

78th GENERAL ASSEMBLY

May 2, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM)

2. The request has been made that those not entitled
3. to the Floor retire to the Gallery. If you would do that
4. as quietly as possible and if the Senate will now please
5. be in order. We would like for the guests beyond the rail
6. to acknowledge the fact that the Senate is going to be
7. in order and we will soon have the invocation, if we do
8. have some order. If not, we'll stay and listen. The
9. invocation will be given by the Reverend James S. Barge,
10. Westminster Presbyterian Church, Springfield, Illinois
11. and will the guests in the gallery please rise and join
12. with us in this blessing of daily?

13. (Prayer by Reverend Barge

14. of Westminster Presbyterian,

15. Springfield, Illinois)

16. Thank you Reverend Barge. Reading of...Senator Soper.

17. SENATOR SOPER:

18. Mr. President and members of the Senate, I move to
19. postpone the reading and the approval of the Journals of
20. April 24th, 25th, 26th and May 1st, pending arrival of the
21. printed Journals.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. On the motion of Senator Soper, all in favor will
24. signify by saying aye. Opposed. The yeas have it, the
25. motion carries. Committee reports. Order of Committee
26. Reports.

27. SECRETARY:

28. Senator Clarke, the Chairman of the Committee on
29. Revenue reports SB 780, 797, 981 and 1076 with the
30. recommendation the bills Do Pass. SB 29 and 1052 with
31. the recommendation the bills Do Pass as Amended. SB
32. 856 with the recommendation the bill Do Not Pass.
33. Senator McBroom, the Chairman of the Committee on

1. Appropriations reports SB 281, 289, 296, 359, 414, 435, 460,
2. 490 and 581 with the recommendation the bills Do Pass.
3. SB 343, 489 and 511 with the recommendation the bills
4. Do Pass as Amended. House Bills 78, 79, 80, 81, 164 and
5. 282 with the recommendation the bills Do Pass.

6. Senator Latherow, the Chairman of the Committee on
7. Agriculture, Conservation and Ecology reports SB 589, 820
8. 855, and 932 with the recommendation the bills Do Pass.
9. SB 575, 931 and 977 with the recommendation the bills Do
10. Pass as Amended.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Let us...let us proceed to Senate Bills, 2nd
13. reading. I would hope that we could get some attendance
14. so we could move the House Bills on 1st shortly and
15. after Senate Bills on 2nd we will attempt to do that, so
16. we may only go through once in attempting to get Senate
17. sponsors. Now we will proceed to the order of Senate Bills
18. on 2nd reading. I think, 55 and 57, Senator McBroom I
19. think is holding those yet for some further consideration.
20. SB 120, Senator Don Moore, no. SB 148, Senator Schaffer
21. and Berning. Would the sergeant at arms ring the bell
22. and...would the sergeant at arms please ring the bell and
23. notify the membership that we are in Session? SB 191,
24. Senator Berning. SB 191, Senator? He does not want it
25. read. SB 194, Senator Swinarski. For what purpose does
26. Senator Course rise? Senator Course.

27. SENATOR COURSE:

28. Yes, Mr...Mr. President, I've noticed an error in
29. the Calendar. It's got House Bills listed under Senate
30. Bills, 1st reading.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Well, that's a printer's mistake and we'll...we'll
33. have to deal with that when we...thank you, Senator Course.

1. So watch your Calendars for a printer's mistake, please.
2. Called to our attention by Senator Course, and we thank
3. you. SB 2...328, Senator Knuppel. He wants it read. 238.
4. SB 238 on 2nd reading.

5. SECRETARY:

6. SB 238 (Secretary reads title of bill)
7. 2nd reading of the bill.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. 228, I'm sorry. 228. We're all bunched here.

10. SECRETARY:

11. SB 228 (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Any amendments from the Floor? 3rd reading. SB 236,
15. Senator Knuepfer. SB 238, Senator Knuepfer. SB 242,
16. Senator Knuepfer. SB...280, Senator Harber Hall. Senator
17. Fred Smith, do you want to continue to hold SB 298, he does
18. so...SB 321, Senator Karl Berning. SB 327, Senator Regner.
19. SB 337, Senator McBroom. SB 342, Senator Wooten. Mr. Secretary
20. let's go to the order of House Bills on 1st reading. What
21. I stopped for, we don't have any response. All right, where
22. did I stop? SB 361. He would like it read a 2nd time.
23. That's the way to get some action.

