walker said that he was against these four or five years ago, and that he is still against them; and I just want him to know that I have made a personal observation that he is a lot smarter now than he was four or five years ago, and you ought to be for these bills this time. It's a good set of bills.

PRESIDENT:

Senator Rock:

SENATOR ROCK:

Senator Laughlin, the only thing, as I stated again..uh, I was up a couple of weeks ago on this and we had the same thing in Committee. Ah, Representative Telcser has House Bill 2382 which we discussed the other day which, in my opinion, was...did violence to the substance of

the Act. And, therefore, I was not completely in favor of it and, quite frankly, I don't think the Attorney General's office understood what it did. What this bill provides...it simply...under the law as it stands now, the three days does not begin to run unless the address or telephone number or both of the selling company is given to the consumer. What this further provides is that now, in the written receipt or written contract, there will be a little space called Notice of Cancellation.

PRESIDENT:

Is there--Senator Latherow.

SENATOR LATHEROW:

Senator Rock, does this exclude agricultural products now that's...

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Senator Latherow, I am going to have to answer that the same way I answered it the other day when you brought that very same question up. There are no specific exemptions to the 3-day cooling off period law. Now if, in fact, the sale of agricultural products, of which I have no knowledge frankly, is covered and has been covered since 1967, it is still covered. If it was not covered at that time, it obviously is not covered by this amendment.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Well, Mr. President, I am thinking as I was the other day about any goods that may be delivered including gasoline, whether it is gasoline to put in your tank, and so on, and much of this is done even without a contract with the dealer or he may come along and put in, let's say, a thousand gallons of gasoline in your tank, and a few days later you wake up to the fact and you will say, come and get it and half of it is gone whether it has gone through your own use or through probably somebody coming along and borrowing part of it. That happens out our way once in

a while, and also, as I mentioned the other day, they may make this contract and, in 24 hours, they deliver a feed into your feeder and it is being consumed and you say 3 days are up and you say, I don't want to pay you for it. Now, I think this ought to be cleared up entirely, and I fail to have that cleared and, as far as I know and can feel, I think it is still in there. If, 3 days after that is put in my feeder, I say no I don't want it, tell him to come and get it, then the problem is his.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Senator Latherow, in 1967 when this particular piece of legislation was introduced, I am sure, at that time, I am sure that Senator Gottschalk must have been aware of any objections of this type. Because, in the original bill and it still stands today, in order to qualify under this section, the buyer has to return the merchandise in its original condition. Now, in a situation such as the one of which you speak, he is obviously unable to return the merchandise in its original condition and, therefore, would be required to pay for it. That is why I posed my answer to your original question the way I did. If, in fact, the agricultural product salespeople were covered in the first instance, they are still covered, in my view, if this is the way they do business, where they deliver seriatim, if you will, and just leave it there and the animals can eat and so forth, they are not covered anyway. But, if you feel that they are covered, this bill certainly does not exempt them, no.

PRESIDENT:

Is there further discussion? Senator Berning.

SENATOR BERNING:

Just one brief comment, Mr. President. In 1967, \$50.00 was a fairly sizable amount. Inflation has diminished that almost to the point of zero. \$25.00 now then is less than zero and I think this amendment...I mean this bill, for no other reason than the change in figure, ought to be defeated.

PRESIDENT:

Is...Senator Rock may close the debate.

SENATOR ROCK:

Well, Mr. President, very briefly, we have been over and over this. This bill...this 3 day cooling off period was passed in 1967. At that point, Illinois was the first State to have such a 3 day cooling off period law. In 1968, Senator Magnason in the State of Washington introduced, in the Congress, a similar bill patterned after the Illinois law. Attorney General...then Attorney General Clark and I went out and testified for it. The bill has had absolutely salutary effects. There was a couple of things the Attorney General's office was not happy with. One was the \$50.00 minimum figure; the other was the fact that, unfortunately, a buyer who was solicited at his residence was not always aware of the fact that he had this right, and not too many sellers informed the buyer that they had this right. So now, we are making it mandatory that the buyer know that he has this right. I would ask your favorable support.

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,

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Mr. President, very briefly in explaining my vote, I am going to vote against the bill. Not because I think the purpose is wrong but because I think all that you are doing is compounding the confusion and you are not helping the poor fellow that you really intend to help, by saying he can mail this notice within 3 days. In the first place, it doesn't provide that the notice should tell him he can send it within

3 days; and, in the second place, there is no instructions to him as to how in the world he will ever prove he sent the notice in. And I can't imagine for the life of me that these people that you are trying to help and protect, because they aren't particularly well educated and for many other reasons as well, will send it in, return receipt requested, certified mail and have some evidence that they ever sent the notice in. And all this will mean is that their cancellation will not be effective and, for that reason, I vote no.

SECRETARY:

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:

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

SECRETARY:

Arrington, Berning, Bidwill, Carroll, Clarke, Davidson, Fawell, Groen, Harris, Horsley, Knuepfer, McBroom, Mitchler, Mohr, Newhouse, Rock

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Mr. President, very briefly in explaining my vote which is aye, in answer to the point Senator Laughlin raised, I cannot, in conscience, agree with him for the reason that, under the laws that currently exist, the consumer may (1) telephone his notice of cancellation, or (2) send a written cancellation, and now we are providing him with another vehicle. He can send in the receipt which says Notice of Cancellation. I think this is excellent consumer protection legislation. The Attorney General's office is in favor of this bill and I vote aye.

SECRETARY:

Weaver.

PRESIDENT:

On that question, the yeas are 31, the nays are 11. The bill, having received the constitutional majority, is declared passed. 1213, Senator Harris on the floor. Senator Harris, 1213. Hold. 1224, Senator Latherow. 1268, Senator Vadalabene on the floor? 1268. Hold. 1317, Senator Latherow. 1318, 1364, Senator Groen. Excuse me, Senator Latherow.

SENATOR LATHEROW:

Mr. President, we have an amendment to 1318. Is Senator Carpentier on the floor?

PRESIDENT:

1318 is called back to second reading for purpose of amendment. Senator Latherow offers Amendment No. 2. Can you explain the amendment briefly, Senator Carpentier.

SENATOR CARPENTIER:

Mr. President, this amendment was worked out with the Secretary of State and the trucking industry. The amendment includes the language which was contained in Senate Bill 579, which was passed and signed by the Governor. Under Secretaries Carpentier, Chamberlain and Powell, Illinois has interpreted the language 'operated interstate' to include all vehicles operated in Illinois conducting interstate services of pro rate application. Secretary Lewis is changing that formula by excluding local pickup and delivery vehicles from the pro rate applications. In offering this amendment, it is not the legislative intent to agree or disagree with the Secretary. And the Attorney General's opinion on the matter is being sought to decide this question, so I know of no objection to this amendment.

PRESIDENT:

Is there any discussion? All in favor of the adoption indicate by saying aye. Contrary minded. The amendment is adopted. To third reading. 1364, Senator Groen. 1398, Senator Dougherty. 1462, Senator Carpentier. 1493, Senator Johns. 1545, Senator Latherow. 1545.

SENATOR LATHEROW:

Mr. President and members of the Senate, 1545, 46 and 48, all three have to do somewhat with the clarification of language, and removal of some parts of the act that are obsolete.

PRESIDENT:

Senator, excuse me, can we vote 1545, 46 and 48--can we vote on all 3 bills on one roll call?

SENATOR LATHEROW:

Yes.

PRESIDENT:

Is there objection to that? Leave is granted. 15--Senator may proceed.

SENATOR LATHEROW:

Most all of these, as I said, are deleting some obsolete portions of the act, and also responsibility of these acts now are under the Department of Public Health. I would appreciate a favorable roll call.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Senator Latherow, according to the calendar, it says 1545 permits the Department of Public Health to promulgate rules for retail meat and poultry products. That seems to be more than just a change in language. Or, is that a mistake?

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

The Department of Public Health is prohibited from promulgating some of the regulations established in these definitions. Now, they also have the responsibility of all foods at the retail level which includes meats and poultry. Now, at the level of the, we will say, the killers and so on, this is under the Department of Agriculture.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Well, I am opposed to that 1545. I think the Department of Agriculture, Gordon Ropp can do a real good job and has been doing a real good job. And it seems to me, one time in Committee, some doctor who, the only time he saw meat was when he ate in a restaurant, came in to tell us about how to rule and what he is going to set up, and I think this is a radical departure from what the current rules are, and that the Department of Agriculture, in my opinion, and Director Ropp are the right ones to regulate this.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Senator, I think I agreed with your feelings on that when this was put under the Department of Public Health but then the retail level is under Public Health and the wholesale, unfortunately, is under the Department of Agriculture.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

But, Senator, what would happen if we didn't pass 1545? The world has been going on, businesses have been going on without it up to now, hasn't it?

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

I think possibly the Department lacks some provisions on containerized meats of inspection and this would aid in that.

PRESIDENT:

Senator Neistein.

SENATOR NEILSTEIN:

Well, I didn't want to say anymore except to say that I think this is a bad bill..1545, anyway, and you are putting this in the Department of Public Health; and from the testimony that I have heard from doctors who know nothing about this Department or this section of enforcement. I think there is nothing wrong with letting the Department of Agriculture administer, control and issue regulations in this field.

PRESIDENT:

Senator Latherow.

SENATOR LATHEROW:

Vote her 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:

Baltz, aye, Course, aye, Nihill, aye. Hall, aye. Call the absentees.

SECRETARY:

Arrington, Bruce, Carroll, Cherry, Chew, Clarke, Coulson, Donnewald, Dougherty, Egan, Fawell, Horsley, Hynes, Johns, Knuppel, Kosinski, McBroom, McCarthy, Mitchler, Mohr, Newhouse, O'Brien, Palmer, Rock, Romano, Savickas, Smith, Sours, Swinarski, Weaver.

PRESIDENT:

Mitchler, aye. Saperstein, no. On that question, the yeas are 25, the nays are 4. The bill having failed to receive constitutional majority

is declared defeated. Senator Latherow.

SENATOR LATHEROW:

1546.

PRESIDENT:

1546.

SENATOR LATHEROW:

1546, Mr. President, merely repeals the 1907 section of the law which was under the Department of Public Health and now it's under the Department of Sanitary Inspection Law of the State of Illinois, Food, Drug and Cosmetic Act. I'd appreciate 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, 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:

Carroll, aye, Knuepfer, aye. Request for a call of the absentees.

Senator Latherow.

SENATOR LATHEROW:

I say all this does is clarify the language of the law and deletes some that is obsolete, so if it's not all right, just let it go.

PRESIDENT:

Carpentier, aye. Senator Neistein.

SENATOR NEISTEIN:

Senator Latherow, could you hold this bill and the next one until in the morning? We'll check it out with our staff and then maybe we can pass...

PRESIDENT:

Chair is going to have to rule we postpone consideration...that's the only way...oh, we have a vote. On that question, the yeas are 30, the nays are none. The bill is declared passed. 1548, Senator Latherow. Will be held. 1555, is Senator Rock on the floor? 1573, Senator Dougherty. 1574, Senator Latherow. 1586, Senator Bruce. 1604, Senator Smith. Is Senator Smith on the...hold. 1636, 1665, 1675, Senator Dougherty. 1693, 1709, Senator Davidson...hold. 17...1769, is Senator Savickas on the floor? Hold. 1772, Senator Rosander. Hold. 1807, Senator...18... 2044, Senator McCarthy. 2054, Senator Groen...2054. 2080, Senator Ozinga. 2312, Senator Hall. 2313...2323, is Senator O'Brien on the floor? 2348, Senator Baltz. 2363, Senator McCarthy...2363. 2374, Senator Gilbert.

SENATOR GILBERT:

I move to table 2374.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. Motion prevails. 2380. 2402, Senator Egan. Senator Egan.

SENATOR EGAN:

Ah, Mr. President, members of the Senate, I'd like to move this to be recommitted to the Committee on Judiciary.

PRESIDENT:

Motion to recommit 2402 to Committee on Judiciary. All in favor signify by saying aye. Contrary minded. It is recommitted. 2448, Senator Bruce. Senator Bruce.

SENATOR BRUCE:

House Bill 2448 makes a distinction between clinical and clerical data on patients in the mental hospitals. All it says is the only people who can get the clinical data on, ah, on a patient off of his record is the Director, State's Attorney, his attorney, any Circuit Court or any State or Federal agency for the sole purposes that may enable the patient to acquire eligibility for benefits under State or Federal law. The Welfare Council in the City of Chicago is in favor of the bill. It makes

this distinction so that not every person who requests information concerning the patient is given both his clerical and clinical. It limits the access to a person's records to that clerical data that's necessary for processing their files, such as Social Security, Federal Bureau of Investigation, Railroad Retirement, Veteran's Administration, all sorts of other boards that only need the clerical information. Passed unanimously in the House.

PRESIDENT:

Is there any discussion? Senator Carroll.

SENATOR CARROLL:

Would, would the Senator yield to a question?

PRESIDENT:

He indicates he will.

SENATOR CARROLL:

You're talking about mental patients coming out of a mental institution...the number of them are discharged at that time and sometimes they go into nursing homes, and we've had problems, ah, our Legislative Advisory Committee, who considered things of this sort, to where the doctors or the people in the nursing homes, if they were...if some of their medical record came with them, they would be able to give treatment in the nursing homes to some of these patients. Now, would this eliminate that record of coming out with the patients to the doctors in the nursing homes, Senator?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

No, it would not. It...all the information would be divulged to any person immediately involved in helping the patient. They would receive all of the information. It's restricted...there's a division made between clerical data and clinical data. To be involved in the help of the person, it's available to you. If it's just simply administrative in nature....for instance, if Social Security Administration requests in-

formation about a mental health patient, they will receive both his clinical and his clerical data concerning the patient, age, health, address...All they need is an address and a confirmation that he is in need of medical care, and that's what they would receive rather than all the notes of the doctor or physician.

PRESIDENT:

Senator Carroll.

SENATOR CARROLL:

But they...the doctor in the nursing home or any people in the medical profession like that could get the information under this bill?

