

78TH GENERAL ASSEMBLY

APRIL 11, 1973

REGULAR SESSION

1. PRESIDENT:

2. Will the Senate please come to order? The prayer
3. will be offered by the Reverend Max Johnson of Riverton
4. Christian Church of Riverton, Illinois. Will our guests
5. please rise? Reverend Johnson.

(Prayer given by Reverend Max Johnson)

6. PRESIDENT:

7. Reading of the Journal.

8. SECRETARY:

9. Wednesday, April 4, 1973.

10. PRESIDENT:

11. ...Senator Soper.

12. SENATOR SOPER:

13. ...Mr. President, I move that we dispense with the
14. further reading of the Journal of April 4th and unless there
15. are some corrections or additions to be made by some Senator
16. that the Journal stand approved.

17. PRESIDENT:

18. Senator Soper has moved that we dispense with further
19. reading of the Journal of April 4th. Are there additions
20. or corrections? There being none, all in favor of the
21. motion signify by saying aye. Contrary nay. The motion
22. to dispense and adopt is carried. Senator Soper.

23. SENATOR SOPER:

24. Mr. President, I move that we postpone the reading
25. and approval of the Journals of April 5th and April 10th
26. pending the arrival of the printed Journal.

27. PRESIDENT:

28. Senator Soper has moved that we dispense with further
29. reading of the Journals of April 4th and 10th pending arrival...
30. April 5th and 10th pending arrival of the printed Journal.
31. All in favor of the motion, signify by saying aye. Contrary
32. nay. The motion is carried, so ordered. Committee reports.
33.

1. SECRETARY:

2. Senator Graham, the Chairman of the Committee on
3. the Assignment of Bills reports the following assign-
4. ments.

5. To the Committee on Agriculture, Conservation
6. and Ecology, Senate Bills 575, 578, 589 and House
7. Bill 124.

8. To the Committee on Appropriations, Senate
9. Bills 573, 574, 581, 590, 591.

10. Committee on Education, Senate Bills 571 and 593.

11. Committee on Elections and Reapportionment,
12. Senate Bills 579 and 583.

13. Committee on Executive, Senate Bills 580, 582,
14. 588 and House Bill 230.

15. Committee on Insurance and Financial Institutions,
16. Senate Bill 568 and House Bill 24.

17. Committee on Judiciary, Senate Bills 567, 585, 587
18. and House Bill 129.

19. Committee on Local Government, Senate Bills 566,
20. 569, 584; House Bills 172 and 188.

21. Committee on Pensions and Personnel, Senate Bills
22. 572, 576, 577 and House Bill 171.

23. Committee on Public Health, Welfare and Corrections,
24. House Bill 29, 189 and 232.

25. Committee on Revenue, Senate Bills 565, 570 and
26. ...House Bill 128.

27. Committee on Transportation and Public Utilities,
28. Senate Bill 586.

29. Senator Clarke, the Chairman of the Committee on
30. Revenue reports Senate Bills 155 and 189 with the recom-
31. mendation the bills Do Pass. Senate Bill 357 with the
32. recommendation the bill Do Pass as Amended. Senate Bill
33. 316 with the recommendation the bill Do Not Pass.

Senator Latherow, 2

1. Agriculture, Conservation and Ecology, Senate Bill 114,
2. 137, 365, 372 and 376, with the recommendation the bills
3. Do Pass.

4. PRESIDENT:

5. Introduction of bills.

6. SECRETARY:

7. SB 594 by Senator Sours.

8. (Secretary reads title of bill)

9. 595 by Senator Sours.

10. (Secretary reads title of bill)

11. 596 by Senators Latherow, Chew, Course and McCarthy.

12. (Secretary reads title of bill)

13. 597 by Senators Latherow, Chew, Course and McCarthy.

14. (Secretary reads title of bill)

15. SB 598 with the same sponsors.

16. (Secretary reads title of bill)

17. 599 by Senators, Course, Chew, McCarthy and Latherow.

18. (Secretary reads title of bill)

19. 600 by Senators Course, Chew, McCarthy and Latherow.

20. (Secretary reads title of bill)

21. 601 by Senators Course, Chew, McCarthy and Latherow.

22. (Secretary reads title of bill)

23. 602 by Senators Course, Chew, McCarthy and Latherow.

24. (Secretary reads title of bill)

25. SB 603 by Senators Course, Latherow, Chew, McCarthy
26. and Vadalabene.

27. (Secretary reads title of bill)

28. 604 by Senators Latherow, Course, McCarthy, Chew
29. and Vadalabene.

30. (Secretary reads title of bill)

31. 605 by Senators Soper and Rock.

32. (Secretary reads title of bill)

33. SB 606 by Senators Soper and Rock.

1. (Secretary reads title of bill)

2. 607 by Senators Walker, Sours, Dougherty, Bell,
3. Shapiro, Don Moore, Weaver, Glass, Rock, Partee, Chew,
4. Hynes, Buzbee and Savickas.

5. (Secretary reads title of bill)

6. SB 608 by Senator Netsch.

7. (Secretary reads title of bill)

8. 609 by Senator Graham.

9. (Secretary reads title of bill)

10. 610 by Senator Graham.

11. (Secretary reads title of bill)

12. 611 by Senators Graham and Regner.

13. (Secretary reads title of bill)

14. 612 by Senators Netsch, Buzbee and Hynes.

15. (Secretary reads title of bill)

16. PRESIDENT:

17. If I might have the attention of the Senate, momen-
18. tarily, I've asked the Secretary to dispense with the
19. further introduction of...of bills for a moment. I'm
20. sure you're all aware of the fact and have been commun-
21. icated with by representatives in your district of the
22. various libraries, library districts throughout the State.
23. This, of course, is National Library Week. We are favored
24. with the attendance at this moment of representatives who
25. are here observing our activities of the Legislature and
26. who are hosting a luncheon in the Armory this noon. And I'm
27. pleased to call attention to the fact that with us now
28. are librarians, trustees of libraries and individual citizens
29. concerned with Illinois libraries. Would our guests
30. please stand and be recognized? Thank you very much.
31. Proceed with the introduction of bills, Mr. Secretary.

32. SECRETARY:

33. SB 613 by Senators Vadalabene, Davidson, Welsh,

1. Dougherty, Ozinga, Nimrod, Course, Sours, Sommer, Mitchler,
2. Merritt, Graham, Chew, Saperstein, Carroll, Conolly, Walker,
3. Palmer, Newhouse, Kenneth Hall, Soper, Latherow, Bartulis,
4. Scholl, Moore, Shapiro, Savickas, Schaffer, Glass and Kosinski.
5. (Secretary reads title of bill)
6. SB 614 by the same sponsors.
7. (Secretary reads title of bill)
8. 615 by Senator Berning.
9. (Secretary reads title of bill)
10. 616 by Senators Dougherty, and Graham.
11. (Secretary reads title of bill)
12. 617 by Senator Knuepfer.
13. (Secretary reads title of bill)
14. 618 by Senator Knuepfer.
15. (Secretary reads title of bill)
16. 619 by Senators Weaver and Walker.
17. (Secretary reads title of bill)
18. SB 620 by Senators Glass, Harber Hall, Berning,
19. Newhouse and Hynes.
20. (Secretary reads title of bill)
21. 621 by Senators Glass, Kenneth Hall, Berning,
22. Newhouse and Hynes.
23. (Secretary reads title of bill)
24. 622 by Senators Wooten, Shapiro, Kenneth Hall,
25. Davidson, Saperstein, Donnewald, Weaver, Knuepfer and Buzbee.
26. (Secretary reads title of bill)
27. 623 by Senators Schaffer, Berning, Sommer, Glass,
28. Walker, Don Moore, Roe and Knuepfer.
29. (Secretary reads title of bill)
30. 624 by Senators Schaffer, Roe, Berning, McBroom,
31. Scholl, Sommer, Glass, Walker, Moore and Knuepfer.
32. (Secretary reads title of bill)
33. 625 by Senators Schaffer and Bartulis.

1. (Secretary reads title of bill)
2. 626 by Senator Carroll.
3. (Secretary reads title of bill)
4. 627 by Senators Soper, Swinarski, Mohr, Harris,
5. Weaver, Sommer, Merritt, Sours, Bell, Glass, Shapiro,
6. Don Moore, Bartulis, Welsh, Dougherty, Smith, Course,
7. Kosinski, Rock, Walker, Schaffer, Berning, Davidson,
8. Nimrod, Knuepfer, McBroom, and Carroll.
9. (Secretary reads title of bill)
10. 628 by Senator Nimrod.
11. (Secretary reads title of bill)
12. 629 by Senator Knuppel.
13. (Secretary reads title of bill)
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. For what purpose does Senator Knuppel arise?
16. SENATOR KNUPPEL:
17. That's a bill on an easement, can it be advanced to
18. 2nd reading without reference.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Senator Knuppel moves that SB...does it have a number?
21. 629...SB 629, a highway easement bill be advanced to the
22. order of 2nd reading without reference to Committee. All in
23. favor will signify by saying aye. Senator Soper. Ladies and
24. Gentlemen, it's time now that we need a little order. Not
25. a little order, we need a lot of order. Please. We're
26. getting into the business of the Session, will you please
27. take your caucuses off of the Floor? For what purpose does
28. Senator Soper arise?
29. SENATOR SOPER:
30. Well, I'd like to know what I'm voting on. Now...
31. Senator Mohr. Senator Mohr.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. I'd thought I'd explained it. It was a highway

1. easement bill. Four hundred eighty-two acres of land in
2. Schuyler County upon payment of five hundred dollars. An
3. easement bill to be advanced to order of 2nd reading with-
4. out reference to Committee.

5. SENATOR SOPER:

6. Four hundred and some acres of land?

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Point four eight.

9. SENATOR SOPER:

10. Oh, point four, well that's...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. It's a big tract. All in favor will signify by saying
13. aye. Opposed? The ayes have it. The bill will be reported
14. on the calendar in the order of 2nd reading.

15. SECRETARY:

16. 630 by Senators Nudelman and Carroll.

17. (Secretary reads title of bill)

18. 631 by Senators Nimrod, ...Conolly and Vadalabene.

19. (Secretary reads title of bill)

20. 632 by Senators Savickas, Ozinga, Vadalabene, Walker,
21. Don Moore, ...Soper and Hynes.

22. (Secretary reads title of bill)

23. 633 by Senators Howard Mohr, Harris, Graham, Soper,
24. Scholl and Nimrod.

25. (Secretary reads title of bill)

26. 624 by Senators Shapiro, Romano, Soper, Rock and
27. Berning.

28. (Secretary reads title of bill)

29. 635 by the same sponsors.

30. (Secretary reads title of bill)

31. 636 by the same sponsors.

32. (Secretary reads title of bill)

33. 637 by the same sponsors.

(Secretary reads title of bill)

1. 638 with the same sponsors.
2. (Secretary reads title of bill)
3. 639 by...Senators Romano, Shapiro, Rock, Soper
4. and Berning.
5. (Secretary reads title of bill)
6. 640 by Senators Shapiro, Romano, Soper and Rock.
7. (Secretary reads title of bill)
8. 641 by Senators Rock, Shapiro and Romano.
9. (Secretary reads title of bill)
10. 642 by Senator Nudelman.
11. (Secretary reads title of bill)
12. 643 by Senator Clarke.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Ladies and Gentlemen, please or I'm to ask the
15. Sargeant-at-Arms to enforce...Senate Rule #2. We must
16. have some order on the Senate Floor, please.
17. SECRETARY:
18. 643 by Senator Clarke.
19. (Secretary reads title of bill)
20. 644 by Senator Clarke.
21. (Secretary reads title of bill)
22. 645 by Senator Johns. This bill is not in proper
23. form. This bill is not in proper form. We'll take it and
24. have to change it.
25. (Secretary reads title of bill)
26. 646 by Senator Fawell.
27. (Secretary reads title of bill)
28. 647 by Senator Fawell.
29. (Secretary reads title of bill)
30. SB 648 by Senators McCarthy, Carroll, Donnewald,
31. Johns, Bruce and Vadalabene.
32. (Secretary reads title of bill)
33. 649 by Senator Rock...by Senators Rock and Donnewald.

1. (Secretary reads title of bill)

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. For what purpose does Senator Rock arise?