24. SECRETARY:

25. SB 361 (Secretary reads title of bill)
26. 2nd reading of the bill. The Committee on Public Health,
27. Welfare and Corrections offers one amendment.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Johns moves the adoption of the amendment.
30. All in favor will signify by saying aye. Opposed. The
31. aye has it, and the amendment is adopted. Any amendments
32. from the Floor? 3rd reading. SB 362; Senator Johns.
33. This noncontroversial? Read it.

JB 3PM
2nd reading
5-2-13

1. SECRETARY:

2. SB 362 (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. Amendments from the Floor? 3rd reading. SB 364,
6. Senator Johns. He does not wish that we read that now.
7. SB 385, Senator Regner. SB 387, Senator Chew. He would
8. like it read a second time.

9. SECRETARY:

10. SB 387 (Secretary reads title of bill)

11. 2nd reading of the bill. The Committee on Transportation
12. and Public Utilities offers one amendment.

13. PRESIDING OFFICER: (SENATOR GRAHAM)

14. Senator Chew, I presume you have some action you
15. wish to take on the amendment. I presume you do.

16. SENATOR CHEW:

17. Indeed, Mr. President. Because the amendments aren't
18. quite ready.

19. PRESIDING OFFICER: (SENATOR GRAHAM)

20. We will take...

21. SENATOR CHEW:

22. You have the amendment?

23. PRESIDING OFFICER: (SENATOR GRAHAM)

24. There's a quick committee amendment.

25. SENATOR CHEW:

26. May I have leave to bring it back to 2nd reading for
27. the purposes of amendment?

28. PRESIDING OFFICER: (SENATOR GRAHAM)

29. It's on 2nd reading now, you mean later on?

30. SECRETARY:

31. The Committee on Transportation offers committee
32. Amendment No. 1.

33. SENATOR CHEW:

1. Right, I...I urge it's passage.

2. PRESIDING OFFICER: (SENATOR GRAHAM)

3. You move the adoption of the committee Amendment No. 1.

4. All in favor will signify by saying aye. Opposed. The

5. ayes have it, the amendment is adopted. Any amendments

6. from the Floor?

7. SENATOR CHEW:

8. No amendments from the Floor, Mr. President.

9. PRESIDING OFFICER: (SENATOR GRAHAM)

10. 3rd reading. SB 393, Senator Jack Walker, Read the

11. bill.

12. SECRETARY:

13. SB 393 (Secretary reads title of bill)

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

15. PRESIDING OFFICER: (SENATOR GRAHAM)

16. Are there amendments from the Floor? 3rd reading.

17. SB 422, Senator Howard Mohr. SB 426, Senator Robert

18. Mitchler. Read the bill.

19. SECRETARY:

20. SB 426 (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 427,

24. Senator Vadalabene. Read the bill.

25. SECRETARY:

26. SB 427 (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDING OFFICER: (SENATOR GRAHAM)

29. Amendments from the Floor? 3rd reading. SB 448,

30. Senator Bartulis. SB 464 through 465, Senator Conolly.

31. Surprised you, didn't we?

32. SECRETARY:

33. 2nd reading.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. 464 and 465. Read the bills.
3. SECRETARY:
4. SB 464 (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Amendments from the Floor? 3rd reading. SB 465.
8. SECRETARY:
9. SB 465 (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Amendments from the Floor? 3rd reading. Senator
13. Regner, did you want to do anything on 385? You do?
14. SB 385, read it, 2nd time.
15. SECRETARY:
16. (Secretary reads title of bill)
17. 2nd reading of the bill. The Committee on Local Government
18. offers Amendments numbered 1 and 2.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Senator Regner moves the adoption of Amendment No. 1.
21. to SB 385, all in favor will signify by saying aye. Opposed.
22. The ayes have it, the amendment is adopted. Senator Regner
23. moves the adoption of committee Amendment No. 2 to SB 385.
24. All in favor will signify by saying aye. Opposed. The
25. aye has it, and the amendment is adopted. Any amendments
26. from the Floor? 3rd reading. SB 491, Senator Hudson Sours.
27. SB 497, Senator...Stanley Weaver. Senator Sours, did you
28. want any action on SB 491 on 2nd reading?
29. SENATOR SOURS:
30. 419.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. We have another printer's error, on the bottom of the
33. page, 2nd reading it is...are you sure?

