

78TH GENERAL ASSEMBLY

March 29, 1973

1. PRESIDENT:

2. The Senate will come to order. The prayer will be
3. offered by the Reverend George Matranga of Our... Savior's
4. Lutheran of Springfield. Reverend Matranga.

5. (Prayer offered by Reverend Matranga)

6. PRESIDENT:

7. Thank you very much. Look forward to seeing you
8. again. Reading of the Journal. Senator Soper.

9. SENATOR SOPER:

10. Mr. President, I move that we postpone reading of the
11. Journal of March 27th and March 28th pending the arrival
12. of the printed Journal.

13. PRESIDENT:

14. Senator Soper moves the postponement of the reading of
15. the Journals of March 27th and 28th pending arrival of the
16. printed Journal. All in favor signify by saying aye.
17. Contrary, nay. Motion is carried. So ordered. Yeah.
18. Committee report.

19. SECRETARY:

20. Senator Graham, Chairman of the Committee on Assignment
21. of Bills reports bills assigned as follows:

22. To the Committee on Agriculture, Conservation and Ecology,
23. House Bill 283.

24. Committee on Appropriations, SBs 418, 421, 425, 426, 427,
25. 433, 435, 440, 443 and 449. HBs 282 and 314.

26. Committee on Education, SBs 448, HBs 306 and 372.

27. To the Committee on Elections and Reapportionment, HB 286.

28. Committee on Executive, HB 254 and 355.

29. Committee on Insurance and Financial Institutions, HB 144.

30. Committee on Judiciary, SBs 419, 429, 430, 431, 432, 434,
31. 445 and 446.

32. Committee on Local Government, SBs 424, 437, 439, 441, 442
33. and 444. HBs 231, 239, 296, 299 and 371.

1. To the Committee on Pensions and Personnel, SBs 420, 428
2. and 438. HBs 284, 360 and 361.
3. Committee on Public Health, Welfare and Corrections, SBs 436,
4. 447 and 450. HB 292.

5. Committee on Revenue, HB 211.

6. Committee on Transportation and Public Utilities, SBs 417,
7. 422 and 423. HBs 187 and 305.

8. Senator Fawell, the Chairman of the Committee on Education
9. reports SB 336 and HB 98, with the recommendation the bills Do
10. Pass. SB 209 with the recommendation the bill Do Pass, as
11. amended.

12. Senator Walker, Chairman of Committee on License Activity
13. and Credit Regulation reports SB 305 with the recommendation
14. the bill Do Pass.

15. Senator McBroom, Chairman of the Committee on Appropriation
16. reports SBs 182, 310, 338, 367 and 368 with the recommendation
17. the bills Do Pass.

18. Senator Sours, Chairman of the Committee on Judiciary
19. reports SB 116, 132, 135, 208, 253, 266 and 323. HBs 32...
20. HBs 35, 77, 156 and 157 with the recommendation the bills Pass.
21. SB 343 with the recommendation the bill Do Pass and be re-
22. referred to the Committee on Appropriation.

23. PRESIDENT:

24. ...Senator Sours.

25. SENATOR SOURS:

26. Mr. President, just want to make a comment...that is
27. the bill appropriating so many dollars for the Judicial In-
28. quiry Board. Now...apparently there's some feeling about
29. it and...I wanted to explain to the Chamber here that, we
30. either have to implement the Judicial Inquiry Board or we
31. probably ought to repeal it. I don't know whether it's doing
32. good or bad; however, as long as it's on the books we all
33. take an oath to support the Constitution and that is a part

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13. 23, reports the same back with the recommendation that the
14. Resolution be adopted. Senator Ozinga, Chairman of the
15. Committee on Executive to which was referred the Governor's
16. message of March 6th, 1973, reports the same back in part
17. with the recommendation that Senate advise and consent to
18. the appointments Frank A. Kirk of Carbondale to be Director
19. of the Department of Local Government Affairs. Jerome G.
20. Miller, Boston, Massachusetts, to be Director of the Depart-
21. ment of Children and Family Services. Roland W. Burris,
22. Chicago, to be Director of the Department of General Services.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, I would now move that we...that the Senate
27. do resolve itself into Executive Session.

28. PRESIDENT:

29. Senator Ozinga moves that the Senate resolve itself into
30. Executive Session. All in favor signify by saying aye.
31. Contrary, nay. The motion carries. Senator Ozinga.

32. SENATOR OZINGA:

33. Mr. President, the message, we just...the message of the

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(ILC/2-73/5M)

1. Governor was just read with reference to three of his
2. appointees; namely...Frank A. Kirk of the Department of
3. Local Government Affairs. Jerome G. Miller to the Depart-
4. ment of Children and Family Service, as Director and...
5. Roland W. Burris as Director to the Department of General
6. Service. I would now move that we consider all of these
7. appointees at one motion.

8. PRESIDENT:

9. Senator Ozinga has moved that the Senate advise and
10. consent to the nominations just made. And...Secretary...

11. SENATOR OZINGA:

12. As one matter of business.

13. PRESIDENT:

14. Yes. Senator has...has moved that these three nomina-
15. tions be considered on this motion. Secretary will call the
16. roll. The nominees are: Mr. Kirk for Local Government Affairs,
17. Jerome Miller for the Department of Children and Family Services,
18. and Roland...Burris for the Department of General Services.
19. Secretary will call the roll.

20. SECRETARY:

21. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
22. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
23. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
24. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. Mr. President, voting present, I want it understood that
29. the...two of these members I did support and I still support
30. but my present vote indicates my opposition to Mr. Kirk.

31. PRESIDENT:

32. For what purpose does Senator Graham arise? Senator Graham.

33. SENATOR GRAHAM:

1. Sitting here. Sitting here doing my homework and voted yes,
2. I, too, voted present on two of these yesterday; I'd like to be
3. shown...I'd like to be shown voting present on this roll call.

4. PRESIDENT:

5. Record.

6. SECRETARY:

7. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
8. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
9. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
10. Shapiro, Smith,

11. PRESIDENT:

12. Senator Smith. Senator Smith.

13. SENATOR SMITH:

14. To the...I, at first want to vote aye, but a parliamentary
15. question, if I may raise it at this time with reference to the
16. request of Senator Graham and someone else. Who is the other
17. one? Who? And Senator Latherow. Now, you're in the same
18. position here as I understand it that you were...was here the
19. other day when the Senator on this side who sits here at the
20. extreme left, did not wish to be recorded as aye, whether it...
21. why I...I'm dependent upon the man that operates the thing...
22. what is his name, the one down on the end? When Senator Knuppel
23. did not wish to be recorded as aye. Will you pardon me just a
24. moment?

25. PRESIDENT:

26. Certainly.

27. SENATOR SMITH:

28. Well, your motion was that we are voting on all. I'm
29. informed differently, no parliamentary inquiry, Mr. President.

30. SECRETARY:

31. Smith,

32. SENATOR SMITH:

33. I said at the outset that I vote aye.

1. SECRETARY:
2. Sommer, Soper, Sours, ...
3. PRESIDENT:
4. Senator Sours.
5. SENATOR SOURS:
6. I just want to explain my vote on this, I...approved the
7. gentlemen in the Executive Committee...I was tired of all the
8. bickering in the Executive Committee, wanted to get the bills
9. out, or the recommendations out...I'm going to vote present.
10. SECRETARY:
11. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
12. Mr. President.
13. PRESIDENT:
14. Senator Carroll, aye. Senator Hall, aye. Senator Kenneth
15. Hall, aye. Senator Saperstein, aye. How is Senator Johns
16. recorded?
17. SECRETARY:
18. He is not recorded.
19. PRESIDENT:
20. Vote him aye...Sen...Is Senator Vadalabene recorded?
21. SECRETARY:
22. Aye.
23. PRESIDENT:
24. Senator Dougherty, aye. On that roll call, the yeas are
25. 44. The nays are none. Those voting present 5. The nominations
26. having received a constitutional majority, the Senate does advise
27. and consent to the nominations just made. ...Senator Ozinga
28. SENATOR OZINGA:
29. ...That the Senate do arise.
30. PRESIDENT:
31. Senator Ozinga moves that the Executive Session now arise.
32. All in favor signify by saying aye. Contrary, nay. The motion
33. carries. Resolutions.

1. SECRETARY:
2. Senate Resolution No. 84 by Senator Glass, congratulatory.
3. PRESIDENT:
4. Senator Glass.
5. SENATOR GLASS:
6. ...Mr. President, Members of the Senate, the resolution
7. congratulates the New Trier East High School Indians upon their
8. outstanding runner-up position in the Illinois State Basketball
9. Tournament...Class A Division and I would...ask for leave of...
10. all members to join in this resolution for immediate considera-
11. tion and adoption.
12. PRESIDENT:
13. Is there leave? So ordered. Senator Glass moves for the
14. suspension of the Rules for the immediate consideration of the
15. adoption of the resolution. All in favor signify by saying
16. aye. Contrary, nay. On the motion to adopt, all in favor
17. signify by saying aye. Contrary, nay. The resolution is
18. adopted.
19. SECRETARY:
20. Senate Resolution No. 85 by Senator Mitchler and all
21. members of the Senate.
22. PRESIDENT:
23. Just a moment, Mr. Secretary. For some reason, we are
24. being terribly noisy this morning; I don't think it's possible
25. to hear the Secretary. Will the Senate please be in order?
26. Proceed, Mr. Secretary.
27. SECRETARY:
28. Senate Resolution 86 by Senator Mitchler and all members
29. of the Senate and it's congratulatory.
30. PRESIDENT:
31. Senator Mitchler.
32. SENATOR MITCHLER:
33. ...Is a congratulatory resolution, and I would ask for

1. suspension of the Rules, immediate consideration and adoption.

2. PRESIDENT:

3. Senator Mitchler moves for the suspension of the Rules and
4. the immediate consideration of the adoption of Senate Resolution
5. 85. All in favor, signify by saying aye. Contrary, nay. Motion
6. carries. On the motion to adopt, all in favor signify by saying
7. aye. Contrary, nay. The motion carries. So ordered. The
8. resolution is adopted.

9. SECRETARY:

10. Senate Resolution 86 by Senator Mitchler and all members of
11. the Senate and it's congratulatory.

12. PRESIDENT:

13. Senator Mitchler.

14. SENATOR MITCHLER:

15. ...This also is a congratulatory resolution, and I would ask
16. for immediate consideration and approval of this resolution.
17. Thank you.

18. PRESIDENT:

19. All in favor of the motion to suspend, signify by saying
20. aye. Contrary, nay. On the motion to adopt. All those in favor
21. signify by saying aye. Contrary, nay. Motion carries. Resolu-
22. tion is adopted.

23. SECRETARY:

24. Senate Resolution 86 by Senator Scholl. 87, I'm sorry.
25. Senate Resolution 87 by Senator Scholl and it's commendatory.

26. SENATOR SCHOLL:

27. ...President, I'd like to ask for suspension of the Rules
28. for the immediate consideration of this resolution. It's a
29. resolution regarding a meat boycott of next week. ...As many
30. of you know, the price of beef, poultry has risen sharply, all
31. you have to do is ask your wife back at home how much the price
32. of round steak has gone up since 1972 to 73 or even hamburger.
33. The Chicago Sun Times, March of this year, came out with a full

1. page story regarding the...

2. SECRETARY:

3. Come in next Wednesday at 11:30.

4. PRESIDENT:

5. Yeah. Well...this is not a congratulatory resolution, it

6. should go, it should go to Executive...

7. SENATOR SCHOLL:

8. I...I've asked for the suspension of the Rules for the

9. immediate consideration because they...

10. PRESIDENT:

11. That is your right. That is your right.

12. SENATOR SCHOLL:

13. ...the meat boycott is next week...what we're doing, we're

14. encouraging...people of the State of Illinois to join in on

15. this meat boycott.

16. PRESIDENT:

17. ...The motion is to suspend. Senator...Latherow.

18. SENATOR LATHEROW:

19. Mr. President, I certainly want to express my objections to

20. this, and I think it should go to Executive Committee. If... if

21. there's going to be a push for this to pass Executive Committee,

22. I want to be heard on the motion.

23. PRESIDENT:

24. The motion to suspend is not debatable, it is before the

25. Body. All in favor of the motion to suspend the Rules for...

26. roll call has been requested. This is a motion to suspend the

27. Rules. Secretary will call the roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

30. PRESIDENT:

31. The motion takes 30 votes.

32. SECRETARY:

33. Carroll, Chew, Clarke, Conolly, Course, Daley, Davidson,

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

9. PRESIDENT:

10. Senator Scholl.

11. SENATOR SCHOLL:

12. I'd like to withdraw my request and ask that this be sent
13. to Executive.

14. PRESIDENT:

15. Executive. Senator Graham.

16. SENATOR GRAHAM:

17. I...I'd like to be helpful to you in suggesting that we have
18. at least 15 caucuses going on, on the Floor, and it's almost
19. impossible to hear. I'm sure the Secretary is having trouble
20. and I am.

