

78th GENERAL ASSEMBLY

March 15, 1973

1. PRESIDENT:

2. The Senate will come to order. The prayer will be  
3. offered by the Reverend Fred Norman of the First United  
4. Methodist Church of Springfield, Illinois. Will our guests  
5. please rise? Reverend Norman.

6. (Prayer given by Reverend Fred Norman)

7. PRESIDENT:

8. Reading of the Journal. Senator Soper.

9. SENATOR SOPER:

10. Mr. President, I move that...we suspen...postpone read-  
11. ing and approval of the Journal of March 13th and 14th pending  
12. arrival of the printed Journal.

13. PRESIDENT:

14. You've heard the dec...the motion. Any discussion?  
15. All in favor signify by saying aye. Contrary nay. The motion  
16. is carried...Senator Buzbee.

17. SENATOR BUZBEE:

18. Mr. President, members of the Senate, I have some very  
19. distinguished...constituents of mine here this evening, City  
20. Councilman from Lebanon, Illinois, Mr. Shirley Gene Rodden,  
21. Mrs. Shirley Clark and Mr. Benjamin McAllister.

22. PRESIDENT:

23. Committee reports.

24. SECRETARY:

25. ...Graham, Chairman of the Committee on Assignment of  
26. Bills reports the following bills assigned to Committee: To the  
27. Committee on Appropriations SB 322. Committee on Education  
28. SB 327. Committee on Judiciary SB 323. Committee on Local  
29. Government SB 328, 329, 330 and 331; To the Committee on  
30. Pensions and Personnel SB 320. To the Committee on Public  
31. Health, Welfare and Corrections SB 321. Committee on Revenue  
32. SB 326. Committee on Transportation and Public Utilities  
33. Senate Bills 319, 324, 325 and 332. Senator Fawell, the Chairman

1. of the Committee on Education reports SB 179 with the recom-  
2. mendation the bill Do Pass. SB 213 with the Recommendation  
3. the bill do Pass and be re-referred to the Committee on  
4. Appropriations. Senator McBroom, the Chairman of the Committee  
5. on Appropriations reports Senate Bills 134, 142, 171 and 222 with  
6. the recommendation the bills Do Pass. House Bill 71 with the  
7. recommendation the bill do Pass. SB 174 with the recommendation  
8. the bill Do Pass as Amended. House Bill 201 with the recom-  
9. mendation the bill Do Pass as Amended. Senator Sours, the  
10. Chairman of the Committee on Judiciary reports Senate Bills 32, 33,  
11. 35, 36, 101 and 103 with the recommendations the bills Do Pass as  
12. Amended. Senate Bills 122, 160, 202, 260, 261 with the recommenda-  
13. tion the bills Do Pass as Amended. Senator Ozinga.

14. PRESIDENT:

15. We'll defer the report of the Executive Committee until  
16. Senator Ozinga returns to the Floor...a message to the  
17. Senate.

18. SECRETARY:

19. To the Members of the Senate:

20. I do hereby appoint the following to serve as  
21. Members of the Legislative Commission to visit and examine  
22. State Institutions: Senators Ozinga, Graham, Clarke, Latherow,  
23. Roe, Smith, Course, Newhouse and Johns.

24. Very truly yours,

25. William C. Harris, President

26. PRESIDENT:

27. Resolutions.

28. SECRETARY:

29. Senate Resolution No. 58 by Senator Soper and all members.  
30. It's congratulatory.

31. PRESIDENT:

32. Senator Soper.

33.

1. SENATOR SOPER:

2. ...Mr. President, members of the Senate, I'd...move  
3. the immediate adoption of this Resolution and waive the,  
4. waive the rules.

5. PRESIDENT:

6. Senator Soper has moved to suspend the rules for the  
7. immediate consideration of Senate Joint Resolution 58. All in  
8. favor signify by saying aye. Contrary nay. The motion  
9. is carried. On the motion to adopt, all in favor signify  
10. by saying aye. Contrary nay. The Resolution is adopted.

11. SECRETARY:

12. Senate Resolution No. 59 by Senator Kenneth Hall,  
13. and it purports to extend the reporting date of the bi-  
14. state...Investigating Commission from January 1 to May 1.

15. PRESIDENT:

16. Senator Hall.

17. SENATOR HALL:

18. Thank you, Mr. Chairman, I ask for the immediate suspension  
19. of the Rules and that this be adopted.

20. PRESIDENT:

21. Senator Hall has moved for the suspension of the Rules  
22. to immediately consider the Resolution. All in favor signify  
23. by saying aye. Contrary nay. The motion is carried. On the  
24. motion to adopt. All in favor signify by saying aye. Contrary  
25. nay. The Resolution is adopted.

26. SECRETARY:

27. Senate Resolution No. 60 by Senator Bartulis, and it's  
28. congratulatory.

29. PRESIDENT:

30. Senator Bartulis.

31. SENATOR BARTULIS:

32. ...I would like to have leave of...the Senate to suspend  
33. the appropriate rules and ask for immediate adoption of this

1. Resolution. And I also would add all Senators join me in this  
2. Resolution, this Resolution is...to...Major Philip Smith from  
3. Roodhouse, who has just been released this morning by the...  
4. by the Chinese after, being a prisoner of war for, gee, I don't  
5. know how long.

6. PRESIDING OFFICER: (Senator Graham)

7. Gentlemen, you have heard the motion to suspend the Rules  
8. for the...all in favor of the motion will signify by saying aye.  
9. All opposed. The Rules are suspended. All in favor of the  
10. immediate adoption of the res...Resolution, will signify  
11. by saying aye. The Resolution is adopted.

12. SECRETARY:

13. Senate Resolution No. 61 by Senator Regner.

14. PRESIDING OFFICER: (SENATOR GRAHAM)

15. What is it?

16. SECRETARY:

17. Congratulatory.

18. PRESIDING OFFICER: (SENATOR GRAHAM)

19. Senator Regner moves for the suspension of the Rules,  
20. all in favor of the suspension of the Rules for the immediate  
21. consideration of the Resolution will signify by saying aye.  
22. The Rules are suspended. Senator Regner.

23. SENATOR REGNER:

24. ...Mr. President, ladies and gentlemen of the...Senate  
25. this is a Congratulatory Resolution for Mr. William Rohlwig  
26. of Mt. Prospect who is 90 years old and is retiring as Town-  
27. ship Supervisor in Elk Grove Township, a post he has held for  
28. 20 years; but he has held the township post since 1930 and I  
29. move for the immediate adoption of this Senate Resolution.

30. PRESIDING OFFICER: (SENATOR GRAHAM)

31. Does your motion include that all Senators may join as  
32. sponsors if they wish.

33. SENATOR REGNER:

1. Yes.

2. PRESIDING OFFICER: (SENATOR GRAHAM)

3. You've heard the motion, all in favor signify by saying  
4. aye. Opposed? Resolution is adopted.

5. SECRETARY:

6. Senate Joint Resolution No. 24 by Senator Welsh and its  
7. purpose is to extend the report date of the com...The Sudden  
8. Infant Death Syndrome Study Commission to May 15.

9. PRESIDING OFFICER: (SENATOR GRAHAM)

10. There is a motion by Senator Welsh to suspend the Rules  
11. for the immediate consideration. All in favor of the motion  
12. to suspend the Rules will signify by saying aye. Opposed?  
13. The ayes have it. Senator Welsh, your motion.

14. SENATOR WELSH:

15. Mr. President, I do move its adoption.

16. PRESIDING OFFICER: (SENATOR GRAHAM)

17. Senator Welsh moves for the immediate consideration,  
18. all in fav...favor will signify by saying aye. Opposed?  
19. The Resolution is adopted. Senate bills. We will now proceed  
20. to the order of business of the introduction of bills.

21. SECRETARY:

22. SB 333.

23. PRESIDING OFFICER: (SENATOR GRAHAM)

24. For what purpose does the Senator from Cicero, Senator  
25. Soper, arise?

26. SENATOR SOPER:

27. ...Mr. President, I'd like to announce that if we're  
28. going to move up the...the...the committee meeting on Local  
29. Government to take place right after Industry and Labor gets  
30. through with their meeting, we only have one conflict there  
31. and...and...we've got a lot of bills in Local Government and  
32. ...it sho...ought to be about 3:00 o'clock.

33. PRESIDING OFFICER: (SENATOR GRAHAM)

1. It should... We should.

2. SENATOR SOPER:

3. I'd like to announce that we'll move it up.

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. We should have done that on order of motions, but the  
6. announcement has been heard by the people involved that the  
7. Committee on Local Government will meet immediately after  
8. the Committee on Labor and Industry. Should be about 3:00  
9. o'clock. Proceed with reading of the Introduction of Bills.

10. SECRETARY:

11. SB 333 by Senators Course, Latherow, Chew and McCarthy.

12. (Secretary reads title of bill)

13. 334 by Senators Rock, Donnewald, Partee, Smith, Welsh,  
14. Palmer, Johns, Daley, Kosinski, Swinarski, Chew, Hynes, (Howard  
15. R.) Mohr, Savickas, Vadalabene, Dougherty, Course, Nudelman,  
16. Scholl, Conolly, Wooten, Course, Carroll and Keegan.

17. (Secretary reads title of bill)

18. 335 by Senators Rock, Donnewald, Partee, Smith, Welsh,  
19. Johns, Daley, Kosinski, Dougherty, Swinarski, Chew, Hynes,  
20. Keegan, (Howard R.) Mohr, and Scholl.

21. (Secretary reads title of bill)

22. 336 by Senators Partee, Rock, Donnewald, Hynes, Nudel-  
23. man, Course, Palmer, Saperstein, Welsh, Dougherty and Wooten.

24. (Secretary reads title of bill)

25. 338 by Senator Weaver.

26. (Secretary reads title of bill)

27. SB 337 by Senators McBroom and Merritt.

28. (Secretary reads title of bill)

29. SB 339 by Senators Savickas, Course, Wel..., Carroll and Welsh.

30. (Secretary reads title of bill)

31. 340 by Senators Savickas, Cours...Course, Carroll and  
32. Welsh.

33. (Secretary reads title of bill)

1. 341 by Senators Smith, Clarke, McBroom, and Harber Hall.

2. (Secretary reads title of bill)

3. 1st reading of the bills.

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. Have we got any messages? Messages from the House.

6. SECRETARY:

7. A message from the House by Mr. Selcke, Clerk:

8. Mr. President, I am directed to inform the Senate that  
9. the House of Representatives has adopted the following pre-  
10. amble and Joint Resolution, in the adoption of which I am  
11. instructed to ask the concurrence of the Senate, to wit;  
12. House Joint Resolution No. 13 and it's...it commends the  
13. Illinois Optometric Association.

14. PRESIDING OFFICER: (SENATOR GRAHAM)

15. Executive. Senator Nimrod. Senator Nimrod, they just  
16. read a Resolution we think you might be interested in.

17. SECRETARY:

18. House Joint Resolution 13.

19. SENATOR NIMROD:

20. Mr. President, I ask...that this...Resolution be adopted.

21. PRESIDING OFFICER: (SENATOR GRAHAM)

22. When?

23. SENATOR NIMROD:

24. ...Immediately.

25. PRESIDING OFFICER: (SENATOR GRAHAM)

26. It...this Resolution, gentlemen, lad...ladies and gentle-  
27. men, is congratulatory...congratulatory commending Illinois  
28. Optometric Association. Senator Nimrod moves for the immediate  
29. suspension of the rules for consideration of this Resolution.  
30. All in favor of the motion to suspend the rules will signify  
31. by saying aye. Opposed? The rules are suspended, your motion  
32. Senator Nimrod?

33. SENATOR NIMROD:

The motion is to...adopt to...to adopt the Resolution.

1. PRESIDING OFFICER: (SENATOR GRAHAM)

2. The motion is for the adoption of this Resolution.

3. All in favor will signify by saying aye. Opposed. The  
4. ayes have it, the Resolution is adopted.

5. SECRETARY:

6. Mr. President, I am directed to inform the Senate, the  
7. House of Representatives has adopted the following Joint Resolution,  
8. and the adoption of which I am instructed to ask concurrence of  
9. the Senate to wit: House Joint Resolution No. 20.

10. (Secretary reads House Joint Resolution 20)

11. PRESIDING OFFICER: (SENATOR GRAHAM)

12. Senator Ozinga moves the adoption of the amendment.

13. All in favor will signify by saying aye. Opposed? The  
14. amendment...Resolution is adopted.

15. SECRETARY:

16. Mr. President, I am directed to inform the Senate, that  
17. the House of Representatives has adopted the following:...  
18. preamble and Joint Resolution and the adoption of which I  
19. am instructed to ask concurrence of the Senate to wit:  
20. House Joint Resolution No. 21 and it extends the report date  
21. of the Legislative Advisory Committee for the Northeastern  
22. Illinois Planning Commission to April 1.

23. PRESIDING OFFICER: (SENATOR GRAHAM)

24. Who is the Senate sponsor of this Joint Resolution?

25. SECRETARY:

26. Senator Berning.

27. PRESIDING OFFICER: (SENATOR GRAHAM)

28. We need the sponsor for this Resolution, are you in—what do  
29. you...disposition do you wish made of the Resolution, Senator Berning?

30. SENATOR BERNING:

31. Mr. President, members of the Body, this is just a routine  
32. extension of time for Legislative Advisory Commission. I would  
33. like to move that we suspend the rules and...adopt this Reso-  
lution at this time.