1. SENATOR SOURS:

2. I want that advanced.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Oh. It is the right bill. He has the wrong amendment.

5. SECRETARY:

6. SB 491. (Secretary reads title of bill).

7. 2nd reading of the bill. The Committee on Transportation
8. and Public Utilities offers one amendment.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Sours moves the adoption of Amendment No. 1
11. to SB 491. All in favor will signify by saying aye.

12. The silence is deafening. We must have a response, or do
13. we have one. All...Opposed. The two ayes have it, and the
14. amendment is adopted. Any amendments from the Floor?

15. 3rd reading. SB 504, Senator Davidson. Who wants 497?
16. Senator Weaver, oh, I didn't...I forgot you didn't have
17. on your yellow jacket. 494, we'll read a 2nd time.

18. SECRETARY:

19. SB 497. (Secretary reads title of bill).

20. 2nd reading of the bill. No Committee amendments.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Amendments from the Floor? 3rd reading. SB 504,
23. Senator John Davidson. SB 505, Senator Davidson...
24. I can understand the lady from the House of Representatives
25. detracting you, but you do want it read. Read the bill
26. a 2nd time.

27. SENATOR DAVIDSON:

28. And there's committee amendment...

29. SECRETARY:

30. SB 504 (Secretary reads title of bill).

31. 2nd reading of the bill. The Committee on Local Government
32. offers one amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Davidson moves the adoption of committee
2. Amendment No. 1 to SB 504. All in favor will signify by
3. saying aye. Opposed. The aye has it, the amendments
4. adopted. Any amendments from the Floor? 3rd reading.
5. SB 505, Senator Davidson.

6. SECRETARY:

7. SB 505 (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Local Government
9. offers one amendment.

10. PRESIDING OFFICER: (SENATOR GRAHAM)

11. Senator Davidson moves the adoption of the committee
12. amendment. All in favor will signify by saying aye. Opposed.
13. The ayes have it, the amendment is adopted. SB 506, Senator
14. Davidson.

15. SECRETARY:

16. SB 506 (Secretary reads title of bill)
17. 2nd reading of the bill. The Committee on Local Government
18. offers one amendment.

19. PRESIDING OFFICER: (SENATOR GRAHAM)

20. Senator Davidson moves the adoption of Amendment No. 1
21. to SB 506. All in favor will signify by saying aye. Opposed.
22. The ayes have it, the amendment is adopted. Any amendments
23. from the Floor? 3rd reading. SB 508, Senator Davidson. 507,
24. I forgot.

25. SECRETARY:

26. SB 507 (Secretary reads title of bill)
27. 2nd reading of the bill. The Committee on Local Government
28. offers one amendment.

29. PRESIDING OFFICER: (SENATOR GRAHAM)

30. Senator Davidson moves the adoption of Amendment No. 1
31. to SB 507. All in favor will signify by saying aye. Opposed.
32. Amendments from the Floor? The ayes have it, the amendment
33. is adopted. 3rd reading. SB 508. Read the bill.

1. SECRETARY:

2. SB 508 (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. 3rd reading, any amendments from the Floor? 3rd
6. reading. SB 514, Senator Roe, no. SB 519 by Senator
7. Sours. Read the bill. 519.

8. SECRETARY:

9. SB 519 (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDING OFFICER: (SENATOR GRAHAM)

12. Any amendments from the Floor? 3rd reading. SB...547
13. SB 547, Senator Howard Mohr. 547 on 2nd reading.

14. SECRETARY:

15. SB 547 (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. SB 570,
19. Senator John Conolly. Read the bill.

20. SECRETARY:

21. SB 570 (Secretary reads title of bill)

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

23. PRESIDING OFFICER: (SENATOR GRAHAM)

24. Amendments from the Floor? 3rd reading. SB 678,
25. Senator James Soper. SB 678 on 2nd reading.

26. SECRETARY:

27. SB 678 (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Local Government
29. offers one amendment.

30. PRESIDING OFFICER: (SENATOR GRAHAM)

31. Senator Soper moves the adoption of Amendment No. 1 to
32. SB 678. All in favor will signify by saying aye. Opposed.
33. The aye has it, the amendment is adopted. Any amendments

1. from the Floor? 3rd reading. Senator Wooten. For what
2. purpose do you rise, sir?