21. PRESIDENT:

22. Senator Graham makes a valid point. For some reason, the
23. Senate seems to be a little bit...uneasy today and you cer-
24. tainly are noisy. Now, we've got a lot of work to do; will
25. the Senators please be in their seats and will the Senators
26. take their caucuses off the Senate Floor. Senator Netsch.

27. SENATOR NETSCH:

28. Mr. President, will...will the record show, please, that
29. Senator Keegan is not in attendance today because she is in the
30. hospital, it...it is for testing, we expect her back Monday
31. morning.

32. PRESIDENT:

33. The record will so show. Thank you. Resolution.

1. SECRETARY:

2. Senate Joint Resolution No. 29 by Senator Shapiro, Soper,
3. Romano, Rock and Berning. The resolution directs the Illinois
4. Public Employees Pension Laws Commission to undertake an
5. investigation and study of the Illinois Teachers' Retirement
6. System.

7. PRESIDENT:

8. Executive. The President would like to interrupt the pro-
9. ceeding for just a moment, I am particularly proud of the
10. opportunity to introduce to the Senate a delegation from my
11. home county, Livingston County, they are being led today by
12. the Secretary of the Livingston County Farm Bureau, Mr. Howard
13. Ross, who incidentally, is a member of the Livingston County
14. Board...these constituents are touring our State Capitol today,
15. and I'm pleased to introduce them to the Senate. Would they
16. please rise? Intro...Senator Donnewald.

17. SENATOR DONNEWALD:

18. ...Yes, Mr. President, I know it's against the Rules, but
19. I would like...to introduce...two fine mayors from my home
20. county, ...Mayor Schlarmann and Mayor Davis. Mayor Schlarmann
21. of Trenton. Mayor Davis of Carlyle. Would they stand up and
22. be recognized?

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, as long as we're in the mood of breaking
27. the Rules, let it not be said that I was passed by. Up in the
28. gallery to my rear, to the backside here, you will note that
29. yesterday in the Executive Committee those on the Executive
30. Committee will recognize that we had one of our good directors
31. there who was confirmed this morning. I would like to intro-
32. duce to the rest of the Senate, Dr. Jerome Miller, Director of
33. Children and Family Services. Doctor, would you stand up?

1. PRESIDENT:
2. Introduction of bills.
3. SECRETARY:
4. SB 451 by Senator Fawell.
5. (Secretary reads title of bill)
6. 452 by Senators Sours and Rock.
7. (Secretary reads title of bill)
8. 453 by Senators Sours and Rock.
9. (Secretary reads title of bill)
10. 454 by Senators Rock, Ozinga, Dougherty, Donnewald and
11. Vadalabene. (Secretary reads title of bill)
12. 455 by Senators Nimrod, Howard Mohr, Scholl, Weaver and
13. Don Moore.
14. (Secretary reads title of bill)
15. 456 by Senators Nimrod, Howard Mohr, Scholl, Weaver and
16. Don Moore.
17. (Secretary reads title of bill)
18. 457 by Senators Knuppel, Partee, Donnewald and Rock.
19. (Secretary reads title of bill)
20. SB 458 by Senators Merritt, Weaver, Dougherty, Johns, and
21. Partee.
22. (Secretary reads title of bill)
23. 459 by Senator Johns.
24. (Secretary reads title of bill)
25. 460 by Senator Johns.
26. (Secretary reads title of bill)
27. 461 by Senators Partee, Donnewald and Rock.
28. (Secretary reads title of bill)
29. 462 by Senators Harber Hall, Shapiro, Fawell, Latherow,
30. Merritt, Roe, Schaffer, Mitchler, Knuepfer, Walker, Conolly,
31. McBroom, Weaver, Vadalabene, Course, Kenneth Hall and Welsh.
32. (Secretary reads title of bill)
33. 463 by Senators Saperstein, Kosinski, and Schaffer.

1. (Secretary reads title of bill)
2. 464 by Senators Conolly, Course, Kosinski, Vadalabene,
3. McBroom, Davidson, Chew, Merritt and Scholl.
4. (Secretary reads title of bill)
5. 465 by the same sponsors.
6. (Secretary reads title of bill)
7. 466 by Senators Chew, Partee, Donnewald and Rock.
8. (Secretary reads title of bill)
9. 467 by Senators Roe, Schaffer and Shapiro.
10. (Secretary reads title of bill)
11. 468 by Senators Roe, Glass and Schaffer.
12. (Secretary reads title of bill)
13. 469 by Senator Roe.
14. (Secretary reads title of bill)
15. 470 by Senator Roe.
16. (Secretary reads title of bill)
17. 471 by Senators McBroom, Merritt, Walker, Weaver and
18. Graham.
19. (Secretary reads title of bill)
20. 472 by Senators Nudelman, Carroll, Partee, Rock, Donnewald,
21. Palmer and Saperstein.
22. (Secretary reads title of bill)
23. 473 by Senators Nudelman, Rock, Partee, Welsh, Romano,
24. Palmer and Carroll.
25. (Secretary reads title of bill)
26. 474 by Senators Glass, Regner, Graham, Welsh, Walker,
27. Buzbee and Nimrod.
28. (Secretary reads title of bill)
29. 475 by Senator Bell.
30. (Secretary reads title of bill)
31. 476 by Senators Knuepfer, Berning, Conolly and Graham.
32. (Secretary reads title of bill)
33. 477 by Senators Mitchler, Moore...Don Moore, Graham, Wooten,

1. Bartulis, Carroll, Keegan, Chew, Ozinga and Walker.
2. (Secretary reads title of bill)
3. 478 by Senators Shapiro, Harber Hall, Davis, Roe, Bell,
4. Weaver, Schaffer, Bartulis, Keegan, Buzbee and Vadalabene.
5. (Secretary reads title of bill)
6. 479 by Senators Regner, Nimrod, McBroom, Harris, Graham
7. and Howard Mohr.
8. (Secretary reads title of bill)
9. 480 by Senators Conolly, Harris, Howard Moore, Partee,
10. Donnewald, Latherow, Sours, Rock and Wooten.
11. (Secretary reads title of bill)
12. 481 by Senator Bartulis.
13. (Secretary reads title of bill)
14. 482 by Senators Graham, Harris, Howard Mohr, and Weaver.
15. (Secretary reads title of bill)

16. PRESIDENT:

17. Senator Graham.

18. SENATOR GRAHAM:

19. ...Mr. President...I compliment you on...I compliment you on
20. being quiet; you were making so much noise I couldn't hear the
21. caucuses for a while but I want to suggest that...to the member-
22. ship seriously. SB 482 which we just introduced, Republican leader-
23. ship, deals with the establishment of a legislative review board
24. to make a determination of the rules and regulations adopted by
25. departments that might or might not be in conformity with the
26. Legislative intent as adopted by this Body and these rules pro-
27. vides that it goes through the Attorney General's Office and to a
28. ten member legislative board. I'm soliciting anyone, co-sponsor-
29. ship of this bill that cares to engage in this. Also, to state
30. that the work was started on this bill last July, so it's not
31. directing its intent to any one administration. Thank you,
32. Mr. President.

33. PRESIDENT:

1. Those who wish to join as co-sponsors might contact
2. Senator Graham...before the...or the Secretary. Proceed
3. Mr. Secretary.

4. SECRETARY:

5. SB 483 by Senators Rock, Johns, Donnewald, Partee,
6. Dougherty, Kosinski, Kenneth Hall, Welsh, Buzbee, Savickas,
7. Smith, Carroll, Palmer, Nudelman, Vadalabene, Romano, Wooten,
8. and Hynes.

9. (Secretary reads title of bill)

10. 48...

11. PRESIDENT:

12. Senator Rock.

13. SENATOR ROCK:

14. Yes, Mr. President, Members of the Senate, SB 483 and 484
15. which are just now being introduced are being introduced by
16. me at the request of the Treasurer of the State of Illinois, Alan
17. Dixon; I would invite all members to take a look and...join with
18. me as co-sponsors, I think that the bill has considerable merit,
19. should be considered by all of us.

20. SECRETARY:

21. SB 484 by the...same sponsors.

22. (Secretary reads title of bill)

23. 485 by Senator Johns.

24. (Secretary reads title of bill)

25. 486 by Senators Walker, Moore...Don Moore, Bartulis, Roe,
26. Vadalabene, Donnewald, Chew, Welsh, Romano and Rock.

27. (Secretary reads title of bill)

28. SB 487 by Senators Howard Mohr, Soper, Weaver, McBroom,
29. Schaffer, Conolly, Roe and Ozinga.

30. (Secretary reads title of bill)

31. 1st Reading of the bills.

32. PRESIDENT:

33. Messages from the House.

1. SECRETARY:

2. Message from the House by Mr. Selcke.

3. Mr. President: I am directed to inform the Senate that
4. the House of Representatives has adopted the following Joint
5. Resolution and the adoption of which I am instructed to ask
6. concurrence of the Senate, to wit:

7. House Joint Resolution No. 28. Resolved by the House of
8. Representatives of the 78th General Assembly of the State of
9. Illinois, the Senate concurring herein that when the House of
10. Representatives adjourns on Thursday, March 29, 1973, it stand
11. adjourned until Tuesday, April 3, 1973, at 9:30 o'clock a.m.
12. And when the Senate adjourns on Thursday, March 29, 1973, it stand
13. adjourned until Wednesday, April 4, 1973 at 11:30 o'clock a.m.

14. PRESIDENT:

15. Senator Mohr.

16. SENATOR MOHR:

17. Mr. President, I move that we...concur, adopt the...adjourn-
18. ment resolution. Point out to the members that we...will not be
19. here on next Tuesday, will come in on Wednesday, April 4th at 11:30.

20. PRESIDENT:

21. All in favor signify by saying aye. Contrary nay. The motion
22. carries and the adjournment resolution is adopted.

23. SECRETARY:

24. A...message from the House by Mr. Selcke.

25. Mr. President: I am directed to inform the Senate that the
26. House of Representatives has passed bills of the following titles
27. and the passage of which I am instructed to ask in concurrence of
28. the Senate to wit: HB 133, 140, 169, 174, 84, 134, 137, 138, 139,
29. 149, 151, 153, 164, 277, 278, 279, 298, 386, 391, 499, 178, 246,
30. 342, and 359.

31. PRESIDENT:

32. SBs on 2nd Reading. Senator Merritt is not on the Floor.
33. Senator Vadalabene. Not on the Floor. Senator Walker. Senator

1. Knuppel. Senator Don Moore... Senator McBroom. Senator Kenneth
2. Hall. Senator Nimrod. Motion. SBs on 3rd Reading. We will
3. begin with Senator Harber Hall's bill, SB 110. Do you wish that
4. bill called, Senator Hall?

5. SECRETARY:

6. SB 110.

7. (Secretary reads title of bill)

8. 3rd Reading of the bill.

9. PRESIDENT:

10. Senator Hall.

11. SENATOR HALL:

12. Mr. Speaker, fellow Senators, this bill...or excuse me,
13. Mr. President,...SB 110 is a follow up of last year's blood
14. labeling bill; it pertains to it and it simply extends the time
15. for coverage of liability for those who engage in health agencies
16. in relation to blood, organs and tissues, so that there is a waiver
17. of liability in this area of...up until 1976...this bill also re-
18. quires doctors and health agencies to...use blood in conformance
19. with the blood labeling statute that was passed last year. You will
20. recall that effective in October 1 of 1972, all blood transfusions,
21. all blood had to be labeled either donated or purchased. Effective
22. July 1, 1973, it will be unlawful to utilize sold blood in Illinois
23. except in very rare cases in rare blood types. This bill conforms
24. to that far-ranging legislation that now appears to be before...
25. all the states in the country, and I would move for your support of
26. this augmenting act.

27. PRESIDENT:

28. Is there further discussion? Senator Rock.

29. SENATOR ROCK:

30. Well, I...I'm going to, of necessity, Mr. President, ask the
31. same question I asked a couple of weeks ago...week ago, when it
32. was on second reading. I...I still,...perhaps I can't hear as
33. well as I should, I...I still don't understand the necessity of

1. this bill or what it purports to do, frankly.