1. PRESIDING OFFICER (SENATOR GRAHAM)

2. Senator Berning moves for the suspension of the Rules.  
3. All in favor will signify by saying aye. Senator Fred Smith,  
4. for what purpose do you seek recognition? I would like to  
5. have a little order, gentlemen, we have 14 caucuses in 13 places,  
6. can we keep the noise down, please? Senator Smith.

7. SENATOR SMITH:

8. I...I'm just wondering if I heard it right? Does this  
9. relate to the Audit Commission? No.

10. PRESIDING OFFICER: (SENATOR GRAHAM)

11. No, it does not. All in favor of the Motion to suspend  
12. the Rules for the purpose of adopting a Resolution which will  
13. extend the report date of...what commission?

14. SECRETARY:

15. Northeastern Illinois.

16. PRESIDING OFFICER: (SENATOR GRAHAM)

17. No, Nipsey will signify by saying aye. Opposed? The  
18. Rules are suspended. Senator Berning, your motion?

19. SENATOR BERNING:

20. I move for the immediate adoption of the Resolution.

21. PRESIDING OFFICER: (SENATOR GRAHAM)

22. Moves for the immediate adoption of the Resolution, all  
23. in favor will signify by saying aye. Opposed? The ayes have  
24. it the Resolution is adopted.

25. SECRETARY:

26. Mr. President, I am directed to inform the Senate, that  
27. the House of Representatives adopted the following preamble  
28. and Joint Resolution in the adoption of which I am instructed  
29. to ask in concurrence of the Senate to wit: House Joint Reso-  
30. lution No. 22 and it proposes that the State of Illinois and  
31. Missouri join with the American Legion in requesting that the name  
32. of the Poplar Street Bridge be permanently changed to Veterans  
33. Bridge...A bridge across the Mississippi River.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Well, we are recessing temporarily for a caucus.  
3. Who's got the ball? We have no motion and what are we  
4. doing gentlemen? Executive Committee, if you can't make  
5. up your mind. Executive.

6. SECRETARY:

7. A message from the House from Mr. Selcke.

8. Mr. President, I am directed to inform the Senate that  
9. the House of Representatives has acceded to the request of  
10. the Senate for a Committee of Conference to consider the  
11. differences between the two Houses in regard to Senate amend-  
12. ments to a bill of the following title to wit: House Bill 89.

13. (Secretary reads House Bill 89)

14. PRESIDENT:

15. We'll...return then to...the remainder of the committee  
16. reports. Senator Ozinga is on the Floor now...Committee on  
17. Executive.

18. SECRETARY:

19. Senator Ozinga, the Chairman of the Committee on Executive  
20. to which was referred the Governor's messages of January 29,  
21. 1973, and March 6th report the same back in part with the  
22. recommendation that the Senate advise and consent to the  
23. appointments considered by the Committee.

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. Mr. President, I would now suggest that the Senate do...  
28. no, that we resolve ourselves in executive session.

29. PRESIDENT:

30. All in favor of the motion to resolve into executive  
31. session, signify by saying aye. Contrary nay. Senate is  
32. in the executive session. Senator Ozinga.

33. SENATOR OZINGA:

1. Now Mr. President, I would move you that the Senate  
2. consider the report of the Executive Committee as was just  
3. presented insofar as taking them individual...we have groups  
4. and I realize fully and I know each one of you do, too. That  
5. we can take them in as a group, but there are a group, there  
6. is a group here. I'll take them just in order that they  
7. were on the message. There are two messages involved, one  
8. of March 6th and one of March or January 29th. First of all,  
9. I would move the Senate...that the Senate do advise and consent  
10. to the appointment of Donald A. Henss of Moline, Illinois,  
11. as a member of the Illinois Pollution Control Board for a  
12. term expiring on July the 1st, 1975.

13. PRESIDENT:

14. The nomination of Don Henss for a membership on the  
15. Pollution Control Board. The Secretary will call the roll.

16. SECRETARY:

17. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,  
18. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,  
19. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,  
20. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,  
21. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,  
22. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,  
23. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,  
24. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,  
25. Walker, Weaver, Welsh, Wooten, Mr. President.

26. PRESIDENT:

27. On that roll call, the yeas are 54. The nays are none.  
28. And Senator...Mr. Henss has been...concurrred in his nomination.  
29. Senator Ozinga.

30. SENATOR OZINGA:

31. Now, Mr. President, I would move that we consider as a  
32. group the Governor's nominations for the Illinois Racing  
33. Board, including the chairman and six members.

1. PRESIDENT:

2. The motion is to advise and consent to the nomination  
3. of the members of the Illinois Racing Board. Does the  
4. Senate advise and...

5. SENATOR OZINGA:

6. No, no. To consider them as a group first of all.

7. PRESIDENT:

8. Yes. On that motion, to consider as a group, all in  
9. favor signify by saying aye. Contrary nay.

10. SENATOR OZINGA:

11. Now, Mr. Pres...

12. PRESIDENT:

13. The motion carries.

14. SENATOR OZINGA:

15. Now, Mr. President, I would now recommend and make a  
16. motion that the Senate do advise and consent of the appointment  
17. of Anthony Sciariano of Chicago Heights, to be a member and  
18. chairman of the Illinois Racing Board for a term expiring  
19. on July 1st of '73, and as members, Mr. James Otis of Evanston,  
20. for a term, for as member and vice-chairman for a term  
21. expiring on July 1st of '73, and Mr. William Browder of Chicago, for  
22. a term expi...as member for a term expiring July 1st of '73.  
23. Mrs. William Hewitt of Rock Island, for a...as a member for a  
24. term expiring on July 1st, 1973. For Mr. Ray Freeark of  
25. Belleville, for a...as a member for a term expiring on July  
26. 1st of '75, and Mrs. Lucy Reum of Oak Park, for a...as a member  
27. for a term expiring on July 1st, 1975, and from the Governor's  
28. message of July...January 29th Mr. Sidney Hyman of Chicago,  
29. for a term expir...as a member for a term expiring on July  
30. 1st, 1977. Mr. President, I move for the...that the Senate  
31. do advise and consent to the above mentioned appointments.

32. PRESIDENT:

33. The question is, does the Senate advise and consent to

1. the nominations just made. The Secretary shall call the  
2. roll.

3. SECRETARY:

4. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,  
5. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,  
6. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,  
7. Keegan, Knuepfer, Knuppel,...

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. I don't want my vote to show as voting for Mrs. Hewitt  
12. or the gentleman from Belleville...my reasons are personal,  
13. I'm involved in racing as you know and I don't...approve of  
14. the positions of these two people been appointed to, either their  
15. background or some of the statements they've made.

16. PRESIDENT:

17. Senator, I'm advised that the motion before us is to  
18. consider them as a group...I would...suggest then either  
19. that you express yourself as voting present...Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. President, I want to vote for the rest of them, the  
22. vote is aye as to the others, those two I want a negative vote  
23. on.

24. PRESIDENT:

25. W...well, Senator, we are approving these members of the  
26. Board on this single motion and there is...that is the matter  
27. that is before us and...I. Senator Knuppel.

28. SENATOR KNUPPEL:

29. I don't think there is any question as of...on a point  
30. of order and I...I think this is correct. I know the group  
31. voted...voted on them as a whole, but then I have the right  
32. to withhold my vote as those two and vote as the others and  
33. that is the way I want my vote cast. The record shows this

1. because we are making a transcription. You can vote me any  
2. way you want to. But the record is going to show that I voted  
3. for the rest of them and I didn't vote for these two. And I  
4. don't care how you change it.

5. PRESIDENT:

6. Senator, I am not trying to create a problem for you, the  
7. matter before us is a single motion and, of course, your inter-  
8. est has been expressed. We are operating under rules, the matter  
9. before us is; the membership of the Racing Board as a group  
10. and your expression is clear, but our problem is not that  
11. simple...I don't know anyway...at this point that we can ac-  
12. commodate your interest, except to record you yea, nay,...  
13. present or not record you on these seven nominations that are  
14. before us. For what purpose does Senator Soper arise?

15. SENATOR SOPER:

16. I would...Mr. President, members of the Senate, I would  
17. like to explain to Senator Knuppel that if he wanted to raise  
18. an objection to a total, taking all the members at one time  
19. he should have not voted to suspend the rules. Then, it would  
20. have been clear, we'd take them one at a time, Senator.

21. PRESIDENT:

22. Well, Sen...for what purpose does Senator Savickas  
23. arise,

24. SENATOR SAVICKAS:

25. Well, I think...maybe one of the ways...

26. PRESIDENT:

27. State the purpose.

28. SENATOR SAVICKAS:

29. Purpose is to clarify this problem you seem to have with  
30. Senator Knuppel.

31. PRESIDENT:

32. You...you well, are you raising a point of parliamentary  
33. inquiry?

1. SENATOR SAVICKAS:

2. Right.

3. PRESIDENT:

4. ...State the point.

5. SENATOR SAVICKAS:

6. The point is that we may settle this by having the  
7. Chairman of the Executive remove his motion to hear them  
8. all on one roll call and substitute instead a motion to  
9. hear them individually.

10. PRESIDENT:

11. Well, the Chair wishes to...the Chair wishes to point  
12. out that we are in the middle of a roll call...the only  
13. motion appropriate is to suspend the roll call, now the  
14. Chair does not wish to deny the right of any Senator to ex-  
15. press an individual opinion on the question of nominations.  
16. But the fact is that we are involved in a roll call dealing  
17. with all seven of these nominees in a group and we are in  
18. that point and I will direct the Secretary to proceed with  
19. the roll call. For what purpose does Senator Knuppel seek  
20. recognition?

21. SENATOR KNUPPEL:

22. Well, I want to be recorded and I don't know how you can  
23. record me. I'm not voting aye, I'm not voting nay and I'm not  
24. voting present, and it's on this record how I'm voting now  
25. ...and I feel that all the Secretary has to do, that I've said  
26. I'm voting, I don't want my vote to go for those two and I  
27. want it to go for the rest. It's not my problem, it's your  
28. problem, but there's no way I can be recorded aye, nay or  
29. present, because I don't want to be voted any of those ways.

30. PRESIDENT:

31. Proceed with the roll call.

32. SECRETARY:

33. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,  
Howard Mohr, Don Moore,

1. PRESIDENT:

2. Senator Moore.

3. SENATOR MOORE:

4. Just to very briefly express or to give my...reasons  
5. for voting aye on this...question, I also want the record  
6. to reflect that I own no racetrack stock, I never have,  
7. neither has my mother, my father, my brother or my son or  
8. any other relative that I know of...or my seatmate, I'm in-  
9. formed...I know nothing about racing, in fact, I haven't  
10. been to a racetrack for over six years and based upon that  
11. Mr. President, I vote aye.

12. SECRETARY:

13. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,  
14. Partee,

15. PRESIDENT:

16. Senator Partee.

17. SENATOR PARTEE:

18. I'm going to vote aye for the confirmation of all these  
19. gentlemen. But I just want the record to be clear and I want  
20. it to be on our record upstairs one day when I want to read  
21. it and show it to the gentlemen if it happens that one of  
22. the gentlemen who is being advised and consented to here to-  
23. day and the gentleman by the name of Mr. Freeark from Belle-  
24. ville, Illinois who has on some previous occasions expressed  
25. some rather strong opinions about his belief in the value of  
26. flat track racing as opposed to harness racing. He said yes-  
27. terday in response to questions that he considered it to be  
28. the policy of the Legislature to make the decision as to  
29. where the tracks would be in terms whether it would be flat  
30. track racing or the other. I just want to say on the record  
31. that I believe him and on that basis I'm voting aye for all  
32. of them and I will certainly watch to see if he attempts to  
33. impose his own beliefs and desires on this questions.



1. SECRETARY:

2. Regner, Rock, Roe, Romano, Saperstein, Savickas,  
3. Schaffer, Scholl, Shapiro, Smith,...

4. PRESIDENT:

5. Senator Smith.

6. SENATOR SMITH:

7. ...Reluctantly, I'm going to cast an aye vote. I  
8. have no desire whatever, to exclude the Senator who stands  
9. to my immediate left from being shown recorded as voting  
10. as he sees fit, not as a majority of us see fit, I could wish  
11. that the Senator changed his motion in order to allow the  
12. right of an individual member to cast his vote as he so  
13. sees fit. If this precedent should establish during the  
14. furtherance of this session, many a time you'd have Sen-  
15. ators here recorded as voting just the opposite perhaps  
16. to the way that...now may I ask a parliamentary question of  
17. the Chair? This motion, of course, has prevailed and will  
18. prevail. Under the rules what provisions, not necessarily  
19. the chapter, are there any such provisions that will allow the  
20. the Senator to the right to cast his vote as he wishes to  
21. cast it?

22. PRESIDENT:

23. Senator, there are tr...two provisions in our rules. Let  
24. me read two paragraphs, one from...each of these two para-  
25. graphs from Rule 6. Now, let me explain that the motion was made  
26. by the Chairman of the Executive Committee to proceed with  
27. this group of nominees, as a group, and that motion carried.  
28. Now at that point in time it would have been appropriate  
29. and the Chair does...I have already said, I don't want to  
30. deny a Senator the right to express himself individually  
31. or any nominee, but we are in roll call proceeding under  
32. a motion that did carry, that placed this group of nominees  
33. before us as a group. Now the Rule 7 says that whenever a

1. group of nominees has been submitted together, five or more  
2. Senate members may request the question to be put and the  
3. vote taken upon each of the individuals in said group individ-  
4. ually. Further in Rule 7 there is the paragraph the Senate  
5. may determine by a majority vote of the Senators elected,  
6. after having voted on the question of one or more of the  
7. nominees individually to act upon the question of the re-  
8. maining nominees in that group as a unit. Now, if Senator  
9. Knuppel has raised his point at the time Senator Ozinga  
10. made the motion to consider the members of the Racing Board  
11. as a group, I can only speculate, but there is a consistent  
12. attitude of this Body to afford courtesy to an individual...  
13. to an individual Senator and that would have been the appro-  
14. priate time to raise that consideration. But once that motion  
15. carried and the roll call began the only motion that is  
16. appropriate, I am advised, and I so ruled is a motion to  
17. suspend the roll call and let the Senate express itself on  
18. that question, but we are in roll call and the Chair says  
19. for the third time, I do not wish to avoid or eliminate the  
20. opportunity for any Senator to express himself individually.  
21. Senator Smith.