3. SENATOR WOOTEN:

4. Point of personal privilege, Mr. President.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. State your point.

7. SENATOR WOOTEN:

8. I would ask leave of this Body to be added as a co-
9. sponsor of SB 497. It affects the region close to me and
10. I sought and obtained the permission of the principal sponsor.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Wooten asks leave of the Body to be added
13. as a co-sponsor to SB 497. Is leave granted? It is and
14. you are now a co-sponsor. What else? Let's...let us go
15. to the order of House Bills on 1st reading, so these bills
16. can be assigned and sent to the appropriate committee and
17. if you would turn to your Calendars on House Bills on 1st
18. reading. And here is where we have our printer's error, I...
19. It's in the second column, the heading is all right, but
20. when we move over beyond 445, it's...they're listed as
21. being under Senate Bills, but we will work that out when
22. we get to it. HB 161, Representative Cunningham. Do
23. we have a sponsor? HB 168, Representative Blades. Senator
24. Vadalabene.

25. SECRETARY:

26. HB 168. (Secretary reads title of bill).

27. 1st reading of the bill.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. SB 212 through 220, Senator Don Moore.

30. SECRETARY:

31. SB 212 (Secretary reads title of bill).

32. 1st reading of the bill.

33. HB 213 (Secretary reads title of bill).

1. HB 214 (Secretary reads title of bill)
2. HB 215 (Secretary reads title of bill)
3. HB 216 (Secretary reads title of bill)
4. HB 217 (Secretary reads title of bill)
5. HB 218 (Secretary reads title of bill)
6. HB 219 (Secretary reads title of bill)
7. HB 220 (Secretary reads title of bill)
8. 1st reading of the bills.
9. PRESIDING OFFICER: (SENATOR GRAHAM)
10. HB 264, Representative Redmond. Senator Knuepfer, do
11. you want that bill? Vadalabene, I'm sorry. No he doesn't
12. want it. No one wants it. For what purpose does the
13. Senator from Madison rise, Senator Vadalabene.
14. SENATOR VADALABENE:
15. Well, thank you Mr. President, while you're getting
16. some order, I'm rising on a point of personal privilege.
17. PRESIDING OFFICER: (SENATOR GRAHAM)
18. State your point.
19. SENATOR VADALABENE:
20. Mr. Tom Turner and Jean Gunderson have their eighth
21. grade history class of...the Prather Junior High directly
22. behind me. Would you acknowledge these class for me?
23. PRESIDING OFFICER: (SENATOR GRAHAM)
24. You'd like to have them stand and be recognized...
25. SENATOR VADALABENE:
26. Stand and be recognized.
27. PRESIDING OFFICER: (SENATOR GRAHAM)
28. ...Acknowledged by the Senate. Senator Buzbee.
29. SENATOR BUZBEE:
30. Thank you Mr. President, I rise on a point of personal
31. privilege also. I would like to introduce a couple of
32. constituents from by district, Mr. Don Barger and Mr.
33. Bill Kelly, who by the way is the youngest member of

1. the Jackson County, County Board has ever had. Right up
2. here.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Will they stand and be recognized by the Senate?
5. Let's don't get too far off the track now gentlemen.

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. While we're on this we might as well get it all done
9. at once. In the gallery behind us, behind the President
10. are seventeen lovely ladies from the Junior Women's Club
11. of Mason City, Illinois. I'd like to have them stand
12. and have you gentlemen applaud.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator McBroom has indicated he would be the Senate
15. sponsor 264. Knuepfer, I'm sorry.

16. SECRETARY:

17. HB 264 (Secretary reads title of bill)
18. 1st reading of the bill.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. For what purpose does Senator Partee rise?

21. SENATOR PARTEE:

22. Oh, I'm sorry. I didn't know we...was on still on this
23. order of business. I wanted to be shown as a co-sponsor
24. of SB 4, and suggest that if there are other members who
25. desire to that we not do it individually, but that we come
26. down to the Clerk and...the Secretary and give their names.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. It has been suggested that if others want to
29. join as co-sponsors of SB 4, that they so indicate to
30. the Secretary on a individual basis and, if we're going to,
31. let's don't disturb him when he's in the most busy,
32. busy part of his schedule. House Bills. 269, Senator...
33. Representative Rayson's bill. Senator Nudelman. Did