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Senator Bruce, as I read the bill, the only person in a State agency with the authority to get this information would be the Director of the Department. Now, that puts the Director in the position of having to do what I would call a very minor administrative chore. You've ruled out any agency of State or Federal government with the exception of the Director of the Department. Now that means that the Department, as I read it, wants to go to...the Department of Mental Health wants to go to the Department of Public Aid, for example, and the only one that is eligible to get this information is Ed Weaver, himself. And it seems to me you are putting a tremendous burden...I recognize the necessity or the desirability of some degree of confidentiality; but, on the other hand, if you put the Director in the position of being the only one that has access to this file, I think you leave an awful lot of treatment personnel in a position where there's information that could be, would be helpful to them. Now, am I misreading the bill or...

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

No, you made a very good point and, for that reason, I will hold the

bill until we can get an amendment drafted and talk to the House sponsor. I know he does not want to limit it just to the Director of a Department.. it would be the Director and his representatives. Let me talk to him and see what he wants.

PRESIDENT:

Bill will be held. 2454, Senator Dougherty. Senator Dougherty.

SENATOR DOUGHERTY:

Well, Mr. President, members of the Senate, House Bill 254...2554 provides...get it right...2454 provides that under the law that when any, any government district...sanitary district is dissolved or taken or annexed into a municipality the obligations of that municipality shall continue under the revenue...their revenue bonds. This also provides that general obligation bonds should also be given the same protection. The bonds will be paid off in the manner by which the area is dissolved. In other words, it means that, if it is taken over, the bonds remain in full force effect by those people who passed upon the referendum to create the district. It applies to revenue bonds at the present time. It also provides for general obligation bonds. It's a series of protection that is all it is. I ask for 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, 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, Groen, aye. Carroll, aye. Vadalabene, aye. Baltz, aye.

On that question, the yeas are 44, the nays are none. Bill is declared passed. For what purpose does Senator Bidwill arise?

SENATOR BIDWILL:

Mr. President, I wish to make an announcement, sir. I want to call a Republican caucus at 9:00 o'clock in room 419...at 9:00 o'clock a Republican caucus, please.

PRESIDENT:

We're going on with business...that doesn't mean we're...For what purpose does Senator Lyons arise?

SENATOR LYONS:

Did we pass House Bill 18... I mean, have we gone beyond House Bill 1844?

PRESIDENT:

1844, you were not on the floor.

SENATOR LYONS:

Right.

PRESIDENT:

We will go back to it. 1844, Senator Lyons.

SENATOR LYONS:

This is a bill which I am handling for Representative Weber Borchers and it does what the calendar says. It provides that a distinction can be drawn between putrescible and nonputrescible garbage. Apparently, at the moment, there is no such distinction drawn and they both have to be covered over in the dumps daily. This would allow them to treat them differently. And I am not aware of any ~~strident~~ opposition to the bill. Representative Borchers tells me that the pollution control people are not militantly against it. Therefore, I ask that the membership support the bill.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

I would like to ask the good Senator a question. Does this...is this

intended to help solve a little problem that Representative Borchers found himself in last Fall. Are we legislating a court case, now?

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

If it is, I am not aware of it.

PRESIDENT:

Is there further discussion? Senator Laughlin.

SENATOR LAUGHLIN:

I am sorry but, Senator Lyons, where do you find this in the bill? Is there an amendment I don't have?

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Well, the bill was amended in the House and...yes, well, the bill that I took out of my bill book does not have the House amendment and it is the House amendment which really accomplishes the thrust of the bill.

SENATOR LAUGHLIN:

Well, I have got a 1844 House Bill is what I am looking at in my bill book and it is stamped amended on the outside and the only part that is underlined in the bill that I am looking at are lines 22 and 23 on page 2 and they don't talk about putrescible. I'm just trying to find out what it is we're doing here.

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Well, I have the same difficulty with the bill that I took out of my bill book, as well, Senator Laughlin, so what I'm going to do, Mr. President, is ask that this bill be held until tomorrow. I'll get it straightened out before I call it again.

PRESIDENT:

Bill will be held. 2509, Senator Gilbert. Hold. 2515, Senator

Dougherty. Senator Dougherty.

SENATOR DOUGHERTY:

2515 is a bill that, to a degree, implements the present Constitution. Under the old Counties Act, you could not incur a debt for more than 20 years in the Public Building Commission Act. This bill merely sends it to 40 years, which is permitted under the new Constitution. It gives permission to do what the law says it may do.

PRESIDENT:

Is there any discussion? Senator Sours.

SENATOR SOURS:

I have this comment, Mr. President and Senators. In an era and time when we buy today and pay tomorrow this just prolongs the agony of payment. It seems to me if the use of a public building cannot pay for it in 25 years, 40 years won't help much either. You might as well make it a thousand or better than that the millennium.

PRESIDENT:

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

SENATOR DOUGHERTY:

Well, in response to Senator Sours, I'm only handling the bill at the request of the House sponsors who asked that this bill give...that this body give permission to them to do that which the Constitution says they can do. They could either release the building....Public Building Commission for 20 years and the more amortized the debt owed at that period of time by virtue of rents, this merely extends it to 40 years which the Constitution says they can do.

PRESIDENT:

The Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning...

PRESIDENT:

Senator Berning.

SENATOR BERNING:

One quick question, to the sponsor. Will this affect any existing contracts?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I would say it would.

SECRETARY:

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:

Newhouse, aye, Bruce, aye. Lyons, aye. Cherry, aye. Donnewald, aye. Senator Soper.

SENATOR SOPER:

If this affects existing leases and contracts, I want to vote no. Covers personal property for 40 years.

PRESIDENT:

On that question, the yeas are 23, the nays are 4. The bill, having failed to receive a constitutional majority, is declared defeated. 2520, Senator Dougherty. 2586, Senator Knuppel. Senator Knuppel.

SENATOR KNUPPEL:

This bill has been amended to reduce the amount. It was originally for \$620,000, \$20,000 for an engineering study and the other \$600,000 was for land acquisition on Little Coal Creek in Fulton County. It's been amended to provide for a \$20,000 appropriation for an engineering study with reference to reservoirs and water supply in the northern part of Fulton County. This is Representative Lauterbach's and Schisler's bill.

They are very familiar with that area and I would recommend a Do Pass vote.

PRESIDENT:

Is there further discussion? Senator Harris.

SENATOR HARRIS:

Well, I just want to point out that legislation similar to this. I think Representative Lauterbach is actually, altogether I think he had 4 separate appropriation bills. They're certainly laudable from the standpoint of the local interest in it. There just isn't any money for this sort of thing. They don't come up through the prescribed program of development that comes from the Department of Conservation and I just think it would be an irresponsible act for us to appropriate \$620,000 that we clearly don't have.

PRESIDENT:

Senator Merritt.

SENATOR MERRITT:

Mr. President and members of the Senate. I'm just like Senator Harris. I can well recall, in the last session, when all of our so-called "creek bills" for various engineering studies and so forth were being held up until they could all get into one package, if you'll remember, with the approval of the Division of Waterways, John Guillou and his...I'd like to just ask the sponsor one question: Is this in the budget and, if so, why wasn't it included...why was it not included with the other bills at that time in the bill covering them all?

PRESIDENT:

Is....Senator Knuppel.

SENATOR KNUPPEL:

Well, as I understand it, it is not included. I'm not the principal sponsor. It comes from the House. I'm sure that if the Governor doesn't have the money for it that he can veto it, that, I feel like, that he's perfectly able to determine how he spends his money. I assume that the principal sponsor, who is also a Republican, talked to the Governor about it.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President, Senator Knuppel. Did I understand you to say that the appropriation has been reduced to \$20,000 for an engineering study and does it include any additional sums now for land acquisition? I've had some of these over the years and it's been my experience, and you'll find one still resting on the calendar here that affects a lake in Pekin which I have not moved because the money is available in the regular budget to do this. Now, I can understand where, this being a desirable project and I'm informed that it is, \$20,000 for an engineering study is one thing but it would probably take them a year to complete that study and then, depending upon what that study shows, an appropriation bill to start carrying out the recommendations of that study might be in order. But I certainly see no sense in tying up any money at this point other than the money that would be provided for an engineering study.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

This definitely has been amended. There is an amendment in your books striking on page 1, lines 20 to 28. It's limited to \$20,000 for the purpose of an engineering survey and study with respect to feasibility. The \$600,000 is out.

PRESIDENT:

Is there further 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, Harris, Hall, 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:

Kosinski, aye. Request for call the absentees.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Carpentier, Carroll, Chew, Clarke, Collins, Coulson, Davidson, Donnewald, Fawell, Gilbert, Graham, Harris, Horsley, Knuepfer, Latherow, Laughlin, McBroom..

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Mr. President, in explaining my vote. I don't see any emergency clause on this bill. I don't think it would be effective anyway, unless I'm missing something here, until July 1 of next year. Meanwhile, we might see whether it could be put in the proper appropriation. For that reason, I vote no.

SECRETARY:

McBroom, Merritt, Mitchler, Mohr, Ozinga, Partee, Savickas, Soper, Sours, Weaver.

PRESIDENT:

Senator Knuppel moves to postpone consideration. All in favor signify by saying aye. Contrary minded. Motion prevails. 2602, Senator Knuppel. 2619, Senator Knuepfer. Senator Knuepfer.

SENATOR KNUEFFER:

I would like to bring the attention of the Chamber to House Bill 2619. It's a bill that...Senator Berning had a bill on it the other day. This is a "Commission Bill", (in quotation marks). Senator Berning had a bill the other day that addressed itself to the problem of taxing districts that lay in more than one county. That, probably, is going to be an increasing problem as the classification takes effect and, in particular, as some counties are authorized to classify whereby an adjacent county may not be authorized to classify. It was generally agreed the other day that there was a problem but it appeared that this body did not

feel that Senator Berning's solution was the answer to it. I can only offer this as a vehicle for the Legislature to look at this problem which, as I suggested earlier, is going to be increasingly aggravated by the classification problem. I have...this is not my bill. It is a House Bill. It will be a problem. If there is another mechanism within this body to resolve this problem, it is perfectly all right with me. But, I do think, somewhere along the line we've got to take a look at this problem and this bill simply offers one vehicle to do it.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

Senator Knuepfer, would not the Department of Local Government have jurisdiction for such a study as this type?

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

I suspect they could make the study. I'm sure the Governor's office could make the study. The only...the only advantage, I suspect, in the legislative commission process is that you involve directly the very people who are going to have to vote on that, yes or no. If they have been involved in the process of arriving at the decision, they are in a better position to explain that decision and explain the reasons for the decisions that they made. I think it, it...There's no question about it that the Department can give us an answer or can come up with a recommendation. Whether that is the best way to pass legislation or not, I'm not so sure, and this bill addresses itself to the other alternative.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

Well, it seems to me that, if the department can get a sensible answer to this, that they should certainly be able to meet with a group of Legislators and brief them on it without having to spend the money for

the Legislators, themselves, to conduct the hearings.

PRESIDENT:

Senator Graham.

SENATOR GRAHAM:

Mr. President, I think Senator Dougherty might bear me out on this. It seems to me like, that since back about 1962, we had a County Problems Commission that has spent a considerable amount of time on this. They have involved and engaged some learned people in the area of taxation throughout the State, have tried to solve this thing. It might be, in connection with what Senator Gilbert was suggesting, that perhaps the files of the Legislative Commission on County Problems, in connection with the Department of Local Government, might be able to get together and correctly solve this thing. And I see the short gentleman from Chicago named Senator Dougherty is ready to get up and defend his position in that regard, I think, but I feel that that might be a solution.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Yes, Mr. President and members of the Senate. I would like to allude to the point that Senator Laughlin made on the bill that Senator Knuppel handled. If, in fact, this bill is passed today, and I direct this inquiry at the Chair if you please, Mr. President. If, in fact, this bill garners sufficient votes, when would this bill become effective?

PRESIDENT:

This bill becomes effective July 1 unless there is an emergency clause on. I understand there is not.

SENATOR ROCK:

Then, Senator Knuepfer, I would point out Section 6 of your bill which says this Act is repealed July 1, 1972. In effect, we would pass a law that self-destructs and, for that reason, I don't think we need it.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

There's no question about that. I did not know what the temper of the body is, but I have seen commission bills go down substantially in substantial number in the new session so I could have put an amendment on. You're perfectly correct. Without an emergency clause, the bill is a meaningless bill and I assumed that this body might feel it so and so I did not put the..., the clause on.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Senator Knuepfer, I'd like to ask you a question, that I heard you so eloquently put to a similar bill a few moments before. For my enlightenment and edification, could you tell me if this expenditure is in the Governor's budget?

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

This is an expenditure for the Legislature, Senator, which is an equal body with the Governor and, therefore, we need not ask the Governor.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Senator Knuepfer, I'd like a yes or no answer. You make Al Kelly look like a bum. The great double talker, Al Kelly, you know, the comedian. All I asked you was, to paraphrase your question a short time ago on a similar bill, commission bill: Is this expenditure in the Governor's budget?

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

I think no commission expenditures are in the Governor's budget, Senator, and they are sold to the Legislature and the Governor or they

are unsold and I think this is in the same position as the rest of them. I have not, frankly, had a chance to consult with your staff on this, Senator, so I'm not sure what my position ought to be.

PRESIDENT:

Senator Knuepfer, you're going ahead with calling the bill?

SENATOR KNUEPFER:

Call the bill, yea.

PRESIDENT:

Senator Neistein.

SENATOR NEISTEIN:

Then I'm safe, Senator Knuepfer, then I'm safe to assume that the last 300 words that you used in answer to my question means no, it is not in the Governor's budget. Am I correct?

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

That's an approximation of the position that I might have taken on the last bill.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President and members of the Senate. I'm agreeable with what Senator Graham has said for the reason that the County Problems Study Commission has had innumerable discussions about this particular type of legislation and the Constitution also says the Legislature shall find the means of determining what shall be done in dual taxing districts. The County Problems Commission has a budget of \$20,000 and I think we might save a little bit of money if we confine this chore to that Commission.

PRESIDENT:

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

SENATOR KNUEPFER:

All that needs to be said has been said. Call the roll.

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, 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...

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Mr. President and members of the Senate, I see that the...I commend those who have voted in the negative and I would so like to be recorded in the negative for the reason that even if this bill is passed it's repealed on the day that it becomes a law and I just don't see any particular sense to this. I vote no.

SECRETARY:

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

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

In view of the evident disinterest by this body, I move that the bill be tabled.

PRESIDENT:

I...The Chair hates to tell you that that motion is not in order at this point. The only motion that can be made after or during roll call is to postpone consideration. Motion to postpone consideration. All in favor signify by saying aye. Contrary minded. The motion prevails. Now, if you wish to, you may move to table.