2. PRESIDENT:

3. Senator Hall.

4. SENATOR HALL:

5. Senator Rock, this bill insures that we consider blood as
6. a service and not label it a product and thereby, those who en-
7. gage in the necessary health agencies and activities, doctors,
8. nurses, when they transfuse blood, that they are not liable be-
9. cause of a product that they are exchanging that might later be
10. found to have been deficient or...otherwise unsuitable and...
11. cause damage. The art of determining that hepatitis or other
12. agents found in blood that causes health problems is not to a
13. degree that they can determine readily...and therefore occasionally
14. people become very sick and even die because of these agents...
15. that are later discovered to have been transfused with the blood.
16. It is so essential and so urgent that we consider blood a service,
17. that is when you and I volunteer to ...donate blood, we are per-
18. forming a service, a health...a necessary health service. There's
19. no alternative to blood, so rather than calling it in the law, a
20. product and thereby creating a situation of liability for perhaps
21. a doctor who uses someone's blood to save a life because later is
22. determined that...it was contaminated in some manner. Rather than
23. do that, we have here a waiver of this type of liability...so that
24. we can proceed with an entirely volunteer blood program throughout
25. the State of Illinois.

26. PRESIDENT:

27. Senator Rock.

28. SENATOR ROCK:

29. Well, then the next...the obvious question is, then why do
30. we...why have we picked 1976? If...if...if the thrust of this
31. is, as I understand it, to make sure or put some pressure upon...
32. making this type of test available, why don't we just extend it a
33. year at a time?

1. PRESIDENT HARRIS:

2. Senator Hall.

3. SENATOR HALL:

4. Well, as introduced, this bill would have repealed the en-
5. tire liability section. We have...determined that...because of
6. the professional and long-range attempt to determine better
7. methods for discovering and...and isolating...agents in blood
8. that are counterproductive or serious in nature. ...It will
9. take some time...to perfect this technique or these techniques.
10. And...one year is not sufficient time, as a matter of fact,...
11. probably by the year 1976, ...we certainly hope that we will
12. have perfected it. But there's a good possibility that by that
13. time, if the other states follow the lead as they seem to be
14. doing, we may all accept the proposition that the need to give
15. blood is the need to ask for a service and that there should be
16. no liability at all and perhaps our attempt to repeal the liability
17. sections in these instances would have been the best thing to do
18. in...in the first instance.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Yes, Mr. President, ...this is an...extremely troubling
23. situation to have to deal with because there is no absolutely
24. correct answer to be made. On the one hand, we are granting
25. immunity from liability to physicians engaged in blood trans-
26. fusions, they've a very valid argument, there is no absolutely
27. reliable test for hepatitis, and it may be that we will never have
28. a wholly reliable test. At the same time, I assume that the pro-
29. fession is pursuing that objective with the same zeal that they
30. pursue the objective of being free from liability. It's difficult
31. to know how to go in this, I, for one, would prefer to keep as
32. much pressure on the medical profession to work as rapidly as
33. possible to give us this determination, because the question

1. will never be adequately solved until we have such testing...
2. available. As to whether it should be one, two or three years,
3. this, too, is difficult, that they are starting from now, three
4. years might be enough time if they're successful. We're pre-
5. sented with so many ifs in this situation that I, for one, cannot
6. find anything that presents itself to me as an accurate deter-
7. mination. But, as I say, by granting them immunity from lia-
8. bility, I hope that we can somehow by only extending it for a
9. certain period of time, indicate to the medical profession that
10. we expect them to pursue that problem with the same zeal as they
11. have pursued this...legal problem.

12. PRESIDENT:

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President, Members of the Senate, I too, have
16. great concern about this bill and this has been under considera-
17. tion by the Legislature prior. And I have personally gone to the
18. blood banks in Chicago, to the Michael Reese Blood Centers and to
19. the other institutions...within the metropolitan Chicago area...
20. in an attempt to determine what standards they were trying to meet
21. at this time, how they were processing blood, what the various
22. effects would be. I, too, am concerned over the change in the
23. status of the responsibility we will require from the medical
24. profession. I think this is a situation where patient has no
25. choice, or little choice, in the type of product given to him in...
26. in the blood. And I think this is a product rather than necessarily
27. a service. I think it is a service in...in giving a transfusion
28. but what they are giving him is a product just as in any other
29. situation. I do, however, recognize the...the import of what we
30. are attempting to do, and I would hope that at a minimum, if we
31. are limiting the liability and I, for one, don't agree with
32. limiting the liability; I think that we have to have very strict
33. standards on the medical profession in this particular area. I

1. would hope that we would be in... sincere in our effort at
2. least to repeal this, not to extend it unless there is good cause
3. shown; I'm a little bit concerned about the length of time as is
4. Senator Wooten and others. That maybe a year would be a little
5. bit more adequate, to get them...to be a little bit more con-
6. cerned about it. I'm not really saying that they haven't been
7. but I think we need this type of pressure. I agree if they're
8. looking to limit their liability that we, too, must look very
9. closely at our actions and make sure that we are not harming the
10. public who is consuming this, the people...who have been getting
11. hepatitis, the people who are anemic who...who use large amounts
12. of blood. I think we have to be very careful in what we are
13. doing and hope the profession will respond accordingly.

14. PRESIDENT:

15. Senator Bell.

16. SENATOR BELL:

17. Well, I...I feel there's a couple of points that should be
18. made here. First of all, in reference to the medical profession,
19. I really don't feel that by removing the aspect of liability in
20. their use of blood...in blood transfusions is going to have any
21. bearing on the excellent work that the medical profession has done
22. in trying to eliminate illness and whether we consider it as a
23. product or whether we consider it as...service really will have,
24. in my humble opinion, no bearing on what the medical field will
25. do in trying to resolve this problem of determining of hepatitis in
26. blood, and blood derivatives. Now, secondly, being in the insur-
27. ance business, the insurance industry,...I beg to differ with
28. you, I don't think that blood is a product in the sense of the
29. word that...product is usually looked upon in the...field of
30. liability from the insurance standpoint. It's not produced by
31. a...you know, a factory...in the common sense of the word where
32. we can determine just what is going into it and what's coming
33. out and where we ask a factory or manufacturer to...stand behind

1. that particular product, where we have controls over that
2. particular product. I...I can see the problem that...I suppose
3. in the fact that the human body is producing it, that certainly
4. it is a product from that standpoint of manufacturer. But from
5. the standpoint of...of legal liability, I think it should
6. definitely looked on...be looked upon as...as a service and so
7. I would urge the...members of the Senate to support this bill.
8. Thank you.

9. PRESIDENT:

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

12. SENATOR HALL:

13. Mr. President, I'm grateful for the opportunity to hear
14. points of view, particularly from the...attorney membership of
15. the Senate because they are constantly aware of the need to pro-
16. tect...all the citizens. I think it's been...pretty well accepted
17. here...in the discussion this morning that Illinois is...has em-
18. barked upon a program designed to drastically reduce the incidents
19. of serum hepatitis through the transfusion of blood by eliminating
20. sold blood, that is, the State will no longer permit blood that
21. has been proven to be approximately one thousand times more sus-
22. ceptible to contamination than blood that is not sold. It's
23. going to be a successful program; I previously have written each
24. member of the Legislature and asked them to, in their own areas,
25. support the State public health drive to encourage citizen volun-
26. teers so that we can build up a constant and recurring donor pro-
27. gram to fulfill the requirements of our program. It...it's a very
28. good program, this will insure that it continues to meet the needs
29. and at such time as this...relaxation in the liability can...be
30. done away with, why...perhaps we will...draw our attention to it
31. at that time. But right now, this appears to be a good bill, it's
32. supported by, for example, this morning I received a wire from
33. Mr. Lawrence A. Keller, United Steel Workers of America, AFL-CIO

1. who says in simply two lines: "Blood is not a drug but a vital
2. service." We join urging passage of SB 110...I again would like
3. to ask the President for roll call on this proposal.

4. PRESIDENT:

5. The question is, shall SB 110 pass. The Secretary will call
6. the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,

9. PRESIDENT:

10. Senator Carroll.

11. SENATOR CARROLL:

12. Although, with great reservations, Senator Hall, hoping
13. this is a step in the right direction, and...and although very
14. reluctantly, I will support the bill and vote aye.

15. SECRETARY:

16. Chew, Clarke, Conolly, Course, Daley, Davidson,

17. PRESIDENT:

18. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President, Ladies and Gentlemen of the Senate, ...not
21. often I want to support a bill of one of the people who were
22. against me, but I'd like to rise, being one involved in the
23. healing arts, where the liability that individuals who have to
24. do the use of blood and transplants which I do not, however,
25. urge all of you to vote favorable for this bill because it's
26. of a necessity that we need. Thank you. Aye.

27. SECRETARY:

28. Donnewald, Dougherty, Fawell, Glass, Graham, Harber Hall,
29. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
30. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
31. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
32. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
33. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,

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

2. PRESIDENT:

3. Senator Johns, aye. Senator Daley, aye. Ozinga, aye.
4. Nimrod, aye. Romano, aye. Senator Netsch, aye. Senator Hynes, aye.
5. Senator Bruce, aye. On that roll call the yeas are 51. The nays
6. are none. The bill having received a constitutional majority is
7. declared passed. SB 119. Senator Don Moore.

8. SECRETARY:

9. SB 199. (Secretary reads title of bill)
10. 3rd Reading of the bill.

11. PRESIDENT:

12. Senator Moore.

13. SENATOR DON MOORE:

14. Thank you, Mr. President, Members of the Senate. Before
15. I proceed with the bill, Mr. President, I would ask for unanimous
16. consent to have Senators Saperstein, Smith, Dougherty, Bartulis
17. and Knuepfer made co-sponsors of this bill.

18. PRESIDENT:

19. Is there leave? So ordered.

20. SENATOR DON MOORE:

21. Thank you, Mr. President. SB 119 is a bill that came out
22. of the Legislative Advisory Committee on Public Assistance. It
23. came out with the unanimous vote on January 7 of '73. What it
24. does very simply, it increases the funeral allowances which the
25. State pays for indigents, and in some cases, public aid recipients
26. from \$200 to \$300. There has not been an increase...or the last
27. amount was set in 1966. It came out of the Public Health, Welfare
28. and Corrections Committee, without an objection. I know of no
29. support, and I would ask for a unanimous vote.

30. PRESIDENT:

31. Is there further discussion? Secretary will call the roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke,

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

9. PRESIDENT:

10. Senator Vadalabene, aye. Senator Netsch, aye. Senator Bruce,
11. aye. Senator Conolly, aye. On that roll call the yeas are
12. forty-nine...the yeas are forty-nine, the nays are two, one
13. voting present. The bill having received a constitutional majority
14. is declared passed. Senator Partee, do you wish 122 called?
15. SB 122.

16. SECRETARY:

17. Sen...SB 122

18. (Secretary reads title of bill)

19. 3rd Reading of the bill.

20. PRESIDENT:

21. Senator Partee.

22. SENATOR PARTEE:

23. This bill has as its purpose to permit those persons who
24. rent automobiles or lease them, to be able to get them back when
25. they are...be able to prosecute persons who fail to return them.
26. A notice is required and it's the same as a Class 4 felony. Right
27. now this type of theft is a misdemeanor. And if it...this bill
28. is signed into law it'll, I think deter the commission of such
29. crimes and prosecutions is under both State and Federal laws.
30. And I think it's an excellent piece of legislation. I'd appreciate
31. your support.

32. PRESIDENT:

33. Is there further discussion? Senator Rock.

1. SENATOR ROCK:

2. Yes, just...I rise in support of this legislation. I just
3. want to point out to some of the members who may not be familiar,
4. the problem arises really when...when these automobiles are
5. rented for instance in a place like Rock Island and they're taken
6. across State lines. It has happened in the past that neither the
7. State's attorneys of the surrounding states nor the State's
8. attorneys of our own Counties are willing to extradite and pro-
9. secute because it's...is only a misdemeanor. And, I think, by
10. making this a felony we will put some teeth into this law, and
11. I rise in support of it.

12. PRESIDENT:

13. Is there further discussion? Senator Knuepfer.

14. SENATOR KNUEPFER:

15. Is...is the penalty for a misdemeanor up to one year in jail
16. and maximum of a thousand dollars fine? And what will the penalty
17. be under...under a Class 4 misdemeanor?

18. PRESIDENT:

19. Senator Partee.

20. SENATOR PARTEE:

21. Under this bill, the minimum would be one year; the maximum
22. would be three, in case of a conviction.

23. PRESIDENT:

24. Senator Knuepfer.

25. SENATOR KNUEPFER:

26. What...what is it presently as a misdemeanor? I want to
27. know where...where you are now and where we're going to. You
28. told me where we're going, where are we now?

29. SENATOR PARTEE:

30. Well, as a misdemeanor, it can be up to one year in a county
31. jail. As a felony, it would be a minimum of one year and a maximum
32. of three years in a state penitentiary if...if he's sentenced.

33. PRESIDENT:

1. Senator Berning.

2. SENATOR BERNING:

3. If I might, I would just like a bit of clarification from
4. the sponsor, and I...let me...let me preface my question by
5. saying, I...I am in agreement with what this bill is attempting
6. to do, but my question is simply this, a person convicted under
7. this would, I assume, not be eligible for parole. How do re-
8. concile our processes where...whereby a person convicted of a
9. theft which this is, is not eligible for parole or probation I
10. guess, whereas a...a...the individual who commits a serious crime,
11. rape or murder or otherwise, so frequently is immediately back
12. on the streets. Now, how do we reconcile this?