1. you want Rayson's bill? It's on...SB 270, SB 271...
2. House Bill, I'm sorry. Do we have an sponsors for those
3. three bills? SB 288, Representative Martin, House Bill,
4. I'll be back to House Bills. HB 300, Representative
5. Schlickman. Senator Nimrod.
6. SECRETARY:
7. HB 300 (Secretary reads title of bill)
8. 1st reading of the bill.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. SB 387, Graham.
11. SECRETARY:
12. HB 387 (Secretary reads title of bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. HB 404, Representative B. B. Wolfe. HB 424...Representative
16. Day. Representative Day and Neff. HB 438, Representative
17. Hirschfeld will be handled by Senator Weaver. 438, Weaver.
18. SECRETARY:
19. HB 438 (Secretary reads title of bill).
20. 1st reading of the bill.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. HB 445, Representative W. D. Walsh. HB 445. Now,
23. we're on the top of the page it shows Senate Bills 1st reading.
24. That is not true, don't believe it. It...House Bill 453.
25. Senator Don Moore.
26. SECRETARY:
27. HB 453 (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. SB 457, Senator Regner.
31. SECRETARY:
32. HB 457 (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER: (SENATOR GRAHAM)

2. SB 479, Representative Rigney, I mean House Bill,
3. I'm sorry. HB 479, Representative Rigney. Senator
4. Course.

5. SECRETARY:

6. HB 479 (Secretary reads title of bill)
7. 1st reading of the bill.

8. PRESIDING OFFICER: (SENATOR GRAHAM)

9. HB 493, Representative Schlickman. Senator Nimrod.
10. SECRETARY:

11. HB 493 (Secretary reads title of bill)
12. 1st reading of the bill.

13. PRESIDING OFFICER: (SENATOR GRAHAM)

14. What one did I give you?

15. SECRETARY:

16. 493.

17. PRESIDING OFFICER: (SENATOR GRAHAM).

18. 457 is Regner. On 479, Senator Course informs me
19. that he was waving at me and said indicating he wanted the
20. bill. He did not want to be the Senate sponsor of HB 479,
21. so it'll be returned to the custody of the Secretary. Take
22. it out of the Record. HB 493, Nimrod. HB 577, Nimrod.

23. SECRETARY:

24. HB 577 (Secretary reads title of bill)
25. 1st reading of the bill.

26. PRESIDING OFFICER: (SENATOR GRAHAM)

27. HB 648, Representative Ben C. Harpstrite. Where is
28. Senator Latherow? Would you be interested in handling that
29. for...HB 648 for Representative Harpstrite.

30. SENATOR LATHEROW:

31. Let me take a look at here first.

32. PRESIDING OFFICER: (SENATOR GRAHAM)

33. All right. HB 681, Jaffe. 658, I called, 681, so

we'll stay on that for the Record. I'll go back to it.

1. 681, Jaffe's bill. 658, Representative Duff. 658, HB
2. 658. Senator Glass. 658.

3. SECRETARY:

4. HB 658 (Secretary reads title of bill)

5. 1st reading of the bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Course, did you talk with Senator Regner?

8. SENATOR COURSE:

9. No, I didn't Mr. President, he's off the Floor of
10. the Senate...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Why don't you make that arrangement and notify us
13. later, will you?

14. SENATOR COURSE:

15. I will.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Latherow has indicated that he will take HB 648.

18. SENATOR LATHEROW:

19. Well, Mr...Mr. President, I just want to communicate
20. a little with you. Would you be willing to advise
21. me on this bill, if I picked it up?

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. I will be certainly glad to work with you on any chicken
24. picking bills, yes sir.

25. SECRETARY:

26. 65...648? Does he want it?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Yes, he does want it.

29. SECRETARY:

30. (Secretary reads title of bill)

31. 1st reading of the bill.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. I don't think he wants it, but he has it. Did we...
Do any of the Senators have any...Senator Walker, for what
purpose do you rise, sir?

1. SENATOR WALKER:

2. Thank you Mr. President. SB 919 is the same as
3. SB 212. I'm the sponsor of 919. My seatmate Senator Moore is the
4. sponsor 212. I'm informed they do the same identical
5. thing, and I would...I think mine's in Financial Institutions,
6. and I'd like to discharge it and Table it. Whatever
7. motion that takes.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. You know what motion it takes, being the former Speaker
10. of the House.