SENATOR KNUEPFER:

I now make the motion to table.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. The motion prevails. 2 to 1. 2634, Senator Cherry. 2673, Senator McCarthy. 2682, Senator Mitchler. 2689, Senator Latherow. 2690, Senator Latherow. 2708, Senator Kusibab. Hold. 2712, Senator Latherow. Hold. 2720, Senator Harris. Senator Harris is on the phone there. Senator Sweeney, do you want to ask Senator Harris whether he wants to call that? No, okay, it'll be held. 2727, Senator Harris. 2732, Senator Berning. Senator Berning. 2732.

SENATOR BERNING:

Mr. President and members of the body. House Bill 2732 has been amended now to meet all of the objections so far as I have been able to determine and is restricted entirely to the Shawnee Forest area where they feel the need for this type of clarification as to what the responsibilities of fire wardens and burning permits are. I know of no objection and would appreciate the most 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, 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:

Hynes, aye. Knuepfer, aye. Carroll, aye. Clark, aye. Laughlin, aye. Saperstein, aye. Dougherty, aye. Senator...for what purpose does Senator Dougherty arise?

SENATOR DOUGHERTY:

To offer an explanation on behalf of Senator Berning for this bill. This bill was originally heard and it had some objectionable features in it. For the reason that the Department of Conservation had stricken language in there that we thought it was necessary to retain it. This is a good bill in its present form. It applies only to those areas of the State that are threatened with forest fires or such like and most of it is down in the southern part of the State; I believe there are five areas. There have been sufficient safeguards put in there to protect the forest preserve districts, public parks, and so forth. The bill, in its amended form, is a perfectly fine bill and I urge the support of the bill.

PRESIDENT:

Savickas, aye. Neistein, aye. Hynes, aye. Rock, aye. Romano, aye. Cherry, aye. Donnewald, aye. Bruce, aye. Hall, aye. Vadabalene, aye. Chew, aye. On that question, the yeas are 33, the nays are none. The bill is declared passed. 2742. Is Senator Knuppel on the floor? 2767, Senator Bruce. 2767.

SENATOR BRUCE:

House Bill 2767 is a simple bill which the Department of Insurance has sponsored and is in favor of. It simply requires that an insurer recover an insured's deductible on a subrogation claim. When they file suit they must include in that the claim for any deductible amount in the policy. Now, if the insured has received the money in some other fashion, then he does not get paid twice. But the claim must include the amount of the deductible. And, if they recover, the first payment on the recovery shall be to the insured for the amount of the deductible portion of that, in his policy. It's a simple bill. I know of no opposition.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Does this apply to hospitalization? I haven't had a chance to read

the bill, Senator. Does this apply to hospitalization?...insurance?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, the...I believe it is limited. I will stand corrected if I'm wrong. It relates to collision insurance...auto insurance.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

I'm just going to point out, Mr. President, that in the tenth line it does use the words "providing collision occurs", and I trust this doesn't happen in the hospital, is all.

PRESIDENT:

Is there further 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:

Senator Sours.

SENATOR SOURS:

I didn't have this opportunity during the debate on this to make this question, Mr. President, Senators: What happens if the suit does not include the deductible amount? Anybody go to jail or banished or Bill of Attainder, or what?

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, I suppose if they don't include it there could be some censure by the Department or the company. Heaven forbid that that might happen, but I believe they would have the power under rule and regulation to take some sort of action.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Applying it only to collision, I'll vote aye.

PRESIDENT:

On that question, the yeas are 36, the nays are none. The bill is declared passed. 2778, Senator Groen.

SENATOR GROEN:

Mr. President and members of the Senate. This, too, is a Department of Insurance bill. At the present time, when two or more companies merge or consolidate, there seems to be a question in the Department's interpretation of the existing law regarding what age the merged or consolidated companies shall use. The law, at the present time, reads that in the event of a merger or consolidation under this article, the surviving company or the consolidated company shall be considered as having the age of the oldest company which is a party to the merger or consolidation. This proposed amendment to the law would make the law read that, in the event of a merger or consolidation under the article, the surviving company or the consolidated company may elect to use the age of any of the companies to the merger, and then it goes on: for the purpose of complying with the requirements of the laws relating to the age of a company. That's what the bill does. I don't see anything wrong with it. I would recommend a favorable roll call.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Yes, Mr. President, if the sponsor will yield to a question...I...

PRESIDENT:

He indicates that he will.

SENATOR ROCK:

Senator, what's the significance of the age of a company?

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, under some of the reports they have to file and with the Department of Insurance the age of the company, I am informed, is a part of the filing requirements, for example, and whether they put down the youngest company or the oldest company. There have been some requests by the Department, for example, that in the case of mergers and consolidations they did not want to use the oldest company that was involved in the merger. They desired to use one that had not been in business as long as the oldest company of the merged companies. I know, Senator Rock, I know of no significance insofar as taxes, for example, might be concerned.

PRESIDENT:

Just...just...let's...please, gentlemen, if we can maintain order for just another hour or so we can go all the way through this calendar. Is there further 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, NHill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

Knuepfer, aye. Request for a call of the absentees, or Senator Groen.

SENATOR GROEN:

Well, Mr. President, it's hard to believe that all of these vacant seats indicate that this many members have left the chamber for good. Would you ring....cause the bell to be...sounded and call of the absentees, please.

PRESIDENT:

Bell is being rung. Secretary will call the absentees.

SECRETARY:

Arrington, Baltz, Bidwill, Carpentier, Carroll, Cherry...

PRESIDENT:

Senator Cherry.

SENATOR CHERRY:

The thing I see wrong with this bill and the reason I didn't vote for it; I think it's somewhat devious to give a new company that might be just formed and take over an old company which, perhaps, is not doing business an aging process it's not entitled to. And I think it's devious and I think it's a misrepresentation actually to the people who might be interested in purchasing insurance policies from a company that has no agent, but....no aging, but simply acquires it from another insurance company which perhaps could be out of business. I vote no.

SECRETARY:

...Clarke, Davidson, Donnewald, Dougherty, Egan, Fawell, Horsley, Hynes, Johns, Knuppel, Kosinski, Kusibab, Latherow, Lyons, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, O'Brien, Ozinga, Palmer, Rock, Saperstein, Savickas, Soper, Sours, Swinarski, Walker, Weaver.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Mr. President, perhaps I rise on a point of personal privilege, I don't know, but...Senafor Cherry, I'm sorry that you made the statement that you did. I'm sure that it was well-intended, but obviously you haven't read the bill. The bill, at the present time, mandates just the thing that you don't like. It says that in....the present law says

in case of a merger or consolidation they must use for these purposes the age of the oldest company. Now, this simply gives them an option to elect to do that which you don't like or not do it. At least, it's an improvement over the existing law because, as I say, at the present time, in the situation you pointed out, there would be no choice; they would have to use the oldest company which may be out of business or may be about to go out of business. I think this is a definite improvement over the law as it now stands, and I would ask you to reconsider your statement and reconsider your vote.

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Mr. President, this is no earth-shaking bill. I could care less whether it passes or fails, frankly, but the Department is interested in the bill. Inasmuch as it is a Department of Insurance bill, one put in the hopper by them, I will move to postpone consideration so that Senator Cherry can have an opportunity to review his position.

PRESIDENT:

Motion to postpone consideration. All in favor signify by saying aye. Contrary minded. Motion to postpone prevails. 2839, Senator Knuepfer. Senator Knuepfer.

SENATOR KNUEPFER:

I wonder if I can have the attention of the...I see the Pro Tem is on the telephone at the moment. I'll wait 'til he gets off. This is a bill I started to call the other day. I understand this isn't the only bill around that does this. It...I pointed out the other day that it has one advantage. It is a House bill on third reading and if we have not, at this session, resolved the problem of the personal property tax, we're going to have to find some method of getting to it. I don't care, personally, whether it's revenue committees, whether it's joint revenue committees, or what you want to choose. I think it is probably up to leadership to make that decision. If leadership has decided that this

bill is dead, I'm willing to table it. If they want it passed, I'm willing to do that and, if they want it held, I'll do that. I think it is not within the purview of my decision making because, while it is an area that needs study, they may have decided on some other method of setting the problem. And it needs study very quickly, I will tell you.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Inasmuch as it is on third reading, let's hold it until tomorrow. At that time, I can give you an answer. I want to consider one other thing.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Mr. President, Senator Knuepfer. In the process, the bill in my book doesn't have an effective date prior to next July 1st, so if you're in a hurry I suggest you do something about that in any event.

PRESIDENT:

Senator Knuepfer, do you wish to hold the bill? It will be held. 2864, Senator Graham. For what purpose does Senator Clarke arise?

SENATOR CLARKE:

Well, on this subject, I think before we get off it, it should be pointed out that we did pass Senate Joint Resolution 51, which has been formed. They are in the process getting an organizational meeting together to study this very subject and it's a joint committee so I think this accomplishes the same thing.

PRESIDENT:

2864, Senator Graham.

SENATOR GRAHAM:

Move to table.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. Motion to table prevails. 2871, Senator Harris. 2871. Senator Harris.

SENATOR HARRIS:

Might I have the attention of the President Pro Tem.

PRESIDENT:

Senator Partee.

SENATOR HARRIS:

The series of bills introduced as a result of recommendations by the Labor Laws Commission, beginning with 2871 running down through 2886 that I am handling. Senator McCarthy is handling 2886. Has your staff evaluated these bills? If there are any questions about them, I'll hold the bills. Otherwise, I think we're ready to go.

PRESIDENT:

Senator...Senator Partee.

SENATOR PARTEE:

I'm getting some answers here that I don't really understand. I'm... If you'll just hold it a minute, I can tell you.

PRESIDENT:

Just...Senator Partee.

SENATOR PARTEE:

At least pass them for a moment. I don't want to...hold up the....

PRESIDENT:

All right, we'll get back to it here shortly if...2889, is that in the same category there? Senator McCarthy? Hold that, too, 2907, Senator Clarke on the floor? 2908, Senator Lyons. Is Senator Lyons on the floor? 2912, Senator Graham. Motion to table. All in favor signify by saying aye. Contrary minded. Motion prevails. 2930, Senator Collins.

SENATOR COLLINS:

Oh, Mr. President, I move to table that bill.

PRESIDENT:

2930. Motion to table. All in favor signify by saying aye. Contrary minded. Motion to table prevails. 2935, Senator Davidson.

SENATOR DAVIDSON:

Table that bill.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. Motion to table prevails. Senator ParTEE.

SENATOR PARTEE:

The bills that Senator Harris wanted to call a moment ago, he can go with those now. We're all set.

PRESIDENT:

Senator Harris. Can I address this question to Senators Harris and McCarthy? Can those all...that whole series of bills, be considered on one roll call? There is objection. We'll take them one at a time. 2871, Senator Harris.

SENATOR HARRIS:

2871 really does precisely what the calendar provides. It requires, as the result of some evaluation of the implementation of the Federal Safety Standards Act of 1970 that there was no source of serious injuries and death that was being compiled; as a result of that, this is a conclusion of the commission, it must be reported to the Director of Labor. I know of no opposition and would be pleased to respond to any questions that might develop.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEFFER:

Well, the only thing I don't see in the bill is: What's a serious injury? If a man loses a finger, is that serious injury? If he punctures an arm, is that a serious injury? It seems to me that there being no definition of serious injury no employer would know what is and what isn't. Now death is pretty determinable but serious injury, I don't see is.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Serious injuries are those injuries as defined in rules and regulations promulgated by the Director. They will be required to disseminate

this information to the industrial concerns of the State. It provides...
it...that question is provided for in Section 4 of the bill.

PRESIDENT:

Is there further 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, Saper-
stein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

PRESIDING OFFICER: (Senator Smith)

The vote on this bill is 41 ayes and no nays. The bill is declared
passed. The Senator will keep quiet, please. Proceed, Senator Harris.

SENATOR HARRIS:

2878 is just a carry-over from the old location of boiler inspection
in the original Department of Public Safety. In the enactment of the
Federal Safety Act of 1970 it was determined that this responsibility
ought to be transferred....Pardon? We're talking about 2872. Well, I'm
very sorry. I'm making reference to House Bill 2872 which transfers the
Division of Boiler Inspection from the Department of Law Enforcement to
the Department of Labor. It just makes administrative sense.

PRESIDING OFFICER: (Senator Smith)

I thought it was up...

SENATOR BERNING:

Yes, I'd like to ask the sponsor, Mr. President. While the transfer
may have good and sufficient justification, what is the import of the last
two lines on the page? Other duties and discharge such other responsi-
bilities as required by the Director of Labor. Are we not giving the Direc-
tor of Labor a blank check here to pass on any and every kind of responsi-
bility that he deems desirable? Such other responsibilities as required

by the Director.

PRESIDING OFFICER: (Senator Smith)

Is there further discussion? Senator Harris.

SENATOR HARRIS:

Well, Senator, I think that is just routine language that comes from the Department...Reference Bureau. I have no personal persuasion or pride of authorship as results of that language. If you want to have some limiting language where this is applied just to the effect of this amendatory act, that's fine with me. I would agree that it is somewhat broad, but I have no originating thrust to that language. I think it just came to us from a bill drafter's license.

PRESIDING OFFICER: (Senator Smith)

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, 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: (Senator Smith)

Cherry, aye. Saperstein, aye. Walker votes aye. Yea, he's up in the gallery. The vote on this particular bill is 42 yeas and no nays. No, no. 42 yeas and no nays, Senator Chew. Proceed Senator.

SENATOR HARRIS:

The next bill is House Bill 2874 which, as a matter of fact this entire series of bills have had two committee hearings. We amended this bill to put Senator Dougherty's home rule amendment on it and then, also, I think...Was this, Senator Rock, was this the bill that...Yes...We provided for the prescribed Civil Practice Act hearing procedures that were not in the bill when we prepared it. This bill...I think most of you are

familiar with the abuses that have taken place in some of the contract labor agency neighborhoods. We had several hearings on this subject matter. We provide for registration of contract labor agencies with the Department of Labor. An attempt is being made to provide much greater personal safeguards for the employee and elimination of those abuses. I would be happy...this is one of the, probably, more significant bills in the series. I would be glad to respond to any questions that...I know Senator Soper was on the subcommittee that did most of the work on this bill. I'm not quite as familiar with it as he is but I will try to handle any questions.