4. Please, please,...Senator Rock.

5. SENATOR ROCK:

6. Mr. President, members of the Senate, SB 649 just
7. introduced. I rise for the purpose of inviting all
8. members of the Senate, or any who wish, to join me and
9. co-sponsor this legislation. It is probably the single
10. most significant piece of criminal legislation we'll see
11. this Session. It calls for criminal trials to begin with-
12. in 60 days from the point of arrest. It is...proposal by
13. our Chief Executive, one that I think we can wholeheartedly
14. support. It's SB 649, I would invite all members to...
15. those interested to join in co-sponsoring.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Now, Gentlemen, before we have everyone jumping up
18. to get on the bill, why don't we come down the Secretary's
19. desk in an orderly manner, sign a piece of paper indicating
20. your desire to be a co-sponsor of this bill and we can pro-
21. ceed with the Senate business. See the Assistant Secretary
22. and he will get your name on the bill, please. Is that
23. all the introductions?

24. SECRETARY:

25. No.

26. 650 by Senator Partee.

27. (Secretary reads title of bill)

28. 651 by Senators ...Swinarski, Kosinski, Welsh, Partee,
29. Rock, Donnewald, Hynes, McBroom, Savickas, Vadalabene and
30. Newhouse.

31. (Secretary reads title of bill)

32. 652 by Senator Romano.

33. (Secretary reads title of bill)

1. 653 by Senator McCarthy.
2. (Secretary reads title of bill)
3. 654 by Senator McCarthy.
4. (Secretary reads title of bill)
5. SB 655 by Senator McCarthy.
6. (Secretary reads title of bill)
7. SB 656 by Senator Johns.
8. (Secretary reads title of bill)

9. 1st reading of the bills.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. 2nd reading...Senate. The next order of business,
12. gentlemen, ladies and gentlemen, address yourself to your
13. calendars. The next order of business will be House Bills
14. on 1st reading. For what purpose does Senator Netsch, the
15. lady from Chicago, arise?

16. SENATOR NETSCH:

17. Mr. President, may I have leave of the Body to be
18. shown as a co-sponsor of SB 578? I have the...chief
19. sponsor's permission.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Netsch desires to be privileged to be a
22. co-sponsor of SB 578. All in favor will signify by saying
23. aye. Opposed. No. Senator, you are accorded that
24. privilege. You are co-sponsor.

25. SENATOR NETSCH:

26. Thank you, sir.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. ...If I might take the privilege at this time, members
29. of the Senate, a former member of the Illinois State Senate,
30. a fellow who has served in a judicial capacity, even on the
31. Supreme Court with great distinction is in the back of the
32. room. I've always known him as Marvin Burt, Marv, we're
33. glad to have you and let's accord him our usual. Judge,

1. it's nice to have you here. Judge Marvin Burt from
2. Freeport. Senator...now is he shying away from the
3. microphone, Senator Partee? I didn't think he would.

4. JUDGE BURT:

5. It's very nice to be back in the old quarters,
6. I left here in 1960 and haven't done much good since,
7. but...nice to be back among you, thank you.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. It's nice to have you. Next order of business
10. will be messages from the House. Oh...Oh, we're on
11. House Bills, first reading. We're stay on House. All right.
12. We'll stay on House Bills, first reading and we will start
13. with House Bill 21 to 22. Who wants to be the sponsor
14. of R. D. Cunningham's bill? The next bill will be,
15. I can only ask you again or suggest to you, Senators,
16. that it is waste of time to continue going through
17. this House Bills on first reading when I have asked
18. you to address yourself to the Calendar. Indicate
19. if you want to sponsor this bill and we can expedite
20. our business. The next will be House Bill 122.
21. House Bill 125. You want 125? House Bill 125 will
22. be Senator Wooten.

23. SECRETARY:

24. House Bill 125.

25. (Secretary reads title of bill)

26. 1st reading of the bill.

27.
28. PRESIDING OFFICER (SENATOR GRAHAM):

29. House Bill 196. Representative Anderson's bill.
30. Senator Bell, 196.

31. SECRETARY:

32. House Bill 196.

33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senate Bill...House Bill 202. Representative
4. Palmer. Senator Mohr...Howard Mohr.

5. SECRETARY:

6. House Bill 202.

7. (Secretary reads title of bill)

8. 1st reading of the bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. House Bill 227. Representative Barnes. House
11. Bill 227. House Bill 253, I'll take that bill...
12. Graham.

13. SECRETARY:

14. House Bill 253.

15. (Secretary reads title of bill)

16. 1st reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. House Bill 288. Representative Martin's bill.
19. House Bill 288. House Bill 311. Senator Carroll.

20. SECRETARY:

21. House Bill 311.

22. (Secretary reads title of bill)

23. 1st reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. House Bill 313. Representative Hanahan. House
26. Bill 319 Representative Douglas. Senator Netsch. 319.

27. SECRETARY:

28. House Bill 319.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. House Bill 376. Representative Bradley. Senator
33. Hall...Harber Hall.

1. SECRETARY:
2. House Bill 376.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. House Bill 378. Representative Malloy. House
7. Bill 380. Senator Schaffer.
8. SECRETARY:
9. House Bill 380.
10. (Secretary reads title of bill)
11. 1st reading of the bill.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. ...Was I wrong in that Senator Schaffer, I thought
14. ...Representative LaFleur talked to you? House Bill
15. 31. Representative Davis. May we please, please, please,
16. please. House Bill 381. Davis...Representative Davis.
17. House Bill 416. Representative ...Giorgi. Kenny Hall,
18. Senator Kenny Hall.
19. SECRETARY:
20. House Bill 416.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. House Bill 420, R. K. Hoffman. Senate Bill 470,
25. Representative Fennessey. Senator Clarke on 420.
26. Is that correct, Senator Mohr?
27. SECRETARY:
28. House Bill 420.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. House Bill 470. Representative Fennessey. Anyone
33. for...Senator Bruce. Senator Terry Bruce.

1. SECRETARY:
2. House Bill 470.
3. (Secretary reads title of bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. House Bill 527. Representative Kenny Miller.
7. House Bill 543. Representative Rayson. ...Senator
8. Fred Smith.
9. SECRETARY:
10. House Bill 543.
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. ...If we might have a little...order. A little
15. more than a little order.
16. SECRETARY:
17. House Bill 227.
18. (Secretary reads title of bill)
19. 1st reading of the bill.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Who has that bill, Senator Partee?
22. SECRETARY:
23. Partee.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Now we have a request to fulfill our constitutional
26. duties and read Constitutional Amendment, House Joint
27. Resolution #7. It will be so done.
28. SECRETARY:
29. House Joint Resolution Constitutional Amendment 7.
30. (Secretary reads House Resolution #7)
31. 1st reading of the resolution.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Messages from the House.

1. SECRETARY:

2. A message from the House from Mr. Selcke, Clerk.

3. Mr. President: I am directed to inform the Senate,
4. that the House of Representatives has passed bills of the
5. following titles and the passage to which I am instructed
6. to ask concurrence of the Senate to wit: House Bill 18,
7. 63, 143, 161, 177, 180, 185, 233, 244, 245, 265, 273, 58,
8. 167, 203, 204 and 374.

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

10. Mr. President: I am directed to inform the Senate,
11. that the House of Representatives has adopted the following
12. preamble and joint resolution and the adoption of which I am
13. instructed to ask concurrence of the Senate to wit: House
14. Joint Resolution #2.

15. And it urges the adoption of the Rehabilitation
16. International 11th World Congress accessibility symbol.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Executive.

19. SECRETARY:

20. House Joint Resolution 23.

21. (Secretary reads title of Joint Resolution)

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Executive.

24. SECRETARY:

25. House Joint Resolution 29. It's commendatory. Mr.
26. Ralph Brown, is retiring from the Department of Transportation.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Who is it?

29. SECRETARY:

30. I don't know.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Executive. Senator Conolly.

33.

1. SECRETARY:

2. It's Congratulatory Resolution commending Mr. Brown
3. for services rendered to the Department of Transportation.

4. SENATOR CONOLLY:

5. Well, I...I...I would certainly co-sponsor that or
6. sponsor that, whoever's it is. And I would ask that the
7. appropriate rule be suspended and we adopt it at this
8. time.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Conolly moves for the suspension of the
11. rules for the immediate consideration of House Joint
12. Resolution 29. All in favor of the suspension of rules
13. will signify by saying aye. Opposed. The ayes have it.
14. The rules are suspended. All in favor of the immediate
15. adoption of House Joint...House Senate Joint Resolution
16. No. 29 will signify by saying aye. Opposed. The ayes
17. have it. The Resolution is adopted. Commendatory, some-
18. one retiring...that's what I've been telling you,
19. Senator. Please, please, please. If we're going to
20. have a caucus, M-1 is available. Senate Bill 2nd, now,
21. Ed? C'mon John, let's get wheeling here. The next
22. order of business will be Ladies and Gentlemen, Senate
23. Bills 2nd reading. Now, you can't say you haven't been
24. informed. 2nd Bills...Senate Bills, 2nd Reading. SB No 1,
25. Senator Merritt. SB No. 47, Senator Kenny Davidson. SB 48,
26. that's John Davidson, I'm sorry.

27. SECRETARY:

28. SB 48.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Education
31. offers one amendment.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Moore moves the adoption of the Committee

1. amendment. All in favor signify by saying aye. Opposed.
2. The ayes have it. The amendment is adopted. Any amend-
3. ments from the Floor? 3rd Reading. We do not have it.
4. Gentlemen, gentlemen, we've ...have asked. Pay attention,
5. please. Cooperate a little bit. Senator Moore, it will
6. be your...

7. SECRETARY:

8. Amendment # 2 by...to SB 48 by Senator Vadalabene.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. ...Mr. Secretary, Senator Moore, it will be your
11. obligation to move that bill back to the order of 2nd
12. reading for an adoption amendment because I had moved
13. it to 3rd. Senator Moore moves that SB 48 be returned
14. to the order of 2nd Reading for the purpose of the
15. adoption of an amendment. Secretary will read the
16. amendment. All in favor of moving it back will signify
17. by saying aye. Opposed. No. It's on 2nd Reading for
18. the purpose of adopting an amendment.

19. SECRETARY:

20. Amendment No. 2 by Senator Vadalabene.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Vadalabene, would you like to explain your
23. amendment or would you?

24. SENATOR VADALABENE:

25. Thank you, Mr. President and members of the Senate,
26. has...has Amendment No. 1 been adopted?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. It has been adopted.

29. SENATOR VADALABENE:

30. Okay, well, Senate Amendment No. 2 to SB 48 actually
31. strikes out Amendment No. 1...where it says; "Nothing herein
32. shall be construed to permit or empower the State Superin-
33. tendent of Public Instruction, to order, mandate or

1. require busing or other transportation of pupils for
2. the purpose of achieving racial balance of any school";
3. and puts in on line 18 inserts the following:

4. "Nothing herein shall be construed to permit or empower
5. the State of Superintendent of Public Instruction to
6. order, mandate or require busing or other transportation
7. of pupils for the purpose of achieving racial balance
8. in any school".

9. Since the controversy over this bill last week, Mr.
10. President and members of the Senate, I have looked into
11. the matter and find that SB 48 as amended does not say
12. one word about transportation or busing of pupils and
13. since this is a gut issue which has been raised here, I
14. have prepared this amendment. And that amendment directly
15. and simply states that the Superintendent of Public
16. Instruction shall not have the power to mandate or
17. order forced busing of pupils for racial balance and
18. I offer this amendment.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Moore.

21. SENATOR MOORE:

22. ...Yes, Mr. President...I have discussed this amend-
23. ment with Senator Vadalabene, I have no objection to this
24. amendment and I would...also urge it's adoption. I urge
25. it's adoption, Mr. President.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Moore moves for the adoption of Amendment No. 2
28. to SB No. 48, all in favor will signify by saying aye. Opposed.
29. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Mr. President, I take it I'm in order to speak on
32. this bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. You are in order to speak.