22. SENATOR SMITH:

23. Would it be appropriate if at the close of this roll  
24. call, prior to announcing the results, for one to ask un-  
25. animous consent that the Senator be recorded as having voted  
26. in the way and manner that he himself desires to vote? I don't want  
27. to make it, if he wants to make it that's all right.

28. PRESIDENT:

29. Senator Smith, in response to your question, our  
30. problem is that we are going to have only one roll call and  
31. it would be appropriate for Senator Knuppel to have journalized  
32. by a message his affirmation of advise and consent of the  
33. five nominees and his withholding of advise and consent

1. to the two nominees he wishes to exclude and I would sug-  
2. gest that the appropriate way to do that would be on a  
3. motion to reconsider the vote and be journalized in that  
4. fashion. Does that answer your question?

5. SENATOR SMITH:

6. That is perfectly agreeable.

7. PRESIDENT:

8. Proceed with the roll call.

9. SECRETARY:

10. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,  
11. Walker, Weaver, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDENT:

13. Senator...How is Senator Keegan recorded?

14. SECRETARY:

15. Is not recorded.

16. PRESIDENT:

17. Keegan, aye. Senator Swinarski. You are not recorded.  
18. Senator Swinarski, aye. Senator Carroll, aye. Senator Bell,  
19. aye. On that motion the yeas are 51. The nays are none. One  
20. present. The nominees having...are hereby advised and con-  
21. sented to. Senator Knuppel.

22. SENATOR KNUPPEL:

23. This is a matter of personal privilege. I don't care  
24. about the other. I got it on the record and that's all I  
25. wanted. I don't care, if you got enough votes to confirm them, I  
26. just wanted my expression. But the matter of personal privilege  
27. was the remarks with respect to racetrack stock and so forth. I  
28. want to clarify something here now because some of these fellows  
29. may not know, I do own a few harness horses. I own no race stock  
30. ...race track stock either and if this was directed toward me, it's  
31. not...it's because I have some special knowledge of what the  
32. racing industry is about and what kind of a sick shape it's in  
33. and so forth and so on, I didn't feel we needed someone who

1. didn't know anything about racing as Mrs. Hewitt or somebody  
2. who had expressed...who had expressed opposition to harness  
3. racing as opposed to flat track racing. I feel that those  
4. people that go on there should either...should know what  
5. they're doing, number one, and number two they should go on  
6. there without prejudices or biases. And, it was nothing...  
7. no reason to direct something at me about racetrack stock  
8. or the fact that I own a few harness horses. Thank you very  
9. much.

10. PRESIDENT:

11. ...For what purpose does Senator Moore arise? Senator  
12. Moore.

13. SENATOR MOORE:

14. ...Just in brief response...to the gentleman that just  
15. spoke, my remarks were not directed at him...Senator Knuppel,  
16. my remarks were directed to one of the members who we just  
17. confirmed who I had the privilege of defeating on the November  
18. 7th election who made...who made...various accusations...inso-  
19. far as my interest in the racing industry. And they were made  
20. and directed to that gentleman and not to you.

21. PRESIDENT:

22. For what purpose does Senator Walker arise?

23. SENATOR WALKER:

24. ...Thank you, Mr. President, may I suggest the...Senator  
25. Knuppel that he familiarize himself with the rules. I know  
26. that Senator Smith was trying to help him and the Senators...  
27. the last Senator mentioned is too good a lawyer, he under-  
28. stands the rules, I'm not sure about Knuppel and I would sug-  
29. gest Mr. President that he familiarize himself with the rules  
30. and quit playing as he was last Session and continues to do  
31. this Session, at present time...

32. PRESIDENT:

33. For what purpose does Senator Graham seek recognition?

1. SENATOR GRAHAM:

2. I'm seeking recognition for a point of order. Mr.  
3. President and ladies and gentlemen, let's lay aside our  
4. political approbations of our other members and go out  
5. behind the chambers and do that and proceed with the  
6. business of the Senate, if we might.

7. PRESIDENT:

8. Senator Vadalabene.

9. SENATOR VADALABENE:

10. ...Thank you, Mr. President and members of the Senate,  
11. ...I would like at this time to...to ask leave on a Resolution  
12. that was...

13. PRESIDENT:

14. Senator, we are in Executive Session...and there are some  
15. other nominees...to be confirmed yet.

16. SENATOR VADALABENE:

17. Well, Okay, I...I was thinking of Executive Committee  
18. and that's probably where I became confused with Executive  
19. Session. Thank you.

20. PRESIDENT:

21. Senator Ozinga.

22. SENATOR OZINGA:

23. Now, Mr. Chairman, going back, Mr. President, going back  
24. to the message of March the 6th of the Governor's, I would  
25. move that the Senate do advise and consent to the appointment  
26. of Harvey N. Johnson, Jr., of Chicago to be the Director of  
27. the Department of Law Enforcement for a term expiring on  
28. January...m...the third Monday of January 1975.

29. PRESIDENT:

30. The question is, does the Senate advise and consent to  
31. the nomination of Mr. Johnson to be...Director of the Depart-  
32. ment of Law Enforcement. Secretary will call the roll.

33. SECRETARY:

1. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,  
2. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,  
3. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,  
4. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,  
5. McCarthy, Merritt, Mitchler, Howard Mohr, Don MOOre, Netsch,  
6. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,  
7. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,  
8. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,  
9. Walker, Weaver, Welsh, Wooten, Mr. President.

10. PRESIDENT:

11. Senator Buzbee, aye. On that roll call, the yeas are  
12. 51. The nays are none, and the Senate does advise and consent  
13. to the nomination just made. Senator Ozinga.

14. SENATOR OZINGA:

15. Now, Mr. President, from the Governor's message of  
16. Janu...March 6th, I would move you that the Senate do advise  
17. and consent to the appointment of Dean Barringer of Anna,  
18. Illinois to be the Director of the Department of Registration  
19. and Education for a term expiring in January of 1975.

20. PRESIDENT:

21. The motion is, does the Senate advise and consent to  
22. the nomination just made? The Secretary will call the roll.

23. SECRETARY:

24. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,  
25. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,  
26. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,  
27. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,  
28. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,  
29. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,  
30. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,  
31. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,  
32. Walker, Weaver, Welsh, Wooten, Mr. President.

33. PRESIDENT:

1. ...Senator Bell.

2. SENATOR BELL:

3. ...How am I recorded.

4. PRESIDENT:

5. You are not recorded.

6. SENATOR BELL:

7. I vote aye.

8. PRESIDENT:

9. Senator Rock, seek recognition? Senator Rock.

10. SENATOR ROCK:

11. I just...wonder, Mr. President, one of our members is  
12. off the Floor and I know he wishes to be on this roll call  
13. I wonder if we might call the absentees and send a page for  
14. Senator Johns?

15. PRESIDENT:

16. Senator Vadalabene. Senator Vadalabene, aye. On that  
17. roll call, the yeas are 56. The nays are none and the  
18. nomination is advised and consented to. Senator Ozinga.

19. SENATOR OZINGA:

20. Now, Mr. President, again from the Governor's message  
21. of March the 6th, the report of the nomination of the Governor  
22. of Mr. Nolan B. Jones of Cairo, Illinois was a...acted upon  
23. to be Director of Personnel and I believe the whole Committee  
24. recognized the fact that we ran out of time there and I have  
25. been receiving a little bit of heat with reference to  
26. cutting some of our members off from interrogation of Mr...  
27. Jones, therefore, I would yield at this time to Senator  
28. Berning.

29. PRESIDENT:

30. Senator Berning.

31. SENATOR BERNING:

32. Thank you, Mr. President, as was stated we were up  
33. against a deadline for reconvening of the Body and necessarily

1. the Executive Committee Session had to be terminated  
2. summarily, therefore, the ex...continued interrogation and  
3. discussion with the candidate was no longer possible. I,  
4. therefore, at this time, Mr. President, would respectfully  
5. move that this nomination not at this time be accepted but  
6. that the matter of the nomination be recommitted to the  
7. Committee for the furtherance of testimony.

8. PRESIDENT:

9. The motion is to recommit the nomination of Nolan  
10. Jones to the Executive Committee. The motion is before the  
11. Body and the Chair recognizes Senator Partee.

12. SENATOR PARTEE:

13. I didn't hear everything that the Senator said, but I  
14. think the thrust of the remarks was that he didn't get  
15. enough of a chance to question the gentleman. Is that what...  
16. is th...is that wh...is that your reason? Well, the man sat  
17. there an awful long time and many of the questions that were  
18. asked were repetitive and recognizing, Senator, how innovative  
19. you are, I just really wonder what else could have been asked  
20. him that wasn't asked him...I...I think really if you had  
21. said in the Committee, you know, and made this kind of protest  
22. in the Committee about any inability to answer...ask questions  
23. or something that was one ball game, but the Chairman of this  
24. Committee has, in my opinion, tried as matter of fact I think  
25. he's gone above and beyond the call of duty in permitting a  
26. lot of questions which are extraneous, a lot of questions which  
27. do not relate to the subject matter under inquiry and Chairman  
28. Ozinga has been in this Committee a very fine Chairman...some  
29. other committees he used to have I didn't think he did such a  
30. good job. But he's done a very wonderful job here...with  
31. this Committee, he's learned a lot over the years and...I...I  
32. think really you do a disservice to the person who is...seeking  
33. now to be advise and consented to...have a vote go out and then



1. have it brought back to this Committee...I think certainly  
2. ...if there are any other questions that you want to know  
3. you could even ask the gentleman or I'll make him available  
4. to you, but we ought to vote on this today I,...I think it's  
5. ...we finally find ourselves saying to people who want to  
6. give public service that it's not really worth it, because  
7. you are going to be subjected to a lot of harrassment and  
8. unnecessary harrassment I...I...I move that...this motion  
9. lay on the Table.

10. PRESIDENT:

11. Senator Partee has moved to Table the motion to recommit.  
12. On that...the...the motion to Table is not debatable. On the  
13. motion to Table all in favor signify by saying aye. Contrary  
14. nay. The motion fails and we return to the main motion.  
15. Senator Keegan, for what purpose do you arise?

16. SENATOR KEEGAN:

17. I would like to explain my vote, if possible.

18. PRESIDENT:

19. Well, a roll call has been requested on the motion to  
20. Table...you may explain when you are reached in the roll call.  
21. The motion before the Senate is to Table the motion to recom-  
22. mit.

23. SECRETARY:

24. Bart...Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,  
25. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,  
26. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,  
27. Hynes, Johns, Keegan, Knuepfer, Knuppel.

28. PRESIDENT:

29. Proceed with the roll call.

30. SECRETARY:

31. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,  
32. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,  
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein

1. PRESIDENT:

2. Before the Chair announces the roll call, I want to  
3. explain that on the motion to table our Rules, do not per-  
4. mit vote explanation, but on the main Motion, the Motion to  
5. recommit it is debatable and our Rules permit the opportunity  
6. for Senators to explain their vote on that roll call. On  
7. this motion, the motion to Table the yeas are 28. The  
8. nays are 29 and the motion fails. We now revert to the  
9. main motion which is to recommit the nomination of Nolan  
10. Jones for Director of Personnel to the Executive Committee.  
11. Senator Partee.

12. SENATOR PARTEE:

13. I have a parliamentary inquiry, how many votes is re-  
14. quired to recommit?

15. PRESIDENT:

16. A majority of those voting.

17. SENATOR PARTEE:

18. That's an exception I think, sir, I think you'll find that  
19. it's 30 votes.

20. PRESIDENT:

21. Well, I have been advised that our Rules provide on Page  
22. 143 of Roberts when 141...that a majority of those voting on  
23. the question is the element needed to carry this motion. Rule  
24. 13 on page 141, Sen...Senator Partee.

25. SENATOR PARTEE:

26. By knowing and recognizing that you two have a passion  
27. for consistency, I would just bring to your attention...under  
28. the old Rule 13, which is Rule 11, as we have structured them  
29. into temporary rules there is this language: Bill or Reso-  
30. lution referred to a committee and not set for hearing with-  
31. in 60 days of assignment shall be reported from the Committee  
32. with recommendation, do...Do Not Pass, at which time a lesser  
33. motion to recommitted is made supported by majority vote of the members

1. elected, such Bill or Resolution shall be considered finally  
2. Tabled and stricken. Now, I'm only saying this, where it  
3. is a majority of those elected, under those circumstances, to...  
4. be consistent we're talking about a Bill or Resolution, it  
5. takes 30 votes to recommit it. Now, why should any other kind  
6. of motion be any different if we're going to be consistent?