PRESIDING OFFICER: (Senator Smith)

Senator Groen.

SENATOR GROEN:

Senator Harris, did I understand you to say that there was a home rule amendment adopted on this bill?

SENATOR HARRIS:

Senator Dougherty requested it and I acknowledged it. Yes.

SENATOR GROEN:

Can you tell me the logic behind that?

SENATOR HARRIS:

I would direct your question to Senator Dougherty.

SENATOR DOUGHERTY:

That...To the end that the city of Chicago has certain specific ordinances covering this type, and they have made an intensive investigation of the action of some of these agencies like, shall we say without naming it particularly, but such as manpower. I mean I do not claim that they do anything wrong, but that's a well-known agency that does provide employment to people, more or less transients, and provides the employers with people of that type: People who are not permanently employed.

PRESIDING OFFICER: (Senator Smith)

Senator Groen.

SENATOR GROEN:

Well, Mr. President, we are more and more becoming faced with the problem of this matter of home rule amendment. And, more and more we are having stated on the floor or in private discussion regarding this problem, that the City of Chicago or Cook County has an ordinance or a law governing a given situation. I do not have access to a copy of the set of laws known as the Ordinances of the City of Chicago. I wonder if the Secretary's office might obtain such a book or volumes, if they are published in volumes, that we might have available to us, for research purposes, the Ordinances of the City of Chicago. I ask this as a... make this request of the Secretary's office that he endeavor to obtain such a set.

PRESIDENT:

Will...the Secretary's office will check into this matter. Is there further discussion? The Secretary will call the roll.

SECRETARY:

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

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

This is a perfectly laudable bill. It just provides to the citizens of Illinois who are fortunate or unfortunate enough to be able to secure employment to this type of work. And, it provides certain safeguards that they will be protected and the general public shall be protected. As a matter of fact, under the system, a number of years ago, we found that some of these men were almost in peonage. The employers would hire them, they would take out of their paycheck the transportation and numerous things. They wound up with almost nothing for a day's pay. They would hold up their pay. I think that Senator Harris is aware of that, as it happens all over the State, and the City of Chicago took cognizance of that a number of years ago. That's all. The State is trying to do

what Chicago has been doing for a long time. I vote aye.

SECRETARY:

...Egan, Fawell, Gilbert...

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

I know that this is out of order, but I'd like to ask Senator Dougherty a question. Is this bill now similar to the ordinance? Exactly the same as the ordinance of the City of Chicago?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I am not a member of the legal staff of the City of Chicago, but I have been so informed.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

Well, I mean that's what I wanted to know. In other words, this is the same law as you have in Chicago, then. Well, but, I mean you tried to cover exactly the same points. Well, I am voting aye. I still think it ought to apply to the whole State. If it's good enough for downstate, it ought to be applicable to Chicago, so if their's is any different than this, why they would come under it. But I still vote aye.

SECRETARY:

...Graham, Groen...

PRESIDENT:

Senator Groen.

SENATOR GROEN:

Well, Mr. President, here we are again, going down the forked road both directions. Here we have another...I don't know anything about these contractors, but certainly I think they are entitled to operate in 101 counties under one set of laws and I think they ought to be permitted to

occupy and operate in another county, the one hundred and second county of this State, under identical law. You are subjecting these people to two investigatory bodies, different rules and regulations governing their conduct in Cook County or the City of Chicago as compared to the rest of the State. We are fragmenting authority here day after day after day and I think it serves no useful purpose whatsoever. I think it simply adds to the problems facing free enterprise in the State of Illinois, and I think we ought to reach some unanimity of agreement regarding this matter of home rule, categorizing it, defining what the State shall and shall not deal with, and what home rule counties and cities shall and shall not deal with. But this business of putting every business under at least two and sometimes more different rules and regulatory bodies governing the conduct of their business, I think is intolerable and I think we are going to rue the day that we have...that we delayed facing that issue as long as we have. I am going to vote no.

SECRETARY:

...Hall, Harris...

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

I just want to make clear that the thrust of this bill should not get caught up in the question of home rule preemption state regulation insofar as this member is concerned. We are trying to provide for some regulation here of an activity that has been completely without regulation. It is quite essential and the issue of home rule, which I happen to have some very strong feelings about myself, I don't think should be produced into a lack of support for a sound piece of legislation to regulate these contract labor agencies. I would urge my colleagues to support this legislation. I vote aye.

SECRETARY:

...Horsley, Hynes, Johns, Knuepfer...

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Well, in answer to Senator Harris. While you don't wish it to get involved in the home rule controversy what we do is end up legislating for probably 20% of the people in the State of Illinois. So we are doing less than a state-wide job by a very substantial amount. I'm going to vote aye. I support the principle but we are in truth on this again, once you get the home rule article you are playing games because that 20% of the people that are still covered are generally not in the urban areas and they don't know what contract labor is anyway. So I would doubt that this is really going to have any effect on anybody.

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:

Berning, aye. Hall, aye. On that question, the yeas are 34, the nays are 4. The bill, having received a constitutional majority, is declared passed. 2878. Senator Harris.

SENATOR HARRIS:

In the Civil Administrative Code, in setting forth the powers and duties of the Department of Labor, it is not clear. We have from time to time these thrusting agencies, I mean commissions, that go off on their own on a special way on this migrant labor problem. The Department of Labor is empowered to provide day labor for migrant...for the canning industry, that temporary supply they have staffed to go down into Texas and do recruiting. It's truly the responsibility of the Department of Labor to be directly involved here. One of the things that is not clear, as far as the Act creating that department, is whether it has the power to study and evaluate problems relating to this thing. And the department has requested, presented it to the commission, so that the profes-

sional and recruiting staff of the department might also be empowered to have what is from time to time done by the General Assembly for this; I think we call or refer to in the vernacular as the Telcser Commission. The Department very well can use, on a clear directed basis, this similar power and it would come from professional people directly involved in that responsibility that the department performs on a continuing and and regular basis.

PRESIDENT:

Senator Lath...Excuse me. I'm sorry. Senator Latherow.

SENATOR LATHEROW:

Senator, Senator Harris, I remember during the early portion of this session we passed out a group of Spanish speaking bills, for commissions to study all of this and so on. Now, are we giving the Department of Labor the overlapping power to study the same thing. It seems to be the same people, you might say.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Well, I think nothing could be further from the truth. We are not talking about the same people at all. We are talking about the professional people in the Department of Labor that regularly, every year, are required to carry on this recruitment program to provide for the canning industry the migratory supply of help that is necessary to bring in the stoop labor product that is picked and canned in the State of Illinois. We are talking about a completely different group of people here, Senator Latherow.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Well, I would have to differ with the sponsor. I think the Telcser Commission, which has been reestablished and authorized now to continue with its work, would be duplicated by the activities here. And further,

it seems to me that the recruitment is not the responsibility of the Department of Labor, but is the responsibility of the Department of Employment as a separate operating unit.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Well, this bill very...it is so completely simple. You add a section to the Civil Administrative Code that creates the Department of Labor. Section 43.15a would read: To study...In addition to all of the other powers and duties that we have statutorily proscribed to the Department of Labor. It would have this additional paragraph in its Act: To study the nature and extent of the labor and employment problems of migrant agricultural labor with particular attention to its differences from residential agricultural labor. This department is involved in a continuing basis with this subject matter and I'm confident that they can, without precise proscription, do something very similar to this anyway. They've requested the clear authority to do so and you can support it or you can reject it. I honestly, as relates to this specific piece of legislation, could care less. It's a part of the overall conclusions, a request from the Department...conclusions of the Commission, a request of the Department, and you can vote her up or down.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Mr. President and Senators, there are two considerations, I think, which would suggest to me that I should not support this bill. First, if this were simply the establishment of a commission, it seems that the other side of the aisle and some of us on this side are opposed to the creation of any new commissions to study this kind of a problem. It does not create a commission, but as soon as we mandate it; then, when we have the budget of the Department of Labor next time, having placed in that Department a new duty and new undertaking and a new project, then, of

course, that will be reflected in the amount of the appropriation. I don't see how anybody here who was opposed to the creation of new commissions can support this bill. Now, further, since secondly I think pretty much that Senator Berning has brought to this Chamber's attention what transpired earlier this year when there was appropriated many, many, many thousands of dollars just for the approximate purpose of this bill. Now, we can overlap and we can recreate and we can reproduce and we can keep this thing going and going and going and going. Certainly, I know if this were a commission, it wouldn't make the grade. For that reason, I believe it should not pass.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

This seems to me, Mr. President, to be an example where simplicity and clarity of language is befuddling to some of our membership. This is a very clear bill, the language is absolutely clear, and I don't get the impression that this would be the establishment of a commission. The fact of the matter is, if the Department wanted to do what they're asking permission to do in the first instance without permission they may well have done so. I don't see, on the other hand, where it raises the cost of the operation of the division when they come in with their next appropriation. Although they may have this duty, having performed this duty with their present appropriation, they could give no compelling reasons why they would have to have additional funds to keep doing what they've done at this price. It's a very simple bill which is...someone seems to have a desire to make difficult and I propose to support it.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Well, then, if we can rely upon the representations of Senator Partee, that the Department of Labor has the full authority now to do it, then this bill is just a nullity or it's perfunctory at best. If it has

the authority now, what are we wasting our time with it then?

PRESIDENT:

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

SENATOR HARRIS:

It has been closed.

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:

On that question, the yeas are 36, the nays are 5. The bill is declared passed. 2879, Senator Harris.

SENATOR HARRIS:

House Bill 2879 does two things. It changes the fees charged by the Department of Labor for employment agencies. They, all of the employment agencies came in and negotiated or worked out this acceptable schedule. The costs were not being fully recovered. These fees are completely acceptable to the agencies involved. I can recite specifically what the changes are if membership would want them set forth. And it does one other important thing. Under the existing law, for the kind of activity that is objectionable to the department, the department has only the option to revoke a license in its entirety and that's all. We add, in addition, and provide for discretion the power to suspend for transgressions by the operation of employment agency to the dissatisfaction

or, ah, the regulatory offense so that there is that opportunity to suspend for a period of time and bring the agency in to get straightened out in their activity. I think it's sound legislation and would be glad to respond to any questions. Otherwise, ready for a 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...

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

I wonder if Senator Harris would respond to a question. Ah, the fees...What are the fees they are charging, that they permit the agency to charge?

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

It has no bearing on what the agency charges. Ah, the schedule of fees are based upon the number of counselors that the employment agencies employ and it...there is a break in the statute now as relates to, ah, cities of 50,000 or more. This is the schedule. The schedule would be changed from...do you want me to go into that, or have I answered the question?

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

The reason I asked that question is to...This sounds rather ridiculous to me, but...it might sound, but I had inquiries from the representatives of modeling agencies who really are not employment agencies. They are..they provide talent, if you will, and they objected to a 5% fee.

Now that's the only objection I've heard to this bill. Is there anything in relation to that? I...

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Well, I think those fees that the customer pays, he negotiates privately between the agency. I don't think that's prescribed by statute. I am not intimately familiar with the operation of the statute. I know Senator Rock does have some knowledge of this and he is acknowledging that fee question is a private relationship between the customer and the agency and it's not prescribed by statute. This...The license fee we're talking about here is in connection with the administrative responsibilities of the Department of Labor in...ah, you know, control and operating the agencies. They've been going behind...the Department spends a lot more money on this responsibility than has been provided for by the yield of the fees, and the agencies themselves all acknowledged willingly this new schedule.

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:

Johns, aye. Graham, no. Merritt, no. On that question, the yeas are 35, the nays are 3. The bill is declared passed. 2886. Senator Harris.

SENATOR HARRIS:

2886 deals with a circumstance, ah...Again, I was not a member of the subcommittee that, ah, drafted this specific conclusion, but I know the statistics are something like 300 phone calls a week from employees who have serious problems negotiating wages...or collection of wages

owed them in the metropolitan area. Now this isn't limited to just to the City of Chicago; it's the entire metropolitan area and the direc... and the Department has no authority to provide any assistance. There is, ah, no statement of power as relates to the operation of the Attorney General's office, for example, and they...it doesn't get at the question of consumer fraud. It's a matter of wages owed and being held by, in most instances, a marginal employer that is in difficulty and, ah...if... Well, the whole thrust of this is to empower the Department to provide service to employees who have wages owed them and you're free to respond anyway you can. I don't know...I don't see Senator Soper on the floor. He was a member of that subcommittee. He might be able to respond to more information in connection with this specific piece of legislation.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Well, I, I sympathize with, with the approach that you're taking on this because I do know this kind of thing does happen. Yet, on the other hand, the kind of broad powers that you are providing when you simply use the word assist; I really don't know how you can tie that down. Does that mean you can let the legal counsel go to court on this? Does that mean you can file suit? Does that mean you can let your investigative agencies go to work? While I sympathize with what you are trying to do in the marginal employee, I think the bill, as written, provides a tremendous area for harassment of perfectly legitimate disputes. I can visualize that any employer, or any employee rather, that feels somehow or other that he is aggrieved could come to the Department; he would have the free services of the Department, ah, up until such time as he either got to the court or until the Department decided to throw it out. I think it's entirely too broad. I, I'm perfectly willing to have it, if it could be tied down to the kind of situation you're discussing; but I don't think this does tie down to this situation at all.

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Mr. President, I think Senator Knuepfer raises some perfectly valid questions. Nothing is going to happen to this bill until July 1 anyway, if it were to pass. I've also had just across the aisle communication with Senator Laughlin. I think we ought to pass over this bill and structure it more carefully, so let's just skip this bill.

PRESIDENT:

This bill will be held. 2889. Senator McCarthy.

SENATOR McCARTHY:

Yes, Mr. President and members of the Senate. House Bill 2889 is an amendment to the Wage Deduction Act, and what it does is two things. Number one, under the existing law where a wage deduction order is employed, it's effective from the date of the issuance of a summons until 30 days thereafter on the payroll that affects the judgment debtor. This extends that period from thirty to sixty days. Let me give you an example of how that would work. If a creditor obtained a judgment and followed the Wage Deduction Act, served summons on an individual on May 1; the employer would have to hold the payroll for a period of thirty days for this judgment order. This extends it from May 1 to about July 1, so that in that sense I think it cuts down on some of the volume of the litigation. The next feature of the Act is on the apportionment of costs. Previously, if you will note on page 2, section 13, costs may have been and may be at the present time apportioned among the judgment creditor or out of the debtor's wages or by the employer or apportioned among the three. And this bill seeks to strike the employer from a person that would be responsible for the costs, which I think is fair because the employer is the mere stakeholder anyway and he should not be responsible for the costs. The costs should be divided, as they will be under this section, between the judgment creditor and the debtor. That's all the bill does and I think it's a bill that favors the employer groups and one that I'm happy to propose.