2. SENATOR NEWHOUSE:

3. On this amendment. Thank you, Mr. President, I
4. would like not to have either one of these amendments
5. adopted without having spoken in opposition to them.
6. Now, the first amendment that was offered, as I under-
7. stand it, a bill that restricts the State Superintendent
8. of Public Instruction ability to provide guidelines...for
9. which he is...guidelines that he is mandated to...formulate
10. by the Constitution of this State.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Newhouse, I think you're speaking on the
13. first amendment, it's all ready adopted. If you're speak-
14. ing on the second amendment you are...

15. SENATOR NEWHOUSE:

16. I'm speaking on the second amendment, Mr. President.
17. Now, it obvious that the first amendment, first of all,
18. it's possibly unconstitutional; secondly, it's obvious
19. that it cripples the State Superintendent of Public
20. Instruction and restricts his ability to carry out his
21. function in some particularly sensitive areas. Now, the
22. second amendment to which the sponsor has agreed, which
23. eliminates the first amendment in its entirety is one
24. that goes back to the same old subject matter that's
25. been before us a hundred times and that is the issue of
26. busing. Now, while I would join those who would say that
27. busing is a red herring issue, I think, that it is not the...
28. busing is a red herring issue, I think that it is not the
29. time to play politics in this forum on an issue that is
30. so sensitive since it relates to the educational process.
31. Now, if we're serious about the educational process, it
32. seems to me, that we want to eliminate all the friction
33. that it's possible to eliminate and this bill does not

1. do that. It opens old wounds. It aggravates sores. It
2. puts us in a position where we get away from the primary
3. function of the schools and that is the education of
4. young people, and get into another area all together.
5. I think it is improperly brought on this Floor and I
6. would urge a vote against both amendments were that
7. necessary, but since the first amendment...has all
8. ready been eliminated, I would urge all Senators to
9. vote against this amendment also.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. All in favor. Senator Wooten, for what purpose
12. do you arise?

13. SENATOR WOOTEN:

14. An inquiry.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. For the purpose of a parliamentary inquiry, and
17. what is your...

18. SENATOR WOOTEN:

19. ...Not a parliamentary inquiry, but a point that
20. was just brought up which is...

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Oh, a point of inquiry with regard to the Resolution.

23. SENATOR WOOTEN:

24. Yes.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. To the amendment?

27. SENATOR WOOTEN:

28. Yes. Do I....

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. And who are you directing your inquiry to?

31. SENATOR WOOTEN:

32. ...I would direct it to...

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Vadalabene is the sponsor of this...

2. SENATOR WOOTEN:

3. Senator Vadalabene as the sponsor...

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Vadalabene...

6. SENATOR WOOTEN:

7. ...Or whoever can answer...

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. ...Will you yield to a question propounded by Senator
10. Wooten? He indicates that he will, Senator Vadalabene is
11. recognized.

12. SENATOR WOOTEN:

13. ...Senator Newhouse just stated that this second
14. amendment eliminates the amendment just adopted. Is that
15. correct?

16. SENATOR VADALABENE:

17. Yes.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. I don't know.

20. SENATOR VADALABENE:

21. It eliminates the first amendment is that what you
22. are asking?

23. SENATOR WOOTEN:

24. Right.

25. SENATOR VADALABENE:

26. Yes, it eliminates the first amendment.

27. SENATOR WOOTEN:

28. And do I understand that the sponsor of the bill agrees
29. to this, that the second amendment eliminates the amendment
30. that he just proposed and was adopted.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. The sponsor of the bill agreed to the adoption of
33. Amendment #2.

SENATOR WOOTEN:

Yes. Okay.

1. ,PRESIDING OFFICER (SENATOR GRAHAM):

2. All in favor of the adoption of Amendment #2 will
3. signify by saying aye. Opposed. The ayes have it, the
4. Amendment is adopted. Third reading. A roll call has
5. been requested if you are trying by four other Senators
6. a roll call will be had. He is joined by.... He's
7. joined, you do not have four Senators joining you in a
8. request for a roll call. He does now. Roll call will
9. be had on the adoption of Amendment #2 to House Bill 48.
10. Secretary will call the roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
13. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
14. Dougherty, Fawell, Glass...

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Fawell.

17. SENATOR FAWELL:

18. ...I...I want to point out that as I mentioned the
19. other day, that this Amendment and the Bill in the
20. amended form, with this Amendment off may...there'll be
21. people on both sides in the final debate. But I think
22. the Amendment, Senator Newhouse, is nevertheless...puts
23. the bill that will ultimately be...presented to this
24. Body...in better...is a better bill than what it would
25. be...without the Amendment because the bill in its
26. original form just simply states that...that none of the
27. local districts would,even-if they wished to, be able
28. to...utilize busing in order to achieve racial balance.
29. So, in that sense, without necessarily saying that the
30. bill in its final form is one that is or is not acceptable
31. I think is in a...better form than the bill in which it
32. was...form of the bill in which it was originally
33. introduced, and so on that basis I vote aye.

1. SECRETARY:

2. Glass, Graham, Harber Hall, Kenneth...Kenneth Hall,
3. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
4. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
5. Mohr, Don Moore, Netsch,

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Netsch.

8. SENATOR NETSCH:

9. Mr. President, my vote is no. The bill...was bad...
10. when it was introduced. It was bad when it was amended
11. at the last minute in Committee and this Amendment does
12. not help it at all.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. The Senator...would like...would like to be
15. recorded as no. Continue with the roll call.

16. SECRETARY:

17. ...Newhouse, Nimrod, Nudelman, Ozinga, Palmer,
18. Partee,

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Partee.

21. SENATOR PARTEE:

22. There is in my opinion a great deal of confusion
23. about what the bill does and about what the amendment
24. does. I have listened to persons who gave explanations
25. today as to their position on this bill and I can not
26. believe that some of the positions stated were stated
27. with full knowledge and understanding of the components
28. of the Bill as it relates to the Amendments. Whether
29. or not this Amendment is adopted in accordance with the
30. philosophy as just set forth by the Senator from DuPage,
31. Senator Fawell, or whether it is denied and conformity with the
32. suggestion as made by Senator Newhouse and I see them
33. cogitating the problem now, trying one or the other

1. to convince the other...I'm going to vote no for
2. today but with this understanding that this bill
3. would, I hope, be held until tomorrow so that we
4. could take another look at it so that we could finalize
5. this matter. This is a subject which has confused
6. the American people, it has confused them in my
7. community, certainly,...there is not a one mind on
8. this subject, there are many, many divisions and
9. subdivisions on this subject. I don't think that the
10. American people have really ever understood it and
11. it's been used to emotionalize many of our people.
12. So on that basis, today, I'm going to vote no, but with
13. the reservation that after we shall have looked at it
14. again in light of the present Amendment we could possibly
15. vote for the bill...depending on how we read it after we've
16. taken a second...look at it.

17. SECRETARY:

18. Regner, Rock, Roe, Romano, Saperstein, Savickas,
19. Schaffer, Scholl, Shaprio...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Gentlemen, we're having a little trouble hearing
22. the names on the roll call, could we please, please...

23. SECRETARY:

24. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
25. Walker, Weaver, Welsh, Wooten, Mr. President.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Carroll, aye. Carroll, aye. Senator Romano, aye.
28. Senator Saperstein. Senator Saperstein would be recorded
29. as voting no. Senator Johns, aye. Senator Swinarski,
30. aye. On that question, the yeas are 43...The nays are 8.
31. The Amendment is adopted. Any...further amendments...
32. from the Floor? 3rd reading. House Bill...Senate Bill,
33. I'm sorry, Senate Bill 51. Senator Don Moore.

1. He indicates he would like Senate Bill 51.

2. SECRETARY:

3. SB 51.

4. (Secretary reads title of bill)

5. 2nd reading of the bill. The Committee on Local

6. Government offers one amendment.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Moore moves the adoption of the Committee

9. Amendment. All in favor will signify by saying aye.

10. Opposed? The ayes have it. The Amendment is adopted.

11. Senator Rock.

12. SENATOR ROCK:

13. Just one question, Mr. President. That is, I take

14. it, the Home Rule Amendment?

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. It is the Home Rule Amendment. 3rd reading. Any

17. further Amendments from the Floor, I'm sorry. 3rd

18. reading. Senate Bill 55, and could we have some order,

19. please? Ladies and gentlemen, I shouldn't say ladies

20. because they are in order. But, gentlemen, please...

21. SB5...SB...120. Senator Don Moore, no. SB 142, Senator

22. Kenneth Hall. Senator Hall. Senator Kenneth Hall.

23. SENATOR KENNETH HALL:

24. ...Yes, Mr. President, Senator Harber Hall has the

25. Amendment that he wants to put on this bill.

26. SECRETARY:

27. SB 142.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. No Committee amendments.

30. Amendment No. 1 by Senator Harber Hall.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Harber Hall.

33. SENATOR HARBER HALL:

1. ...Ah, Mr. President...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Speak to your amendment.

4. SENATOR HARBER HALL:

5. ...This amendment to Senator Hall's bill reduces
6. from 83,685 dollars to...total of 12,500 dollars to
7. be appropriated for this purpose, known as the Joliet-
8. Marquette Tricentennial Commission. Members of the
9. Appropriations Committee had some reservations and...
10. about the project, its scope, the states it would be held
11. in, and the work to be done and this amendment is a
12. general resolution by members of the Appropriation
13. on both sides of the aisle...as fair and equitable
14. in a bill that...would make a one time appropriation
15. was not in the budget and is otherwise...not fully
16. agreed with, but...it permits them to carry out their
17. work to some extent without total funding by the State
18. and...in speaking with the principal sponsor,...he...
19. I believe will at least not object to this amendment
20. and I move for its adoption.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Harber Hall moves for the adoption of Amend-
23. ment No. 1 to SB142. All in favor will signify by saying
24. aye. Opposed. The Amendment is adopted. Any amendments
25. from the Floor? 3rd reading. SB 154. Senator Don Moore.
26. SECRETARY:

27. SB 154.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. Amendment No. 1 has been previously
30. adopted.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Sb 154 as amended. Senator Partee, do you seek
33. recognition?

1. SENATOR PARTEE:

2. Yes...I thought they were going to hold that one
3. until we could talk about it a little bit. You want
4. to go with that today...I want...could you hold it?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Don Moore. You want to pass it for a
7. moment, Senator? Take it out of the record. SB 168.
8. Senator John Davidson. Not here. SB 169, Senator
9. Davidson is not here on 169 or 170. SB 180, Senator
10. Glass. He indicates that he would like it...

11. SECRETARY:

12. SB 180.

13. (Secretary reads title of bill)

14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Any amendments from the Floor? 3rd reading.
17. SB 194, Senator Swinarski. SB 195, Senator Glass.
18. Yes.

19. SECRETARY:

20. SB 195.

21. (Secretary reads title of bill)

22. 2nd reading of the bill. No committee amendments.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Any amendments from the Floor? 3rd reading.
25. SB 197, Senator Glass. No. SB 206 for Senator Sours.
26. SB 206 on 2nd reading.

27. SECRETARY:

28. SB 206.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Amendments from the Floor? 3rd reading. SB 238.
33. Senator Knuepfer. Senator Knuepfer. Are you with me?

1. I have a request now that we turn to the order of consider-
2. ation on SB 154, Senator Don Moore.
3. SECRETARY:
4. SB 154.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. Amendment #1 previously adopted.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Any amendments from the Floor? 3rd reading. Now
9. we go back to SB...Senator Knuepfer would like to pass
10. 238 but call 240, is that correct? SB 240.
11. SECRETARY:
12. SB 240.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Amendments from the Floor? 3rd reading. 244,
17. Senator Swinarski. Senator Bell, 256. Yes.
18. SECRETARY:
19. SB 256.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Amendments from the Floor? 3rd reading. SB 259,
24. Senator Howard Mohr. SB 262, Senator Bradley Glass. Yes.
25. SECRETARY:
26. SB 262.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments. Amend-
29. ment #1 by Senator Glass.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Senator Glass moves the adoption of Amendment #1 to
32. SB 262. All in favor will signify by saying aye. Opposed.
33. The amendment is adopted. Any amendments from the Floor?