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. I don't know, Senator, why you say that because there's
17. nothing in this bill that changes the law...as respects who is
18. eligible and who is not eligible for parole. Or...you mean
19. probation, I take it, instead of parole anyway. No. The person
20. would be eligible for probation under this. Certainly.

21. PRESIDENT:

22. Is there further discussion? Secretary will...Senator Bell.

23. SENATOR BELL:

24. Senator Partee, if I might ask another question. What...is
25. there a time period that has to take place before this is a...
26. a constitutes a theft, and if so, what might that be?

27. PRESIDENT:

28. Senator Partee.

29. SENATOR PARTEE:

30. Yes, the time period would be that time period that set forth
31. in the contract of rental and after the expiration of that time
32. period a service of notice is demanded by the bill so you don't
33. just, you know, grab...start moving immediately. You have to...

1. the time has to expire, and then a notice has to be served.

2. PRESIDENT:

3. Senator Bell.

4. SENATOR BELL:

5. Senator Partee, is it also not true in reference to Senator

6. Berning's statement that...that murder and rape are non-probationary

7. under Illinois Criminal Code as it currently exists.

8. PRESIDENT:

9. Senator Partee.

10. SENATOR PARTEE:

11. Murder, armed robbery and rape are non-probationable. The

12. judge couldn't give probation under those circumstance.

13. PRESIDENT:

14. Senator McBroom.

15. SENATOR MCBROOM:

16. Mr...

17. PRESIDENT:

18. Senator McBroom.

19. SENATOR MCBROOM:

20. Mr. President and Members of the Senate, very...very briefly,

21. I...I believe I spoke in favor of this bill the last Session. I...

22. I don't see what's such a...a big deal about this. I probably

23. shouldn't get engaged in conversation with the distinguished

24. Minority Leader. And, I'm arising to support you, Senator Partee.

25. I went through this situation, a personal experience, and I want

26. to tell you what you have recited is absolutely true and for almost

27. six months, nine thousand dollars of my money was residing in

28. Indiana, and it's a pretty forlorn feeling. I can assure you

29. that and I'm delighted to support you on this measure.

30. PRESIDENT:

31. Senator Soper.

32. SENATOR SOPER:

33. I move the previous question.

1. PRESIDENT:

2. The question is shall the main question now be put. All
3. in favor signify by saying aye. Contrary nay. The motion
4. carries and the question is, shall SB 122 pass? Secretary will
5. call the roll.

6. SECRETARY:

7. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke...

8. PRESIDENT:

9. Senator Clarke.

10. SENATOR CLARKE:

11. I...I'm sorry that debate was cut off because I did want to
12. ask the sponsor whether he checked this bill out with Senator
13. Laughlin.

14. SECRETARY:

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

23. PRESIDENT:

24. Senator Johns, aye. Senator Vadalabene, aye. On that
25. roll call the yeas are forty-seven, the nays are two. SB 122
26. having received a constitutional majority is declared passed.
27. It will be the intention to work until one or shortly thereafter
28. and recess for our 2:15 committees. Might keep that in mind,
29. those of you as we acknowledged yesterday, we will get you out
30. of here for a break for your lunch, shortly after 1:00. The
31. next bill, SB 127, Senator Shapiro.

32. SECRETARY:

33. SB 127.

1. (Secretary reads title of the bill)

2. 3rd Reading of the bill.

3. PRESIDENT:

4. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Mr. President, Ladies and Gentlemen of the House... SB 127
7. as amended merely raises the membership of the Nursing Home
8. Advisory Council from 12 members to 16 and of the four new
9. members, three shall be public members and one shall be a nominee
10. of the Metropolitan Chicago Nursing Home Association, and I would
11. urge a favorable vote.

12. PRESIDENT:

13. Is there further discussion? Senator Saperstein.

14. SENATOR SAPERSTEIN:

15. Mr. President, Ladies and Gentlemen, this is something
16. we've been trying to do for many years, and I would advise,
17. and encourage support for Dr. Shapiro's bill.

18. PRESIDENT:

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. I...I didn't hear the question. Oh.

22. PRESIDENT:

23. Senator...Is there further discussion? Secretary will call
24. the roll. The question is, shall SB 127 pass?

25. SECRETARY:

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

1. Welsh, Wooten, Mr. President.

2. PRESIDENT:

3. Senator Hynes, aye. How is Senator Swinarski recorded?
4. You are not recorded. Aye. On that roll call the yeas are
5. fifty, the nays are none. SB 127, Senator Shapiro's first
6. bill, is declared passed. Senator Ozinga, do you wish 134
7. called? Yes. SB 134.

8. SECRETARY:

9. SB 134.

10. (Secretary reads title of bill)

11. 3rd Reading of the bill.

12. PRESIDENT:

13. Senator Ozinga.

14. SENATOR OZINGA:

15. Mr. President, Members of the Senate. This is the annual
16. appropriation for the Visitation Commission. It has not been
17. increased even though the membership, we hope, will be increased
18. we hope to survive with the amount that was had, and I will
19. accept a favorable roll call.

20. PRESIDENT:

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

30. PRESIDENT:

31. Senator Savickas, aye. Senator Palmer, aye. On that
32. roll call, the yeas are fifty, the nays are two. The bill
33. having received a constitutional majority is declared passed.

1. Senator Sours, SB 139. Senator Merritt, SB 144. You wish
2. that bill called? Yes. SB 144.

3. SECRETARY:

4. SB 144.

5. (Secretary reads title of bill)

6. 3rd Reading of the bill.

7. PRESIDENT:

8. Senator Merritt.

9. SENATOR MERRITT:

10. Yes, Mr. President, Members of the Senate, SB 144 would
11. create the means to terminate statutory municipal hospital
12. districts where services become surplus by virtue of creation
13. of area or other larger hospital take over all hospital services
14. in the area involved. Unfortunately, when the Hospital District
15. Act was created in 1949, it did not provide for dissolution of
16. such districts. I won't go into anything further on it, other
17. than to say that the staffs from both side of the aisle...
18. approved of the amendments that we offered, clear up some minor
19. objections. They were offered and adopted in committee. I would
20. appreciate a most favorable roll call vote.

21. PRESIDENT:

22. Is there further discussion? The question is shall SB 144
23. pass. Secretary will call the roll.

24. SECRETARY:

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

1. PRESIDENT:

2. Senator Buzbee, aye. On that roll call the yeas are
3. forty-six, the nays are none. The bill having received a
4. constitutional majority is declared passed. Senator Carroll,
5. SB 160.

6. SECRETARY:

7. SB 160.

8. (Secretary reads title of bill)

9. 3rd Reading of the bill.

10. PRESIDENT:

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President, Members of the Senate. If
14. you'll recall, several years ago, we passed...we passed several
15. laws dealing with expunging of criminal record in a first offense
16. situation where there is no prior record. As the result of
17. the drafting of that laws, and this dealt with misdemeanors or
18. felonies, we found that in a case where a person had a prior
19. traffic ticket, where they may have pled guilty and paid \$5,
20. \$10 fine for a stop sign violation, or in the case where they
21. had a prior parking ticket, the presiding judge of the Circuit
22. Court or of the Criminal Division, as in the case of Cook
23. County, said that they did not have the statutory authority to
24. expunge the record. So, what we have said here is that for
25. purposes of expunging a prior conviction or plea of guilty in a
26. minor traffic offense, and we've excluded from this all the
27. jailable offenses, either of a moving or a non-moving nature,
28. is not a bar to the expunging of a subsequent arrest and finding
29. of not guilty or...or nonprosecution of a, for example, breach
30. of the peace or mass arrest situation. I'd be willing to
31. answer any questions. I would ask for a favorable roll call.

32. PRESIDENT:

33. Is there further discussion? Question is shall SB 160...

1. The Secretary will call the roll.

2. SECRETARY:

3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew, Clarke,

4. Conolly, Course, Daley, Davidson, Donnewald, Dougherty, Fawell,

5. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,

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

7. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,

8. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,

9. Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro, Sommer,

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

11. Wooten, Mr. President.

12. PRESIDENT:

13. Senator Mitchler, aye. Senator Rock, aye. Senator Welsh,

14. aye. Romano, aye. Vadalabene, aye. I don't know whether

15. there's something significant there, but on that roll call,

16. SB 160 having received a constitutional majority of fifty

17. yeas and no nays, Senator Carroll's first Senate Bill, is

18. declared passed, with appropriate accompaniment. Senator Romano.

19. SENATOR ROMANO:

20. I...I don't think it's fair. Carroll got music and

21. Shapiro didn't.

22. PRESIDENT:

23. Senator Conolly, 171. Yes. SB 171.

24. SECRETARY:

25. SB 171.

26. (Secretary reads title of bill)

27. 3rd Reading of the bill.

28. PRESIDENT:

29. Senator Conolly.

30. SENATOR CONOLLY:

31. In the previous Session, we passed appropriation to the

32. Legislative Council to provide for a legislative film to be

33. made on the legislative process to be used before civic

1. organizations and the schools of our State. It was called to
2. my attention that it would be appropriate to have Spanish sub-
3. titles on this film so it would have a wider distribution and
4. wider understanding. Therefore, I would appreciate your support
5. on this appropriation of \$3,000 to the Legislative Council to
6. take care of this matter.

7. PRESIDENT:

8. Is there further discussion? The question is shall SB 171
9. pass. The Secretary will call the roll.

10. SECRETARY:

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

20. PRESIDENT:

21. Senator Hynes, aye. Senator Scholl, aye. Mitchler, aye.
22. On that roll call the yeas are forty, the nays are five. The
23. bill having received a constitutional majority is declared
24. passed. The Chair wishes to make known to the Chamber this
25. also was Senator Conolly's first bill. Senator Fawell, do you
26. wish 172 called in? SB 172.

27. SECRETARY:

28. SB 172.

29. (Secretary reads title of bill)

30. 3rd Reading of the bill.

31. PRESIDENT:

32. Senator Fawell.

33. SENATOR FAWELL:

1. Yes, Mr. President, Members of the Senate, I would like
2. to ask leave for unanimous consent to return SB 172 back to
3. the order of 2nd Reading for the purposes of affixing an amend-
4. ment. Tabling Amendment No. 1 and inserting in lieu thereof,
5. Amendment No. 2 which is on the Secretary's desk.

6. PRESIDENT:

7. Senator Fawell moves to recall SB 172 to the order of
8. 2nd Reading for purposes of amendment. Is there leave? The
9. bill is on 2nd Reading. Senator Fawell is recognized.

10. SENATOR FAWELL:

11. Yes, the Amendment No. 1 was imperfectly drafted. I've
12. talked to Senator Saperstein, to Senator Bruce and Senator Hynes
13. in regard to the Amendment No. 2 which is to be inserted so
14. that the provisional certificate that we are talking about,
15. the conjunction "and" is taken out and we utilize the word "or"
16. basically. So, this is the only change that is being made.

17. PRESIDENT:

18. Senator Fawell moves the reconsider the vote by which
19. Amendment No. 1 was adopted be reconsidered. All in favor
20. signify by saying aye. Contrary nay. The motion carries.
21. The amendment is now before us, and you wish to move to table
22. Amendment No. 1. All in favor of the motion to table Amend-
23. ment No. 1 signify by saying aye. Contrary nay. The motion
24. carries. Amendment No. 1 is tabled. Senator Fawell may pro-
25. ceed with consideration of Amendment No. 2.

26. SENATOR FAWELL:

27. Yes, I...I now move the adoption of Amendment No. 2 which
28. will...does express the true intent of the bill that insofar as
29. the provisional certificate for voc ed provisional certificates
30. are concerned, it does set forth that it can be either the setting
31. forth of thirty semester hours of credit or four thousand hours
32. of work experience in the skill to be certified for teaching, and
33. I move the adoption of Amendment No. 2.

1. PRESIDENT:

2. Is there further discussion? Senator Hynes.

3. SENATOR HYNES:

4. Very briefly, Mr. President. I...I think the amendment is
5. in proper form and expresses the intention of the committee and
6. I think the legislation itself is highly desirable.

7. PRESIDENT:

8. All in favor of the motion to adopt Amendment No. 2 signify
9. by saying aye. Contrary nay. The motion carries. The amend-
10. ment is adopted, 3rd Reading. SB 173, Senator Fawell, 174,
11. SB 174.

12. SECRETARY:

13. SB 174.

14. (Secretary reads title of bill)

15. 3rd Reading of the bill.

16. PRESIDENT:

17. Senator Fawell.

18. SENATOR FAWELL:

19. That's the entire bill.

20. PRESIDENT:

21. Is there further discussion...on the entire bill. The
22. question is shall SB 174 pass. The Secretary will call the
23. roll.