7. PRESIDENT:

8. Well, Senator, I'm not in a position to respond to the  
9. rationale of that Rule, but would only observe that that is a  
10. qualified Rule operative on Bills and Resolutions that have  
11. not been acted upon in 60 days, and that is a narrow operation  
12. of that circumstance. In other words, it provides for the  
13. majority requirement of the members elected of what has been  
14. reported to the Senate. In the case of Rules...I'm...I'm sorry,  
15. in the case of Resolutions and Bills that have reached the  
16. Senate Floor as a result of the operation of the 60 day rule.  
17. And in that case, the Senate is provided in its temporary  
18. Rules for an extraordinary provision. But in the connection with  
19. the simple question of recommitting it is clear from the Chair's  
20. position that a majority of those voting on the questions,  
21. we are not dealing with the elements involved in the 60 day  
22. Rule as operates specifically on Resolutions and Bills. But  
23. we are dealing with a simple motion to recommit a nomination...  
24. Senator ParTEE.

25. SENATOR PARTEE:

26. I'm not going to belabor this, I...have the practicality  
27. of observation to know that if we prevail on this Motion for  
28. either a technical or a nontechnical reason, this gentleman must  
29. still have 30 votes to be confirmed, I'm aware of that, so if  
30. it means...he is to be brought back for additional questioning,  
31. I hope that it is being brought back for the purpose of actually  
32. seeking information rather to embarrass or harass the gentle-  
33. man, because if you are not going to confirm him as the rumor

1. has come to me, I would hope that you would be straightfor-  
2. ward enough to say it now and to not exercise or practice  
3. deviousness to bring it back and have him come back and ask  
4. a lot of questions and then dump him. If you're going to do  
5. it, do it now and look him in the eye and say we did it.

6. PRESIDENT:

7. Is there further discussion? The Senate...the Secretary  
8. will call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce.

11. PRESIDENT:

12. Senator Bruce.

13. SENATOR BRUCE:

14. Yes, Mr. President, I'm sure all of us have sat in Com-  
15. mittee and had a difficult time asking all the questions we  
16. wish. We sat in Appropriations Committee and had Comptroller  
17. Lindberg's Bill out for an additional one million dollars in  
18. something under 15 minutes. We then debated a bill to allow  
19. canoeist to go up the-down the Mississippi and up the Illinois  
20. in 40 minutes for 83 thousand dollars — perhaps our prior-  
21. ities were not appropriate...but on Mr. Jones, I' not a  
22. member of that Committe, I'm sure Senator Berning...did not  
23. have enough time to question, we never do. It seems to me  
24. we're playing with a very important appointment to the Department  
25. of Personnel, the gentleman is over there today. He's doing  
26. his job, it seems to me that if there are questions, the  
27. gentleman could ask Mr. Jones, I'm sure he's available at  
28. anytime to answer any questions. I don't believe it should  
29. be recommitted, frankly, I've watched the Executive Committee  
30. in operation, they have a lot of work to do. I don't think that  
31. they want to recommit an appointment they've already con-  
32. sidered. For that reason I vote no on a motion to recommit.

33. SECRETARY:

1. Buzbee, Carroll, Chew, Clarke, Conolly, Course, Daley,  
2. Davidson, Donnewald, Dougherty, Fawell, Glass, Graham, Harber  
3. Hall, Kenneth Hall, Hynes, Johns, Keegan.

4. PRESIDENT:

5. Senator Keegan.

6. SENATOR KEEGAN:

7. ...Mr. President, and gentlemen, I'm di...I'm dismayed by  
8. what's taking place today. I thought yesterday in the Exec-  
9. utive Committee that Chairman Ozinga insisted on staying to  
10. the point and allowing ample time for questioning...the...  
11. gentleman who is before you today for consideration has been  
12. in Springfield, he has been functioning as Director of the Depart-  
13. ment Personnel since early in this administration. He has given  
14. ample evidence as to his abilitites, his integrities, his capabili-  
15. ties or otherwise as you determine. I do implore you...to respect  
16. the position which the Executive Committee took yesterday and  
17. may I ask, Mr. President, if...Senator Ozinga would tell me  
18. again because I left my file in the office the vote which..by which  
19. the name was sent to us. Do you recall the vote of the Commit-  
20. tee on this nomination? It was not unanimous nor do I  
21. think any vote yesterday was unanimous except perhaps my good  
22. friend Lucy Ruems...but do we have any record of the vote yester-  
23. day? Nevertheless, it was a fairly persuasive majority of the  
24. Committee as I recall it, because it was with relief and appre-  
25. ciation that...I...I heard that vote and with which I turned  
26. to Mr. Jones with my congratulation...I, I think this is de-  
27. plorable to, to...afford those of us who are interested in a  
28. nomination the...assurance...perhaps I'm learning a false as-  
29. surance...that...the Committee is standing behind its recom-  
30. mendation and I would vote a very resounding and a very forceful  
31. no to this motion. Thank you.

32. SECRETARY:

33. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,

1. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,  
2. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,  
3. Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,  
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,  
5. Welsh, Wooten, Mr. President.

6. PRESIDENT:

7. On the motion to recommit the yeas are 29. The nays are  
8. 28. The motion is carried and the nomination of Mr. Jones is  
9. recommitted to the Executive Committee. Senator Ozinga.

10. SENATOR OZINGA:

11. Now, Mr. Chairman, I would now move that the Senate do  
12. arise, however, I would seek your attention and directed to  
13. Senator Vadalabene who has sought your recognition on this  
14. motion or House Joint Resolution 22, which I think is relevant  
15. to the Executive Committee and I have no objections to it,  
16. however, I don't think it's proper for the Executive Session  
17. at this time. Therefore, I would move that the Senate do now  
18. arise.

19. PRESIDENT:

20. The motion is that the Senate arise from Executive Ses-  
21. sion. Senator Johns, do you wish to speak to that motion?

22. SENATOR JOHNS:

23. No, Mr. President, I was...

24. PRESIDENT:

25. For it.

26. SENATOR JOHNS:

27. Rising on a point of personal privilege.

28. PRESIDENT:

29. Well, let's deal with that motion and then I'll recognize...

30. SENATOR JOHNS:

31. Well, it...has a veric-which just transpired. I just ask...

32. PRESIDENT:

33. Proceed, proceed.

1. SENATOR JOHNS:

2. I just ask leave of the Body, I had to step off the  
3. Floor for a moment, and I was unable to vote for my good  
4. friend Dean Barringer and I ask leave of the Body to be  
5. admitted to the roll call.

6. PRESIDENT:

7. Senator Johns seeks unanimous...yeah...

8. SENATOR JOHNS:

9. Would that be all right and also Dawn Netsch? Okay.

10. PRESIDENT:

11. For what purpose does Senator Bruce arise?

12. SENATOR BRUCE:

13. Well, Mr. President, I've been in that situation and I  
14. believe Paul Simon, when he was Presiding Officer took the rule  
15. that if you were off the Floor on official business, and your  
16. vote would not change the outcome that if you sought unanimous  
17. consent of the Body you could be recorded if you were off on  
18. official business.

19. PRESIDENT:

20. ...Senator Vadalabene.

21. SENATOR VADALABENE:

22. Are we out of Executive Session, Mr. President.

23. PRESIDENT:

24. We have not dealt with that motion, no. Is there further  
25. comment on Senator Ozinga's motion to arise from Executive  
26. Session? All in favor signify by saying aye. Contrary nay.  
27. The motion is carried. Senator Vadalabene.

28. SENATOR VADALABENE:

29. ...Thank you, Mr. President and members of the Senate,  
30. House Joint Resolution 22...a few minutes earlier was sent  
31. to the Executive Committee and I would like at this time  
32. to make a motion that House Joint Resolution 22 with the sus-  
33. pension of the Rules and the immediate consideration and adoption

1. of this Resolution, that the Executive Committee be dischar-  
2. ged from House Joint Resolution 22. Yes. This...suspend  
3. the Rules and discharge the Committee, on House Joint Reso-  
4. lution 22.

5. PRESIDENT:

6. The motion is, discharge the Committee on Executive from  
7. further consideration of House Joint Resolution...22. All in,  
8. Senator Graham. Senator Graham. All in favor of the motion  
9. to discharge signify by saying aye. Contrary nay. The motion  
10. is carried. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Thank you, Mr. President, I would now like at this time  
13. to have House Joint Resolution 22 adopted.

14. PRESIDENT:

15. The motion is...Senator, would you explain the Joint  
16. Resolution?

17. SENATOR VADALABNE:

18. Yes, Mr. President, what it does is it actually maintains  
19. the name of Veterans's Bridge from and...from Poplar Street  
20. Bridge. This is a memorial...memorialized bridge in honor of  
21. the veterans and the American Legion would like to see the name  
22. of the Veterans' Bridge maintained.

23. PRESIDENT:

24. Is there further discussion? The motion is to suspend  
25. the Rules for the immediate consideration of the House Joint  
26. Resolution. All in favor signify by saying aye. Contrary nay.  
27. The motion is carried. On the motion to adopt all in favor  
28. signify by saying aye. Contrary nay. And the Resolution is  
29. concurred in. We have...a message that the House has recessed  
30. in order for the Committee of Conference to proceed with the con-  
31. sideration of House Bill 89. Senator Partee, do you wish  
32. to move in connection with the consideration of House Bill 89?

33. SENATOR PARTEE:



1. ...Yes, Mr. President, I would move that we recess until 1:45  
2. which would give us a little more than an hour because the  
3. Committee has to meet again to finalize the document and I  
4. would assume that shortly thereafter, and I'm only saying this  
5. now so that the membership can be advised what will take  
6. place shortly after that period...I would assume you would  
7. have a caucus and we would have a caucus at 1:45.

8. PRESIDENT:

9. I would suggest that...are you suggesting the caucus  
10. at 1:45?

11. SENATOR PARTEE:

12. Well, I thought maybe we would have the caucus before  
13. we came in, you see, and then come in.

14. PRESIDENT:

15. All right, let's...why don't we recess until 2 and sched-  
16. ule the caucuses for 1:30?

17. SENATOR PARTEE:

18. Fine.

19. PRESIDENT:

20. And...I think...within the practical tolerances that  
21. might otherwise resolve.

22. SENATOR PARTEE:

23. Fine. So then, we'll be back on the Floor at 2 and the  
24. caucus, the Democratic caucuses will be in the same room at 1:30.

25. PRESIDENT:

26. And...Senator...Weaver, I'm not preempting you but...  
27. just...I, I will take the liberty to suggest that the Repub-  
28. licans will caucus at 1:30 in M-1 and the Senate then stands  
29. in recess until 2 p. m.

30. AFTER THE RECESS

31. PRESIDENT:

32. Senator Conolly, would you come to the podium, please?  
33. Senator Soper.

1. SENATOR SOPER:

2. Mr. President, members of the Senate, I wish you'd...  
3. listen a little bit. The...Committee on Local Government  
4. the hearings were cancelled today. All Bills will be reset  
5. for hearing next week, Thursday, usual time.

6. PRESIDENT:

7. Senator Mohr.

8. SENATOR MOHR:

9. Mr. President, members of the Senate...yesterday, we had  
10. a lengthy and uncomfortable meeting down in M-3 and there  
11. was some question raised as to finding another meeting room,  
12. and I would ask the two chairmen of the two committees that  
13. I'm going to mention now, namely Judiciary, we're going to  
14. change their meeting from 212 next week to the Senate Floor  
15. and the Appropriations Committee will move from M-3 to 212  
16. the times will be the same, 4:15. We would ask that when you're  
17. using the Chamber, one of the problems has been and the reason  
18. that we weren't going to use it this Session is that many  
19. of the...materials from Committees were left on members desks  
20. and mem...members...lost notes and items that were on their  
21. desks, so we're going to ask that you keep the lobbyist and  
22. those that are here to testify out of the Senators seats  
23. and desks and keep them along the sidewalls or...in the  
24. Senate gallery. We're going to try it this one week and  
25. see how it works out.

26. PRESIDENT:

27. Senator Mitchler.

28. SENATOR MITCHLER:

29. ...Mr. President, members of the Senate, the Senate Ind-  
30. ustry and Labor Committee which was scheduled for 2:15 this  
31. afternoon in Room a-1 in the State Office Building, we're going to  
32. cancel and postpone the two bills that we have, SB 109 and SB 205,  
33. and they will be heard Thursday, March 22, 2:15 p. m., Room A-1

1. in the Senate...and in the State Office Building.

2. PRESIDENT:

3. Senate...Senator Roe.

4. SENATOR ROE:

5. Mr. President...Public Welfare and Health and Corrections  
6. will meet immediately following in 212.

7. PRESIDENT:

8. Public Health and Welfare and Corrections will meet im-  
9. mediately following adjournment in Room 212. Senator Conolly.  
10. We will revert to the order of Resolutions.

11. SENATOR CONOLLY:

12. Mr. President, we have here a very important Joint Reso-  
13. lution that we'd like to have adopted today and I would move  
14. that we would...waive the appropriate Rules for a immediate  
15. adoption.

16. PRESIDENT:

17. The motion is to suspend the Rules for the immediate consid-  
18. eration of the adoption of the Resolution. All in favor of  
19. the motion signify, it's Senate Joint Resolution 25, all in  
20. favor of the motion to suspend signify by saying aye. Con-  
21. trary nay. The Rules are suspended for the immediate consid-  
22. eration of Senate Joint Resolution 25. Senator Conolly. For  
23. what purpose does Senator Walker arise? Senator Nimrod. For  
24. what purpose do you arise?

25. SENATOR NIMROD:

26. Mr. President, I would arise to make an announcement of  
27. concern to some of the Senators who were going to be leaving  
28. afterwards...

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. ...Yes, Sir. They were to attend the meeting in Brook-  
33. field...and...those Senators that were going to try to make

1. this dinner meeting, I have called and that dinner meeting  
2. is cancelled and will be rescheduled at another date, and  
3. they will be notified.