1. 3rd reading. SB 270, Senator Glass.
2. SECRETARY:
3. SB 270.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Judiciary
6. offers one amendment.
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. Senator Glass moves the adoption of Amendment...
9. Committee Amendment to SB 270. All in favor will sig-
10. nify by saying aye. Opposed? The ayes have it the
11. Amendment is adopted. Any amendments from the Floor?
12. 3rd reading. SB 309?
13. SECRETARY:
14. SB 309.
15. (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Any amendments from the Floor? 3rd reading.
19. SB 320. Senator Schaffer. Yes.
20. SECRETARY:
21. SB 320.
22. (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.
24. Amendment #1 by Senator Schaffer.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator Schaffer moves the adoption...
27. SENATOR SCHAFFER:
28. Yeah, that's a committee amendment.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Moves the adoption of Amendment #1 to SB 320. All
31. in favor will signify by saying aye. Senator Rock, for
32. what purpose do you arise?
33. SENATOR ROCK:

1. Mr. President, members of the Senate, I'd ask the
2. attention of the membership, this is a very significant
3. bill, SB 320. I do have two amendments I wish to offer
4. from the Floor. I just wonder if the Senator would ex-
5. plain what Amendment No. 1 purports to do?

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. He indicates that he will explain Amendment No. 1.
8. Senator Schaffer.

9. SENATOR SCHAFFER:

10. Yes...it was pointed out in the Committee meeting that...
11. the...by giving an employee a right to hearing before he
12. is laid off...if a large number of employees were term-
13. inated...by layoff, simultaneously, that this could be
14. used as a tactic for delaying the layoff and...we have
15. amended the act...to provide that the...they have a right
16. for hearing after they're laid off. And I might add that
17. we did discuss this with the Department of Personnel and
18. ...based on the Amendment that is before the Body right
19. now...the Department of Personnel is no longer in opposi-
20. tion to this Bill.

21. PRESIDING OFFICER (SENATOR GRAHAM) "

22. Senator Rock.

23. SENATOR ROCK:

24. Well, I...I don't mean to belab...I do not have a copy
25. ..is it...what words do you change, that's all I want to
26. know.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Secretary will read the amendment.

29. SECRETARY:

30. Amend SB 320 on page 2 by deleting lines 12 through
31. 19 and inserting in lieu thereof the following:
32. "Days prior to date of layoff; upon the filing of a written
33. request by the officer or employee within fifteen days

1. of the receipt of notification, the Commission, within
2. 30 days shall grant a hearing conducted as provided in
3. this Section to review the procedural propriety, good
4. faith and legal validity of the layoff action."

5. PRESIDING OFFICER SENATOR GRAHAM):

6. Senator Schaffer

7. SENATOR SCHAFFER:

8. This amendment was...worked out with Deputy Director
9. Boys from the Department of Personnel who testified at the
10. Committee hearing and...as he...as I stated earlier...
11. with this amendment he indicated to me that the Department no
12. longer had an opposition to this bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. ...Senator Rock are you satisfied with that explanation?

15. Senator Rock.

16. SENATOR ROCK:

17. I am with...with the explanation as given. I am
18. not satisfied, however, that the Department is not in
19. opposition to this bill...on that basis I would oppose the
20. adoption of this amendment.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Schaffer moves the adoption of Amendment No. 1
23. to SB 320, all in favor will signify by saying aye.

24. Opposed. The ayes have it. The amendment is adopted.

25. The amendment is adopted. Any further amendments from
26. the Floor? Senator Rock.

27. SENATOR ROCK:

28. Yes. Mr. President, members of the Senate, I wonder
29. if I can get someone to take these amendments up to the
30. Secretary and I do have some to pass out to all the mem-
31. bership. I better keep one. I can in fact, while they
32. are passing these out; the amendment which would be
33. numbered, I suppose, Amendment No. 2....

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. It would be Amendment No. 2, yes.

3. SENATOR ROCK:

4. Okay. If everybody will take a look at the bill
5. it adds only one line...It adds, following the end
6. of line 10. Now this is what line 10 says: "No
7. officer or employee shall be subject to layoff, (comma,
8. this is what I had) except a layoff for lack of funds
9. or a layoff due to abolition of position." And I would
10. move for the adoption of Amendment No. 2.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Schaffer, do you have a response? ...To
13. your bill?

14. SENATOR SHCAFFER:

15. I think you've just clearly defined the layoff and...
16. I would oppose that amendment...since it would...in essence
17. make this bill...superfluous.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. All in favor of the adoption of Amendment No. 2 to SB
20. 320 will signify by saying aye. Opposed. The no's have it
21. and the motion...A roll call has been requested. A roll call
22. will be had. The Secretary will call the roll on the adoption
23. of Amendment No. 2 to SB 320. Will the Senators please be
24. in their seats?

25. SECRETARY:

26. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
27. Chew, Clarke, Conolly, Course, Daley, Davidson, Donne-
28. wald, Dougherty, Fawell, Glass, Graham, Harber Hall,
29. Kenneth Hall, Hynes,...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Hynes voted aye.

32. SECRETARY:

33. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,

1. McBroom, McCarthy, Merritt, Mitchell, Howard Mohr, Don
2. Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
3. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
4. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
5. Soper, Sours, Swinarski, Vadalabene,...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Swinarski, aye.

8. SECRETARY:

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

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Bartulis, no. Davidson, no. Just a moment gentlemen,
12. we'll get to you. You heard the bell ring. Bruce, aye.
13. Buzbee, aye. Have all voted who wish to vote. Senator
14. Welsh. The absentees. There has been...Senator Welsh,
15. for what purpose do you arise?

16. SENATOR WELSH:

17. Mr. President, how am I recorded?

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. How is Senator Welsh recorded.

20. SECRETARY:

21. Aye.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. You are recorded as voting aye. Senator Vadalabene,
24. for what purpose do you arise, Sir?

25. SENATOR VADALABENE:

26. ...Recorded?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. How are you recorded?

29. SECRETARY:

30. Aye.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. You are recorded as voting aye. Do you want to ask
33. a question, Senator Newhouse? You... On this question,...

1. The yeas are 26. The nays are 30 and the motion fails.

2. Any further amendments from the Floor? 3rd reading.

3. SB 321, Senator Carl Berning. Hold it. SB 324 through

4. 325, Senator Hudson Sours, the gentleman from Peoria.

5. Hold it -Or move it?

6. SECRETARY:

7. SB 324.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any amendments from the Floor? 3rd reading.

12. SECRETARY:

13. SB 325.

14. (Secretary reads title of bill)

15. 2nd reading of the bills. The Committee on Transportation

16. and Public Utilities offers one amendment.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Sours. Senator Sours.

19. SENATOR SOURS:

20. I may have an amendment, but I think I'll advance it

21. I can call it back for an amendment if I have to. Let's

22. put it on 3rd then.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Yes, someone has to move the adoption of an amendment

25. or move to...Senator Sours moves for adoption of Amendment No. 1

26. is that, Mr. Secretary...

27. SECRETARY:

28. ...Committee Amendment.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. To SB 325. All in favor will signify by saying aye.

31. Opposed? The ayes have it. The Amendment is adopted.

32. Senator Rock.

33. SENATOR ROCK:

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1. Well, Mr. President, I wonder if we might have that
2. understanding, Senator, we do have an amendment, I think
3. it's a technical one...but we can...you'll move it, then
4. we can call it back when we get ready.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Sours.

7. SENATOR SOURS:

8. Yes, I have it over here somewhere in this maze,
9. Senator, and I'll pull it back later on that Amendment.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. He agrees that he will. 3rd reading. SB 327.

12. Senator Ed McBroom. 337, I'm sorry. SB 345. Senator
13. Fawell.

14. SECRETARY:

15. SB 345.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments.
18. Amendment #1 by Senator Fawell.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator, would you care to explain your amendment?

21. SENATOR FAWELL:

22. ...This amendment which is suggested by the
23. Children's Commission and by the...Chicago Bar Association,
24. does not make any substantive change. It's just a basic...
25. tightening of the language.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Fawell moves the adoption of the amendment.
28. All in favor will signify by saying aye. Opposed? The
29. ayes have it and the amendment is adopted. Any further
30. amendments from the Floor? 3rd reading. SB 346.

31. Senator Fawell.

32. SECRETARY:

33. SB 346.

11, 1973
S B 346

1. (Secretary reads title of bill)

2. 2nd reading of the bill. The Committee on Judiciary
3. offers one amendment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Fawell moves the adoption of Amendment No. 1
6. to SB 346. All in favor will signify by saying aye.
7. Opposed? The ayes have it. The amendment is adopted.

8. SECRETARY:

9. Amendment No. 2 by Senator Fawell.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Fawell.

12. SENATOR FAWELL:

13. Yes...This Amendment was to be introduced in the
14. Judiciary Committee, but I...failed to do so. What it
15. does is to add as additional grounds for adoption the
16. following words: "The failure to make reasonable efforts
17. to correct the conditions which were the basis for the
18. removal of a child from his parents or to make reasonable
19. progress toward the return of the child to his parents
20. within 24 months after adjudication of neglect under Section
21. 24 of the Juvenile Court Act." It merely sets forth
22. some specific language in regard to making adoptable
23. children...who have been found under the Juvenile Court
24. Act to be neglected and then the parents just take no in-
25. terest in these children who otherwise are left in limbo.
26. I move the adoption of the amendment.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Fawell moves the adoption of Amendment No. 2
29. to SB 346. All in favor will signify by saying aye.
30. Opposed? The ayes have it. The Amendment is adopted.
31. Any further amendments from the Floor? 3rd reading.
32. SB 366, Senator Tom Merritt. Romano, I'm sorry. He said
33. yes.

1. SECRETARY:

2. SB 366.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendment.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Amendments from the Floor? 3rd reading. SB 373.

7. Senator Palmer.

8. SECRETARY:

9. SB 373.

10. (Secretary reads title of bill)

11. 2nd reading of the bill. No committee amendments.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Amendments from the Floor? 3rd reading. SB 394.

14. Senator Don Moore. Yes.

15. SECRETARY:

16. SB 394.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Amendments from the Floor? 3rd reading. SB 395.

21. Senator Moore. Yes.

22. SECRETARY:

23. SB 395.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Amendments from the Floor? 3rd reading. SB 396,

28. by Senator Howard Mohr. Hold it. SB 400. Senator

29. Fawell. Yes, I suppose we're trying to get...

30. SECRETARY:

31. SB 400.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. No...any amendments from the Floor? 3rd reading.

3. I have a request to return to the order of business

4. on the Secretary's desk for the purpose of calling SB 315

5. and right after that, we are going to call ...Senate

6. Joint Resolution #23. We had three more bills on

7. 2nd reading on the top of the calendar I missed, but

8. we are going at this point in time to SB 315 on

9. consideration postponed. Senator Sommer.

10. SENATOR SOMMER:

11. Mr. President, ...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Sommer.

14. SENATOR SOMMER:

15. Mr. President, members of the Senate, this is SB 315

16. I believe you're familiar with it and...I would ask for

17. a favorable roll call on it. Thank you.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Been a request for a roll call on SB 315. The

20. Secretary will call the roll.

21. SECRETARY:

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

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

24. Donnewald, Dougherty, Fawell, Glass, Graham, Harber Hall,

25. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel,

26. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,

27. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,

28. Nudelman, Ozinga, Palmer, Partee,

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Partee. Could we have a little order, please?

31. SENATOR PARTEE:

32. I hope as long as I serve in this House, I will never

33. be imagized as being wishy-washy, I think I owe some

1. explanation to the members of this Body and particularly
2. to Senator Sommers about the position I took on this
3. Bill when it first came up. As you will recall when we
4. were in Committee I...we were then concerned about whether
5. or not local government should contribute a share to
6. various projects which were necessary in the area and I
7. asked the Mayor of Pekin if they wanted...this is going
8. to be a one and one dollar match or two and one dollar
9. match and he said he understood what I was talking about.
10. Now the person representing the Governor's office came
11. down and said that the Governor was not going to fund this,
12. it was not in the budget and we should be against it. We
13. didn't vote for it and then when it came to the Floor of
14. the Senate, we were shown pictures of the Governor in the
15. particular area at which time he was saying that he would
16. support it and he was for it. It gave us something in the
17. nature of a dilemma not knowing whether he meant it here
18. or there, but in any event, we have since had a commun-
19. ication from the Governor's office saying that the money
20. now is available and that the money is in the budget and
21. we are certainly delighted to say to the people of Peoria
22. and Pekin that a four and a half million dollar bridge if
23. it's indicated and it is in the budget...it's a Spartan
24. kind of a bridge, I suppose, it could have cost more
25. money than that and I certainly hope that all of you will
26. support it and the Governor can find the four and a half
27. million dollars or whatever is indicated for it; because
28. a lot of our fine people in both Pekin and Peoria. I vote
29. aye.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Continue the roll call.