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:

Bruce, aye. Carroll, aye. Soper, aye. On that question, the yeas are 40, the nays are none. The bill is declared passed. 2907. Senator Clarke. For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

Just for a point of information, Mr. President. I have to attend a legal seminar pretty soon. Could you tell me what time we plan to adjourn?

PRESIDENT:

We don't have too much more on the calendar, if we can plow through it. If you'll just be tolerant for a little bit, I think we can make it and it will help all of us the rest of the week.

SENATOR NEISTEIN:

Well, I'm always tolerant, Mr. President. But this legal seminar is waiting for me and I just wanted to know how to advise my...

PRESIDENT:

We, we'll move rapidly. 2907. Senator Clarke, Senator Clarke.

SENATOR CLARKE:

Mr. President, I'm working on an amendment for 2907. I'm going to want to bring it back for amendment, so if I could hold it for a day or two.

PRESIDENT:

It will be held.

SENATOR CLARKE:

That's the reapportionment bill.

PRESIDENT:

2908. Is Senator, Senator Lyons? 2908. 2940. Senator Laughlin.
Motion to table. All in favor signify by saying aye. Contrary minded.
The bill is tabled. 2941. Senator Carroll.

SENATOR CARROLL:

Mr. President and members of the Senate. I would like to table 2941.

PRESIDENT:

Motion to table. All in favor signify by saying aye. Contrary minded. The bill is tabled. 3015. Senator Graham.

SENATOR GRAHAM:

Mr. President, you're not going to get the same request from me. I think, in view of the fact that we passed one bill out of here last week setting up a State Board of Elections, there are three or four more floating around, we're going to come up with something in that area and I think it's important that we pass this bill, so that when we get a State Board we can give them an office and someplace to work and pay their salaries. I, reluctantly, hope to pass...., reluctantly have to sponsor this type of legislation, but we were mandated to do it by the Constitutional Convention. I had nothing to do with that. As long as we have the Board, I think we have to pay 'em. I move for a reasonable and favorable roll call.

PRESIDENT:

Is there any discussion? Secretary will...Senator Dougherty.

SENATOR DOUGHERTY:

I just join with Senator Graham in asking for approval of this bill.

PRESIDENT:

Secretary will call the roll. Senator Gilbert.

SENATOR GILBERT:

What is the effective date of this legislation?

PRESIDENT:

Senator Graham?

SENATOR GRAHAM:

Beats the heck out of me.

PRESIDENT:

As of July 1, 1972. There's no emergency clause on it. Senator Graham, you wish to hold the bill? All right. Bill will be held. 3016. Senator Partee.

SENATOR PARTEE:

Senator Graham, in the bill we passed the other day, was there an appropriation? I take it you want to prepare the amendment so that it becomes effective immediately. Is that why we're passing it? Fine.

PRESIDENT:

3016. Senator Hynes. Hold. 3552. Senator Rock. Senator Rock.

SENATOR ROCK:

Yes, Mr. President, I have two bills that were given to me to handle by Representative Jake Wolfe. Both pertain to elections. Both have an emergency clause. House Bill 3552 would lower the age of those circulating nominating petitions, including, I presume, those who will circulate our own petitions, from 21 years to 18 years. It seems to me that this is a very salutary piece of legislation for the reason that we have now enfranchised the 18 year old, and I think we ought to get them involved, and the very best way to get involved in politics is to go door to door with a circulating, nominating petition. I would ask for a favorable roll call and remind the membership that we need...that there is an emergency clause.

PRESIDENT:

Is there any discussion? Senator Soper.

SENATOR SOPER:

Just wanted to call the attention of this body that the petitions that are already being handed out by the Secretary of State, state that I'm 21 years of age, and so forth, and over. Now they will have to call all those petitions back and start with 18. Now, we're going to start something and, let's hold this off until next year. Then we can pass it.

Leave it the way it is. You'll have a lot of bum petitions.

PRESIDENT:

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

SENATOR ROCK:

Well, frankly, I was not aware that the Secretary of State provides nominating petitions. I think they have to be printed. I had a notice as late as yesterday in the mail from Progress Printing saying that as soon as the Primary date had been finalized they could, in fact, print up petitions. If, in fact, you see that as a problem vote your conscience. I think that the 18-year-old ought to be able to go door to door with nominating petitions.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

The, ah, you can get nominating petitions for...., nominating petitions for Senator, Representative, National Convention delegates. They are supplied by the Secretary of State and they state 21 years of age. You're going to cause a lot of trouble with this thing. I think we ought to hold this off 'til next year.

PRESIDENT:

Senator McBroom.

SENATOR MCBROOM:

Mr. President and members of the Senate. I don't want to belabor the point, but I'd like to direct this question to either Senator Soper or Senator Rock. I was talking to Mr. Ed, in the Reference Bureau, this morning and we discussed this particular point and he indicated to me, Senator Soper, that if an individual had picked up the petitions from him or from the Secretary of State's office and it said 21 years of age and this bill were passed, that it didn't really precipitate a problem as long as the individual who had these were 21 or older. Now, if someone had picked up the....Yes, I'm agreeing with you but, I guess what I'm asking you is, I don't really think it's a problem and I don't know, in my own particular instance, how many people 18 and 19 are taking my peti-

tions around. Now, maybe some other members it would present a real problem to, but I think in most areas these petitions usually wind up in the hands of precinct committeemen or precinct captains and most of them are 21 or older. I don't see anything wrong with what Senator Rock's trying to do.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

I'd say this, Senator McBroom, that if these petitions are handed out...Now, they state 21 years and over, now, somebody that's eighteen will take the petition and circulate it, then somebody will question the fact that the affidavit..., he made a false affidavit, and that's the only thing I'm questioning. I don't want to get some young kid in trouble. He won't read the bottom part of this petition and he'll sign it. And all of a sudden you will have an 18 year old, instead of being able to circulate a petition, you'll circulate a petition to get him out of jail.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Mr. President, I would like to make this suggestion. It seems to me that, if there is any possibility of some technical interpretation sending candidates into the Circuit Court or any other court, we ought to defer this until after the next election. If there is any possibility, I think we are just encouraging a lot of trouble, a lot of litigation, legal fees. As it is now, that's well settled.

PRESIDENT:

Senator Dougherty.

SENATOR DOUGHERTY:

Mr. President and members of the Senate. Both Senator Soper is correct and so, too, is Senator McBroom. These petitions are down there and they do say I am 21 years or older. And I might state that I was President of the Office of the Chicago Board of Election Commissioners

when the candidate for Republican committeemen, when the townships in the northern part of Cook County posed that question to the Chairman. The Chairman said he was not quite sure whether or not the 21 year old would require...whether an 18 year old could circulate a petition. In his own mind, he was not certain even though the law says they may vote. There is an area of doubt. I don't see anything wrong with an 18 year old circulating petitions but if there is any chance of throwing him into court, maybe we ought to take it and withhold at this time. I'll support the bill, but I don't...

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Well, it seems to me that, as I read the consensus here, that everybody's in favor of this but there's a question on the matter of timing since we are already involved in the process of petitioning for the Primary next March. It seems to me that the most prudent course of action would be to just provide for this to become effective after July 1 and not get involved in, as Senator Sours pointed out, those cases that might come up. And I,...I think Senator McBroom is probably right that there would not be too many, but in those cases where there will be contests, if you provide for this additional means to cause mischief, it is just gonna be something that we might effectively express to the young people. If we make a July 1 effective date of this that we are for you, but, unfortunately, we are in the middle of a process that has begun now and if...., you'll just have to be patient until next July 1 and let's get through this Primary first. Now that...My suggestion is that we strike the emergency clause or the immediate effectiveness of it, make it July 1 and we can demonstrate that we want to involve these 18, 19 and 20 year olds in officially passing petitions and ascribing to the oath at the bottom that they have, in fact, done it. I know there are a lot of people younger than 21 that actually circulate petitions today, but someone else completes the affidavit and I know that is done. Young people

are involved in the campaign and door-to-door process and I think we recognize that that does take place.

PRESIDENT:

Senator Gilbert.

SENATOR GILBERT:

I think,....I mean I'm in favor of the 18's being able to do it, but I personally didn't realize that there were people circulating petitions since I have decided that I couldn't make it if I did. But, anyway, we have passed a bill out of here that says: not less than 200 nor more than 1000 signatures. And, we used to, ah...Well, all right, if we pass that bill then we are going to have a limited number of signatures. Prior to that, many times we filed many, many more signatures than were necessary and if a few of them were thrown out, why you didn't have any problem, but since you are limiting it to a thousand I think that it's a little more dangerous than normally to run this risk of 18 year olds circulating it. But I certainly think, in the future, that they should be able to circulate them.

PRESIDENT:

Senator Rock.

SENATOR ROCK:

Well, I frankly think that they ought to be entitled to circulate right now and I don't think that the printing is that big a deal. The following bill 3560 was at the request of Mr. Ed to set a specific number because right now if he's passing out petitions willy-nilly nobody knows for sure how many signatures each of us is going to require. I'll hold them both.

PRESIDENT:

The bills will be held. 3574, Senator Dougherty. Senator Graham. I'm sorry, the Chair recognizes Senator Graham in connection with...

SENATOR GRAHAM:

I'd like to have unanimous consent to move House Bill 3015 back to the order of second reading for the purpose of putting on an amendment

which I should have had prepared before.

PRESIDENT:

Senator Graham is...his amendment puts the emergency clause on. All in favor signify by saying aye. Contrary minded. Amendment is adopted. Back to third reading. Senator Dougherty, 3574. Pass it? You just want to bypass...skip this right now, I gather. 3597, Senator Sours. 359...Hold. Senator Hall, do you want to hold 3621 and 22? 3638, Senator Graham. Senator Graham.

SENATOR GRAHAM:

Mr. President, 3638 is a bill that is necessary because the bill we passed last year, 3017, dealing with this subject matter in its being amended, it left out the word 'equal'. The new bill reinstates the word 'equal' in this provision of the Act intended by the author of the bill. There's no opposition to it and I ask for a favorable roll call.

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:

Lyons, aye. Carroll, aye. Mitchler, aye. Palmer, aye. Knuepfer, aye. Neistein, aye. Knuppel, aye. On that question, the yeas are 41, the nays are none. The bill is declared passed. Senator Graham, do you want to take 3015 now?

SENATOR GRAHAM:

Yes, I would. We've...I've already explained the bill. I think it's important that we pass this bill. It has an emergency clause on it

and would require most of us on the floor, and I ask for an affirmative vote.

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, 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:

On that question, the yeas are 37, the nays are 1. The bill, having received the necessary three-fifths majority is declared passed. 3652, Senator Course.

SENATOR COURSE:

Thank you, Mr. President, members of the Senate. House Bill 3652 amends the Beauty Culture Act to change the terminology from shampoo girl to shampoo assistant, and it clarifies the provision to, as to the number of shampoo assistants allowed per shop. I would appreciate a favorable vote.

PRESIDENT:

Is there any discussion? Senator McBroom.

SENATOR McBROOM:

Mr. President, members of the Senate. I don't arise in any effort, Senator Course, to cause difficulty for this bill but I will be very frank with you. I don't understand it. Last Spring, Representative Wall had another beauty culture bill...

PRESIDENT:

Just, just a second. Can we interrupt that conference right by you there. Senators Baltz, Mitchler and Davidson. Your colleagues would

like to hear Senator McBroom.

SENATOR McBROOM:

Well, I'm not sure they'd like to hear me, but thank you. But, I... Senator Course, other than probably parochial and the gun control bill, I got more mail, pro and con, on Representative Wall's bill last session than probably anything since I've been down here. Now, we're coming through with another beauty culture amendment Act. I don't know...I'd like to know exactly what this bill does and if you could enlighten me as to how it differs from the other bill that Senator Wall...Representative Wall had last session.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Just because I want to move along, Senator Course, I am going to try to wash that man right out of your hair. Now...the only difference in this bill and the bill we passed last year, changes the phrase shampoo girl to shampoo assistant. If you have been around beauty parlors lately, you will find that a lot of persons who wash hair are not girls. The other thing...the other change is: In the original bill, there was one shampoo girl or assistant, as the case may be under this bill, for every three licensed employees in the shop. Under this bill, it is one for every three plus one for the shop. Now, what the reason for I don't know, but you asked for an explanation, I'm giving it to you.

PRESIDENT:

Senator McBroom.

SENATOR McBROOM:

Well, Senator Partee, as I...My conclusion on Representative Wall's bill the last session was it was a fight between an individual who ran a beauty shop or beauty shops; and individuals who ran beauty schools. And, I wonder if that is the thrust of this bill, Senator Course, You would agree with me to a certain extent that that was the thrust of the last bill that Representative Wall introduced. Am I not right?

PRESIDENT:

Senator Course.

SENATOR COURSE:

No, I don't believe that you are right, Senator McBroom. The present Act right now, as it is right now, it's a clarifying for the Director of Education and Registration. He is the one that wants this clarifying statement in here.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUEPFER:

Well, I think...I think this is only a clarifying amendment. I had a very similar bill the last session that I think passed out of here without any substantial dissent. I know of no fight. The beauty operators in my district were in favor of it, the shop owners were in favor of it. Actually this...one of the amendments puts a kind of a limitation on, ah, that the original bill did not have. The other, changing the word champagne, ah, shampoo girls to whatever it is, is certainly is just explanatory and it really improves the bill in that slight way semantically. I don't think there's any fight about this bill. I didn't hear of one when either this bill or my bill, which did the same thing, went through this body and I would certainly urge the support of these members of this body.

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 Course may close the debate.

SENATOR COURSE:

Roll Call, Mr. President.

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...

PRESIDENT:

Senator Mitchler.