24. SECRETARY:

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

1. PRESIDENT:

2. Senator Shapiro, aye. Senator Sours, aye. Senator Roe,
3. aye. On that roll call the yeas are forty-eight, the nays are
4. none. The bill having received the constitutional majority is
5. declared passed. Senator Donnewald, do you wish that bill
6. called, 176? Senator Sours, 202.

7. SECRETARY:

8. SB 202.

9. (Secretary reads title of bill)

10. 3rd Reading of the bill.

11. PRESIDENT:

12. Senator Sours. Senator Sours, before you proceed, the
13. Chair just wishes to announce we are calling the bills that were
14. on the order of 3rd Reading yesterday first, and then when we've
15. finished on that, we're rolling along here nicely, then we'll
16. go back and pick up where we were on those bills that come on
17. 3rd Reading today. If there's any question about that there
18. was an understanding reached yesterday that we would deal with
19. the bills on the calendar yesterday. Senator Sours, proceed.

20. SENATOR SOURS:

21. Mr. President, Ladies and Gentlemen of the Senate, this
22. bill received a good hearing in Education Committee. It clarifies
23. or cures a rather unhappy problem that was created under the old
24. Constitution. Any teacher who teaches from material he or she
25. has prepared can best present the subject matter.

26. PRESIDENT:

27. Senator, we are considering 202.

28. SENATOR SOURS:

29. 202 has to do with some of my dear friends, and this...
30. this bill was...well the genesis of this bill is the Humane
31. Society of the United States having regard to treatment of
32. household pets and other animals. The bill does precisely
33. what the syllabus says it does. I can read it. It's...it's
34. the law in several states. Originally promulgated in the

1. State of Massachusetts, which, of course, is the home state
2. for the Society for the Prevention of Cruelty to Animals. I
3. know of nothing wrong with the bill. It has virtue. I'd
4. appreciate it's passage.

5. PRESIDENT:

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. It's just been called to my attention recently that... I
9. hadn't paid that much attention when it was in Judiciary but
10. Section 5 says no person shall restrain any animal by a chain,
11. rope, leash or similar device unless the device is at all times
12. at least three times the body length of the animal. This means
13. that if you tie a horse up with a rope that's shorter than
14. twenty-four feet, you're in violation of the law. Also, a cow
15. or some of the larger animals. I submit that this is one good
16. way to ruin a horse, by nature, a horse gets their foot over a
17. rope and they could get their foot over a twenty-four leash;
18. you could ruin a good horse in a hurry. I submit that this part
19. of the bill is bad. I would ask the good Senator if he would
20. consider holding the bill and considering an amendment to it
21. in...in light of the different sizes of animals. This may be
22. all right for dogs, it may be all right for some other animals,
23. but it certainly doesn't apply to horse, cows and some larger
24. animals.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. Yes, Mr. President, I...I want this bill to be a good one.
29. And I wouldn't want it to discriminate against horses, or cows,
30. under the 14th Amendment the equal protection of the law
31. especially. So, do I have the Senator's assurance he'll pre-
32. pare the amendment so it gets to be technically correct?

33. PRESIDENT:

1. He indicates that he will. The bill will be...be passed
2. over. We'll take it out of the Record and...Senator Soper.
3. SB 222.
4. SENATOR SOPER:
5. Yes, Mr. President, Members of the Senate...
6. PRESIDENT:
7. Just a moment, Senator Soper.
8. SECRETARY:
9. SB 222.
10. (Secretary reads title of bill)
11. 3rd Reading of the bill.
12. PRESIDENT:
13. Senator Soper.
14. SENATOR SOPER:
15. Mr. President, Ladies and Gentlemen of the Senate, the
16. bill does exactly what the synopsis says. I can add to that
17. that this would help the flood control plain along the Salt
18. Creek. Now, this would take in part of DuPage County, Cook
19. County, Lake County and the environments of, oh, Chicago, and
20. I think the DesPlaines River..the DesPlaines River runs through
21. that. Appreciate a favorable vote. We've had a lot of flooding
22. around there, and I know you want to alleviate the flooding.
23. Thank you.
24. PRESIDENT:
25. Senator Netsch.
26. SENATOR NETSCH:
27. Thank you. May I ask a question, Senator Soper? The...
28. the...the bill provides an appropriation of...in excess of
29. seven million dollars. Is this in the budget?
30. PRESIDENT:
31. Senator Soper.
32. SENATOR SOPER:
33. Whose budget?

1. PRESIDENT:

2. Senator Netsch.

3. SENATOR NETSCH:

4. The official budget of the State of Illinois, to date,
5. which is the Governor's budget.

6. SENATOR SOPER:

7. Oh, the Governor's budget. Well, I...I don't know what
8. he has in his budget, but I know this, that under Section 7 of
9. this...of this bill, no agreement or contract shall be entered
10. into or...or obligation incurred for any expenditure from the
11. appropriations herein made until approved in writing by the
12. Governor. Now, I don't want to be facetious or anything, but
13. I'd say this, that it takes a long time to prepare engineering
14. plans, and we've had engineering plans on part of this and this
15. is a necessity. The...the Governor did promise during his
16. election that he would take care of a few of these things. And
17. this will not impair his budget at all, because he doesn't have
18. to...he doesn't have to release this money if he doesn't want
19. to. But the engineering should go on. There are some things
20. that are very vital at this time that are necessary. We had
21. some money in the budget last year and it wasn't...the appro-
22. priation was made but it wasn't expended and these things hold
23. over from year to year, and we have to start these things after
24. July 1st. And, if we don't, we never get them done. Now, if
25. you feel that...if you feel that the...that the Governor
26. shouldn't...shouldn't look into this subject...on the flooding
27. for that District, well you vote no. But I think that this
28. ought to be put in and then he ought to look at it. And if
29. he feels that he doesn't want this bill, all he has to do is
30. veto it. That's all he has to do. And...I...I'd accept a
31. favorable roll call. Thank you, very much.

32. PRESIDENT:

33. Senator Netsch.

1. SENATOR NETSCH:

2. Senator Soper, did you...speak with anyone in the budget
3. process or in the appropriate agency to request that this be
4. included in the budget for the next bien...or the next fiscal
5. year?

6. PRESIDENT:

7. Senator Soper.

8. SENATOR SOPER:

9. Senator Netsch my...my House member...Representative Shea...
10. is...got a similar bill and he talked to...to Mr. Guillou on
11. this and this is how this bill was written. Now, what...whether
12. it went into the budget or not I don't know, but Senator Shea...
13. I mean Representative Shea is going to handle this bill in the
14. House, and I think he has the same bill in...in the House at
15. this time.

16. PRESIDENT:

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. Yes, Mr. President, Members of the Senate, I would rise
20. in support of Senator Soper and this bill. I like to comment
21. briefly on this type of an appropriation that may come from a
22. Senator or a Representative for his District. Now, I immediately
23. recognize that when I see on the face of this \$7,300,000, that's
24. not just a little creek bill, that's a big one. But, I want to
25. point that in June and August of last year, the State of Illinois
26. experienced some very, very serious flooding and many, many of
27. the counties were...declared disaster areas, by the work of the
28. Governor and the President of the United States. And the Small
29. Business Administration gave out flood-loss loans and in the
30. State of Illinois, in the northeastern section, I'll just take
31. one section, six counties, out of Bob Blair's office in Chicago
32. \$23,000,000 in loss...flood-loss loans were given out. Now,
33. I might point out that a homeowner under that flood-loss loan

1. program could be eligible up to \$50,000, the damage of their
2. home. And the first \$5,000 is gratis. Now stop and think what
3. that costs taxpayers to just to pay out for one year. Now,
4. today you had placed on your desk a pamphlet relating to the
5. national flood insurance program. Now, this is supplementing
6. the flood-loss loan program because, face it fellows and ladies,
7. there's just is not going to be that money handed out from the
8. Federal government in 1973 for the flood losses. And this type
9. of legislation that is going to be replaced with the national
10. flood insurance program where the Federal government picks up
11. ninety percent of the insurance that people are eligible for when
12. local communities come out with a flood plain ordinance, and you
13. can read about it in the pamphlet. But, Senator Soper here is
14. addressing himself to a problem, and it's a pro...problem of
15. great magnitude in his area and throughout other areas in the
16. State. And we're going to have to start taking priorities and
17. placing them, and I think that the flood problem that we have
18. has a priority. It's much greater than the bill we passed a
19. year or so ago to take down billboards, and if you want to know
20. what the State of Illinois is going to spend on taking bill-
21. boards down, it's about \$147,000,000 and seventy-five percent
22. of that is supposed to come from the Federal government. And
23. I'm telling you right now, the Federal government is not going
24. to be handing out \$100,000,000 to the State of Illinois to take
25. down billboards, and I don't think that we should allow it.
26. I'm thinking about repealing that act in Illinois so that we
27. can take priorities and divert some of that \$100,000,000, Senator
28. Netsch, to more important priority things, human resources,
29. flood problems and not worry about taking down billboards all
30. over the State of Illinois. Let's give that another look and
31. look at priorities. And I think that we should pass this bill,
32. and the Governor should have these bills on his desk and evaluate
33. this and take the priorities in line. And this should have a

1. high priority, Senator Soper.

2. PRESIDENT:

3. Senator Rock.

4. SENATOR ROCK:

5. Mr. President, I'll yield to Senator Hynes.

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President, Members of the Senate...I...I don't believe
10. the issue involved in this bill is flood control or anything like
11. it. The question is being raised here is whether we're going
12. to have a coordinated program of public works in this State,
13. whether we're going to have a coordinated program with respect
14. to flood control and whether the department is going to have an
15. input and we are going to take advantage of the expertise of
16. the department in determining where and when and how that money
17. should be spent. This problem has presented itself in the
18. Appropriations Committee with respect to other isolated pieces
19. of legislations that are not budgeted. And, I think we do a
20. disservice to ourselves and to the State, if we pass helter-
21. skelter all of these isolated appropriations bills without
22. having a comprehensive program. I would suggest to the sponsor
23. that he hold this bill until first of all, a clear policy can
24. be developed in the Appropriations Committee and Senator McBroom
25. and I have discussed this, how these bills are going to be handled.
26. And, secondly, until we get input from the department on what
27. their program is going to be, so at...at this point, I would
28. oppose this bill if...if it is to be called for passage today.

29. PRESIDENT:

30. Senator Rock wish recognition? Senator Rock.

31. SENATOR ROCK:

32. Well, just to corroborate, reaffirm what Senator Hynes has
33. so ably said. It was the practice and I think it was a good one

1. in the past couple of Sessions, everybody could come in with
2. a public works type bill, to suit or suited to the needs of
3. his own District and we can pass out just a jillion of these
4. things. I think it's better practice, especially with the
5. able Committee on Appropriations that we do have, to hold all
6. these bills and get a coordinated public works bill and pass
7. the whole thing at once. We've done that for the past two
8. years and there's no reason why we shouldn't do it this time. So
9. I stand opposed to this bill.

10. PRESIDENT:

11. Is there further discussion? Senator Soper may close the
12. debate.

13. SENATOR SOPER:

14. I want to say, Ladies and Gentlemen, that this came out
15. of Appropriations without a dissenting vote, and I understand
16. what priorities are and I understand what flood...what creek
17. bills are, but I think it's necessary that we put this on the
18. Governor's desk, send it out to the House. This is very...
19. it's very necessary and it's imminent that we do something
20. about this and we can't play games with flood control. And,
21. I'd...I'd ask roll call at this time.

22. PRESIDENT:

23. The question is shall SB 222 pass. The Secretary will
24. call the roll.

25. SECRETARY:

26. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
27. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
28. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
29. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
30. Merritt, Mitchler, Howard Mohr...

31. PRESIDENT:

32. Senator Mohr.

33. SENATOR HOWARD MOHR:

1. Mr. President, I'm listed as the second sponsor on this
2. bill and I, too, like Senator Soper am most concerned about
3. the Des Plaines River, Addison and Salt Creeks and all the
4. flooding problems that we have up in the area that many of us
5. represent. It isn't only a bill for Senator Soper, it is for
6. the suburban area. I did have a speech, but I think Senator
7. Mitchler picked it up off my desk, so I'm not going to give
8. that. But, I would just urge every member to support this and
9. the Governor did say all through his campaign that he's con-
10. cerned about the people that were flooded and had to abandon
11. their homes and took a tour of the flooded areas and...and I'm
12. quite sure that he would want to see legislation of this type
13. introduced, and I have no doubt in my mind that he would...
14. wouldn't sign it, so I'd like to give him that opportunity and
15. I vote aye.

16. SECRETARY:

17. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
18. Palmer, Partee...