32. SECRETARY:

33. Regner, Rock, Roe, Romano, Saperstein, Savickas,

1. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
2. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
3. Mr. President.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Sours votes aye. Sen...How is Senator Johns
6. recorded?

7. SECRETARY:

8. He is not recorded.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. You are not recorded. Wants to be recorded aye.
11. Senator Buzbee would like to be recorded aye. Senator
12. Kenny Hall would like to be recorded aye and Senator
13. Netsch would like to speak into her microphone. Senator
14. Netsch, you are recognized. For what purpose...of what...
15. Senator?

16. SENATOR NETSCH:

17. Mr. President, my vote is yes, only on the representa-
18. tion that this is in the budget. I still do not approve as
19. a matter of principle of separate appropriation bills...
20. but...the...on the basis that this one has now incorporated
21. in the budget, it is supportable.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The Senator votes aye. Senator Roe would like to vote
24. aye. Senator...who hasn't voted? On this question
25. and when we resolve this question, I think, we can all
26. stand because we have just participated in the passing
27. of Senator Sommer's first bill. And...the ayes are 50.
28. And the nays are none...and the...Senator Merritt.
29. The...the...the ayes are 50 and the nays are nothing and
30. the bill is therefore declared passed.

31. SENATOR MERRITT:

32. Mr. President,

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Merritt.

2. SENATOR MERRITT:

3. Mr. President...having voted on the prevailing

4. side, I move the vote by which SB 315 passed be re-

5. considered.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator...how many...Senator Carroll moves that...

8. Senator Merritt's motion lie on the Table. All in

9. favor of...

10. SENATOR MERRITT:

11. Thank you, Senator. Thank you.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. All in favor will signify by saying aye. Opposed?

14. No. The ayes have it and the motion fails. Senator

15. Sommer...now, gentlemen, inadvertently, my trifocals

16. didn't get up to the top of the page. We have three

17. more bills on Senate 2nd reading and SB 410, Senator Knuepfer

18. is the next one in order. And we're going to get to

19. your Resolution to be read, Senator McBroom, SB 410. SB 416.

20. Senator Harris. SB 480, Senator Conolly. SB...yes he wants

21. to call 480. Gentlemen, please.

22. SECRETARY:

23. SB 480.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Any amendments from the Floor? 3rd reading.

28. SB 592, Senator Partee. 592 on 2nd reading.

29. SECRETARY:

30. SB 592.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any amendments from the Floor? 3rd reading.
2. Now, as I had promised Senator McBroom, we will read
3. Senate Joint Resolution #23 so that it may be on its
4. legislative way.

5. SECRETARY:

6. Senate Joint Resolution...23. Constitutional
7. amendment.

8. (Secretary reads Senate Joint Resolution)
9. 1st reading of the resolution.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Ladies and Gentlemen of the Senate...Senator...
12. back to the order of House Bills on 1st reading, Senator
13. Partee has indicated that he would be the sponsor of
14. House Bill 381 and while we're finding the bill, the
15. leadership has agreed, so I'm informed, that we will soon
16. go to the order of Senate Bills on 3rd reading and
17. work until 2 o'clock.

18. SECRETARY:

19. House Bill 381.

20. (Secretary reads title of House Bill)
21. 1st reading of the bill.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. What do we have? We will now revert to the intro-
24. duction of bills, we have quite a sizeable stack here,
25. so the Secretary's office can expedite their business.
26. Introduction of bills.

27. SECRETARY:

28. SB 656...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Sours, for what purpose do you arise?

31. SENATOR SOURS:

32. Those...those two bills I mentioned a little while
33. ago, Mr. President, when you get to it.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. All right.

3. SECRETARY:

4. SB 657 by Senators Saperstein, Partee, Donnewald
5. and Rock.

6. (Secretary reads title of bill)

7. 658 by the same sponsors.

8. (Secretary reads title of bill)

9. 659 by Senators Vadalabene and Buzbee.

10. (Secretary reads title of bill)

11. 660 by Senators Regner and Hynes.

12. (Secretary reads title of bill)

13. 661 by Senators Regner and Hynes.

14. (Secretary reads title of bill)

15. 662 by Senators Regner and Hynes.

16. (Secretary reads title of bill)

17. 663 by Senators McBroom, Savickas, Buzbee and Hall.

18. (Secretary reads title of bill)

19. 664 by Senators McBroom, Savickas, Buzbee

20. and Harber Hall.

21. (Secretary reads title of bill)

22. 665 by Senators Fawell, Knuepfer, Bell, Mitchler,
23. Schaffer, Bartulis, Roe, Harber Hall and Shapiro.

24. (Secretary reads title of bill)

25. 666 by Senators Knuppel, Latherow, Sours, Rock,
26. Partee, Donnewald and Howard Mohr.

27. (Secretary reads title of bill)

28. 667 by Senator Fawell.

29. (Secretary reads title of bill)

30. 668 by Senators Schaffer, Buzbee and Roe.

31. (Secretary reads title of bill)

32. 669 by Senators Berning and Roe.

33. (Secretary reads title of bill)

1. 670 by Senator Schaffer.
2. (Secretary reads title of bill)
3. 671 by Senators Schaffer and Bruce.
4. (Secretary reads title of bill)
5. 672 by Senators McBroom, Partee, Donnewald,
6. Rock, Harris, Howard Mohr, Weaver and Graham.
7. (Secretary reads title of bill)
8. 673 by Senators Bartulis, Mohr, Graham, Sours,
9. Walker, Ozinga, Sommer, Glass, Scholl, Schaffer and Mitchler.
10. (Secretary reads title of bill)
11. 674 by Senator Berning.
12. (Secretary reads title of bill)
13. 675 by Senator Buzbee.
14. (Secretary reads title of bill)
15. 676 by Senators Welsh, Romano, Howard Mohr
16. and Don Moore.
17. (Secretary reads title of bill)
18. 667 by Senators Welsh, Shapiro, Romano, Howard
19. Mohr and Don Moore.
20. (Secretary reads title of bill)
21. 678 by Senators Soper, Don Moore, Bartulis,
22. Vadalabene, Savickas, Welsh and Romano.
23. (Secretary reads title of bill)
24. 679 by Senator Newhouse.
25. (Secretary reads title of bill)
26. 680 by Senator Newhouse.
27. (Secretary reads title of bill)
28. 681 by Senator Newhouse.
29. (Secretary reads title of bill)
30. 682 by Senators Newhouse, Chew and Smith.
31. (Secretary reads title of bill)
32. 683 by Senator Newhouse.
33. (Secretary reads title of bill)
- 684 by Senators Newhouse, Chew and Smith.

1. (Secretary reads title of bill)

2. 685 by Senator Newhouse.

3. (Secretary reads title of bill)

4. 686 by Senators Newhouse, Chew and Smith.

5. (Secretary reads title of bill)

6. 687 by Senators Newhouse, Chew and Smith.

7. (Secretary reads title of bill)

8. 688 by Senator Newhouse.

9. (Secretary reads title of bill)

10. 1st reading of the bills.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. ...We've been requested to revert again to the
13. order of House Bills on first reading for the purpose of
14. ...reading House Bill 21 and 22 and Senator Bell will be
15. the House sponsor...Senate sponsor for those bills. House
16. Bill 21.

17. SECRETARY:

18. House Bill 21.

19. (Secretary reads title of House Bill)

20. 1st reading of the bill.

21. House Bill 22.

22. (Secretary reads title of House Bill)

23. 1st reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Sours, had a problem with a couple of bills
26. amendment wise sometime ago and he's indicated he's
27. ready. I hope these are not controversial amendments.
28. We...those bills have all ready been returned to Enrolling
29. and Engrossing, Senator, and we would have to ... Are
30. these bills controversial, you don't know. Explain for purpose...

31. SECRETARY:

32. Amendment...

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Sours.

2. SENATOR SOURS:

3. Mr. President, Senators, there's an amendment for
4. each bill, 324, 325, which simply states each case in each
5. case this Act takes effect January 1, 1974...I move their
6. adoption there...there may be another amendment some other
7. time. Oh yes, I should first of all make the motion,
8. proper motion to take the bill from 3rd reading, bring
9. it back to second for the purpose of...these two separ-
10. ate amendments on SB 324 and SB 325...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. The motion is to move 324 and 325 back to the order
13. of 2nd reading for the purpose of adopting amendments,
14. Senator Sours has moved the adoption of Amendment No. 1 to
15. 324. All in favor will signify by saying aye. Opposed?
16. The amendment is adopted. Now what is your disposition
17. with 324, back to 3rd read?

18. SENATOR SOURS:

19. Yes.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. SB 324, now on the order of 2nd reading for the purpose
22. of the consideration of Amendments. Senators. Two amendments.

23. SECRETARY:

24. One amendment.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Amendment No. 2, SB 325. Secretary will read the amend-
27. ment.

28. SECRETARY:

29. This Act takes effect January 1, 1974.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Sours moves the adoption of Amendment No. 2
32. to SB 325. All in favor signify by saying aye. Opposed?
33. The ayes have it. The amendment is adopted and 324 and
325 will be returned to the order of 3rd reading.

1. Now, Gentlemen...is all...all of our work done there,
2. so we may go to Senate...We will now proceed on the
3. order of Senate Bills 3rd reading. Ladies and Gentle-
4. men, Senate Bills 3rd reading. We would like to call at
5. this time SB No. 2, Senator Berning.

6. SECRETARY:

7. SB No. 2

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. He does not wish it called. SB No. 20, Senator Latherow.
10. He's not on the Floor. SB No. 21. Hold. SB No. 24. Senator
11. Latherow. SB No. 26. Senator Walker. He's tired. SB 27,
12. Senator Knuppel. SB 27.

13. SECRETARY:

14. SB 27.

15. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Knuppel will...you are recognized.

19. SENATOR KNUPPEL:

20. Mr. President...and members of the Senate, this is
21. a marketing bill, similar to bills that have been...all
22. ready been enacted with respect to eggs and fruit...this
23. bill calls for...provides the method by which the producers
24. of soybeans in the State of Illinois may upon a petition
25. of some five hundred growers call for an election of...
26. soybean growers to create a marketing board and a checkoff
27. system. This system would...provide that all growers if...
28. if the referendum carried...there would be a referendum
29. and if the referendum carried, there would be a checkoff system
30. where during the first year when beans were delivered at
31. ...the elevator, there would be a checkoff of one-fourth of
32. one cent per bushel...this would be...this money would be
33.

1. paid over to the board which would be...which would be
2. established...The marketing board and if anyone
3. did not want to participate he would so notify the
4. elevator and would receive a refund of any money which
5. had been checked off against the beans which he may
6. have sold...there were two amendments which were
7. adopted yesterday which provides that if the referendum
8. for the establishing...establishment of a soybean...
9. marketing board failed to carry, cannot be voted on
10. again for two years...after the first year, the checkoff
11. may be as much as one-half cent per bushel. This...
12. money would be used for research and marketing studies
13. and to improve the marketing of soybeans throughout
14. the world. This bill is supported by some major
15. farm organizations and by some soybean associations in
16. the State of Illinois. I...I consider it a good bill.
17. It was fully heard in Committee and was voted on Do Pass.
18. I'd be happy to answer questions with respect to the
19. bill, but I would ask for a favorable roll call.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any discussions? Senator Latherow.

22. SENATOR LATHEROW:

23. Mr. President and members of the Senate, Senator
24. Knuppel and I have spent considerable time trying to amend
25. this and put it into what we thought proper shape and I
26. think we have it there, now, and I suggest we give this
27. bill our full support.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The question is, shall SB 27, as amended, pass. On
30. that question, the Secretary will call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
33. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

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

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Hall would like to be recorded as voting aye.
11. Davidson, aye. You're making the Secretary's job more
12. and more difficult, gentlemen. We encourage your vote
13. but earlier. Scholl, aye. On this question, the yeas are
14. 49. The nays are none. The bill having received its
15. constitutional required majority is therefore declared passed.
16. SB 68. Senator Harber Hall. Senator Hall.