SENATOR MITCHLER:

Prior to the move to have a vote on the previous question, I wanted to arise to explain a point and I'll do it on explaining my vote. I don't think there is any quarrel to changing the name of assistant girl to just an assistant, ah...shampoo assistant, but the important part of this bill is the maximum number of shampoo assistants allowed in any shop is one shampoo assistant for every shop and an additional shampoo assistant for every three licensed beauticians in excess of one. Now, this is telling you how many people you can employ in a shop to do shampooing and, if your shop is geared up to have a large number of customers coming in for just shampoos and so forth, you'd be restricted to the number of shampoo assistants that you could have in your shop. Now, during the regular session, we passed a bill that would allow certain mentally retarded people to become shampoo assistants only. They couldn't do any of the tinting or that type. Now, this was to give employment to these mentally retarded individuals who are capable of shampooing and shampooing only and now we're restricting the number that could be employed. And I think this would be defeating a good point in a good bill that we passed earlier. Now, my final point on this involves, and Senator Neistein brought up this question earlier and I know he looks at this shampooing of hair in a non-partisan manner, but this is typical of a bill coming in during this type of a session, a Fall session, has nothing to

do with implementing the Constitution, nothing to do with Governor's vetoes or anything like that. It just takes up a lot of time in bringing these bills in and, besides that, it's a bad bill. I vote no.

PRESIDENT:

For what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

The purpose has been served. The trespass on our time, Mr. President.

SECRETARY:

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

PRESIDENT:

On that question, the yeas are 31, the nays are 3. The bill, having received the constitutional majority, is declared passed. 3660, Senator Romano. Hold. 3732, Senator McCarthy. Senator McCarthy.

SENATOR McCARTHY:

Yes, Mr. President, members of the Senate. House Bill 3732 in the Senate...First of all, before I tell you what it does, I want to tell you what it requires. It's gonna require 35 votes, because it is to become effective February 6th of 1972 pending approval by this body by that number of votes. Now, the bill deals with the Unemployment Compensation Act and it is a product of the Governor's Advisory Board to the Unemployment Compensation Administrative Board which is made up of employer, employee and public representative. The matters of escalation of benefits that were proposed to this body in the Spring Session were not products of this employers-employee-public Governor's Advisory Board. This bill is the agreement. Now, what does it do? What it does is raise the maximum unemployment compensation benefits approximately 15%. The proposal we submitted to you, which was not the agreed bill this Spring, offered a 20% increase; but this is the agreement for 15%. The bill does several other things. One is, on the extended unemployment compensation benefits, it provides that a notice shall be given to the employer which has been a

statutory deficiency in the past. A third feature, a third feature of this bill is that it specifically disqualifies academic personnel from participating in unemployment compensation when they are not actually working. That is to say, that if they are at leisure in between semesters, they wouldn't be entitled to draw unemployment compensation benefits or if they were on a sabbatical. Another feature of the bill is that it provides for a downward revision of the state experience factor which is accomplished because the rates have been raised, not the rates but the amount of benefit wages have been raised from \$3,000 to \$4,200. So, with your increased contributions on the additional \$1200, it mandates a reduction in the state experience factor of 8% the first year, for 1972, and a minimum of 4% for the year 1973. It does one other final thing, Mr. President, and that is on your extended unemployment compensation benefits, only one dollar out of every two dollars benefit wages which an employee works against will be charged against the individual employer. Therefore, it is of benefit to employers or management in this state because, in periods of critical unemployment where the go factor or the extended benefits come on if a particular industry has to lay off, they're only charged one dollar for every two on their experience factor. With that explanation, I submit the bill to you. It got 120 votes in the House and it received no negative votes. If there are any questions that I haven't explained, I will attempt to answer them for you.

PRESIDENT:

Is there any discussion? Senator Baltz.

SENATOR BALTZ:

Will Senator McCarthy yield to a question?

PRESIDENT:

He indicates he will.

SENATOR BALTZ:

Does it change any other qualifications how the employee may qualify for unemployment compensation?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

The question is, does it change any qualifications on the employee? My answer to you, sir, is, after searching the bill through and through, it makes no such changes. The present tests are still obtained.

PRESIDENT:

Senator Baltz.

SENATOR BALTZ:

The qualifications then are exactly the same as that have existed in the State down for a number of years, I take it.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Yes, as a matter of fact, that section of the Act is not even contained in this bill. Ah, that's the section in the Act that provides for a person to be eligible for unemployment compensation. They must be discharged through no fault of their own, actively seeking work, etc. Is that the section you refer to?

PRESIDENT:

Senator Baltz.

SENATOR BALTZ:

It....does it extend the period of benefits?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

First of all, did I answer your question on the other one? All right, now on the extension of benefits, it does not provide for anything new in the extension of benefits, Senator. There's always been a provision for extended benefits. That is to say, after a period of 26 weeks, there has been a provision in our law that, when an unemployment figure is reached, there will be extended benefits of an additional 13 weeks

and that is not changed. The only change in the extended benefit period, the only change in that period is how shall the experience factor be charged to the employer; and, in that they only charge the employer one dollar of every two dollars of actual lay-off in computing the state factor.

PRESIDENT:

Senator Baltz.

SENATOR BALTZ:

Is it my understanding that this bill now covers employers who employ one or more employees rather than three or more?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Your understanding is certainly correct that employees having one or more in their employing unit are covered, but Senator Baltz, it is not this bill that makes that inclusion. That was done by a Federal Act and also the supplementary State Act, I believe was passed in the Spring Session.

PRESIDENT:

Is there...Senator Baltz. Senator Knuepfer.

SENATOR KNUEPFER:

Senator McCarthy, you suggested that the period for extended benefits has not been changed. I'm not very familiar with this, but I understand there is a certain signal that indicates that this is the time for extended benefits. Has that signal been changed? Whatever the...is it a statistic?

PRESIDENT:

Senator McCarthy.

SENATOR KNUEPFER:

What triggers this whole thing?

SENATOR McCARTHY:

Ah, Senator, I believe, now I stand corrected if I am wrong, I

believe that the trigger on the extended benefits is an unemployment compensation...is a rate of unemployment in the State of Illinois above a certain percent; and that is based, sir, upon statistics compiled in the U. S. Department of Labor, Bureau of Labor Statistics. Now, since you have asked me that question, I might mention, parenthetically, that the credibility of the Department of Labor, Bureau of Labor Statistics has been under attack. I noticed that Tom Littlewood has written a series of articles in the Sun Times because there's been some change in the personnel; but, just to parenthetically move that into this, I think that you have no fear that the Department of Labor, Bureau of Labor Statistics, is going to change their formulas in favor of the unemployed, at least for the next,...at least for the next one year.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Excuse me. President, I have just a question. Senator McCarthy, was this heard in Labor and Commerce?

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

In the Senate?

PRESIDENT:

Senator Sours. Senator McCarthy.

SENATOR McCARTHY:

Well, the answer to the question is that this bill was not heard in committee.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

May I, may I make this suggestion. This bill was filed scarcely two weeks ago, two weeks plus, and I have had no word from any interested party, either for or against it. But I..I would like another day or two.

It's a House Bill, and it is on third reading, it just needs one day. I'd like another day, perhaps, to find out how some of the people I know who would have an interest in this bill feel about this bill.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

At the risk of taking just two minutes of the Senate's time, may I, sir, read you a letter that I have in my hand and I will deliver a copy to you. It's from the Employers of Illinois, dated October 29, 1971, signed by Walter I. Lerch, Executive Vice President of the Employers of Illinois. The letter says: Dear Senators: The agreement of the Governor's Advisory Board reached on September 16, 1971, resulted in the following. Then follows 3 numbered paragraphs outlining the particulars of this bill. And Mr. Lerch continues. He says this Advisory Board, which is made up of employer, employee and public representatives, is to review, analyze and recommend to the General Assembly, agreed upon changes to the Unemployment Compensation Act. The Advisory Board agreed, as noted, to all other changes, no...that all other changes to the Unemployment Compensation Act would be opposed by the Board. Then, it goes on to the final paragraph, Senator, and I believe it will help you. The Associated Employers of Illinois respectfully request that members of the Senate continue the practice of supporting the recommendations of the Advisory Board and pass House Bill 3732 only. Does that help you, Senator?

PRESIDENT:

Senator Sours.

SENATOR SOURS:

As a matter of fact, Senator, I have a copy of the letter. I would like to make this suggestion, though, that the recent Senator Alan Dixon had two bills two years ago that came over here on the agreed process, and I think the House voted 177 to 0. Over here, those bills got 2 votes. And, for that reason, if you don't mind, and I am not trying to be an

obstructionist. I'd like another day. Walter Lerche is generally down here on Tuesday and I would like to discuss a few things with him, if you don't mind. And I am not out to torpedo your bill or to delay you needlessly, but I just want to talk with him.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

Well, Senator, certainly you are making that request of me and I certainly accede to you request with the understanding that this bill would have some priority in being called tomorrow because it is an emergency bill and I have waited here all day to get to the end of it. Is there some priority I can have tomorrow provided your objections or questions are resolved?

PRESIDENT:

The Chair will recognize Senator McCarthy tomorrow at your wish on this matter.

SENATOR McCARTHY:

Thank you.

PRESIDENT:

The bill will be held. For what purpose does Senator Graham arise?

SENATOR GRAHAM:

I compliment Senator McCarthy on sticking around for his bill. If we had a few more bills to keep a few more Senators sticking around, we wouldn't have so much of a problem; but to correct your pronouncing of Mr. Lerche's name, if you didn't get the inference from Senator Sours, it is Norwegian and it is Lerke, it means Lark.

PRESIDENT:

Senator McCarthy.

SENATOR McCARTHY:

I am pleased to get that information as to the pronunciation of his name. It was my pleasure last Monday night at the General Electric dinner to be able to be seated at his right for a steak dinner, and he is

most enjoyable in his company, but we didn't get around to last names.

It was on a first name basis.

PRESIDENT:

For what purpose does Senator Sours arise?

SENATOR SOURS:

I just want to know if the good Senator is going to report that on his form 1040?

PRESIDENT:

3735, Senator Gilbert.

SENATOR GILBERT:

House Bill 3735 is to correct an error that we made in House Bill 838 which was adopted last Spring. This dealt with the formation of community consolidated school districts. We put in the bill that a majority of the qualified voters within the territory of a proposed community consolidated district must act upon the bill. This amend...I mean, this amendatory bill changes it to majority of electors voting at such election held within the territory. It would be impossible for us to form any new consolidated school districts, or community districts under 838 and this is to correct that error. I don't know how we made it, but we all did.

PRESIDENT:

Does this have an emergency clause on it?

SENATOR GILBERT:

No, I do not think it does.

PRESIDENT:

All right. Secretary....Is there any discussion?

SENATOR GILBERT:

Yes, yes it does, sir, I am sorry. This Act shall take effect on becoming law.

PRESIDENT:

It requires 35 votes then. 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...

PRESIDENT:

Rosander, aye. Romano, aye.

SECRETARY:

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

PRESIDENT:

Knuepfer, aye. Cherry, aye. On that question, the yeas are 40, the nays are none. The bill, having received the necessary three-fifths majority, is declared passed. House bills on second reading. 3700.

Senator Coulson:

SENATOR COULSON:

Mr. President, the bill is now on the order of second reading. There is one amendment offered by Senator Harris, copies of which are on your desk, and it's a lengthy amendment. I hope there will not be a request to have it read in full. Basically, it reinstates the language of Senate Bill 81 which previously passed this House. I will leave it to Senator Harris to explain the amendment and to move for its adoption; after which I will ask the bill be placed on the order of third reading with the understanding that tomorrow it may be brought back to second reading if there are further amendments. I know of no other amendments and I would ask at this time if the Chair would give us some right-of-way on it tomorrow because it may be lengthy. And, if we could have it on first order of business tomorrow it might be an excellent thing. I leave it to Senator Harris, then.

PRESIDENT:

Senator Harris.

SENATOR HARRIS

Well, Mr. President and members of the Senate, my amendment to House Bill 3700 is very simple. It inserts into the body of House Bill 3700, Senate Bill 81 as it passed this body. Now we had a great deal of debate and dialogue on both second reading and not a great deal on third reading--some, but I think House Bill...I'm sorry, Senate Bill 81 is pretty generally understood. It makes amendments to the existing ethics act that provides for specific disclosure, provides for the disclosure of income in the amount of \$1,000 or more and its...from source, aggregate, it broadens the coverage of the Ethics Act to include locally elected officials earning \$5,000 or more in salary, it provides for salaried appointive employees of \$20,000 or more. I would be happy to go into further detail. I think there is an understanding on the part of this body that, when we passed Senate Bill 81, we knew what we were doing. I encourage this body as a matter of procedure to support me in inserting this into House Bill 3700 which, I think, in its existing form is thoroughly unacceptable. It will put, literally, the top percentage within a fraction of 100% of locally elected officials out of public office in the form that House Bill 3700 is now, in my judgment. I know that is probably a subjective conclusion, but I just think it's thoroughly unrealistic to think that House Bill 3700 is the answer to disclosure, is the answer to campaign limitation and reporting expenditure and activity. This bill, House Bill 3700, is in need of so much work that we are proceeding with this amendment, or I am suggesting that this house...this body support me by adopting the amendment that is on the Secretary's desk that will put into House Bill 3700, Senate Bill 81 so that we can get to conference committee and work out a sensible, reasonable, effective means of disclosure to move toward a reassurance of the body politic of this State. And, with that explanation, Mr. President, I offer Amendment No. 1 to House Bill 3700.

PRESIDENT:

Is there any discussion? Senator Partee.

SENATOR PARTEE:

Now, Senator Harris, the amendment you are offering is Senate Bill 81 as passed out of the Senate. Now, I note that the Bill 81 has not yet been considered in the House and only on the 22nd of October did come out of the Executive Committee and it was there amended, which indicates to me that the process we are now endeavoring to utilize is the only process by which we have any possibility of obtaining an Ethics Bill in this session of the Legislature. It occurs to me that once we put this amendment on and pass this bill over to the House, they may well non-concur and we will then have a conference committee situation. It seems to me that, if we are to pass a bill, that this is the only possibility and I am certainly going to support this amendment.

PRESIDENT:

Is there further discussion? All in favor of the adoption of the amendment indicate by saying aye. Just a moment. Senator Knuppel.