4. PRESIDENT:

5. Senator Conolly.

6. SENATOR CONOLLY:

7. There has been a copy distributed of this Senate Joint  
8. Resolution concerning the Mass Transit for Northeastern Il-  
9. linois...I think that since you all have it we can suspend  
10. the fact of having it read, but the motion for it saying is  
11. that it mandates the Transportation Study Commission to sub-  
12. mit to the General Assembly not later than May 15, 1973,  
13. legislation setting forth the permanent policy on Mass Tran...  
14. Transportation for the State of Illinois. This legislation  
15. shall establish a Regional Transportation Authority with  
16. taxing powers in Northeastern Illinois. I would like to state  
17. that this is a product of the Conference Committee that has  
18. been working on SB,,House Bill 89, this was unanimously agreed  
19. to by the members of the Conference Committee and therefore,  
20. I would ask the adoption of this Resolution by...the immed-  
21. iate adoption of this Resolution.

22. PRESIDENT:

23. Is there further discussion? A roll call has been re-  
24. quested. The Secretary will call the roll.

25. SECRETARY:

26. Bartu...Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,  
27. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,  
28. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,  
29. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,  
30. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,  
31. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,  
32. Regner, Rock, Roe, Romano, Sapersteion, Savickas, Schaffer,  
33. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,

1. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

2. PRESIDENT:

3. Senator Walker, aye. Merritt, aye. Bruce, aye. Knuppel

4. aye. Vadalabne, aye. On that roll call, the yeas are 48.

5. The nays are 7. The Joint Resolution having received a consti-

6. tutional majority is declared adopted. Senator Partee, House

7. Bill 89. For what purpose does Senator Sours seek recognition?

8. SENATOR SOURS:

9. Are we going through the calendar now, Mr. President?

10. PRESIDENT:

11. We are going to deal with the Conference Committee re-

12. port an...and then return to the cal...calendar. We will revert

13. to the order of Conference Committee reports.

14. SECRETARY:

15. To the Honorable...

16. PRESIDENT:

17. Yes. Senator. Proceed, Mr. Secretary.

18. SECRETARY:

19. To the Honorable \_\_\_\_\_ the Senate, the Speaker  
20. of the House of Representatives, we the undersigned Committee  
21. of Conference appointed to consider the differences between  
22. the two Houses in relation to House Bill 89 recommend that  
23. the Senate recede from Senate Amendments No. 1 and No. 2,  
24. and that House Bill 89 be further amended as follows: On  
25. page 1 by deleting lines 11 through 22 and inserting in lieu  
26. thereof the follow: Section 2, the Secretary of Transpor-  
27. tation shall make payment to the Chicago Transit Authority  
28. in the amount of Twelve Million, Six Hundred Thousand Dollars  
29. upon certification by the Chicago Transit Authority that units  
30. of local government has cause to deposit to the credit of the  
31. Chicago Transit Authority an amount equal to at least 50% of  
32. such payment. Payment to the Chicago Transit Authority pur-  
33. suant to this Section shall be used for operating expenses

1. as approved by the Secretary of Transportation, except they  
2. may not be used for debt service on revenue bonds. All funds  
3. provided under this Section shall not be subject to the terms  
4. of the Chicago Transit Authority revenue bond trust agree-  
5. ment, dated July 1, 1947, as amended. No such State funds may  
6. be used to pay for any increases in...any increase in wages  
7. or salaries negotiated after December 31, 1972, but does not  
8. include increases based upon extensions of contracts negoti-  
9. ated prior to January 1, 1973. And on page 2 line 23 in in-  
10. serting immediately before the period the following: Pro-  
11. vided that only carriers in existence before January 1, 1973,  
12. or their successors shall be eligible for payments pursuant  
13. to this Section. And on page 3 line 9, by inserting immedi-  
14. ately before and the following: Shall not be increased.  
15. And on page 4 by inserting between lines 7 and 8 the follow-  
16. ing: Section 7, any carrier receiving grants under Sections  
17. 2, 3, and 4 shall make available to the Secretary of Trans-  
18. portation all audit and unaudit financial statements. The  
19. Secretary shall have unlimited access to the accounts, books,  
20. records and other financial documents of the carriers in  
21. making approval of the grants provided for in this Act. And  
22. in line 8 by deleting 7 and inserting in lieu thereof 8, line  
23. 15 by deleting 8 and inserting in lieu thereof 9, and by in-  
24. serting after line 16 the following: Section 10, if a  
25. grantee under Section 2 does not have an operating deficit  
26. as determined by the Secretary of Transportation for the  
27. period July 1, 1973 through June 30, 1973 including as rev-  
28. enue its grant from the State and units of local government the  
29. grantee shall repay to the State and to the granting local  
30. government units the amount by which it does not have in  
31. operating deficit, except that such repayments shall not ex-  
32. ceed the amount of the grant. Repayment under this Section  
33. shall be made in the same proportion as the grants provided

1. for by Section 2. Section 11, this Act is repealed July 1,  
2. 1973 and is signed by the members of the Conference Com-  
3. mittee.

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. Senator Partee and gentlemen, let's have a little quiet  
6. and accord Senator Partee the courtesy he deserves in this  
7. presentation.

8. SENATOR PARTEE:

9. This report, this Conference report, is a work product  
10. of people from both Houses of the Legislature who have worked  
11. rather diligently in trying to solve a very sticky problem.  
12. I think it is sort of foolhardy to start discussing this when  
13. it's obvious to me that all of you have discussed it in your  
14. individual caucuses and have formulated your notions and opin-  
15. ions on how you're going to vote on the adoption of this con-  
16. ference report. Sufficed to say that it does represent  
17. what is, I think, a fair kind of approach for all Sections of  
18. the State and sets in motion what is to be a permanent kind  
19. of solution for this problem. Concomitant with this program  
20. is the Resolution which was just adopted which sets forth in  
21. rather clear, concise language the intention of this Legisla-  
22. ture from both sides of the aisle from leadership at all  
23. levels what our program is to be in the years to come. I  
24. would suggest and ask that you support this Conference report.  
25. It has all ready been adopted by the House and the quicker  
26. we do it the quicker we will be able to dis...dispense with  
27. the rest of our business for this week.

28. PRESIDING OFFICER: (SENATOR GRAHAM)

29. Senator Harris.

30. SENATOR HARRIS:

31. Well, I don't want to belabor the point except just to add  
32. my affirmation of the comments that Senator Partee has made  
33. and I would urge this Body to adopt the Conference Committee

1. report. It's the product of a lot of work and...some assur-  
2. ances...I want to make very clear here now that in connection  
3. with the Resolution that has been adopted, which is a part of  
4. this total product, that the joint leadership, Representative  
5. Choate, Speaker Blair, Senator Partee and I, have directed the  
6. questions to each other in regard to our conscientious efforts  
7. to enact before June 30, legislation that will structure a  
8. permanent policy of Mass Transportation Assistance for Illinois.  
9. And legislation which will create or establish, whatever word  
10. you might wish to choose, a Regional Transit Authority for  
11. Northeastern Illinois. We purposely have not delineated pre-  
12. cisely the six county area. Our discussions have applied along  
13. those lines, but that kind of definitiveness is not prudent  
14. to become involved with it at that time...at this time, I think  
15. it is accurate and fair and I will direct this question to  
16. Senator Partee, if it is not a fact that in our discussions  
17. the point was made that the influence of the Mayor of the  
18. City of Chicago, the influence of the Governor, the influence  
19. and the skills and the resources of the Department of Trans-  
20. portation and the influence of the 4 leaders that I identify  
21. have not been committed to this responsibility, is that not  
22. descriptive of our discussions, Senator Partee?

23. PRESIDING OFFICER: (SENATOR GRAHAM)

24. Senator Partee.

25. SENATOR PARTEE:

26. It is absolutely so.

27. SENATOR HARRIS:

28. I wish to reassure not only this Body, but the public  
29. being served here by the media that this agreement which is...  
30. which has in its beginning the implementation of the solution  
31. to the first part of our Mass Transit concern the immediate  
32. cash crisis, is clearly predicated on our dedication to re-  
33. solving the other two significant elements, which I have



1. alluded to here now, namely, a permanent policy for the State  
2. on this issue and the structure of a Regional Transit Authority  
3. for Northeastern Illinois. I don't want to de...delay this...  
4. matter the...this decision further, but I would suggest that  
5. if there is any member that has a question, that wants to  
6. be reassured on any doubt that they might have of what is before  
7. us, we are embarking on a significant step and I would invite  
8. or call attention to the opportunity for any member to satis-  
9. fy himself about this important decision prior to the roll  
10. call.

11. PRESIDING OFFICER: SENATOR GRAHAM)

12. Senator Partee.

13. SENATOR PARTEE:

14. Just before the roll call, I...I don't know if I mentioned  
15. it, but I think implicit in my motion for the adoption is also,  
16. a request for unanimous consent to waive the terms of our Rule  
17. 56, which would and I read it, cause us to keep this on the Sec-  
18. retary's desk for 3 days, prior to our ability to pass it. So  
19. my motion is to...for unanimous consent to consider this, for  
20. the waiver of the Rules, to consider it today and to adopt it.

21. PRESIDING OFFICER: (SENATOR GRAHAM)

22. Gentlemen, you have heard the motion, ladies and gentle-  
23. men, all in favor of the adoption of the motion will signify  
24. by saying aye. Opposed? The ayes have it and the motion is  
25. adopted. There has been a request for a roll call, the Sec-  
26. retary will call the roll of the members present. On the adoption  
27. of the Conference Committee report which in fact is a passage of a  
28. bill in its final stage creating or eliminating this possible  
29. transportation crisis in Illinois as explained by Senator  
30. Harris. This in fact is a passage of a Bill. Secretary will  
31. call the roll.

32. SECRETARY:

33. Bartulis, Bell,...

1. PRESIDING OFFICER: (SENATOR GRAHAM)

2. Senator Bartulis, I'm sorry, sir.

3. SENATOR BARTULIS:

4. I know it's getting late and I would like to explain  
5. my vote. I was just talking to one of the older Senators  
6. here and he says since 1960...CTA has been down here every  
7. year, only this year it's just a little earlier. I may  
8. agree with this Resolution, I think you...you people are  
9. on the right track for a Mass Transit in Northeast Illinois.  
10. But my objection is to receding Amendment No. 2 on House  
11. Bill 89, which are...is going to throw another 500,000 dollars  
12. down the drain in either East St. Louis or St. Louis, I don't  
13. know what drain they use. But let me tell you ladies and  
14. gentlemen of the Senate, if we just keep doing this, this  
15. is taxpayers dollars whether it's Souther Illinois, Eastern  
16. Illinois or Northern Illinois. I think we should take just  
17. a little more time, I know they're in a hurry for their  
18. money, but I'm just one of many, so I'm going to vote no.

19. PRESIDING OFFICER: (SENATOR GRAHAM)

20. Senator votes no. Continue with the roll call.

21. SECRETARY:

22. Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke,  
23. Conolly, Course, Daley, Davidson, Donnewald, Dougherty, Fawell,  
24. Glass, Graham, Harber Hall, Kenneth Hall...

25. PRESIDING OFFICER: (SENATOR GRAHAM)

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. Let the record be perfectly clear today, the General  
29. Assembly is establishing a precedent that is never done  
30. before. In voting no, I have to ask the Chicago Transit Author-  
31. ity and those who promote this measure, why did Champaign-  
32. Urbana tax itself to support their transit district. Why  
33. did greater Peoria Mass Transit district tax themselves, the people

1. in that district to support that district? Why Rock Island  
2. County Metro System? Why Springfield's Mass Transit district?  
3. Why do all of us tax ourselves in districts where we need  
4. services, because that is the way we've always done it in  
5. this State and we should be doing it now. I vote no.

6. SECRETARY:

7. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel,  
8. Kosinski, Latherow, McBroom, McCarthy, Merritt,

9. PRESIDING OFFICER: (SENATOR GRAHAM)

10. Senator Merritt.

11. SENATOR MERRITT:

12. Mr. President, ladies and gentlemen of the Senate, I  
13. know it perhaps sounds like a broken record, my area is hurt-  
14. ing for this type of thing, too. And I just say for this re-  
15. peal day of June 30 is just like giving another pill to  
16. a sick and dying man and before we can hardly get adjourned  
17. out of this Body, we'll be back here to do it again. I'm  
18. entirely in agreement with the Resolution we passed here  
19. today, the concept of the Mass Transit Northeastern area,  
20. I think that's what has to be done and the tax burden has  
21. to be placed uniformly upon those people. But that can  
22. never be structured and put into operation by any stretch  
23. of the imagination within several months after passage  
24. even. Maybe even a year or longer. Well, what's going to  
25. keep the CTA going again? They'll just be down here asking  
26. for more and more and more, and the people of my rural dis-  
27. trict are sick and tired and fed up with it. I must vote  
28. no.

29. SECRETARY:

30. Mitchler...

31. PRESIDING OFFICER: (SENATOR GRAHAM)

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Senator Tom Merritt you are so right, because what  
2. we are doing here today, this is what the Body wants to  
3. do, I'll guess that's what we'll do, is giving a slightly  
4. under 18 million dollars...that's going to carry a defunct  
5. transit system through until July 1 and we sort of cushioned  
6. it. Well, look here fellas and gals we passed a Resolution  
7. that...shows that we are going to have something presented  
8. to us here during the Session that we can look at. As I  
9. read the Resolution that we just adopted it...the big resolve  
10. clause is that the Transportation Study Commission is man-  
11. dated to prepare and submit to the General Assembly not  
12. later than May 15, 1973, which if they get it to us on that  
13. date according to the mandate we'll have a month and a half  
14. to look it over, but they're mandated to have legislation  
15. setting forth a permanent public policy on mass transportation  
16. for the State of Illinois. Well, now, that's not hard to  
17. construct something to present to the General Assembly. But  
18. you know and I know, that in that month and a half when we have  
19. many other important things to think about we're not going  
20. to get the job done and get it passed. So what's going to  
21. happen is exactly what Senator Tom Merritt just said. We'll  
22. be voting another subsidy to the CTA and those that haven't  
23. properly run their transit systems on July 1 to cover them  
24. for another 5 or 6 months then come back in Special Session  
25. and on and on and on. I vote no.