19. PRESIDENT:

20. Senator Partee.

21. SENATOR PARTEE:

22. I'm not going to vote either yea or nay on this bill, and
23. I want you to know that I'm going to vote present, and I want
24. you to know why. We have developed the practice over the years
25. as Senator Rock alluded to it, of putting all of these bills in
26. one place, bringing in someone from the department who could
27. talk to us in terms of establishing priorities. Now, this, of
28. course, is something that's needed in this area. There are
29. other bills of a kindred nature that were, which indicate that
30. these needs obtain in lots of places in our State. You fly into
31. Springfield, for example, you'll notice the Sangamon River is
32. over its banks in many areas and there's going to be flood in
33. a lot of places in this State this Spring. He's indicated to

1. me that judgment and prudence just sort of dictate that we
2. hold them all in one package and then ferret from that package
3. those which are the...of the highest priority. It's unfair,
4. I think, to the rest of the State for us to do this on any
5. piecemeal, harum-scarum basis. And this is the reason I'm
6. going to vote present. I recognize the particular need in
7. this area. I think that this particular area would be in a
8. priority group no matter when it comes to our full...attention.
9. But I think we shouldn't do it in this kind of a fashion, and
10. I'm voting present.

11. SECRETARY:

12. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
13. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
14. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

15. PRESIDENT:

16. Senator Harber Hall, aye. Senator Roe, aye. Senator
17. Palmer. How is Senator Palmer recorded? ...You are not
18. recorded. Senator Palmer, aye. How...Senator Vadalabene,
19. aye. On that roll call the yeas are forty, the nays are two,
20. those voting present, two. The bill having received a con-
21. stitutional majority is declared passed. Senator Soper.

22. SENATOR SOPER:

23. Having voted on the prevailing side, I move to reconsider
24. the bill.

25. PRESIDENT:

26. Senator Soper moves to reconsider. Senator Mohr moves to
27. table. All in favor of the motion to table signify by saying
28. aye. Contrary nay. The motion to table is carried. Senator
29. Soper's 127th bill. Senator Sours, 260.

30. SECRETARY:

31. SB 260.

32. (Secretary reads title of bill)

33. 3rd Reading of the bill.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. President, Ladies and Gentlemen of the Senate, this bill
5. concerns the Replevin Act and its genesis has to do with a
6. recent United States Supreme Court decision entitled the Fuentes'
7. case. Fuentes against Shevin. Now, the bill before us has
8. been prepared by a group of attorneys, including Harry G. Fins,
9. William E. Gainer, Attorney for the Clerk of the Circuit Court
10. of Cook County, Donald Howe, Chairman of a Subcommittee of the
11. Commercial Banking and Bankruptcy Committee of the Chicago Bar
12. Association, and a small group of practitioners who regularly
13. handle replevin matters. The necessity for this change was
14. created by the decision of Fuentes against Shevin which held
15. the Florida and the Pennsylvania Replevin Statutes uncon-
16. stitutional under the 14th Amendment by reason of no prior
17. notice. What this bill does is give that prior notice, for
18. it sets up the machinery for giving the prior notice. The
19. most important feature of this bill is that it grants a defen-
20. dant who apparently the courts feel needs...needed more pro-
21. tection than the other cases the additional right to prior
22. notice and hearing before the issuance of a Writ of Replevin,
23. as of now they are not issued in the Circuit Court of Cook
24. County, I'm told, and in Lake County. A second important fea-
25. ture is that it requires the plaintiff seeking the writ to
26. give a sheriff a bond double the amount of the property.
27. Third, it provides for a hearing to protect the plaintiff
28. who is in immediate danger of having the...the res...the thing
29. destroyed. Now, unless one feels that replevin should be
30. forever off the books as a remedy for a creditor, then he
31. would be...persuaded by the goodness of this bill. I'd
32. appreciate a favorable roll call.

33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. Yes, Mr. President, Members of the Senate, I rise in
4. support of SB 260. The status of the law now, it appears
5. at least, under that United States Supreme Court case to
6. which Senator Sours alluded, is that right now Illinois has
7. no Replevin Statutes. It is necessary, this bill would re-
8. establish our Replevin Act and build in those constitutional
9. requirements that that case called for, namely, prior notice
10. to the defendant. I would...urge all members on this side
11. to support this legislation.

12. PRESIDENT:

13. Is there further discussion? The question is, shall
14. SB 260 pass. The Secretary will call the roll.

15. SECRETARY:

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

25. PRESIDENT:

26. Senator Davidson, aye. Senator Savickas, aye. Senator
27. Johns, aye. Senator Buzbee, aye. On that roll call, the
28. yeas are 47. The nays are none. The bill having received
29. a constitutional majority is declared passed. SB 261,
30. Senator Sours. SB 261.

31. SECRETARY:

32. SB 261.

33. (Secretary reads the title of bill)

1. 3rd Reading of the bill.

2. PRESIDENT:

3. Senator Sours.

4. SENATOR SOURS:

5. Mr. President, Ladies and Gentlemen of the Senate, this
6. bill revises the law in relation to Recorders. I'm reading
7. the syllabus because that's the most simple explanation of
8. it. It adds a section requiring the name and address of the
9. person preparing real estate instrument to be on same as con-
10. dition of recording. Exempts court order, will, death certifi-
11. cate and foreign instrument, that is all it does. It's a bill
12. we had last year, the sentiment was against it last year or
13. at least I think I got 29 votes. Since that time the Illinois
14. State Bar Association favors this bill very highly.

15. PRESIDENT:

16. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Mr. President, this is the same bill we had last year.
19. This is a bill by...it was originally started by the State
20. Bar Association in an attempt to deprive people or to stop
21. people from the unauthorized practice of law. Now, a lot
22. of deeds are drawn out of state, lot of deeds are drawn by law-
23. yers in other states who might not be familiar with this. It
24. just causes a lot of problems sending the deeds back. A lot
25. of extra work for lawyers, a lot of extra legal charges and I
26. am sorry to say that the State Bar Association no longer takes
27. the position with respect to this legislation. They were in
28. favor of it for a number of years, it didn't pass and I was
29. told by the Bar Association that they no longer are supporting
30. this; it's up to the Senate to vote it up or down as they may
31. see fit. This is nothing more or less than to make busy work
32. to attempt to stop people from out of state or...or people who
33. are not lawyers from drawing deeds by having to identify who

1. they are. Makes the Recorder...making this serve for the
2. Recorder to turn the deed back and as I say, many times it's
3. difficult, if not impossible. Deeds are sometimes recorded
4. years after they're drawn. To find out who drew the deed
5. and maybe the people who signed the deed are dead and you
6. got to go try to run down and find out who drew the deed,
7. if you don't, you can try to draw another deed and if you
8. can't find the people who signed it, you're in a mellof a
9. mess. I say this is bad legislation and it ought not to
10. be passed.

11. PRESIDENT:

12. Senator Rock.

13. SENATOR ROCK:

14. Well, Mr. President, Members of the Senate, it seems
15. to me that one of...one of the problems we do have again,
16. is that these bills come flying out of committee...SB 253
17. which we considered...successfully considered yesterday in
18. the Committee on Judiciary...appears to be at least to be
19. inconsistent with this bill. ...We are saying on the one
20. hand that the Recorder of Deeds does not have any obligation
21. to check the deed for the...those necessary things such as
22. the name and address of the grantee and now the name and
23. address of the preparer of the...of the deed. On the other
24. hand...we are...we are saying on the one hand that the
25. Recorder doesn't have any obligation to check on any of
26. this stuff and then we're...we're putting more obligations
27. on him. It's logically inconsistent and I...I don't think
28. I can support this bill.

29. PRESIDENT:

30. Senator Palmer.

31. SENATOR PALMER:

32. Mr. President, in line with Senator Rock has...just
33. alluded to, I would like to explain what happened yesterday in

1. Judiciary. In Judiciary yesterday, we had a bill to
2. remedy the confusions and complications that arise in the
3. recording of documents on bills similar to the one that
4. is now being proposed by Senator Sours. There was a bill
5. passed by this...Legislature requiring that a deed recite
6. and have on the face the name and the address of the
7. grantee before a Recorder shall accept the deed. This is
8. a requirement and a restriction on the Recorder. Because of
9. the inadvertence filing, before...because of the fact that
10. many documents were accepted by many Recorders throughout
11. the State, confusion and difficulties had arisen. First
12. of all, many documents had to be returned by mail. Many
13. persons had to be...sent back from the filing windows, so
14. Senator Rock what happened yesterday was a clarification
15. ...bill to remedy that situation that, in the event,
16. in the event, a document does become recorded without
17. the grantees name that it should not affect the validity
18. of that document. Now, now we're coming to...to the
19. bill at hand, I...I want to repeat myself because this is
20. the...the main issue involved, because of the confusion,
21. and because of the difficulties that has arisen as to
22. titles and to recording facilities, it was necessary
23. for the Illinois Bar Association to present that bill
24. yesterday. I...I...I have I made myself clear, Senator
25. Rock. Now, if this bill passes, if this bill entertain
26. ...or recognized by the Senate, you will again create
27. another situation where you are requiring another...
28. recitation on a instrument and Senator Sours' bill
29. now is asking that not only do you put the name of the
30. grantee on the deed, but he's asking you to put the name
31. of the person that prepared it, which absolutely has
32. no effect of the legality of the instrument, it has
33. absolutely no effect of any kind except to tell somebody

1. who...who prepared it and I don't know what...what effect
2. it'd do. Of course, the purpose has been set forth and as
3. Senator Knuppel is supposed to...help the lawyers get more
4. business or is supposed to let somebody know who prepared
5. that bill, so you know who did it, and to avoid, possibly,
6. mistakes. But then you are denying the rights of people
7. to prepare documents. Now, this bill that's now at hand
8. is nothing but a backdoor piece of legislation. You are
9. trying to do through the backdoor what you cannot do through
10. the front door. You cannot say to people that you cannot
11. prepare an instrument, therefore, you're telling the Re-
12. corder, don't take this kind of an instrument. Now, ladies
13. and gentlemen, now you're talking about thousands and thou-
14. sands and hundreds of different documents. I can stand
15. here and recite to you about deeds, warranty deeds, trust
16. deeds, quit claim deeds, articles of agreements, assign-
17. ments, leases and most important, ladies and gentlemen,
18. the thing that I discussed at the Judiciary, are releases,
19. releases of liens. In my opinion, a person who receives a
20. release of a lien has a right to come to that window and
21. get that release off. When he has paid under a contract,
22. over a period of five years for a home improvement for a
23. new roof or for siding and he receives in the mail a re-
24. lease of a lien, he has a right to go to Recorder and record
25. that release even if it doesn't have the name of who prepared
26. it. And, also, in my opinion, the institution, the company
27. or the individual that put on that roof, the...company or
28. the institution that delivered the lumber that put on the
29. lien in the first place also has a right to prepare that re-
30. lease and I maintain here that...and I repeat again that it
31. involves thousands and thousands of documents that will be
32. returned or have to be returned by the many Recorders that
33. stops progress that delays titles and I'd like to...to state

1. this that the Illinois Bar Association has advised me that
2. they are off of this bill; they're not behind this bill,
3. the Chicago Title...Trust Company is not behind this bill,
4. they've written me that it will impede their progress and
5. it will impede the effect of...of...of...of searching
6. titles and people, if they want to wait for a title pol-
7. icy or a report of policy, will just be waiting longer
8. and another important thing, it'll be a cost to the people
9. when...documents have to be sent back, back and forth
10. through the mail. This, this...this type of legislation
11. is not for the people of the United States, pardon me,
12. people of the State of Illinois...It's nothing but a...
13. it's nothing but creates confusion and a multiplicity of
14. unnecessary acts. Thank you.

15. PRESIDENT:

16. Senator Walker.

17. SENATOR WALKER:

18. ...Thank you, Mr. President, Members of the Senate,
19. I usually leave these legal arguments up to the attorneys
20. here, but I feel inclined to get into this one. I happen
21. to practice in Illinois and Indiana. Indiana now has this
22. law on their books over there, I've heard many speeches,
23. arguments against it, it means that all you have is a stamp
24. that says this instrument prepared by the name of the firm
25. and the address and the telephone number. I don't know of
26. any problems it caused in Indiana. Anyone, contrary to
27. what one of the Senators over there said, can prepare an
28. instrument but they...this requires them to put their
29. name on whatever instrument they prepare and that's all
30. it does. I don't know how the Illinois Bar Association
31. feels about it, but I do know that the South Suburban
32. Bar comprised of some two...three hundred members in
33. the South part of Cook County are for this legislation

1. as is the Lansing Bar. Frankly, I can't see anything
2. wrong with it. If...the steno doesn't want to type it
3. on, you can get a stamp for a couple of bucks and just
4. stamp it on there, this instrument prepared by. It was
5. up last time, as I say, I'm using Indiana as an example,
6. Indiana, true, doesn't have the Tort system as we do in
7. Cook County. It hasn't created any hardships there,
8. it's not going to deprive anyone of the right of preparing
9. their own deed or their own release. All it says, if they
10. do so they put their name on there and I think it's a good
11. requirement so if there is error, you know who to go to,
12. who to return to, to have it rectified. I think it's a
13. good bill and I solicit your support.