17. SENATOR HARBER HALL:

18. ...I'd like...to leave the Senate to have 68 returned
19. to the order of 2nd reading for purposes of two amendments
20. sponsored by Senator Sommer.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Hall has requested that SB 68 be returned
23. to the order of 2nd reading for the consideration of
24. two amendments. All in favor will signify by saying aye.
25. The bill is now on the order of second reading. Senator
26. Sommer. Do you have...does the Secretary have the amendment?

27. SECRETARY:

28. Amendments 2 and 3 by Senator Sommer.

29. SENATOR SOMMER:

30. Mr. President.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Sommer.

33. SENATOR SOMMER:

1. Members of the Senate...there's already been one
2. amendment on this, so the first one I'll be talking about
3. is Amendment No. 2, which simply takes Section 32 of that
4. bill and adds the word, association. The reason for that
5. is that not for...that certain clubs and organizations
6. that would be affected by this may or may not be in-
7. corporated and to treat one in a different manner from a-
8. nother is irrational under this...this simply allows seven
9. treatment for all people affected.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Rock.

12. SENATOR ROCK:

13. I...I think two amendments have already been adopted.
14. Is that not correct? So, we'll be talking about 3 and 4
15. if there are two to be proposed.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. We are checking on it right now, Senator. We've
18. got a temporary recess, but don't go away. Senator Johns,
19. this a good time to make your motion, if you have one.

20. SENATOR JOHNS:

21. Mr. President, I'd like to ask to have leave of this
22. Body to remove my name from sponsorship of SB 545.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. ...Senator, we can not do that right in the middle
25. of this, we do...recognize...

26. SENATOR JOHNS:

27. I'm sorry then, Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Take the last...We're considering 3 and 4 and you're
30. speaking now to Amendment No. 3, I presume. And you move
31. its adoption. It's been moved by Senator Sommer, Amend-
32. ment No. 3, SB 68 be adopted. All in favor will signify
33. by saying aye. Opposed. The ayes have it. The amendment

1. is adopted. Senator Sommer now will address himself
2. to...Amendment No. 4.

3. SENATOR SOMMER:

4. ...Amendment No. 4 exempts farm ponds from the operation
5. of the act...the act is initially aimed at campgrounds and
6. areas where people recreate; however, many farmers through-
7. out the State have little ponds where they allow one or
8. two neighbors or ten neighbors a year to go fishing on
9. these ponds. These are not recreational areas in that
10. sense. They're adjuncts to farming operations and the
11. amendment exempts those things that are adjuncts to
12. farming operations.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Sommer moves the adoption of Amendment No. 4
15. to SB 68. All in favor will signify by saying aye.
16. Opposed? The amendment is adopted. 3rd reading.
17. Senator Partee.

18. SENATOR PARTEE:

19. I just...to ask...please, of what the financial
20. economic impact of all of these amendments is on this
21. subject? What's this going to cost the State? I mean
22. how much are we losing as a result of your passing these...
23. adopting all these amendments?

24. PRESIDING OFFICER (SENATOR GRAHAM);

25. Are you addressing your question to the sponsor?

26. SENATOR PARTEE:

27. Sponsor. Yes, Sir.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. ...Senator Partee..I am not certain what these last
32. two amendments...what effect these might have. I will
33. certainly find out, it's...the first amendment and the

1. bill itself...have a very, very nominal effect as reported
2. to me by the Department of Health...The...cost will be
3. negligible and they did not object to...this bill, the
4. principle of it...in Committee and...to my knowledge, they
5. don't now even with these new amendments, but I will have
6. to evaluate the cost. It appears to me that they won't
7. have a...a sizeable revenue impact.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Any further discussion? ...On this question...

10. No, let's go back to 3rd reading. SB 68 is returned to
11. the order of 3rd reading. SB 71. Hold. Senate Bills
12. 77. Senator Dougherty. Gentlemen, I might say that this
13. address to you regarding this Bill by the Senator from
14. Chicago should have your attention, please. And those
15. not entitled to the Floor will please leave the Senate
16. Floor. Senator Dougherty would like...

17. SENATOR DOUGHERTY:

18. Members of the Senate, I wish to call this Bill back
19. to the order of 2nd reading for the purpose of offering
20. a non-substitutional amendment. The amendment merely
21. provides on page 11 that we add the word: "or for delegate".
22. And on page 34, line 1 to insert: "Secretary of State".
23. That's merely to put the Bill in proper form. I ask you
24. to adopt the amendment.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Dougherty moves that SB 77 be returned to
27. the order of 2nd reading for the purpose of the consideration
28. of amendment...of an amendment. All in favor will signify
29. by saying aye. Opposed. The ayes have it, the Bill is
30. now on the order of 2nd reading for the purpose of considera-
31. tion of your amendment, Senator Dougherty.

32. SENATOR DOUGHERTY:

33. As I explained the amendment, it...it merely makes
two word changes, it offers the word, "nomination", that's
the word, nomination, "or for delegate".

1. instead of the word...committeeman and inserts the word.
2. or deleting "Secretary of State". That's all. It's a
3. a non-substitutional change merely to bring it in line
4. with the whole concept of the Bill.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator...Dougherty moves...moves the adoption of
7. the afore described amendment to SB 77. All in favor
8. will signify by saying aye. Senator Dougherty now moves
9. that SB 77 be returned to the order of 3rd reading. All
10. in favor signify by saying aye. Opposed? Nay. The
11. Bill is on 3rd reading and we will have to return to other
12. order of business before any further consideration.
13. SB 84. Senator Regner. SB 87. Senator Weaver. SB 93.
14. Senator Palmer. SB 101. Senator Sours. I might indicate
15. that if our...to these gentlemen, if you have controversial
16. bills, I see...a number of vacant seats. You might con-
17. sider that when you call your bill. SB 101. SB 103.
18. Senator Sours.

19. SENATOR SOURS:

20. ...103

21. SECRETARY:

22. SB 103.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Sours.

27. SENATOR SOURS:

28. Ladies and Gentlemen,...Mr. President, Ladies and
29. Gentlemen of the Senate, this bill provides that any
30. person who causes damages to school property may be sued
31. by the district in an action brought by the school board
32. attorney or a special attorney appointed for that purpose.
33. A taxpayer may bring such action on behalf of the

1. district provided a demand to sue is made on the District
2. two months before the filing of the taxpayers suit. There's
3. one amendment which suggest that the attorney fee shall not
4. exceed 1/3 of any money, goods or things of value recovered.
5. That is exactly what the Bill does, no more, no less.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Further discussion? The question is, shall SB 103
8. pass? Senator Fawell.

9. SENATOR FAWELL:

10. I...rise...in opposition to the Bill, Mr. Chairman.
11. I think that what is being attempted here is laudable.
12. But I would point out to the Body that what we are doing
13. here is authorizing a third party, attorney, to inject
14. itself into matter that involve the school board and...
15. we would actually have the situation where the Board of
16. Education might decide for any number of reasons that it
17. does not desire to bring an action against someone who
18. may have caused some damage to the school property. And
19. yet you would have a member of the public be able to come
20. in and start an action on behalf of the school board, on
21. behalf of the school district. Not only that he could
22. obtain his legal fees from whatever recovery he might be
23. able to bring about. You would have a situation where
24. you could then have counterclaims against the school district
25. because this attorney would lawfully represent the school
26. district. And you would have the almost impossible
27. situation, it seems to me, of having the school district,
28. therefore, represented by two attorneys in the same cause
29. of action and really having the two attorneys being
30. adversaries of each other because the so-called public
31. attorney who would come into the action of his own
32. volition would not really be representing the interest
33. of the Board of Education, who are the elected representatives
of the district. Now, that's just one objection which I think

1. is a cardinal point. I don't have before me the particular
2. amendment which Senator Sours has referred to but as I recall
3. this bill was heard in Judiciary Committee, and...I...I
4. think that's perhaps a bit unfortunate. I think the Educa-
5. tion Committee possibly should have been the more proper
6. committee to have heard this bill. But I believe... it
7. really covers also...actions other than just property damages.
8. In Section 2 it refers to a taxpayer of any such district
9. may bring such action on behalf ...on behalf of the district.
10. And the action that is being referred to, I believe, if my
11. memory serves me correctly, is more than just property damages but
12. refers to...any property damage or financial detriment that
13. may come to the district as a result of the action of a third
14. party so that you could have in effect, it would appear to me,
15. the...situation where a...third party could object to any other
16. types of action by the board on the basis that it would bring
17. financial detriment, and thus you would have a third party
18. being able to institute a suite. And interestingly enough
19. being able to do so on the basis that he represents the
20. board whereas the Board of Education has taken a position
21. they don't want to do that which this man is doing for them.
22. It is just a bill that I...I believe is going to cause a
23. great deal of problems, and if we, I thin, really believe
24. in our Board of Education representing us we ought to let
25. them make the determination in regards to when on behalf of
26. the district they're going to bring a cause of action. I know
27. that many of us are frustrated by seemingly an apathetic
28. position I suppose as we see it when we aren't sitting on
29. these Boards of Education, in regards to boards not bringing
30. there has been property damage or when someone has done
31. something which we believe is detrimental to the district.
32. But again I repeat that if we have the...faith in a basic...
33. Home Rule Philosophy in...in allowing the Board of Education

1. to make these decisions, I think, we must allow this...these
2. decisions to be made by the Board and to go so far as to
3. say that any member of the public, any attorney can come in and
4. based upon a fee that he can collect which is more or less on a
5. contingency basis, I think, is unthinkable and I...most res-
6. pectfully, Senator Sours, must oppose this bill and would
7. hope that we would not see fit to grant a majority vote of it.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Gentlemen, it seems like when we get closer to adjournment
10. time we always find one of these propositions facing us. It is
11. the desire of the Chair that we adjourn at 2:00 o'clock and be-
12. fore that time we have some housekeeping to do. So I only ad-
13. monish you to that extent, otherwise, it will be the prerogative
14. of the Chair to suggest to the sponsor that he withdraw his motion
15. and we take this from the record. That's try to expedite this
16. because we do have committee meetings at 2:15 and some of us
17. haven't had any lunch. Senator Sours.

18. SENATOR SOURS:

19. Mr. President, Senators, I drive 150 miles a day to
20. transact some business down here for the people. Now, I've
21. had these bills sitting on because I didn't want to take
22. time...on...on more cogent and more important matters. Now,
23. I don't care when we do this but I do not want to be caught
24. in the crunch because contrary to what the Senator from
25. Naperville has averred this morning, he's wrong. And I'd
26. like to have these bills heard some time soon. Now, if the
27. Chair desires...

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. They are being heard now, Senator, if we can go on with
30. a minimum amount of argument we can probably get...call the roll.

31. SENATOR SOURS:

32. Well, I'd appreciate a favorable roll call. However, I do
33. think there is one Senator who has some statistics which would

1. suggest the horrendous problem here that the taxpayers tax
2. dollar converted into school buildings and equipment is being
3. tossed down the drain with people who might be described as
4. perfect vandals.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. The Chair...Chair would be glad to recognize that Senator.
7. Senator Scholl.

8. SENATOR SCHOLL:

9. Mr...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Ed Scholl.

12. SENATOR SCHOLL:

13. Mr. President and members of the Senate the City of
14. Chicago last year spent for vandalism of schools over a
15. million dollars and the glass breakage last year amounted
16. to almost two million dollars. Senator Hudson Sours should
17. be congratulated for this bill and I would urge its passage.
18. The City of Chicago could have built six brand new field
19. houses or constructed ten large swimming pools for what
20. they are spending for vandalism. And I would urge that the
21. Senate pass this bill out.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? Senator Sours will close the
24. debate. The question is shall SB 103 pass? On that question
25. the Secretary will call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
28. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
29. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
30. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
31. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
32. Nimrod, Nudelman, Ozinga, Palmer, Partee,

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Partee.

1. SENATOR PARTEE:

2. This is a bill that might be properly described as officious
3. intermeddling. The School Board has its lawyers. They know how
4. to bring losses; they're lawyers. The bill suggests to me what
5. once was a very grave concern of a common law; a concept known
6. as barratry and maintenance where lawyers went about looking
7. for a lawsuit. They were the ambulance chasers of their day.
8. This kind of bill brings that kind of concept back into focus.
9. I think it's a bad bill and I vote no.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Continue roll call.