SENATOR KNUPPEL:

I have a couple of questions about the amendment. Number one, when we passed 81 out of here, I think, and I haven't had a chance to examine this, but I believe at that time I offered an amendment to 81 with reference to municipal employees making less than \$5,000 and the reason that was given against that amendment was the fact that it was on third reading. But, that if..., there was time in the House and that if I wanted to offer it over there that, if it came back here, that it was not contrary to the ideas of the sponsor or something to that effect. Now, has that, then, been incorporated in this amendment?

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Senator Knuppel, this bill...this amendment, as I have mentioned, clearly is in the form that it left this body.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPER:

Well, one other question. At that time I believe Senator Hynes offered an amendment with respect to income tax returns and I assume that that's not been included either. Is that right?

PRESIDENT:

Senator Harris.

SENATOR HARRIS:

Senator Knuppel, this amendment provides for Senate Bill 81 in precisely the form it was passed by this body.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPER:

What does this do with respect to the 1967 ethics...Legislative Ethics Act? What disposition is made of that law that's on the book if this amendment were then adopted or concurred in by the House. Let's assume that the House just concurs in the amendment. This goes over now and they just approve it in its amended form and there's no conference committee, then there's no opportunity, as I understand it, to get in either of the two amendments that were suggested and what I'm trying to find out is what happens to the 1967 Ethics Act which we have on the book.

PRESIDENT:

Senator Coulson.

SENATOR COULSON:

Mr. President, I stated earlier. It was my intention to leave the bill on second reading...or advance it to third reading, but to be willing to call it back to second reading tomorrow, at which time you may discuss other amendments and we will get the majority view of this body on any further amendment you wish to make. Then the necessity of making some amendment is the necessity of getting it into a conference committee, even if we have just omitted a semicolon today. It's necessary to get some amendment on so that we can be sure of having a conference committee and I assure you that tomorrow I'm willing to devote the day calling this bill

back to second reading for discussion of all amendments proposed and then call it for third reading passage.

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

That's all very fine, but I want to know what the hell the bill says so I know whether to amend it and whether I have any amendments to offer tomorrow. Now, what happens to the 1967 Ethics Law if this is adopted in its present form?

PRESIDENT:

Senator Cherry, do you wish to respond?

SENATOR CHERRY:

Yes, in response to Senator Knuppel's question, I think on your desk, you have the amendment that is presently being offered. The stricken language, the lined language is the present and existing Ethics Law. That is stricken and Senate Bill 81 is incorporated in the new language, in the underlined language. The stricken language is the existing Ethics Law. That is correct.

PRESIDENT:

Senator Bruce. All in favor....all in favor of the adoption of the amendment signify by saying aye. Contrary minded. The amendment's adopted. Further amendments? Third reading. Senator Coulson.

SENATOR COULSON:

May we have it understood that this will have some priority tomorrow and may I urge everyone having amendments to submit them in form so that they are amending the amended bill, so that we can discuss them. We'll certainly waive all technical objections and all matters of having them printed and so forth, but I want to give that caution to everyone.

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

I just wanted to add to what Senator Coulson said, that these items

will have priority tomorrow and I would suggest to the members that, if you have other ethics bills that you want to call tomorrow that we might call them all about the same time and we might save ourselves some time and we'll address ourselves to the entire concept tomorrow and any other bills that may be pending on the calendar. I, for one, have one that I hope to call tomorrow.

PRESIDENT:

19. House Bill 19, Senator Carroll. Is Senator Carroll on the floor? 806, Senator Walker. House bills on second reading. 806.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1049, Senator Knuepfer. 1049.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1467, Senator Chew. 1467.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1468.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1469.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1473. Just a moment. Senator Rock.

SENATOR ROCK:

Mr. President, I'd just like to allude to the fact I think Senator Laughlin and I, when these 3 bills were heard in Judiciary, Senator Chew was not present. I think, at that time, it was agreed with Austin Fleming of the Northern Trust Bank that there would be an amendment to, I think it's 1468, so we can move them with the understanding that we may have to call them back.

PRESIDENT:

Is that agreeable, Senator Chew?

SENATOR CHEW:

Yes, Mr. President, Senator Rock failed to explain why I was not at the meeting. I had asked him to handle the bill for me in Judiciary. That was my purpose for not....a conflict of interest on another...I had a conflict of interest with another committee.

PRESIDENT:

1473. 1473. Senator Laughlin.

SENATOR LAUGHLIN:

Well, let me...Senator Neistein isn't here so let me talk to Senator Rock. I think these bills with reference to the right of illegitimates to inherit were...wasn't it indicated in committee that these were going to be held, Senator Rock? Would you do that please, Senator McCarthy? 'Cause if you start on this, this is gonna go and it will be very controversial.

PRESIDENT:

All 3 bills will be held. 1611, Senator Soper.

SENATOR SOPER:

Senator Partee. Senator Partee. You want to look at 1611. Should we move it and then call it back if you want to do something to it?

PRESIDENT:

1611.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1747, Senator Knuppel.
Hold. 1751 and 2, Senator Partee. 1751.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 1752.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 17...2351, Senator
Clarke. 2351.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2379. 2379.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SECRETARY:

One floor amendment offered by Senator Laughlin.

PRESIDENT:

Can you explain the amendment, Senator.

SENATOR LAUGHLIN:

Yes, Mr. President. In Judiciary Committee, it was agreed that
Senator Knuppel and myself would work on this. I've shown a copy of the
amendment to Senator Rock. This is a bill that amends the Consumer
Fraud Act and there was objection in committee to some of the language.
What the amendment does, it leaves a very short bill. It simply says
now: In the administration of this Act, the Attorney General may accept
an assurance of voluntary compliance with respect to any method, act or

practice deemed to be violative of the Act from any person who is engaged in, is engaging in, or was about to engage in any such method, act or practice. And then it says: Evidence of a violation of an assurance of voluntary compliance shall be prima facie evidence of a violation Section 2 in any subsequent proceeding brought by the Attorney General against the alleged violator. It eliminates all reference to filing this with the Clerk of the Circuit Court, which at least was part of the objection and I move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Further amendments? Third reading. 2422. Senator Knuepfer. 2422.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2460, Senator Hall. 2460.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2615, Senator Dougherty. Hold. 27...2646, Senator Knuepfer. 2646.

SENATOR KNUEPFER:

Mr. President, I would like to advance this. There was some discussion of some possible amendments in committee. If anybody comes up with those in the next couple of days, I will be happy to move it back and we'll talk about them there. Otherwise, I would like it advanced simply to get it on the order of Third reading. 2646.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2766, Senator Coulson. 2766.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 2899. 2899.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor?

SENATOR LAUGHLIN:

Yes.

PRESIDENT:

Senator Laughlin offers Amendment No. 1, there.

SENATOR LAUGHLIN:

Yes, Mr. President. Senator Partee objects to this bill which implements the constitution in that it deals with the calling of a special session by the legislative leaders. It is my understanding that this amendment, I have given it earlier to his staff, some 2 hours or 3 hours ago. I can tell you very briefly what it does, Senator Partee. The amendment strikes lines 21 and 22 of the bill. Are you satisfied? All right, Senator Partee is satisfied and so am I. I move the adoption of the amendment.

PRESIDENT:

All in favor signify by saying aye. Contrary minded. Any further amendments? Third reading. 2916, Senator Donnewald.

SENATOR DONNEWALD:

I want to...I would like to move the bill to third, but I would like to advise the body that I'm going to bring it back tomorrow for the purpose of an amendment and I would certainly bring it back for any amendments that the members of the body would have, so I would therefore move it to third. 2916.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3033. Is Senator Chew on the floor? 3037, Senator Vadalabene. Senator Vadalabene, 3037. Do you want it advanced? 3037.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3038. 3038.

SECRETARY:

Second reading of the bill. No committee amendments. One floor amendment offered by Senator Laughlin.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Yes, Mr. President, I again direct my attention to Senator Partee. A copy of this proposed amendment was furnished his staff about 3 hours ago. I think it corrects his objection because it deletes from the bill the sentence starting on line 30 and continuing through 34 of this bill. It implements the Constitution and its subject matter deals with the notice required for calling meetings of commissions. I move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. Amendment is adopted. Further amendments? Third reading. 3063. 3063.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3064.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. Senator Davidson, do you want to advance those...308 and 3081.

SENATOR DAVIDSON:

No.

PRESIDENT:

Hold it. 3543, Senator Berning. 3543.

SENATOR BERNING:

Yes, call it please.

PRESIDENT:

3543.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3572, Sena...all right. 3572.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3598.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3642, Senator Coulson. 3642.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. 3643, Senator Coulson.

SECRETARY:

Second reading of the bill. No committee amendments.

PRESIDENT:

Any amendments from the floor? Third reading. House bills on first reading. 1668, Representative Burditt. 1669, 1781, all apparently part of a series. 1849 and 1850, Representative Lindberg. 2033, Representative Cahoun. 2128. 2128. 2222, is Senator Mitchler. 2322, 2322, Senator Walker. 2346. 2416. Senator Vadalaabene. 2453, Representative Glass. 2485, Senator Bidwill. 2485, we have a request from Senator Bidwill to handle that. All right, we'll assign it to you and you can mention to Senator Bidwill that we gave it to you. 2562, series through 2565, Representative Friedland. 2667. Senator Washburn. 2703. 2881. Senator Gilbert.

SENATOR GILBERT:

I think that 2703, someone indicated that I was supposed to handle it. No one has definitely told me. I'll take it and then, if someone else can handle it, why they can take it up.

PRESIDENT:

Senator Gilbert, 2703. 2881, Senator McCarthy. 2882, Senator McCarthy also? Senator Harris.

PRESIDENT:

For what purpose does Senator McBroom arise?

SENATOR McBROOM:

I'll take 2667, Mr. President.

PRESIDENT:

2667, Senator McBroom. 3043, Representative Dyer. 3066. Senator Harris, do you want to advance that to second reading without objection? Is there objection? Leave is granted. 3071, Representative Rayson. 3077. Senator Hynes on 3071? 77, Senator Hynes. Senator Hynes.

SENATOR HYNES:

I've discussed this with Senator Lyons and with Senators Knuepfer and Laughlin and I would like to move to suspend the rules to advance it to second reading without reference. I will hold it there until everyone has a chance to examine it. If there are problems, I will either indefi-

nitely hold it or put it back into committee; but I do not think there will be any.

PRESIDENT:

Is there objection? Senator Laughlin.

SENATOR LAUGHLIN:

No, there is no objection. Senator Hynes has discussed this with me. I mean as far as I am concerned. But I have told him, and I want to alert this body, by consenting to this motion because it's an implementation bill and not for one minute do I want anyone to think that I necessarily support the bill in the form in which it is. As a matter of fact, I'm sure I wouldn't.

PRESIDENT:

Is there objection? Leave is granted. 3544. Crawford County, who, who has Crawford County? Is that..., Senator Bruce? 3544, do you want to advance that to second without reference? Is there objection? Leave is granted. 3571. 3577. 3588. 3588, Senator Savickas? We'll hold off. 3623, Senator Bruce. And 24. 3633. Senator Bruce is recognized. Senator Bruce is recognized.

SENATOR BRUCE:

I'd ask leave of the body to move House Bill 2623 and House Bill 2624...3623 and 3624 to second reading without reference to committee.

PRESIDENT:

Senator Laughlin.

SENATOR LAUGHLIN:

Yes, before I decide my, how I want to vote or act in this particular matter, I'd like to know, gentlemen, if when 3674, House Bill 3674 is called, of which I shall be the sponsor, whether or not you will grant me the same privilege if I do not object now to a suspension of the rules in order to get that on second reading. The bills cover very much the same subject matter. The bill of which I am the sponsor has an additional provision which I think is important. And, I can't see why, if the two Hart bills go out, uh, why Lindberg's bill shouldn't have the same treat-

ment. I am making this as an inquiry, now.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

I withdraw my motion and am happy to refer them to committee.

PRESIDENT:

Go to committee. 3633. 3634 and 5. 3646. Senator Harris. I want to be shown as the Senate sponsor of that bill. Uh, Senator Hynes and Senator Lyons are conferring about a motion that I hope to make. Might we return to this bill at the conclusion of House bills on first reading?

PRESIDENT:

We'll do that. 3648, Senator Dougherty. 3650. 3653, Senator Berning.

SENATOR BERNING:

Yes, Mr. President, uh, I have talked to the Chairman of the Education, or Election Committee, Senator Swinarski, no I don't see him on the floor, and he agreed that there would be no objection. So hence, I would like to have unanimous consent to bypass committee and move this to second reading.

PRESIDENT:

Is there objection? Leave is granted. 3654, Senator Partee.

SENATOR PARTEE:

Mr. President, uh...

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

This is a bill which creates the witness protection act and it is, has approval of the Illinois Law Enforcement Commission. It does not entail any expenditure of funds from general revenue. It only entails federal money and I'm asking that it be moved to second reading without reference to a committee.

PRESIDENT:

Is there objection? Senator Knuepfer.

SENATOR KNUEFFER:

I, I don't know whether I have objection. I can't...I don't know anything about it, Senator, but it seems to cover some very substantial ground. Are we going to debate it on the floor?

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

Yes, it will be debated on the floor, but simply, what it does is to try to fill the void where witnesses have fears and are afraid to come to court. It gives the State's Attorneys a right to take federal funds under the I.L.E.C. money that comes into the State to make certain that witnesses do, in fact, have the kind of buttressing and undergirding they need to get to court to convict people who have been the defendants in cases in which they are complainants. It is a very excellent piece of legislation. Of course, we will debate it on the floor.

PRESIDENT:

Is there objection? Leave is granted. 3663, 3664. 3674, Senator Laughlin.

SENATOR LAUGHLIN:

This is the bill I referred to which I have been asked to handle in the Senate. Now, I would like to make a comment here. I am not trying to seek an advantage for this particular bill over the two bills of Representative Hart. And, you'll notice that the motion was withdrawn. I did not oppose the motion. These bills address themselves to an important subject matter and that is the machinery for the election of judges and what should happen for those judges who wish to seek retention, and when they must announce that they don't intend to seek retention if that, in fact, is the case. So, this is important legislation. I have no desire to impose my will on anyone and I simply asked, uh, that I be given the same consideration so that this body could come to a rational decision.

However, as long as the motion wasn't made on the other side, then I won't here. Although I point out to you that, if a portion of this bill that I'm discussing now of which I am the sponsor is not passed..., is not incorporated into some legislation, it will simply mean that the Supreme Court of the State of Illinois will continue, continue to appoint. And I think that's undesirable...as the sponsor and let it go.