14. PRESIDENT:

15. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Thank you, Mr. President, I move the previous question.

18. PRESIDENT:

19. The motion has been put for the previous question.
20. The question is, shall the main motion now be put. All in
21. favor signify by saying aye. Contrary nay. The motion
22. carries. Senator Sours close the debate.

23. SENATOR SOURS:

24. ...Mr. President, Ladies and Gentlemen of the Senate,
25. I better clarify a couple of little points here. If Senator
26. Knuppel is here I hope he hears what I have to say unless
27. in the last 30 days the State Bar has changed its mind the
28. representations he made are erroneous. As of February 26,
29. the State Bar was strictly behind this bill. This was then
30. a State Bar bill, this year. Two years ago when I had it,
31. it wasn't. Now what's...what's the bind here? How many
32. would...how many members of this Chamber would want a layman
33. to draw a prescription to the hand of the apothecary? This

1. simply requires, it doesn't require, Senator Palmer, that...
2. that the one who draws the instrument be a lawyer. He can
3. be a brickmason, but his name's going to be there under this
4. bill. Now, it's all well and good to attack bills under the
5. di minimal rule. Let me explain a situation I had personally,
6. a conveyance came across my desk drawn by a realtor, who
7. conveyed a life estate to his wife, Mary. At Mary's death
8. to his son Willis and at the death of Willis to the heirs
9. of his body lawfully begotten. Let's just take that down
10. the primrose path because that's what happened to this poor
11. devil named Willis who comes in to me and he's sitting on
12. a life estate, some land fairly near the downtown area of
13. Peoria. The heirs of his body lawfully begotten, he's got
14. ...opportunity to sell this valuable land and no one will
15. buy it because the realtor tied this property up until
16. the death of Willis and only then can the heirs of his
17. body lawfully begotten be determined. Now, it so happens
18. Willis has had five marriages and he probably has a few
19. putative children all over Peoria County. So when... the
20. realtor put the word lawfully begotten, he meant business.
21. Now, Senator Palmer, this miserable situation will cer-
22. tainly be obviated if that realtor would be required to
23. put his name as the scrivener. Now, as of now, there's
24. no penalty, we just want to know who he is. Now when
25. you...when you complain that certain industries like the
26. title companies want this you, above all as a lawyer,
27. ought to see the excellence, unless that's too controversial,
28. in the work of a lawyer who draws conveyances. Now, you
29. talk about releases, they're comparatively simple as you well
30. know, but...somebody must prevent these unskilled laymen
31. from screwing up interminably the devolution of real estate
32. and that's what this bill does and I hope there are 30 here
33. who will support it.

1. PRESIDENT:

2. Secretary will call the roll. The question is shall
3. SB 261 pass?

4. SECRETARY:

5. ...Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass...

8. PRESIDENT:

9. ...Senator Fawell.

10. SENATOR FAWELL:

11. Just briefly, I...I think this is a reasonable piece
12. of legislation...the ordinary deed, of course, is relatively
13. simple but I've seen deeds where people have really butchered
14. up life estates and this is not effective in regard to any
15. deeds that have heretofore been executed. Is not mandatory in
16. the sense that it destroys the legality of the instrument.
17. And, all in all, I...I think it's a reasonable piece of
18. legislation, I'm glad to support it and vote aye.

19. PRESIDENT:

20. Fawell, aye.

21. SECRETARY:

22. Glass,...

23. PRESIDENT:

24. Senator Glass.

25. SENATOR GLASS:

26. Well, thank you, Mr. President, Ladies and Gentlemen,
27. I would urge an aye vote on this bill, and I would call the
28. attention of those concerned about it to two factors. One,
29. if the name of the preparer of the deed or other instrument
30. is not put on it, it doesn't invalidate the instrument. It's
31. still a valid instrument...and there is no penalty...Senator
32. Palmer, with respect to the Recorder...but I think the...so I
33. don't think you're going to upset any legal transactions by

1. inadvertence, but I do concur with Senator Sours...that, that
2. it...in many instances can prevent...errors and conflicts and
3. problems in the devolution of real estate, I see nothing really
4. objectionable about it and vote aye.

5. SECRETARY:

6. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,...
7. Keegan, Knuepfer, Knuppel,...

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Regardless...of what the good Senator from Peoria might
12. have said, I did not misrepresent the facts; I asked the Bar
13. Association specifically and so did Senator Palmer. The
14. Bar Association no longer either supports nor opposes this
15. legislation. I submit this fits every type of an instrument
16. no matter where it comes from and the penalty here is that
17. the Recorder may refuse to record it. Certainly it doesn't
18. affect the validity but it certainly affects the chain of
19. title and I'd say this; that if trust can be drawn, it doesn't
20. have to be recorded, it doesn't have to have a court proceeding, it
21. can be held by a bank or somebody and long since after the
22. person who drafted it is gone from the scene, the person who
23. has the benefit of the trust may, for some reason want to re-
24. cord it, and be foreclosed from doing so. As I say, there are
25. other states, there are laymen who...who draft these instru-
26. ments and certainly a law saying you can't record it doesn't
27. change the fact that a man's going to be married five times.
28. He couldn't thinkless about what the law says when he's ready
29. to get married and how many begotten children he's got because
30. I'm sure that's the farthest thing from his mind at that time,
31. too. Now, I submit to you that this is nothing more or less
32. than a law for the lawyers to try to keep unauthorized
33. people from practicing law and it won't accomplish that

1. because we've had laws saying that people who were not
2. lawyers could not practice law for a long time, and we've
3. got a lot of titles that are in the status...that of...
4. of which Mr. Sours has referred about titles being fixed up.
5. Now...I, I say to you that if you want to pass a bill that..
6. that does nobody but lawyers any good, that it's not good
7. for the people; that will cause a lot of extra expense to
8. people who do have instruments where this is failed to be
9. put on, that it's a bad bill and that certainly lawyers can
10. get a stamp, that's simple, I can get a stamp, we probably
11. put it on all our deeds anyway, it may even be printed there.
12. We want them to come back, we want to build business, but
13. what about the guy that draws his down deed? What about
14. the man who writes out his own trust? This forecloses any-
15. one else and it can create just as many problems, the pro-
16. blems are created by the draftsman and not by the recording
17. and this can...this can prohibit recording, I have to vote
18. no, it's bad legislation, it's bad for the people of the
19. State of Illinois.

20. SECRETARY:

21. Kosinski, Latherow, McBroom, McCarthy, Merritt,...

22. PRESIDENT:

23. Senator Merritt.

24. SENATOR MERRITT:

25. Mr. President, I was precluded by the motion made over
26. there of entering into the debate, so briefly explaining my
27. vote, I would certainly rise in support of this legislation.
28. Being in the mortgage, loan business in both the State of
29. Illinois and Indiana, I've seen the law work to very fine
30. advantage in the State of Indiana. It...it's no burden on...
31. upon anybody, in fact, it's a help to some of those people
32. that have lived through the horrible experience of finding
33. that part of their property was deeded away by a bad

1. description and error in legal description and when you
2. try to track it down, about the only way that you can ever
3. find out is to find the notary public on the...on the deed,
4. if he or she may be living you might be able to track it
5. down. But there ought to be responsibilities certainly,
6. upon that individual to where you could go back to him and
7. say now you created this problem in my title, now, I'd like
8. for it to be corrected. And it ought to be at that lawyer
9. or the preparer's expense. I vote aye.

10. SECRETARY:

11. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
12. Nimrod, Nudelman, Ozinga,...

13. PRESIDENT:

14. Senator Ozinga.

15. SEANTOR OZINGA:

16. Mr. President, I, like a lot of others, this bill has
17. been up before, I am a lawyer as you know, but I, like a
18. lot of others, thought that this was strictly a lawyer's
19. bill and this was going to make a buck for some lawyer and
20. voted against it previously. This is a lot of bunk, it
21. is not a lawyer's bill, there is absolutely no penalty
22. clause in here; it is a bill a little bit for the protection,
23. for the protection of people that are the grantees in these
24. particular documents. Now, there's nothing under the sun
25. that says that the real estate men can't put his name on it.
26. Or, if the individual is new...Knuppel is making a big issue
27. of, he can write his own date and put his name and address
28. on the thing. There's nothing that stops anybody from
29. putting their name and address on it as long as they say
30. who drafted the bill, that's all that this bill does. It
31. provides no penalties, it will eliminate and be able to go
32. to the guy to see what some of the intent is. Now, just last
33. week, I had one of these old documents come in front of me

1. with a mother and her son, with a mistaken identity there
2. was nobody new who drafted the bill, but it was supposed
3. to have been a joint tenant bill. It was drafted and
4. whether it was by a malicious son that put it in here or
5. what, but it was as tenants in common. We are now forced
6. to have to go through the entire bit to prove heirship
7. ...prove...the probate estate is going to cost them at
8. least another...hundred and fifty bucks just to straight-
9. ten out the title. This was not the intent of the...
10. document, I think this is a good bill and it deserves
11. your favorable vote. I vote aye.

12. SECRETARY:

13. Palmer,...

14. PRESIDENT:

15. Senator Palmer.

16. SENATOR PALMER:

17. Mr. President and Senators, Senator Walker and Senator
18. Ozinga are absolutely right. It doesn't take very much,
19. it's all you need is a rubber stamp or you can write your
20. name on there. However, Senators, I've been the title
21. examiner and attorney for the Recorder of Deeds for the
22. past twelve years and I can tell you now that there will
23. be many, many documents, despite of the fact, it's easy to
24. put a rubber stamp on, despite of the fact that you can
25. just write your name on there; there will be hundreds and
26. thousands of documents filed without it. That's where
27. the trouble comes in, so our question is, where is the
28. greater benefit? What good that you seek to get from
29. this bill; I think the confusion and the chaos that will come
30. afterwards is...is, does not warrant the benefits of this
31. bill. Another thing I can tell you, again I'm going to tell
32. you this,...I've been a title examiner and an attorney for
33. the Recorder of Deeds for twelve years, lawyers, bankers,

1. savings and loans, officers of insurance companies make
2. mistakes. So what, if you know who made it? So what? What
3. good does it do you to know who made it? You still have to
4. work with a valid, valid instrument. Now, I don't know the
5. ...latin terms for my friend Senator Sours, but Senator Glass
6. phrased a question about penalty and he says the Recorder
7. does not penalize. I'm not...telling you that the Recorder
8. will be penalized, but I'm telling you that the people will
9. be penalized. I don't have a latin phrase to answer that
10. ...but your friend...Amigo Savickas says it's a bad bill
11. Senator. And, let me just read...report from the Chicago
12. Title and Trust. This is from the Chicago Title and this
13. is the same answer you'll get from any Recorder. The passage
14. of this Act will interfere with production because we will
15. be receiving instruments not complying with provisions re-
16. quiring that this be returned and our processing consequently
17. will be delayed. And when you have these delays both in
18. the title companies, both in the Recorders' Office, who is
19. penalized? I say that the people are penalized. I vote
20. no.

21. SECRETARY:

22. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
23. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,...

24. PRESIDENT:

25. Senator Sours.

26. SENATOR SOURS:

27. I'd like to give, Senator Knuppel, by the way of explaining
28. my vote, another example happening in a county in which he
29. practiced law, I understand, actively, though I haven't followed
30. his latest residential area. This concerned a deed, the
31. scrivener was a clerk, the grantor was a banker, who only
32. had three children in his entire lifetime. The first one was
33. born 275 days after marriage and the other earlier ones

1. wouldn't have taken anyway because of the stain of illegit-
2. imacy. He had three children, all maiden ladies, all belonged
3. to the Methodist Church. Those three were mentioned plus
4. another one, Agnes. So, one Saturday afternoon when we're
5. still practicing law, in traipsed these three maiden ladies
6. with this deed and said to me, just erase her name. There
7. never was an Agnes. I explained to them that was a peniten-
8. tiary offense so we published seven years for Agnes because
9. in the deed signed by an owner, he certainly ought to know
10. his own children. They were all thrown out practically 'bodily
11. out of the Methodist Church, along came World War II, the farm
12. tenants and there were several withheld one-fourth of the farm
13. rents waiting for Agnes. When I get out of his late majesty's
14. army, we finally get the thing settled. Now, Senator, I say to
15. you if this bill will even cure one of those and may I also
16. add that that was a lawyer's paradise before it was settled
17. because there was exactly two full sections of land, one in
18. Logan and one in another county. Now, if this will cure that
19. I don't care what the Chicago Title and Trust Company says
20. about it because that has been as...iniquit...and iniquitous
21. monopoly here as long as I've been here. Now, this is a
22. good bill, if you want to put a stamp on it Senator Palmer,
23. I'll buy you the stamp. If you want to put your name on it
24. fine, I vote aye.