12. SECRETARY:

13. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
14. Scholl, Shapiro, Smith, Sommer, Soper, Sours,

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Sours.

17. SENATOR SOURS:

18. Just by...reply to Senator Partee, Mr. President, Ladies
19. and Gentlemen of the Senate, the fair City of Chicago recovered
20. last year the pittance of 50 thousand dollars over a loss of
21. 3 million dollars. Now, I say the taxpayer should not be
22. subjected to that kind of useless, malicious destruction of
23. taxpayer property. I vote aye.

24. SECRETARY:

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

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Mitchler aye. Berning aye. Senator Buzbee no.
29. On this question the yeas are 33, the nays are 6. The bill
30. having received its constitutional majority is therefore
31. declared passed. Senator Don Moore having voted on the
32. prevailing side moves that the...that the vote by which this
33. bill was passed be reconsidered and Senator Berning moves

1. that Don...that Senator Don Moore's motion lie upon the table.
2. All in favor of Senator Berning's motion will signify by saying
3. aye. The ayes have it. The motion prevails and the bill is
4. passed. Senator Sours.

5. SENATOR SOURS:

6. While we're on that order, Mr. President, Senators, I would
7. like to table, which may be good news to some of the members
8. here, my Senate Bill No. 101.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Sours asks leave of the Body for the purpose of
11. tabling SB 101. All in favor will signify by saying aye.
12. Opposed?. The ayes have it and SB 101 is tabled. SB 112 - no -
13. SB 116 is Senator Knuppel. 116.

14. SECRETARY:

15. SB 116. (Secretary reads title of bill)

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. Mr. President and members of the Body, SB116, is a simple
21. piece of legislation with a lot of complications. However, the
22. purpose is there in the criminal law of the State of Illinois,
23. if a person is guilty of killing another with his automobile,
24. he may be charged, if he's alledged to be guilty, he may be
25. charged with both involuntary manslaughter and reckless homicide,
26. and tried at the same time on both accounts. And he may at the
27. end of that trial be found guilty of reckless homicide, innocent
28. of involuntary manslaughter or the reverse, or he may be found
29. guilty of both, or innocent of both...This...creates a great
30. deal of confusion in the law. It creates and has created
31. conflicting verdicts where the judge or jury have returned a
32. verdit of innocent of one and guilty of the other when the
33. crime as charged is identical clear down to the...radiator cap on

1. the automobile which struck the person who lost their life.
2. This bill is designed to attempt to remove that confusion
3. and to make the killing by an automobile that of reckless
4. homicide and create a misdemeanor with a penalty of from
5. six years...six months to one year instead of the present
6. confused situation where a person can be charged both with
7. a felony and a misdemeanor. Found guilty of one and innocent
8. of the other and to create what must have been intended when
9. the language of reckless homicide was brought into the criminal
10. law, and that is a single offense...when this occurs called
11. reckless homicide. ...I think this straightens out the law.
12. I think it's a good law. It...it abolishes the confusion that
13. exists in the criminal code. And I would ask for a favorable
14. roll call.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Sours...Senator Knuppel...Senator Knuepfer.

17. SENATOR KNUEPFER:

18. Well, Senator Knuppel, I...I'm no expert in the field but
19. what...what I'm interested in is why you took the small of the
20. two penalties rather than the greater of the two penalties.
21. ...We have had...and I have seen some offenses, we have had them
22. in the county that I live in, that in...as I read them are
23. totally inexcusable. Now, murder has been committed, a persons
24. life has been taken...I'm...I'm...I...I guess not being an expert
25. I...don't know..I don't know the law about the...as to the degree
26. of confusion, but I am concerned about what in effect I see
27. simply reduces the penalty for some offenses that; as I have seen
28. them have been very grievous offenses. And there should have been
29. a grievous and serious penalty. Now, by taking it down to the
30. misdemeanor category, as I read what your doing; you have said
31. this is not merely as serious offense as if you had allowed the
32. class 4 felony charge. Can I have an answer to that?

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Knuppel.

1. SENATOR KNUPPEL:

2. May I answer the questions?...I'm not saying and this
3. was here for a number of days, I'm not saying that there's
4. anything unique about...about the penalty that I'm calling for
5. here. I think the headnote - mis - describes the purpose of the
6. bill. I'd be willing, if...if that's the wish of this Body,
7. if it's only the penalty that they're quarrelling with I'd be
8. willing to call it back to 2nd reading. It sat there for a
9. number of days or weeks...and it was my understanding that
10. Senator Roe was going to propose an amendment. The thing didn't
11. work out. Now, I...I'm not attempting to say that this may
12. be the penalty that should be required. But what I'm trying
13. to do is not to lower the penalty as such, but to get the
14. confusion out of the law. Now, if it's the will of this Body
15. that the penalty be that of...that of a felony; that's fine.
16. However, that isn't what happens. I mean I understand what
17. your saying, too, but generally these cases involve people who
18. ...who kill somebody with an automobile where the...the penalty
19. is not that severe. Now, I had a case in my county where a man
20. was on the wrong side of the road, he was drunk, driving 55
21. mile an hour in a 25 mile zone, found guilty. You know what he
22. got? Ninety days. So I'm not really lowering the penalty. The
23. penalty is from six months to a year and that's about all that most
24. of them draw anyway. Now, if that penalty doesn't suit you I'll
25. be happy, if it doesn't carry, to...to call it back, put on
26. postpone consideration and call it back, if that's the will of
27. the Body. But the purpose of this is to get rid of the discre-
28. tion that's in the States Attorney to charge one man with a felony
29. and another who does the same thing with a misdemeanor, or maybe
30. to charge him with both in the same count and have a return verdict
31. of guilty one and innocent of another. It's...it's one offense,
32. it should have one penalty, whatever, that penalty is. Now, I'm
33. not saying there's anything sanctur sanct about the penalty I'm

1. proposing.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Soper and then Senator Bell. Senator Soper.

4. SENATOR SOPER:

5. ...Mr. President and Senator Knuppel...I talked to Senator
6. Roe and I thought it was our understanding you said that you
7. had this on...on the...on the Calendar for many weeks...you
8. may have but in Judiciary when we heard this we talked about
9. this thing, Senator Knuppel, and it was our understanding
10. that you were going to make it the greater penalty and I
11. thought that had been done with this now. If it hasn't been done
12. I'd suggest that you call it back to 2nd, put on the amendment
13. make it the greater penalty and I think you'll solve the
14. situation. Otherwise, I...I'd ask this side of the aisle to...
15. resist...the passing of this...this form.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Bell.

18. SENATOR BELL:

19. Senator Knuppel...I've got the greatest respect for your
20. legislation, generally, that you are introducing and I find by
21. far most of it I support. But I really standing here, now,
22. I think representing the interest of the States Attorney of
23. my county, when I have to say that...I feel he needs the
24. flexibility of the law currently as it exist. And it would
25. seem to me that if we; either way we go, whether we classify
26. it as a felony with a higher penalty or classify it as a mis-
27. demeanor we're going to guts some of the States Attorney's
28. prerogatives for being able to deal with the various situations
29. that may arise...is what seems to me that they need that
30. flexibility.

31. SENATOR KNUPPEL:

32. Mr. President, in answer...in answer to his question it isn't
33. flexibility because the appellate courts now are in a state of
flux. What happens is confusion because he charges both and as a

1. result you end up with him found guilty of one and innocent
2. of the other and the two are incompatible. It's one offense
3. and it ought to have one penalty. Now, I think Senator Roe
4. wanted to be heard I'm happy to call it back to 2nd reading,
5. if that's the will of the Body to increase the penalty, Senator
6. Roe.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. If your going to call it back to 2nd reading there's no
9. need for further debate. Is it your desire...Senator Roe?

10. SENATOR ROE:

11. Mr. President...members of the Senate...perhaps there's
12. been a little breakdown of communication between Senator Knuppel
13. and myself. It was my understanding, and I think it was the
14. understanding of many of the committee members that the bill
15. would be amended to provide Class 4 Felony penalty for reckless
16. homicide. Now, if I created the misunderstanding with Senator
17. Knuppel I...I apologize for it. I could support that type of
18. bill. I think it would be a good bill and...that was my
19. understanding.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Knuppel.

22. SENATOR KNUPPEL:

23. Pass it then because there has been a confusion because
24. yesterday was my understanding that Senator Roe was going to
25. and his aide attempted to draw the amendment and he said, well,
26. go ahead so I did. So I'll recall...I'll...I'd like to recall...
27. just pass it now and I'll recall it to 2nd reading.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. It will be taken out of the record and Senator Weaver is
30. temporarily off the Floor when we...we went by SB 87, Senator
31. Weaver.

32. SECRETARY:

33. SB 87. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The motion is shall SB 87 pass? Upon that motion the
3. Secretary will call the roll.

4. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. On that question the yeas are 48. The nays are 0. The bill
16. having received its constitutional required majority is therefore
17. declared passed. Now, Ladies and Gentlement of the Senate,
18. preparatory to our adjournment which will be shortly, we're going
19. to the Secretary's desk for the purpose of considering Resolutions
20. or what materials he has on his desk for our consideration.

21. Mr. Secretary. Resolutions.

22. SECRETARY:

23. Senate Resolution No. 101 by Senator Scholl.

24. (Secretary reads Resolution No. 101)

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Executive. Oh, Senator Scholl. I'm sorry. Do you have a motion?

27. SENATOR SCHOLL:

28. If there are not objections I would like to have it passed.

29. Okay, Executive.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Do you have...Executive...

32. SENATOR SCHOLL:

33. I would hope though that this is an important Resolution

1. that the Executive Committee for the next couple of weeks would
2. hold.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Check with Senator Ozinga.

5. SECRETARY:

6. SB 102 by Senators Schaffer, Mitchler, and all Senators and
7. it's congratulatory.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Schaffer. Please...explain it.

10. SENATOR SCHAFFER:

11. This is a congratulatory...Resolution to...a gentleman
12. from my community involved in the AMVETS...I'd like to make
13. the appropriate motion for immediate consideration.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Schaffer moves for suspension of the rules for the
16. immediate adoption of the Resolution. All in favor of the
17. suspension will signify by saying aye. Opposed? The Rules
18. are suspended. Senator Schaffer now moves for the immediate
19. adoption of the Resolution. All in favor will signify by
20. saying aye. Opposed? The ayes have it. The Resolution is
21. adopted.

22. SECRETARY:

23. Senate Resolution No. 103 by Senator Vadalabene and its
24. commendatory.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Vadalabene.

27. SENATOR VADALABENE:

28. Thank you Mr. President this is a commendatory Resolution.
29. I move for the suspension of the rules and immediate consideration
30. of this Resolution.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. On the motion of Senator Vadalabene for the suspension of
33. the rules all in favor will signify by saying aye. Opposed?

1. The rules are suspended. All in favor of the immediate adoption
2. of the Resolution will signify by saying aye. Opposed no.
3. The ayes have it. The Resolution is adopted.

4. SECRETARY:

5. Senate Resolution 104 by Senator Savickas and its congratulatory.
6. presiding officer 9senator graham0;

7. Senator Savickas moves for the suspension of the rules for
8. the immediate adoption of this Resolution. All in favor of the
9. suspension of the rules signify by saying aye. Opposed? The
10. ayes have it. The rules are suspended. Now, Senator Savickas
11. moves for the immediate adoption of the Resolution. All in
12. favor will signify by saying aye. Opposed? The ayes have it.
13. The Resolution is adopted.

14. SECRETARY:

15. Senate Resolution 105 by Senators Palmer and Mitchler.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Palmer.

18. SENATOR PALMER:

19. Mr. President this is congratulatory and I move for
20. suspension of the rules for the immediate adoption.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. All in favor of the motion of Senator Palmer will signify
23. by saying aye. Opposed? The ayes have it. The rules are
24. suspended. Now, Senator Palmer moves for the immediate adoption
25. of the Resolution. All in favor will signify by saying aye.
26. Opposed nay. The ayes have it. The Resolution is adopted.
27. ...Gen...Ladies we're doing fairly well. Gentlemen, May I
28. please have your attention. Our...Our friends on the police...
29. police force back to the order of Senate Bills 3rd have been...
30. I didn't realize is...have been anxiously awaiting for Senator
31. McCarthy to call SB 121. So if it pleases this Body we will do
32. that. Here's Senator McCarthy on SB 121 and he says it's non-
33. controversial and his explanation is very brief.