PRESIDENT:

3682. 3686, Senator Soper. Senator Soper is recognized.

SENATOR SOPER:

Uh, Mr. President, Senator Partee. This is the bill that you okayed back to second reading without reference and I cleared it on the other side of the aisle. O.K.?

PRESIDENT:

Senat...Senator Bruce. Just...just a moment. Senator Bruce, in connection with Senator Soper's request?

SENATOR BRUCE:

Was there a motion to bypass committee and go to second reading?

PRESIDENT:

That is correct.

SENATOR BRUCE:

I stand in opposition to that, then. I don't know how many I have to join, but we'll get what we need.

PRESIDENT:

There is objection. You need 35 votes to suspend the rules.

SENATOR SOPER:

All right. It's got the...Senator Partee okayed it and we okayed it on our side. Uh, this is only a transfer of funds. This is not an appropriation. It's a transfer of funds if you read the bill, Senator Bruce, and we thrashed it out there and it's necessary to bypass committee on this thing to get it heard.

PRESIDENT:

Senator Bruce.

SENATOR BRUCE:

Well, having just read the description, it says appropriate \$56,954,00 for payment of certain attorney's fees. That seems to be an appropriation. It comes from a fund which has originally \$250,000 and there may be some money left. But it will be an appropriation for the payment of attorney's fees.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

It appropriates \$56,000 funds, or balance remaining unexpended from previous appropriation of one quarter million, if you read that correctly. If there isn't \$56,000 left, the appropriation won't appropriate it. It's a transfer of funds. It's not a new appropriation. There is more than that amount in there. Let's put it on second reading and then we'll argue about it. If it doesn't do that, we won't do it.

PRESIDENT:

For...for what purpose does Senator Neistein arise?

SENATOR NEISTEIN:

What attorney gets that \$56,000, Senator Soper?

PRESIDENT:

Senator Soper, are you making a motion to suspend the rules?

SENATOR SOPER:

I, I cleared this with Senator Partee and he's seen the bill and he knows what it is and our side's seen the bill and the, the money goes to Chapman-Cutler, part of it does. And a part of the money goes for printing of the bonds and a part of the money goes for the advertising on it,...on the bonds.

PRESIDENT:

Well...

SENATOR SOPER:

That's the \$56,000.

PRESIDENT:

Unless...unless there is a motion before the body, we're going to move onto the next bill. Motion is to suspend the rules. Is there discussion on that question? Well, there is objection. The motion requires 35 votes and the Secretary will call the roll. Senator Soper.

SENATOR SOPER:

Senator Partee, have you changed your mind on this bill?

PRESIDENT:

Senator Partee.

SENATOR PARTEE:

I've never given you any expression on the bill. You told me what the bill contained. I looked at it. I told you you're going to have problems with the bill. I never agreed to anything about the bill. We just simply discussed it. I didn't say yea nor nay.

PRESIDENT:

Senator Soper.

SENATOR SOPER:

Senator Partee, I'm sorry, but when I talked to you about it, you said it's all right to move it to second without reference; and, if it's not, I'm not that stupid to think that I'm going to throw a curve in this, this chambers. I'll withdraw the motion. If you want to put it on where you want to put it, it's okay with me.

PRESIDENT:

Motion is withdrawn. 3702, Senator Hall. You...you want to advance that to second reading without reference, Senator Hall. Is there objection? Leave is granted. 3704, Senator Groen. 3744. 3744. 3646. Senator Harris wanted to return to that. Are you ready on that now?

SENATOR HARRIS:

I don't know whether, uh, Senator Lyons and Senator Hynes have had a chance to confer. It was my understanding that Senator Hynes was going to consult with him. I wish to seek unanimous consent to have House Bill 3646 read a first time and advanced to second reading without reference.

Now, I want to make a little explanation of this. I conferred with Senator Lyons, who told me that he did not contemplate scheduling another meeting of the Appropriations Committee. If that is the case, this is an important piece of legislation appropriating, the income, out of the income fund to the three regency universities and, if we're not going to have a meeting of the committee, then we had better at least bypass it now. There is an emergency clause on this bill. It's going to take 35 votes eventually to pass it in order for any of this money to be utilized during fiscal 72. And, it just seems to me that it is a wise course of procedure at least to get this bill up on second reading. Uh, we can't do anything on this side alone. It's going to take help from both sides to pass this bill. So....

PRESIDENT:

Is there objection? Is there objection? Is...is there objection on this? Senator Hynes.

SENATOR HYNES:

Yes, Mr. President. There is objection. This bill involves the appropriation of money derived from tuition increases which we have opposed and I think that we are at a minimum entitled to hear witness....

PRESIDENT:

All right. There is objection. Let's....will go to committee. Senator Harris.

SENATOR HARRIS:

My...I, uh, I'm not going to make any motion. I just wanted it clear that I did try to make that an understandable matter. Do I understand that there will be a meeting of the committee? That's the point that I tried to raise here, Senator Hynes.

PRESIDENT:

Senator Hyn....Senator Lyons. Senator Lyons.

SENATOR LYONS:

In view of what has just happened, we'll have a meeting of the Committee on Appropriations tomorrow on the Senate Floor immediately after

adjournment.

PRESIDENT:

Earlier today a bill of Senator Course's...what was the number?

Senator Course.

SENATOR COURSE:

3632.

PRESIDENT:

Pardon.

SENATOR COURSE:

3632.

PRESIDENT:

Just...just a moment. There are a couple of more motions....important matters to transact. We're just about done, gentlemen. 36...

SENATOR COURSE:

52.

PRESIDENT:

3652. The Chair was not aware that there was an emergency clause on it. It received 31 votes, and...but it needs 35 for passage. Now, we can simply take it out of the record if that is agreeable to the body and it will be on third reading tomorrow. Senator Bruce.

SENATOR BRUCE:

Just this point. This is the second time today you have said that we could take something out of the record. I would point out that a transcript is being made and that will be in the record. We have no way of taking that out. What we did earlier will be transcribed and the proceedings of this body, a later motion may be, but it will still be spread upon the record of this, this body.

PRESIDENT:

No. It will be...it, it is then taken. Just as in Congress, you can do this, if there is unanimous agreement,....

SENATOR BRUCE:

All right.

PRESIDENT:

Then it will be taken out of the record as far as any legal proceedings. Is there objection? Leave is granted. The...Senator Course.

SENATOR COURSE:

Mr. President, can I remove the emergency clause from the bill?

PRESIDENT:

You can, but I...

SENATOR COURSE:

I'll have to do that in writing, won't I?

PRESIDENT:

I...I think we're better off, because our ranks are thinning, you're better off..If I were handling the bill, I would hold it off until tomorrow right now.

SENATOR COURSE:

O.K.

PRESIDENT:

Senator Smith is recognized.

SENATOR SMITH:

Mr. President, I ask leave to introduce three bills and I will presently make a motion in connection with each of these bills and I will accept whatever roll call I get.

PRESIDENT:

Is....Senator Smith has asked leave of the body to introduce three bills. Is there objection? Senator Knuepfer.

SENATOR KNUEPFER:

Well, I would think they ought to go through the same procedure as any other bill and that is to the Rules Committee. If the Rules Committee okays them, it's all right with me but, I, I don't know that there ought to be a special exemption for these bills to bypass the Rules Committee. I'm sure there would be a number of other Senators here that would like to put bills on the order of first reading if they could.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

Mr. President, in lieu of the Senator's suggestion, I now move to suspend the rules to introduce three bills.

PRESIDENT:

Motion...Senator Sours.

SENATOR SOURS:

So that we know what we're talking about, Mr. President and Senators, are these bills connected, in any way, with the statement by Senator Fred Smith, Representative Corneal Davis and Representative Harold Washington, on November 8, 1971?

PRESIDENT:

Senator Smith.

SENATOR SMITH:

What is the present date, Senator? November the 8th, you said.

PRESIDENT:

Today is November the 8th.

SENATOR SMITH:

It is. They are.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Maybe the Senator ought to tell the members here what these bills do.

PRESIDENT:

Senator Smith.

SENATOR SMITH:

One of the bills in this series of three...All right, I'll get into it. One of the bills, Senator, provides or authorizes the Governor to transfer funds from the Driver's Education fund to General Revenue. Another authorizes an appropriation of \$25,000,000 to the Department of Public Aid. And the third bill provides for the appropriation of \$20,000,000

from, or the transferring rather, of \$20,000,000 from the road fund to the general revenue fund. Now, appreciating the fact that these are non-controversial bills, I renew my motion.

PRESIDENT:

Takes 35 votes, that's correct, Senator Soper. Senator Clarke.

SENATOR CLARKE:

Mr. President, I just wanted to, when we got down to the, past the order of first reading, to address a question to the Pro Tem as to whether he knew whether any more House bills are going to come over here. We're trying to wind this session down, and I am of the opinion that there may be six major issues that we should address ourselves to. And, if we're going to have a logjam at the end of this week such as we had at the end of June, then I don't think that it is to our credit. Now, we've been here for a good many hours today and I think most of the things we've discussed have been of little consequence. And many of the bills have been defeated. And, to be introducing bills, I would hope no more bills are coming over from the House, and I think we ought to put a cut-off on considering even the bills that we have just gone through first reading. I would hope that most of those bills would not be...have to be argued on the floor because I think that we are going to take valuable time from considering the major issues that we should be addressing ourselves to. I, I think that we should not suspend the rules for introduction of new bills just for political purposes.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

I think I can divulge a bit of common knowledge. There's another bill on the calendar somewhere that would provide for commingling of funds. I think we could assure the good Senator that he will never get 30 votes on this bill or the other bill.

PRESIDENT:

Senator O'Brien.

SENATOR O'BRIEN:

Leave of the body to be shown as Senate sponsor of 1849 and 1850, House bills.

PRESIDENT:

Well, just a moment. We are going to have to dispose of this present....Motion for the previous question by Senator Chew. All in favor signify by saying aye. Contrary minded. Motion prevails. The question is, shall the Senate suspend the rules and, on that question, 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,....

PRESIDENT:

Senator Sours.

SENATOR SOURS:

This comment, Mr. President and Senators. The cupboard is bare. Thank God. There is no more to get. I vote no.

SECRETARY:

Swinarski, Vadalabene, Walker, Weaver.

PRESIDENT:

On that question, the yeas are 27, the nays are 6. The motion having failed to receive the necessary 35 votes is declared defeated. The proposals are referred to the Rules Committee. Senator Donnewald.

SENATOR DONNEWALD:

The Rules Committee will meet immediately after adjournment and there will be a Democratic caucus at 9 o'clock tomorrow morning.

PRESIDENT:

Senator Walker.

SENATOR WALKER:

Thank you, Mr. President. House Bill 2322....I have accepted the responsibility of it in the Senate with the hope I can shepherd it through here. It does just what the calendar says, gentlemen. The digest...

PRESIDENT:

Where is that bill right now?

SENATOR WALKER:

That was on House bills, first reading.

PRESIDENT:

House bills on first reading, right.

SENATOR WALKER:

It does just what it says on the calendar except there is a little more in the digest. It amends the Public Aid Code. It requires physically able recipients to work up to six hours a day for any municipal corporation in the county of his residence provided such work is available. It excepts persons required at home to give personal care and supervision to children from the requirements of this section. Now, I cannot anticipate any opposition to this bill. I see no reason for it to go to committee and I would like to request unanimous consent for this bill to go to second reading without reference to committee at this time.

PRESIDENT:

Is there objection? There is objection.

SENATOR WALKER:

I'm surprised.

PRESIDENT:

Do you wish to suspend the rules, Senator? Senator Donnewald.

SENATOR DONNEWALD:

I forgot to tell you the Rules Committee meets in my office.

PRESIDENT:

All right.

SENATOR DONNEWALD:

Immediately after session.

PRESIDENT:

Senator O'Brien, you wanted to...

SENATOR O'BRIEN:

I would like to be shown as the sponsor of 1849 and 1850, House bills.

PRESIDENT:

1849 and 1850. Senator O'Brien will be shown as the sponsor. Senator Course.

SENATOR COURSE:

Yes, Mr. President, I'd like to have unanimous consent to suspend the rules for the purpose of discharging the Committee on Local Government from consideration of House Bill 3647 and have it re-referred to the Committee on Revenue.

PRESIDENT:

Is there objection? Leave is granted. Senator Barning.

SENATOR BARNING:

Mr. President and members of the body. I'd like unanimous consent to discharge the Local Government Committee from further consideration of Senate Bill 1290 and advance it to the order of second reading. I've discussed this with the Chairman and it will be held on second reading for possible amendments.

PRESIDENT:

Is there objection? Leave is granted. Senator Knuppel.

SENATOR KNUPPEL:

The meeting scheduled of the Agricultural Committee will be held tomorrow morning at 8:30. It's been continued. It was scheduled for right after the session.

PRESIDENT:

Senator Knuepfer.

SENATOR KNUPPEL:

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SENATOR KNUEFFER:

I would like unanimous consent to have House Bills 21...Senate Bills rather, 2198 and 2199 discharged from the Local Government Committee. There was a meeting on them. Senator Dougherty has no objection. I don't think they create any problems at all. I would...

PRESIDENT:

Is there objection? Leave is granted. Senator Chew.

SENATOR CHEW:

Senator Course has not finished.

PRESIDENT:

Senator Course, I'm sorry.

SENATOR COURSE:

Mr. President, I'd like to make an announcement. The Revenue Committee, scheduled to meet Wednesday morning at 8:30, will meet immediately after adjournment Wednesday.

PRESIDENT:

Senator Lyons.

SENATOR LYONS:

Mr. President and members. The Appropriations Committee will meet tomorrow immediately after adjournment on the Senate floor and will consider one bill, Senate Bill 3646, having to do with the appropriation for..., an appropriation for the Board of Regents.

PRESIDENT:

Are there further announcements?

SENATOR LYONS:

I'm making this announcement anticipating that there is no objection to this. I'm assuming I have leave of the body to have the meeting and to waive the notice.

PRESIDENT:

Is there objection? Leave is granted. Are there further announce-

ments. Senator Bruce moves that the Senate stands adjourned until 10 o'clock tomorrow morning. All in favor signify by saying aye. Contrary minded. Motion prevails. The Senate is adjourned.