25. SECRETARY:

26. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
27. Mr. President.

28. PRESIDENT:

29. Roe, aye. On that roll call, the yeas are 31. The nays
30. are 9. Senator Knuppel has requested a verification of the
31. roll call. That is his right. The Chair announces that the
32. yeas are 31. The nays are 9. The bill having received the
33. constitutional majority is declared passed. The Clerk will

1. call the roll of those who voted in the affirmative.

2. SECRETARY:

3. The following voted in the affirmative: Bartulis, Bell,

4. Berning, Clarke, Conolly, Davidson, Fawell, Glass, Graham,

5. Harber Hall, Knuepfer, Latherow, McBroom, Merritt, Mitchler,

6. Howard Mohr, Don Moore, Nimrod, Ozinga, Regner, Roe, Savickas,

7. Schaffer, Scholl, Shapiro, Sommer, Soper, Sours, Walker,

8. Weaver, Mr. President.

9. PRESIDENT:

10. ...State your point...Senator Buzbee.

11. SENATOR BUZBEE:

12. Mr. President, do the Rules of this Senate allow us to

13. change our votes once we have been recorded?

14. PRESIDENT:

15. The Rule...involving the verification does not provide

16. for a change of vote on the question of verification. Senator

17. Savickas will be removed from the roll call. Senator Palmer,

18. for what purpose do you arise?

19. SENATOR PALMER:

20. I rise on a point of personal privilege in the presence...

21. PRESIDENT:

22. Well, let me...

23. SENATOR PALMER:

24. ...in the presence of this Senate, Senator Sours made a

25. promise to get me a stamp and I accept that and I want that

26. stamp, Senator Sours.

27. PRESIDENT:

28. Do, do you wish the negative votes verified Senator

29. Knuppel? ...Senator Merritt.

30. SENATOR MERRITT:

31. Mr. President, having voted on the prevailing side, I move

32. the vote by which SB 261 pass...

33. PRESIDENT:

1. Senator Merritt, moves. Senator Soper moves to Table.

2. All in favor signify by saying aye. Contrary nay. The motion
3. carries. Senator Sours. For what purpose do you arise?

4. SENATOR SOURS:

5. ...As a matter of personal privilege, would you have Senator
6. Latherow bring that horseshoe with him next week when he comes
7. here from plowed ground county.

8. PRESIDENT:

9. Senator Fawell will return to SB 172. It has been read
10. a 3rd time.

11. SECRETARY:

12. SB 172

13. (Secretary reads title of bill)

14. 3rd Reading of the bill.

15. PRESIDENT:

16. Senator Fawell.

17. SENATOR FAWELL:

18. Yes, Mr. President, Members of the Senate, actually I have
19. given an explanation on this bill in talking about the amend-
20. ment. What it does do is to...amend the portion of the school
21. code pertaining to the granting of provisional certificates for
22. voc-ed teaching in secondary schools so as to authorize an
23. individual who has work experience in a given skill of at least
24. four thousand hours and after 1974, it would be eight thousand
25. hours to be granted a provisional certificate. The Superinten-
26. dent of Public Instruction, the Department of Vocational
27. Education and voc-ed people throughout the State of Illinois
28. have requested this legislation, are in support of it, and I
29. would appreciate a favorable roll call.

30. PRESIDENT:

31. On that question, the question is, shall SB 172 pass?
32. The Secretary will call the roll.

33. SECRETARY:

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

11. PRESIDENT:

12. Palmer, aye. On that roll call, the yeas are 50. The
13. nays are none. SB 172 having received a constitutional
14. majority is declared passed. Senator Soper.

15. SENATOR SOPER:

16. ...Mr. President, and Members of the Senate, the Com-
17. mittee on Local Government will...will meet at 3:15 there
18. will be no conflict with...with other...committees because
19. they have a short call, a couple of bills, and it will give
20. them ample time to get over to Local Government. So, we'll
21. meet at 212 at 3:15, we'll take the bills that are non-
22. controversial and there'll be plenty of time for any wit-
23. nesses that come at 4:15. Thank you.

24. PRESIDENT:

25. ...We have one order of business which has been cleared
26. with the joint leadership. There is one House Bill, although
27. the calendar does not show it having...an effective immediately
28. clause, it does and that is HB 99. ...This is required...I
29. understand...in connection with the upcoming municipal
30. elections. There is an immediate effective date...clause in
31. it and it...we need to act on it so Senator Don Moore is
32. recognized for HB 99.

33. SECRETARY:

1. HB 99.

2. (Secretary reads title of bill)

3. 3rd Reading of the bill.

4. SENATOR DON MOORE:

5. Thank you, Mr. President, Members of the Senate, this
6. is a very simple bill...ladies and gentlemen, it provides
7. that an increase or decrease in the salary the president of
8. the village shall not take effect during the term for which
9. that president is elected. This puts the law in conformity
10. with the...makes it the same as it is for mayors of cities
11. the same is going to apply for the...presidents of the
12. village boards...in the various municipalities in the State
13. of Illinois. I'd appreciate a favorable vote.

14. PRESIDENT:

15. The Secretary...the question is shall HB 99 pass? The
16. Secretary will call the roll.

17. SECRETARY:

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

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. ...I don't know if this is the appropriate time, I...

31. PRESIDENT:

32. Well, we're on roll call, let's complete the...action on
33. this bill.

1. SENATOR KNUPPEL:

2. All right.

3. PRESIDENT:

4. Senator Donnewald, aye. On that roll call, the yeas
5. are 47. The nays are none. The SB...HB...HB 99 having
6. received the constitutional majority is declared passed.
7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. ...As the SB 457 introduced today, it has to do with
10. the transfer of funds with respect to payment of social...
11. workmen's compensation benefits. There should be no legis-
12. lative opposition to this since it is not an appropriation.
13. I've talked to Senator McBroom, member of the staff has reviewed
14. the bill I'd like to have it advanced to second...suspend the
15. Rules and advanced to second reading without reference.

16. PRESIDENT:

17. Senator Knuppel moves to suspend the Rules for the...
18. what is the bill number Senator?

19. SENATOR KNUPPEL:

20. 457.

21. PRESIDENT:

22. For...to have SB 457 read a first time and advance to
23. second reading without reference. All in favor of the motion
24. to suspend signify by saying aye. Contrary nay. Motion is
25. carried. So ordered. Yes...the...appropriate motion would be,
26. Senator, to discharge the Committee on Assignment of Bills at
27. this point because it automatically has gone there. So, your
28. motion is to move to discharge the Committee on Assignment of
29. Bills from further consideration and...have it read a first
30. time and advanced to...and have it placed on second reading.
31. All in favor of that motion signify by saying aye. Contrary
32. nay. So ordered. Now, Senator Donnewald, Senate Bills on
33. third reading. SB 302.

1. SENATOR DONNEWALD:
2. Mr. President, members of the...
3. SECRETARY:
4. SB 302.
5. (Secretary reads title of bill)
6. 3rd Reading of the bill.
7. SENATOR DONNEWALD:
8. ...Is the Senate...this particular bill is the transfer
9. of funds within the Secretary of State's appropriation and the
10. reason for it, and it is an emergency measure, there is a
11. deficiency for the payment of social security and pension pay-
12. ments as noted...on pages 4,5 and 7. That deficiency amounts
13. to six hundred fifteen thousand dollars which represents one and
14. one quarter percent of the total sum of fifty-one million, three
15. hundred fifty-four thousand, one hundred fifty-one dollars. I
16. would ask for a most...
17. PRESIDENT:
18. Is there...
19. SENATOR DONNEWALD:
20. ...favorable roll call...
21. PRESIDENT:
22. ...Is there...
23. SENATOR DONNEWALD:
24. ...it does need 36 votes.
25. PRESIDENT:
26. ...Is there further discussion? The question is, shall
27. SB 302 pass? Secretary will call the roll.
28. SECRETARY:
29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
30. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
31. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
32. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
33. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,

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

5. PRESIDENT:

6. Senator Partee, aye. Senator Bruce, aye. Senator
7. Bartulis, aye. Senator Roe, aye. Senator Weaver, aye.
8. Senator Soper, aye. Senator Ozinga, aye. On that roll
9. call, the yeas are 51. The nays are none. ...SB 302 having
10. received a constitutional majority is declared passed...
11. Senator Nudelman.

12. SENATOR NUDELMAN:

13. Are we on the order of announcements?

14. PRESIDENT:

15. You may proceed.

16. SENATOR NUDELMAN:

17. Mr. President, Ladies and Gentlemen of the Senate, we
18. have visiting us today, and I'm proud to present to you the
19. wife of Senator Palmer, Mrs. Betty Palmer, and Ben's two
20. grandchildren, Terry and Lisa Goldsand. Stand up.

21. PRESIDENT:

22. Senator Conolly.

23. SENATOR CONOLLY:

24. I would like all members of the Senate Transportation and
25. Public Utilities Committee to take notice that the meeting will
26. start promptly at 2:15 on the Floor of the Senate Chambers.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Point of personal privilege, I don't do this very frequently,
31. but we have a lovely group of ladies from Quincy, League of
32. Women Voters and from Adams County Farm Bureau and the ladies
33. that I know are here are in the upper balcony behind me here.

1. Thank you.

2. PRESIDENT:

3. Communications.

4. SECRETARY:

5. To the Members of the Senate: I do hereby appoint the
6. following to serve as members of the Conference Committee
7. on Senate Joint Resolution No. 25: Senators Conolly, Harris,
8. Howard Mohr, James Donnewald, and Partee.

9. Sincerely,

10. Howard R. Mohr, Chairman
11. Committee on Committees.

12. PRESIDENT:

13. Senator Latherow.

14. SENATOR LATHEROW.

15. Mr. President, Members of the Senate, on a point of
16. personal privilege, I'd like to recognize in the right
17. hand of the visitor's gallery are members of the Brown
18. County Women's Farm Bureau Group and I wish they'd stand
19. and be recognized by the Senate... They,...they happen to
20. be a rather historical group, they used to be in the 58th
21. Senatorial District.

22. PRESIDENT:

23. Senator Kosinski, did you wish recognition? We have...
24. is there any further business to come before the Senate?
25. We have two death resolutions, will the members of the
26. Senate please be in their seats?

27. SECRETARY:

28. Senate Resolution 88 by Senators...Senator Graham and
29. all members of the Senate.

30. (Secretary reads death resolution)

31. PRESIDENT:

32. All those in favor of the adoption of the resolution
33. signify by arising. The resolution is adopted.

1. SECRETARY:

2. Senate Resolution No. 89 by Senator Partee.
3. (Secretary reads the death resolution)

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. Mr. President, and Members of the Senate, I find it
8. very difficult to articulate the depth and the warmth of a
9. feeling which I shared with this man. William Robinson chose
10. the Republican Party as a way to which he could espouse his
11. own philosophy and as a way through which he could bring to
12. people his mind and his talents, expressing them in a political
13. way, a fierce partisan. I admired him, I suppose perhaps, I
14. could say I loved him as a human being who gave of himself
15. fully toward trying to make the world in which he found him-
16. self a better place to live. I know the family quite well,
17. his wife Kitty, was in college with me many years ago, eons
18. ago it seems, and they are together a very fine and wonderful
19. couple and he has now parted this life and I would ask that
20. all members of the Senate join in this resolution that the
21. Rules be suspended for its immediate adoption today. Thank
22. you.

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. I'd like to say just a word or two in behalf of the
27. deceased. He got to Peoria quite often when he was in the
28. other administration. I don't know how many times he was
29. there, he didn't call me, but in the last three or four
30. years, he's called me at least ten times...not differential
31. but in a friendly way, I don't know that anybody has ever
32. honored me with as much as two calls, this, to me...repre-
33. sented a lasting impression because he was coming to and from

1. Springfield, perhaps, maybe he had a time schedule, but
2. he always seemed to have found time to call me on the
3. telephone, so I want to be certain to be one of the joiners
4. on this.

5. PRESIDENT:

6. The...President wishes to add that Bill Robinson and I
7. took our oath in the House of Representatives that January
8. day in 1955, I didn't know him, but I witnessed his con-
9. tribution to the legislative process, he was acknowledged
10. by the Press Corps as the outstanding freshman of my class.
11. And I want to affirm the good judgment of the Press Corps
12. in their evaluation of the performance of this outstanding
13. man. Indeed, we have all lost a friend, we have lost a man
14. who made a great contribution to government. A man who made
15. a great contribution to mankind. Senator Partee has moved to
16. suspend the Rules for the immediate consideration of the adoption
17. of the resolution. All in favor signify by saying aye. Con-
18. trary nay. On the motion to adopt, all those in favor signify
19. by arising. The resolution is adopted. The Senate stands
20. adjourned until Wednesday at 11:30.

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