26. SECRETARY:

27. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,  
28. PRESIDING OFFICER (SENATOR GRAHAM)

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, this is indeed a significant day we are  
32. meeting a crisis, at the same time I want to say that in cast-  
33. ing my vote of aye I would like to say that I think this is

1. a great credit to this Senate and of course to the House  
2. if they reach an agreement to go ahead and proceed with the  
3. district that is going to be called for the Northeast  
4. part of the State.

5. SECRETARY:

6. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,  
7. Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro,  
8. Smith, Sommer, Soper, Sours,

9. PRESIDING OFFICER: (SENATOR GRAHAM)

10. Senator Sours.

11. SENATOR SOURS:

12. I assured some of my dear friends on this side, Mr.  
13. President, ladies and gentlemen of the Senate, that I would  
14. say...nothing during...before roll call and be very brief  
15. in explaining my vote. There's a lot of work to be done  
16. and I'm trying to address the other side with these comments  
17. the...the Conference Report specifically refers to some kind  
18. of a transit district with tax levying powers. Now, I'm a  
19. pessimist, I think before we're done we're going to have just a  
20. plethora of taxes of all varieties and all descriptions  
21. touching everyone except the users. I hope that does event-  
22. ualize. I vote no.

23. SECRETARY:

24. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,  
25. Mr. President.

26. PRESIDING OFFICER: (SENATOR GRAHAM)

27. Mr. Sec...how am I recorded in? Vote me present. On this ques-  
28. tion, the yeas are 38. The nays are 17. And one voting present.  
29. The Bill having received the constitutional required majority  
30. is therefore declared passed. The Conference Committee report  
31. ready? For what purpose does Senator Harris arise?

32. SENATOR HARRIS:

33. Mr. President, I want to make an observation now that in

1. the Bill that is just been...well...does anyone wish to put  
2. the motion to reconsider...I...all right:

3. PRESIDING OFFICER: (SENATOR GRAHAM)

4. Senator Rock, moves that the vote by which the Resolution  
5. the Conference Committee report was adopted be reconsidered and  
6. Senator Welsh moves to Table Senator Rock's motion. All in  
7. favor of the motion to Table signify by saying aye...opposed,  
8. no. The ayes have it and the motion does not prevail. Motion  
9. to Table prevailed, yes, Senator Harris.

10. SENATOR HARRIS:

11. Mr. President, I wish to make clear to the members of  
12. this side that in the Bill that has just been passed, there  
13. is, I believe, Section 7, establishing demonstration mass  
14. transportation projects. Senator Donnewald has a series of  
15. three bills implementing that. There is agreement that two  
16. of them should be considered now which are in fact, non-  
17. controversial bills. One empowering County Boards to esta-  
18. blish demonstration projects and the other to empower school  
19. boards to lease their equipment for this purpose. I did not  
20. have an opportunity to make this information known to the  
21. Republican caucus, and I want to make it clear to this side  
22. now that we should in consideration of this program before  
23. us revert to the order of Senate Bills on 3rd reading and  
24. permit Senator Donnewald to proceed with the 2 noncontroversial  
25. bills. We need these bills as implementation of the Section  
26. in House Bill 89 that has been adopted. The Bill on which  
27. there is controversy that would change the State's partici-  
28. pation in pupil transportation subsidy is not included in the  
29. program to implement House Bill 89. Senator Donnewald and  
30. Senator Partee have acknowledged that that question would not  
31. proceed at this time, if at all, there's no commitment on  
32. that one way or the other, but it is excluded from our consid-  
33. eration at that point, at this point.

PRESIDING OFFICER: (SENATOR GRAHAM)

1. Senator Donnewald.

2. SENATOR DONNEWALD:

3. ...Yes, Mr. President...I want to thank President Harris  
4. for...making my speech on both bills. The only thing I want to  
5. add the...this is implementing...HB80, the...there is a million  
6. dollars in that for these two...two particular bills which are  
7. called Rural Transportation Assistant Act. I think he's explained  
8. it very well and I would solicit your support.

9. PRESIDING OFFICER: (SENATOR GRAHAM)

10. The Chair...the Chair might observe that if you have a  
11. noncontroversial bill, Senator, it'll be the second one I've ever  
12. known you to have...the roll call will be had. Senator Harris.

13. On what bill?

14. SENATOR HARRIS:

15. Perhaps the Chair should...

16. PRESIDING OFFICER: (SENATOR GRAHAM)

17. 177

18. SENATOR HARRIS:

19. ...Announce the reversion to the order of Senate Bills 3rd.

20. PRESIDING OFFICER: (SENATOR GRAHAM)

21. I think that would be a good idea. That the order of  
22. business now before the Senate will be Senate Bills on 3rd  
23. Reading and we will proceed on a roll call on SB1. Secretary  
24. will read SB 177. Now, we're getting...now we're getting with it.

25. SECRETARY:

26. SB 177 (Secretary reads title of bill)

27. 3rd Reading of the bill.

28. PRESIDING OFFICER: (SENATOR GRAHAM)

29. Heard the bill read. A roll call has been requested. You  
30. will proceed with the roll.

31. SECRETARY:

32. Bart...

33. PRESIDING OFFICER: (SENATOR GRAHAM)

1. We will take them one at a time, sir.

2. SECRETARY:

3. Bartulis, Bell, Berning,

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. Senator Berning.

6. SENATOR BERNING:

7. May I ask...may I ask the sponsor a question...I obviously  
8. was caught unaware as we were going to address ourselves to these  
9. two bills right away. 177 and in just looking at the digest says...  
10. the Department of Transportation...shall make...100% of operating  
11. expenses available to the count. Now, where does this money come  
12. from, General Revenue or is this out of...Motor Fuel Tax or what?

13. PRESIDING OFFICER: (SENATOR GRAHAM)

14. Are you asking the Chair or Senator Donnewald?

15. SENATOR BERNING:

16. Senator Donnewald.

17. PRESIDING OFFICER: (SENATOR GRAHAM)

18. Senator Donnewald.

19. SENATOR DONNEWALD:

20. Yes...Mr. President in response...yes, this does come from  
21. General Revenue and it's a sum of one million dollars.

22. PRESIDING OFFICER: (SENATOR GRAHAM)

23. Proceed to the roll.

24. SECRETARY:

25. Bruce, Buzbee, Carroll, Chew, Clarke, Conolly, Course,  
26. Daley, Davidson, Donnewald, Dougherty, Fawell, Glass, Graham,  
27. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,  
28. Knuppel, Kosinski, Latherow, McBroom...

29. PRESIDING OFFICER: (SENATOR GRAHAM)

30. Sen...Senator Latherow.

31. SENATOR LATHEROW:

32. Mr. President, I thought I was trying to get on prior to  
33. the roll call. I had a couple of questions I'd like to



ask if it's permissible.

1. PRESIDING OFFICER: (SENATOR GRAHAM)

2. ...You have the Floor, Senator. You've been recognized.

3. SENATOR LATHEROW:

4. Senator Donnewald...are we supplying in here free transportation  
5. for children under 16 years of age?

6. PRESIDING OFFICER: (SENATOR GRAHAM)

7. Senator Donnewald. Get his light on.

8. SENATOR DONNEWALD:

9. In response...Senator, yes, the State reimburses 100% of  
10. all operating cost and...and the establishment of free bus  
11. routes for persons over 62 and persons under 16.

12. PRESIDING OFFICER: (SENATOR GRAHAM)

13. Sen...Senator Latherow.

14. SENATOR LATHEROW:

15. Then it will be no longer necessary for school districts  
16. to furnish transportation for those people under 16 years of  
17. age.

18. SENATOR DONNEWALD:

19. Well, of course, there's only a million dollars appropriated  
20. for this state-wide.

21. PRESIDING OFFICER: (SENATOR GRAHAM)

22. Senator Latherow.

23. SENATOR LATHEROW:

24. The question I have then why don't the school districts  
25. then and in all possibilities sell all their buses and then hire  
26. them to haul those from 16 and over...or over 16?

27. PRESIDING OFFICER: SENATOR GRAHAM)

28. Senator Donnewald.

29. SENATOR DONNEWALD:

30. I didn't get it. Would you repeat that?

31. SENATOR LATHEROW:

32. Well, are you going to haul all them...all of them under 16  
33. years of age; 16 and under for nothing.

1. SENATOR DONNEWALD:

2. Well this is an experiment, Senator really it's...

3. SENATOR LATHEROW:

4. I'd...I'd say that's a great experiment I...we've had  
5. a lot of that in the school business, hauling them under 16  
6. you get a lot of good out of them. And so why not...in the case  
7. we have here we can do away with the...authorities we are  
8. given and the money was granted to haul school children and  
9. so on that the district won't need to tax to haul school children  
10. anymore other than those 17, 19 and over. According to the way  
11. I see in this bill, because you're hauling them all under 16  
12. free,..16 and under free.

13. SENATOR DONNEWALD:

14. I'd...the bill of course provides those persons over...pay  
15. 20 cents per ride.

16. SENATOR LATHEROW:

17. That's exactly what I'm saying. You're hauling...you're  
18. hauling all of them under 16 and under for nothing.

19. SENATOR DONNEWALD:

20. That's correct.

21. SENATOR LATHEROW:

22. Okay. I vote no, Mr. President.

23. SECRETARY:

24. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don  
25. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,  
26. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,  
27. Scholl, Shapiro, Smith, Sommer, Soper, Sours...

28. PRESIDING OFFICER: (SENATOR GRAHAM)

29. Senator Sours for what purpose do you arise?

30. SENATOR SOURS:

31. I'd like to ask a question I couldn't get it in a while ago  
32. to Senator Donnewald. If he'll yield. Senator will...will this...  
33. the enactment of this bill compel the Peoria Transit District

1. to haul these under 16 gratuitously? Well, if it does it'll...  
2. it'll bust...it'll...it'll...it'll...it'll...it'll...break the  
3. Peoria Transit District I can tell you that. Well, Mr. President...

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. Yes, Senator Sours.

6. SENATOR SOURS:

7. I...I would like...I'd like to make this suggestion.

8. PRESIDING OFFICER: (SENATOR GRAHAM)

9. Please ladies and gentlemen.

10. SENATOR SOURS:

11. I...I think Mr. President, ladies and gentlemen of the  
12. Senate that we're making a...an egregious error here today by  
13. all this rush. Now, I think we got the principal...patient  
14. hospitalized now where he can get proper treatment; that's  
15. the CTA and the people in Chicago, But, a bill like this which  
16. will have universal effect from the Wisconsin line down to  
17. Cairo, if that is true the question I just asked, that will bust  
18. the Peoria District. And I can promise you that with no  
19. reluctance at all. That's going to happen if it has to do it.  
20. And if you make a discretion area, of course, the bill is without  
21. any effect.

22. PRESIDING OFFICER: (SENATOR GRAHAM)

23. For what purpose does Senator Harber Hall arise?

24. HARBER HALL:

25. For...for the purpose Mr. President of echoing my colleagues  
26. sentiments...and...either changing my vote or...suggesting that  
27. this be held if the sponsor would hold it...until Tuesday of next  
28. week. If not I would like to...change my vote.

29. PRESIDING OFFICER: (SENATOR GRAHAM)

30. First we will need to find out how the Senator from Peoria  
31. voted.

32. SENATOR SOURS:

33. I want an answer. I'd like to know if it is incumbent on  
the Peoria Transit District to haul everybody under 16 years old

1. free.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Donnewald can you answer the question?

4. SENATOR DONNEWALD:

5. I've been trying to get the air and I wanted to respond  
6. to the Senator. No County Board shall be reimbursed for  
7. operations which interferes or is in competition with existing  
8. private or public areas.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Partee I think your caucus is interfering with  
11. Senator Donnewalds ability to hear what's going on. Senator  
12. Sours are you...?

13. SENATOR SOURS:

14. I vote no because I...I think that's going to be the  
15. end of any district...Transit District now in operation if it  
16. has to take them and I think it does.

17. SECRETARY:

18. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,  
19. Mr. President.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. For what purpose does Senator Berning seek recognition?  
22. We have some confusion so I'm going to recognize some of the  
23. Senators in their turn. Senator Berning.

24. SENATOR BERNING:

25. Mr. President, thank you. I want to explain my vote.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. First of all are you recorded Senator?

28. SENATOR BERNING:

29. No...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. That would be the first inquiry. He is not recorded. You  
32. may explain your vote.