1. SECRETARY:

2. SB 121 (Secretary reads title of bill)

3. 3rd Reading of the bill.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator McCarthy.

6. SENATOR MCCARTHY:

7. Yes, Mr. President...Yes, Mr. President and members of the
8. Senate...this is...I believe a noncontroversial bill. It's
9. also short and simple. What it does is...require a mandatory
10. retirement age for State Police at age 60. When Les Gunning
11. and Captain Louder over on the east aisle came to me with the
12. bill, I asked them to procure bipartisan sponsorship and they
13. went and got seven of each...side of the aisle. The bill passed
14. committee unanimously. It's been on 3rd reading since the 28th
15. of March and Senator Walker has really done more work on this
16. than I have and if there's any questions...Senator Walker, I
17. think, is in a position to answer them. But my understanding
18. the capsule is 60 years retirement age for State Policemen.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The question is shall SB 121 pass? Senator Knuepfer.

21. SENATOR KNUEPFER:

22. I...I don't know who's the expert on...on this, Senator
23. McCarthy or Senator Walker, but the question I'd like to ask
24. is...what...what is the relationship of the early retirement
25. to the pension fund? Now, I assume the pension fund is based
26. upon...working till age 65 with a State contribution and
27. an employee contribution to age 65. Now, if you retire somebody
28. early under most pension plans that I'm familiar with this diminishes
29. their pension, if it doesn't diminish their pension, there isn't
30. enough money available. I'm addressing this question to whoever
31. can answer that, but I want to know what the effect is on the
32. pension plan or does somebody simply wait five years before they
33. collect a pension?

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senators Rock, Walker, and McCarthy are all rising to
3. answer that question, Senator McCarthy. They're yielding
4. to each other. Senator Walker you now have the ball.

5. SENATOR WALKER:

6. Thank you, Mr. President, I understand that the...Mr.
7. Wineburg is taken...has taken no stand on this. He says
8. that the administrative...measure in regards to the pension
9. fund. Do you have further information, Senator Rock?

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Rock he lateralled to you.

12. SENATOR ROCK:

13. Yes, Mr. President, members of the Senate, this matter was
14. ...before the Public Employees Pension Laws Commission and the
15. Commission did not take any position on the bill except to
16. point out as Senator Knuepfer pointed out that the enactment of
17. this measure would effect an increase in cost to the State through
18. the State Employees Retirement System. The increase in cost,
19. however, the actuary informs is of relatively small proportions
20. and almost negligible and therefore the Commission takes no
21. definite position.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Knuepfer.

24. SENATOR KNUEPFER:

25. ...I understand that fund is approximately 45% funded at
26. the moment. That literally means it's substantially underfunded
27. ...you...you given us a ball park figure of insignificant. Can
28. you translate insignificant into dollars that I can understand?

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. What price is insignificant that's what...Senator McCarthy.

31. SENATOR MCCARTHY:

32. I don't have a dollar instead I think I've got a head count.

33.

1. I saw the tables of the State Police from age 55 up through age
2. 65 and the number of head count...of the total State Police
3. between 60 and 65 was something like three men. And from age
4. 57 to 60 it was a very small number so what you have Jack as
5. this bill goes along you only have small numbers of people on the
6. force that would be effected. So in terms of people I think
7. you're within 11 or 12 people maximum that would be...that would
8. effect the...pension fund. So 11 or 12 people in the entire
9. fund, I think, probably cuts in small figures.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Knuepfer.

12. SENATOR KNUEPFER:

13. Oh...okay so...I take it..this particular...bill is not going
14. to create a financing problem for the Senate. I want to speak on
15. the bill right now or for this Body for the State of Illinois.
16. ...My only problem on it is and I understand the problem of trying
17. to get employees to retire early. That's a battle we've fought
18. in this legislature ever since I have been here. There is, I won't
19. say a companion bill, but there is a bill floating around here that
20. I have some awareness of that takes downstate teachers and permits
21. them to retire at age 55. That age 55, of course, at full funding
22. of the pension plan. I can not...I can't quarrel Senator McCarthy
23. with 10 or 11 employees because that's obviously not a very
24. significant number. But I think this Body ought to be aware that
25. there are a number of other bills relating to other parts of the
26. pension plan that may have very significant effect on the funding.
27. Now, that wouldn't be so important perhaps if we had pension plans
28. that were 100% funded and we were only talking about small reductions.
29. Since we do not have pension plans that are 100% funded...funded and
30. any...and in fact on the average are some 30% funded then I think
31. we have to concern ourselves maybe not with the 10 or 11 people
32. that are involved, but with the precedent that might be established,
33. the rational for why not including all state employees, downstate

1. teachers, Chicago teachers, at age 60 and or going on to age 55.
2. My concern...

3. PRESIDING OFFICER:

4. Senator, I think...are you addressing yourself to 121?

5. SENATOR KNUEFFER:

6. I'm...I'm addressing myself to 121 and in effect...its effect
7. upon the other pension bills before this Body. I...I have concluded
8. Senator, this is my concern, and I think it may ought to be a
9. concern of all of us.

10. PRESIDING OFFICER:

11. Any further discussion? Senator Walker.

12. SENATOR WALKER:

13. ...Mr. President in brief response I might state that the
14. agility required to be a teacher, unless your a P E instructor,
15. isn't that whats required to be a member of the State Police and
16. I would like to mention that of all the industrial states that
17. we now have the highest mandatory retirement...age. California
18. and New York and Pennsylvania's mandatory retirement age is 60.
19. Michigan is 56. Indiana, New Jersey, and Ohio are 55. The bill
20. is supported by the police of Illinois the four organizations
21. embodying that group, the FOP, the Chicago Police Pension...
22. Protective Association, the IPA, and the Police Benevolent
23. Protective Association....

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. For what purpose does Senator Rock rise? The question is
26. shall this bill pass? On that question the Secretary will call
27. the roll. I like these noncontroversial bills.

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, Johns,
32. Keegan, Knuepfer, Knuppel.

33.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Knuppel. Senator.

3. SENATOR KNUPPEL:

4. I'm going to vote for this bill. I'm not satisfied. It was
5. here last year. I'm not satisfied whether the sponsors have checked
6. this out and I have...I have some misgivings about the constitu-
7. tionality of doing this. I've called attention to this last year.
8. I called attention to Section 5 of Article 13 of the constitution
9. which say that no benefits that...that pension plans are contractual
10. and the benefits shall not be diminished nor impaired and as
11. Senator Knuepfer has pointed out when you lower the age the right
12. to continue in service until a later age might result in higher
13. pension benefits and we may be doing an act here which is useless
14. but I nevertheless vote aye.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Continue the roll call.

17. SECRETARY:

18. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
19. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
20. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
21. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Sours.

24. SENATOR SOURS:

25. Mr. President, Senators, I can be very brief on this. I'm
26. just opposed constitutionally to relegating good and faithful
27. employees to the scrap heap merely because the 60th birthday
28. comes around. I vote no.

29. SECRETARY:

30. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
31. Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator McCarthy votes aye. On this question the yeas are 46,

1. the nays are 1. The bill having received the required constitutional
2. majority is therefore declared passed. Now, gentlemen, as we wind
3. down we are going to the introduction of bills and I might indicate
4. to you that all we have on the desk represents that many more than
5. one hundred that were introduced today. Introduction of bills.

6. SECRETARY:

7. SB 689 by Senators Welsh, Howard Mohr, Partee, Rock and
8. Donnewald.

9. (Secretary reads title of bill)

10. SB 690 by Senators Palmer, Partee, Rock, Donnewald, Keegan
11. and Welsh.

12. (Secretary reads title of bill)

13. SB 691 by the same sponsors.

14. (Secretary reads title of bill)

15. SB 592 by Senator Shapiro.

16. (Secretary reads title of bill)

17. SB 693 by Senators Shapiro, McBroom, Vadalabene, and Merritt.

18. (Secretary reads title of bill)

19. SB 694 by Senator Sommer.

20. (Secretary reads title of bill)

21. SB 695 by Senators Harris, Partee, Sours, Clarke, Vadalabene,
22. and Romano.

23. (Secretary reads title of bill)

24. SB 696 by Senators Harris, Bell, and Donnewald.

25. (Secretary reads title of bill)

26. SB 697 by Senators Bruce, Partee, Rock, and Donnewald.

27. (Secretary reads title of bill)

28. SB 698 by Senator Bruce,

29. (Secretary reads title of bill)

30. SB 699 by Senator Bruce.

31. (Secretary reads title of bill)

32. SB 700 by Senator Bruce.

33. (Secretary reads title of bill)

1. SB 701 by Senators Bruce, Partee, Rock, and Donnewald.

2. (Secretary reads title of bill)

3. SB 702 by Senators Bruce, Partee, Rock, and Donnewald.

4. (Secretary reads title of bill)

5. SB 703 by Senators Bruce, Partee, Rock, and Donnewald.

6. (Secretary reads title of bill)

7. SB 704 by Senators Bruce, Partee, Donnewald, and Rock.

8. (Secretary reads title of bill)

9. SB 705 by Senators Bruce, Partee, Rock, and Donnewald.

10. (Secretary reads title of bill)

11. SB 706 by Senator Nimrod.

12. (Secretary reads title of bill)

13. 1st Reading of the bills.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. ...Ladies and Gentlemen of the Senate if we have any
16. announcements now is the time because we are going to have
17. a Death Resolution read after which we will be adjourning.
18. Senator Partee.

19. SENATOR PARTEE:

20. Well there's just not enough of my troops here to make
21. the announcement. That's all right forget it.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. I'll look them up for you if you want me to Senator.
24. Senator Johns.

25. SENATOR JOHNS:

26. Mr. President may I have leave of this Body to be removed
27. as sponsor of SB 545?

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Johns wants to be... ask permission...leave of the
30. Body to be removed as a co-sponsor of SB 545. All in favor will
31. signify by saying aye. Opposed no. You are removed. Senator
32. Buzbee. We're trying to adjourn gentlemen lets make our
33. announcements.

1. SENATOR BUZBEE:

2. ...Mr. President I would ask leave of this Body to be
3. removed as a co-sponsor to SB 545.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Buzbee makes same request. All in favor will
6. signify by saying aye. Senator...Mr. Secretary do you have
7. Resolution. Senator Weaver.

8. SENATOR WEAVER:

9. Mr. President there'll be a Republican caucus at 10:00 in
10. the morning in M-1.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Mohr.

13. SENATOR (HOWARD) MOHR:

14. Yes, Mr. President I would like...leave of the Body to
15. transfer Senate Bill 487 from Executive Committee to Public
16. Health and Welfare. I've talked to...Committee Chairman on
17. Public Health and Welfare, this is...a bill dealing with...
18. with children and family services and there are other bills of
19. like nature and they should all be in the same committee...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. All in favor of the motion of Senator Mohr's signify by
22. saying aye. Opposed? The bill is transferred. After the
23. reading of the Death Resolution, Senator Mohr will then move
24. that we adjourn until 11:00 tomorrow morning. Read the Resolution
25. Mr. Secretary.

26. SECRETARY:

27. Senate Resolution 106 by Senators Scholl, Nimrod, Howard
28. Mohr, Ozinga and Soper.

29. (Secretary reads Senate Resolution No. 106

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Scholl.

32. SENATOR SCHOLL:

33. There is no need to...to read the whole Resolution...this

1. Resolution is regarding...Mrs. Riley who is a...quite a civic
2. leader in the city of Chicago and Cook County and...I would
3. ask that this...pass.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Scholl moves...

6. SENATOR SCHOLL:

7. For suspension of the rules for the immediate consideration.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. ...for the immediate consideration of this Resolution. All
10. in favor of suspension of the rules will signify by saying aye.
11. All in favor of the adoption of the Resolution will signify by
12. rising. The Resolution is adopted. Senator Mohr moves that
13. the Senate stand adjourned until 11:00 tomorrow morning. It is
14. so ordered.

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