33. SENATOR BERNING:

I've been told that this measure will cost a million dollars

1. and I don't see any figure anywhere nor do I see a supplemental  
2. bill that carries the appropriation. So that in the first  
3. place leaves me with many questions concerning this. Secondly  
4. in...in looking at this bill I realize that it is an integral  
5. part of a package that takes in Senate Bill 178. And when you  
6. look briefly at SB 178, you realize immediately that here is  
7. provision for the counties for the school boards to divest  
8. themselves of their responsibilities for operating their  
9. school...their school buses. And in so doing not only shed  
10. themselves of the financial burden but may rent the school buses.  
11. And 177 says that the demonstration projects may rent school  
12. buses. Now it seems to me that we are contravening what has  
13. be taken in the way of actions by the voters in the school  
14. districts when they are taxing themselves for the provision  
15. of transportation for their students. They will not...  
16. be relieved of this obligation if we pass these measures, but  
17. will in fact be paying twice for the same service. I would  
18. appreciate if someone would demonstrate to me that this is  
19. not the fact. ...In the absence of that I would have to vote  
20. no as this appears to be a...an entirely indefensible measure.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator votes no. What purpose does Senator Harber Hall  
23. arise? The roll has been...taken.

24. SENATOR HARBER HALL:

25. ...How am I recorded as voting?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Harber Hall you are recorded as voting in the  
28. affirmative.

29. SENATOR HARBER HALL:

30. It was my understanding that this bill was not controversial  
31. however, questions have been asked and answers have not been  
32. satisfactory to several members on the Floor of this Senate. This  
33. bill is controversial. I don't understand it and I...accordingly

1. am asking that my vote be changed from yea to nay.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The Senator asks for a consent for his vote to be  
4. changed from aye to nay. ...Can the committee make that  
5. because the roll call has not been announced. Senator  
6. Don Moore. Gentlemen. For what purpose do you arise Senator?  
7. SENATOR DON MOORE:

8. How...how am I recorded Mr...President?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Moore, you are recorded as having voted in the  
11. affirmative.

12. SENATOR DON MOORE:

13. Well, Mr. President, because of the questions that have  
14. come up...I am a little in doubt as to whether this is a  
15. good bill or a bad bill and therefore, I would request that  
16. my vote be changed from...aye to present.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. On this question the yeas are 32 and the nays are 18. The  
19. bill having received its usual. Gentlemen, if you let me have  
20. the gavel I think I can handle it. And the nays are 18 the bill  
21. having received its usual constitutional majority it is therefore  
22. declared passed. Senator Partee moves that the vote by which  
23. this bill was passed be reconsidered and Senator Rock moves  
24. that his motion lie upon the table. There has been a request  
25. for a verification of the roll. The Secretary will...will the  
26. Senators be in their seats for the verification of the roll?

27. SECRETARY:

28. The following voted in the affirmative: Buzbee, Carroll,  
29. Chew, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,  
30. Fawell, Graham, Kenneth Hall, Hynes, Johns, Keegan, Knuppel,  
31. Kosinski, McCarthy, New...Netsch, Newhouse, Nudelman, Palmer,  
32. Partee, Rock, Saperstein, Savickas, Smith, Swinarski, Vadalabene,  
33. Welsh, Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. The roll of the negative votes will be...  
3. SECRETARY:  
4. The following voted in the negative: Bartulis, Bell,  
5. PRESIDING OFFICER (SENATOR GRAHAM):  
6. Senator Moore do you have a question?  
7. SENATOR DON MOORE:  
8. Where's Senator Wooten?  
9. PRESIDING OFFICER (SENATOR GRAHAM):  
10. Where is Senator Wooten? The Senator from... He is not in  
11. his chair as...present. Request that he will be removed from  
12. the roll call. Not when he's on roll call sir.  
13. SECRETARY:  
14. The following voted in the negative: Bartulis, Bell,  
15. Berning, Bruce, Clarke, Harber Hall, Latherow, McBroom, Merritt,  
16. Mitchler, Howard Mohr, Ozinga, Roe, Scholl, Shapiro, Sommer, Soper,  
17. Sours, and Weaver.  
18. PRESIDING OFFICER (SENATOR GRAHAM):  
19. Senator Harber Hall is standing up. For what purpose  
20. do you seek recognition Senator?  
21. SENATOR HARBER HALL:  
22. Well, I was...trying to verify the affirmative roll call  
23. I haven't even gotten past that stage Mr. President. I...I  
24. don't see Senator Conolly...on the...in his seat...in respect  
25. to his...  
26. PRESIDING OFFICER (SENATOR GRAHAM):  
27. Turn around. He's going to run over you.  
28. SENATOR HARBER HALL:  
29. I'm looking at his seat and I don't see him.  
30. PRESIDING OFFICER (SENATOR GRAHAM):  
31. Senators you would make it a lot easier for those requesting  
32. a verification if you would be in your seat as the Chair suggested.  
33. Senator Conolly is in...the only change was Senator Wooten's name

1. was removed from the roll call and the yeas are 32 the nays  
2. are 18 nays are 18. 31 ok now we've changed it. The yeas  
3. are 31 the nays are 18 and the bill having received the  
4. constitutional majority is therefore declared passed. And  
5. Senator Partee makes the motion that the vote by which this  
6. bill was passed be reconsidered and Senator Rock moves that  
7. Senator Partee's motion lie upon the table. All in favor  
8. of Senator Rocks motion will signify by saying aye. Opposed. The  
9. ayes have it and Senator Rock's motion prevails. SB 178.

10. SECRETARY:

11. SB 178 (Secretary reads title of bill)

12. 3rd Reading of the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Donnewald.

15. SENATOR DONNEWALD:

16. ...Yes...Mr. President what the...this allows school  
17. districts to rent school buses to county boards and the  
18. school boards may rent buses to county board to provide public  
19. transportation to the rural...in conjunction with the bill we  
20. just passed. It's a companion bill and I would earnestly  
21. solicit your support.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. A request of the roll has been made and the roll will be  
24. called. The Secretary will call the roll.

25. SECRETARY:

26. Bartulis, Bell

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Bartulis says no.

29. SECRETARY:

30. Bell,

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Bell.

33. SENATOR BELL:

Ladies and gentlemen of the Senate...these two bills have



1. come...come before the Senate when we've just hammered through  
2. HB 89. And I found that I voted for that, with a great deal  
3. of reservation, but I did vote aye. But these two amendments  
4. or bills that are being...discussed now have not been...  
5. discussed in caucus in any way and while they may be good and  
6. may be necessary I don't like the manner in which the Senate  
7. is attacking it, and I feel that I am going to have to continue with  
8. my no vote in this measure.

9. SECRETARY:

10. Berning, Bruce, Buzbee.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Mr. President in explaining my vote as I understand these  
15. bills they would allow school districts, I'm speaking now  
16. specifically of school districts in my legislative district,  
17. to be able to lease their buses to county boards in the future  
18. to be able to provide some form of Mass Transportation for small  
19. downstate communities that do not presently have any means of public  
20. transportation. And Mr. President as you are aware with the  
21. recent cut back in Federal programs there are several communities  
22. in my district at the present time who are not able to transport  
23. old...will not be able to transport old people to their places  
24. where they need to go that's...under...programs that's under the  
25. present Federal Funding. I think this is a way to help make  
26. up some of those losses. I vote aye.

27. SECRETARY:

28. Carroll, Chew, Clarke, Conolly, Course, Daley, Davidson,  
29. Donnewald, Dougherty, Fawell, Glass,

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Mr...I mean Senator Glass.

32. SENATOR GLASS:

33. Thank you Mr. President I would just echo the sentiments of  
some of the legislators...who are concerned that these bills haven't

1. received an adequate hearing on the Floor today. I don't see  
2. the need for this legislation it may be very good but I would  
3. only suggest to the sponsor...they should have been held over  
4. until we had an op...opportunity to consider them on the merits  
5. and I will therefore, vote present.

6. SECRETARY:

7. Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,  
8. Knuepfer, Knuppel, Kosinski, Latherow.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Latherow.

11. SENATOR LATHEROW:

12. Mr. President I just want to reiterate the fact that I  
13. think you're putting the onus on the County Board to haul every  
14. student up to 17 years of old...of age for nothing. You're taking  
15. that responsibility from many school districts regardless of the  
16. size of the municipality or any other proportion where they are  
17. not presently paid for hauling these students for the mile and  
18. a half from the school and the County Board will have to haul  
19. them for nothing. This is not proper either...to have either one  
20. of these bills before us. And I want to be recorded as no.

21. SECRETARY:

22. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,  
23. Netsch, Newhouse, Nimrod.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Mr. President...I do feel that these bills might have merit  
28. but I don't believe they've had an opportunity to be heard and  
29. to actually judge these things properly so I too have to vote  
30. present.

31. SECRETARY:

32. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,  
33. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,

1. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,  
2. Wooten, Mr. President.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any request for call of the absentees? Secretary will  
5. call the absentees.

6. SECRETARY:

7. Knuepfer, McCarthy, Romano, Walker, Wooten.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Donnewald.

10. SENATOR DONNEWALD:

11. Yeah I move to postpone consideration.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Donnewald moves to postpone consideration on SB 178.  
14. We will now proceed to the order of Messages from the House.

15. SECRETARY:

16. A message from the House by Mr. Selckę, Clerk.

17. Mr. President, I am directed to inform the Senate that  
18. the House of Representatives has passed bills of the following  
19. titles in the passage of which I am instructed to ask  
20. concurrence of the Senate to wit:

21. HB 181, 191, 199, 200, 144, 187, 248, 130, 249 and 307.

22. Mr. President, I'm directed to inform the Senate that the  
23. House of Representatives has adopted the following Conference  
24. Committee Report: The Conference Committee Report on HB 89.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. It might be suggested now to keep our committee system  
27. rolling to go through the House Bills on 1st reading and then  
28. we will proceed to the order of introduction of bills. House  
29. Bills 1st reading. When the bill is called if you are the  
30. Senate sponsor please indicate, immediately if not before.  
31. Senate...House Bill No. 12. Senator Walker.

32. SECRETARY:

33. HB 12. (Secretary reads title of bill).

1st reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. Do we have a House sponsor?  
3. SECRETARY:  
4. HB 35  
5. PRESIDING OFFICER (SENATOR GRAHAM):  
6. We had one on call. HB 35 Mr. Secretary.  
7. SECRETARY:  
8. HB 35 (Secretary reads title of bill)  
9. 1st Reading of the bill.  
10. PRESIDING OFFICER (SENATOR GRAHAM):  
11. Who's the Senate sponsor? Glass. HB 39.  
12. SECRETARY:  
13. HB 3...  
14. PRESIDING OFFICER (SENATOR GRAHAM):  
15. Senate sponsor for 39. Senator Rock.  
16. SECRETARY:  
17. HB 39 (Secretary reads title of bill)  
18. 1st Reading of the bill.  
19. PRESIDING OFFICER (SENATOR GRAHAM):  
20. HB 43. Walker.  
21. SECRETARY:  
22. HB 43 (Secretary reads title of bill)  
23. 1st Reading of the bill.  
24. PRESIDING OFFICER (SENATOR GRAHAM):  
25. Senate... House Bill 156. Senator Course.  
26. SECRETARY:  
27. HB 56 (Secretary reads title of bill)  
28. 1st Reading of the bill)  
29. PRESIDING OFFICER (SENATOR GRAHAM):  
30. HB 59 Senator Latherow.  
31. SECRETARY:  
32. HB 59 (Secretary reads title of bill)  
33. 1st Reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):  
2. HB 62 Senator Berning.  
3. SECRETARY:  
4. HB 62 . (Secretary reads title of bill)  
5. 1st Reading of the bill.  
6. PRESIDING OFFICER (SENATOR GRAHAM):  
7. HB 99 Senator Netsch. I had some information on Senator  
8. Netsch. He's the Senate sponsor of...Senator Netsch are you  
9. the Senate sponsor of HB 99? I have some information here  
10. that you were and maybe your on it. She is not. It has  
11. no Senate Sponsor. HB 156 Senator Weaver.  
12. SECRETARY:  
13. HB 156 (Secretary reads title of bill)  
14. 1st Reading of the bill.  
15. PRESIDING OFFICER (SENATOR GRAHAM):  
16. 158. 1...157 and 1...157 is Weaver. 158.  
17. SECRETARY:  
18. HB 157 (Secretary reads title of bill)  
19. 1st Reading of the bill.  
20. PRESIDING OFFICER (SENATOR GRAHAM):  
21. 158. Senator Netsch.  
22. SECRETARY:  
23. HB 158 (Secretary reads title of bill)  
24. 1st Reading of the bill.  
25. PRESIDING OFFICER (SENATOR GRAHAM):  
26. 159 Senator Netsch.  
27. SECRETARY:  
28. HB 159 (Secretary reads title of bill)  
29. 1st Reading of the bill.  
30. PRESIDING OFFICER (SENATOR GRAHAM):  
31. 162. 160 by Senator Don Moore. Senator Moore did you wish to...  
32. SECRETARY:  
33. HB 160 (Secretary reads title of bill)  
1st Reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Moore.

3. SENATOR (DON) MOORE:

4. Thank you Mr. President, members of the Senate. Mr.  
5. President I would like to move to advance this bill to the  
6. order of 2nd reading without reference to the committee. It  
7. is the same bill as SB 81 that has previously passed this  
8. Body and has been sent to the House.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. The motion is that HB 160 be advanced to the order of  
11. 2nd reading without reference to a committee. All in favor,  
12. present objections. It is so advanced. We can return  
13. briefly to 99 and reads Senator Nudelman. HB 99.

14. SECRETARY:

15. HB 99. (Secretary reads title of bill).

16. 1st reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Now we'll return to 162. Do we have a sponsor for HB 162?  
19. Got a 165, Senator Shapiro.

20. SECRETARY:

21. HB 165 (Secretary reads title of bill).

22. 1st reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator...Senator Shapiro moves that this bill be moved  
25. to the order of second reading without reference committee. Is  
26. there an objection? Leave. The bill is to be so advanced.  
27. HB 166 Senator Shapiro.

28. SECRETARY:

29. HB 166 (Secretary reads title of bill).

30. 1st...1st reading of the bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Shapiro makes same motion that this bill be advanced  
33. to the order of 2nd reading without reference to Committee. Is there  
any objections? It will be advanced to 2nd reading...3rd...2nd  
reading. HB 162, Senator Latherow

1. SECRETARY:

2. HB 162 (Secretary reads title of bill)

3. 1st Reading of the bill.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Latherow. Yes, Senator...now we will...Senator Don Moore.

6. SENATOR DON MOORE:

7. Thank you Mr. President...insofar as HB 99 is concerned  
8. Mr. President...I'm informed that...with...Senator Nudelman's  
9. consent I should be the House...or the Senate sponsor of that  
10. bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. I called that three times. You gentlemen couldn't make  
13. up your minds now there is a motion that Senator Don Moore  
14. be shown as a sponsor of HB 99. It will be so shown.

15. SENATOR DON MOORE:

16. Thank you.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. We will now revert to the order of the...Senator Walker  
19. for what purpose do you seek recognition?

20. SENATOR WALKER:

21. ...To request unanimous consent to advance HB 12 to 2nd  
22. reading without reference to Committee.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Gentlemen. Ladies and gentlemen of the Senate there is  
25. a motion on the Floor that HB 12 be advanced to the order of  
26. 2nd reading without reference to the committee. Is there  
27. an objection? There is an objection. To Committee. Now I'm  
28. going to look straight ahead and we will revert to the order of  
29. Introduction of Bills.

30. SECRETARY:

31. SB 342 by Senators Wooten, Keegan, Buzbee, Davidson, Bell,  
32. Johns, Harber Hall, Hynes, Partee, and Bartulis.

33. (Secretary reads title of bill)

SB 343 by Senator Sours.

(Secretary reads title of bill)

1. SB 344 by Senators McCarthy, Latherow, Course and Chew.
2. (Secretary reads title of bill).
3. SB 345 by Senators Fawell, Saperstein, Dougherty, Glass,
4. Clarke, Nimrod, Graham, Harris and Regner.
5. (Secretary reads title of bill).
6. SB 346 by Senators Fawell, Dougherty, Glass, Clarke, Nimrod,
7. Graham, Harris, Regner and Saperstein.
8. (Secretary reads title of bill).
9. SB 347 by Senators Fawell, Saperstein, and Roe.
10. (Secretary reads title of bill).
11. SB 348 by Senators Savickas and Chew.
12. (Secretary reads title of bill).
13. SB 349 by Senator Chew.
14. (Secretary reads title of bill).
15. SB 350 by Senators Mitchler, Latherow, Dougherty, Sommers,
16. Conolly, Bartulis, Schaffer, Nimrod, Vadalabene, Roe, Berning,
17. Walker, Don Moore, Shapiro, Harber Hall, Bell, Wooten, Johns,
18. Smith, Newhouse, McCarthy, and Davidson.
19. (Secretary reads title of bill).
20. SB 351 by Senators Mitchler, Latherow, Dougherty, Sommers,
21. Conolly, Bartulis, Schaffer, Nimrod, Vadalabene, Roe, Berning,
22. Walker, Don Moore, Shapiro, Harber Hall, Bell, Wooten, Smith,
23. Newhouse, McCarthy, and Davidson.
24. (Secretary reads title of bill).
25. 1st reading of the bills.
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. ...Mr. Secretary we have not cleared Senate Bills 2nd
28. reading have we? Let's go to the order of Senate Bills on 2nd
29. reading. For what purpose do you arise Senator Swinarski?
30. SENATOR SWINARSKI:
31. ...I ask leave of the Body to Table...SB 272 which was
32. introduced approximately two weeks...two weeks ago. I introduced...
33. PRESIDING OFFICER (SENATOR GRAHAM):
- Where is...where is it?



1. SENATOR SWINARSKI:  
2. It went to...committee.  
3. PRESIDING OFFICER: (SENATOR GRAHAM):  
4. What Committee?  
5. SENATOR SWINARSKI:  
6. ...I believe it went to the Committee on Local Government.  
7. PRESIDING OFFICER (SENATOR GRAHAM):  
8. Is it still there?  
9. SENATOR SWINARSKI:  
10. ...Yes it just went there.  
11. PRESIDING OFFICER (SENATOR GRAHAM):  
12. Your motion then Senator Swinarski would be that the  
13. Committee on Local Government be discharged from any further  
14. consideration of this bill and when that prevails then your  
15. motion then would be to table. So your motion would be to  
16. discharge that committee from further consideration. Do you  
17. make that motion?  
18. SENATOR SWINARSKI:  
19. My motion is to...have...the committee from further  
20. consideration of SB 272.  
21. PRESIDING OFFICER (SENATOR GRAHAM):  
22. You've heard the motion. All in favor will signify by  
23. saying. Now your motion Senator Swinarski.  
24. SENATOR SWINARSKI:  
25. I move to...table SB 272  
26. PRESIDING OFFICER (SENATOR GRAHAM):  
27. He...he moves to table SB 272. All in favor, you are the  
28. sponsor, signify by saying aye. Opposed. The bill is tabled.  
29. Now we will proceed to the order of Senate Bills 2nd reading.  
30. We're trying to work out all the...all the legal technicalities  
31. existing between the House and the Senate now and we're trying  
32. to clear up our calendar in the mean time. So if you'll bear  
33. with us we're doing what we think is best. Senate Bills 2nd reading.  
Number three Senator Mitchler. Senator Senator Mitchler.

1. SECRETARY:

2. SB 3...

3. SENATOR MITCHLER:

4. ...This...Mr. President this may take a little time and...  
5. and it's not that important that it has to go today. I'll  
6. hold it over til next week.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Pass. SB...

9. SENATOR MITCHLER:

10. You have the amendments, however, on your desk and if the  
11. Senators...there's five amendments plus the fiscal note and I  
12. put them on the desk now but rather than get into detail it's  
13. we're tired let's wait until next week. It isn't that important.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. SB 48 we pass. SB 104 the Senator from Peoria, Senator  
16. Sours. Senate Bills 2nd reading Senator Sours.

17. SENATOR SOURS:

18. I...I have an amendment. Would you pass it up just for  
19. a moment please?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. SB 127, Senator Shapiro. Senator Hall would you tell  
22. Senator Shapiro I'm trying to get his attention. SB 127.

23. SENATOR SHAPIRO:

24. Pass.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. SB 145 the lady from Chicago, Senator Netsch. Everyone's  
27. cautious. SB 154, Donald A. Moore. Senator Fawell is not here  
28. so that leaves 187 in a position of limbo. Senator Sours.

29. SENATOR SOURS:

30. If we can discuss SB 104.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. I think it would be a lovely time to do it.

33. SENATOR SOURS:

I...I passed...I had amendments passed out today...earlier

1. today when...when...when I thought we'd be getting to this  
2. order of business. Now I have an amendment that I had sent  
3. to a Professor Charles W. Bowman, University of Illinois  
4. Law School asking his suggestions and I got back his suggestions  
5. and the amendment is as...is as exact as he suggested. Now  
6. for those of you who are unfamiliar with the Professor and  
7. we happen to have one here too I believe. It was the Professor  
8. who assisted us...very significantly in the preparation of the  
9. Criminal Code.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator you may continue. I was trying to get the Senator  
12. who was on the Floor not appropriately dressed to recognize  
13. that he didn't have his jacket on.

14. SENATOR SOURS:

15. Yes I'm...I'm glad we do have formalities. ...For those  
16. of you who have the bill in front of you I'd like to just tell  
17. you what we're doing pursuant to the recommendation of professor  
18. ...Bowman on...page 1 line 8 he suggested the two words be  
19. deleted which were willfully and. Then on page 1 he suggested  
20. we delete lines 12 thru 15 and insert in lieu thereof from  
21. such...from such bank is guilty of a class A misdemeanor.  
22. Now the genesis of this bill is the fact that there are or  
23. there were last year securities which were stolen. There  
24. otherwise purloined up in the hundreds of millions of dollars.  
25. ...the bulk of which emanated in New York State but there was  
26. much in Illinois and much in Texas and much in Florida. It is  
27. believed this bill will...be a tool and all I'm doing at this  
28. time is moving that we adopt the amendment, get it in the shape  
29. I want it for 3rd reading. And I move the adoption.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Sours has explained the amendment moves its  
32. adoption and you have a question at least or two from Senator  
33. Ben Palmer. Yeah, we better read the bill first gentlemen. We're

1. getting all confused here. Let's read the bill.

2. SECRETARY:

3. SB 104. (Secretary reads title of bill).

4. 2nd reading of the bill.

5. Amendment No. 1 by Senator Sours.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Sours has explained the amendment and now he has  
8. some questions going to be propounded by Senator Ben Palmer.

9. SENATOR PALMER:

10. I have a short question Senator Sours, in changing the  
11. ...the amendment changes the penalty as provided for in your  
12. first bill...the original bill. What is the penalty provided  
13. in Class A Misdemeanor? Do you know that at this time?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Sours.

16. SENATOR SOURS:

17. I would have to get out the statute...May I...may I read this  
18. to you Senator Palmer? It's very brief. This is the letter  
19. of Professor Bowman whose judgement I would trust and would  
20. give...further con...much more consideration to his opinion  
21. than many other lawyers I know who practice law in the  
22. Criminal Courts. He said I see nothing wrong with SB 104  
23. as drafted except that under the new unified code of Corrections  
24. instead specifying the punishment you should put a period after  
25. from such bank and so forth. And that is what was done by the  
26. amendment. And then he goes on to say the punishment for a Class  
27. A Misdemeanor is up to one year or a fine not to exceed \$1000.00.  
28. The Code doesn't contain a classification with up to five thousand.  
29. That is why he suggested what he did. You could make it a Class  
30. A Felony which provides for one to three years or a fine not to  
31. exceed \$10,000.00. That seems a little steep to me and I think  
32. it would be preferable to make it a Class A Misdemeanor. Also,  
33. I would suggest omitting the word willfully in the first line.

1. Knowingly or knowledge is defined in Section 4-5 of the  
2. Criminal Code and specifies that knowingly includes willfully  
3. so willfully is redundant and might cause some confusion if  
4. used with knowingly. With best personal regards and keep up  
5. the good work. Cordially yours, Charles W. Bowman, Professor  
6. of Law.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. ...Senator Carroll. Senator Carroll.

9. SENATOR CARROLL:

10. Thank you Mr. President. Senator Sours is that knowing that  
11. our converstaion is in committee which your asking us to do now  
12. is make an unnecessary bill in the shape you want it?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Sours do you care to answer that...

15. SENATOR SOURS:

16. I...I couldn't hear what he said. I'd like to answer  
17. him.

18. SENATOR CARROLL:

19. I'd...all I asked was that knowing our conversations and  
20. debate in committee what you're trying to do now is make an unneces-  
21. sary bill in to the shape you want it to be in.

22. SENATOR SOURS:

23. No. This bill is good now. I'm all for it and I hope  
24. you support it. I think it's good.

25. SENATOR CARROLL:

26. I would have no objections...

27. SENATOR SOURS:

28. I think it will discourage...some of these people who...  
29. deliver bonds to the wrong place. Their own pockets.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Sours moves the adoption of Amendment No. 1 to  
32. SB 104. All in favor will signify by saying aye. Opposed.  
33. The ayes have it and the amendment is adopted. 3rd Reading.

1. You know we're almost running out of business here. What...  
2. what would happen if we tried Senate Bills on 3rd reading?  
3. I tell you what will be easier on all of us if the Senate  
4. will stand at recess for ten minutes. We will hope to be back  
5. in Session at twenty-five minutes after six. Ten minute  
6. recess and Senator Chew those that want to go to the bathroom  
7. now, don't miss the roll call, have an opportunity. For what  
8. purpose does Senator Roe arise?

9. SENATOR ROE:

10. Mr. President...the Health and Welfare Committee will take  
11. this time to consider the one bill that's before us.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. There will be an immediate meeting of the Health and Welfare  
14. Committee. In what room, Senator?

15. SENATOR ROE:

16. 212.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Room 212. Health and Welfare now. Can you do it in ten  
19. minutes, Senator? He says he can. The Senate will be in  
20. recess until six twenty-five. And it is now six fifteen.  
21. Be in recess. What do...what's the purpose of you rising  
22. Senator Nudelman? Senator Nudelman.

23. SENATOR NUDELMAN:

24. We ought to adjourn until next Tuesday. What more...what  
25. business do we have?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. I'll come down and explain it to you, Senator. We're recessed  
28. until six twenty-five.

29. (AFTER THE RECESS)

30. PRESIDENT:

31. The Senate will come to order. We...have the misunderstandings  
32. resolved. The Chair wishes to determine whether there is any  
33. further business to come before the Senate. Then subject to the

1. Adjournment Resolution Senator Graham.

2. SENATOR GRAHAM:

3. I was just going to suggest subject to the Adjournment  
4. Resolution the Senate do now adjourn.

5. PRESIDENT:

6. And that is Tuesday at 11:30. I might acknowledge to...  
7. the Joint Leadership that there were discussions to provide  
8. for...an 11:00 o'clock convention...following out adjournments  
9. for the first day of the week to accommodate for those we take  
10. the GM&O Train...yes, I'm sorry I...the AM Track Train that we'll  
11. convene on the first day of each legislative week at  
12. 11:30 at eleven thereafter and that will accommodate a good  
13. many who use AM Track. So subject to the Adjournment Resolution  
14. Tuesday at 11:30 a.m. the Senate is adjourned.

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