11. SENATOR WALKER:

12. All right. I move...I move that the committee be
13. discharged from further consideration of SB 212. Oh,
14. I'm sorry. That's Moore's bill, 919.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. I...I will entertain the same motion on 212, if you want
17. to. Walker has moved...Senator Walker that...that Committee on
18. Financial Institutions be discharged from further
19. consideration...Where was that bill? Now, you're not
20. kidding? It's in Elections...from further consideration
21. for the purpose of Tabling. All in favor of the motion
22. to discharge committee, signify by saying aye. Opposed.
23. The ayes have it, the committee is discharged. Now,
24. Senator Walker moves to Table SB 919, I hope you're
25. right. All in favor will signify by saying aye.
26. The motion carries, the bill is Tabled. Senator Don
27. Moore. You make the same motion on 212?

28. SENATOR DON MOORE:

29. No, I don't Mr. President. But I will make a motion
30. to discharge the Committee on Public Health, Welfare
31. and Corrections from further consideration of SB 904,
32. and if that motion prevails, I'll then move that that
33. bill be Tabled.

1. PRESIDING OFFICER: (SENATOR GRAHAM)

2. SB 904, in what committee?

3. SENATOR DON MOORE:

4. Public Health, Welfare and Corrections.

5. PRESIDING OFFICER: (SENATOR GRAHAM)

6. Been moved by Senator Don Moore that SB 904 be
7. discharged from the Committee on Public Health, Welfare
8. and Corrections, further consideration of this bill for
9. the purposes of Tabling. All in favor of the motion will
10. signify by saying aye. The ayes have it, the Committee's
11. discharged. All in favor of Tabling will signify by saying
12. aye. Opposed. The ayes have it, and the bill is Tabled.
13. Senator Rock. We're getting a little noisy gentlemen and
14. we're trying to clean up the Calendar. Would you please
15. cooperate with me more than a little bit, please.

16. SENATOR ROCK:

17. Mr. President, I just want a query Senator Walker. I...
18. I don't think he intended to Table that bill. I wonder
19. what number bill he was talking about. That bill has no
20. relation whatever... to the House Bill.

21. PRESIDING OFFICER: (SENATOR GRAHAM)

22. I was talking with your senior Senator Dougherty.
23. Did you propound a question to me?

24. SENATOR ROCK:

25. ...Ordinarily Mr. President, as a matter of course,
26. anything Senator Walker's for, I'm against, and I was just...
27. I want to concur in his Tabling motion, but I think he's
28. got the wrong bill.

29. PRESIDING OFFICER: (SENATOR GRAHAM)

30. I asked him if he was correct, and if you and Senator
31. Walker want to quarrel about this, we'll let you. Senator
32. Walker, are you on the wrong bill?

33. SENATOR WALKER:

1. Thank you, Mr. President. No. SB 919 sponsored by
2. myself and Senator Moore amends the Safety Deposit Box
3. Licensing Act...

4. PRESIDING OFFICER: (SENATOR GRAHAM)

5. If you sponsored it, you have a right to Table
6. and the action has already been taken, and will you please
7. converse with Senator Rock? And we'll move on.

8. Senator Daniel Dougherty, for what purpose do you rise?

9. SENATOR DOUGHERTY:

10. I rise on a point of personal privilege.

11. PRESIDING OFFICER (SENATOR GRAHAM)

12. State your point, sir.

13. SENATOR DOUGHERTY:

14. Seated right behind me in the gallery are a group
15. of people from one of the great Wards in the City of
16. Chicago. As a matter of fact, it's a partisan group.
17. It's a delegation from the 8th Ward Democratic Organization.
18. I would like to have the Senate recognize their presence
19. here today.

20. PRESIDING OFFICER (SENATOR GRAHAM)

21. One of the few times I've ever known Senator Dougherty
22. to be partisan. We're getting ready to proceed to the order
23. of Senate Bills on 3rd reading. And if we have any more clean
24. up exercises, I'd like to do it now, so that the Secretary
25. doesn't have to...Senator Don Moore, for what purpose do
26. you rise?

27. SENATOR DON MOORE:

28. Mr. President, at this time I would ask unanimous
29. consent that Senators Bartulis, Knuepfer, Dougherty,
30. Saperstein and Smith be named as co-sponsors of SB 900.

31. PRESIDING OFFICER (SENATOR GRAHAM)

32. Will you present that list to the Secretary in
33. writing so...?

1. SENATOR DON MOORE:

2. I shall.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. All right. You have heard the motion of Senator
5. Don Moore, all in favor of that bipartisan co-sponsorship
6. will signify by saying aye. Opposed. The ayes have it
7. and there's a list of sponsors added. Senator Bartulis,
8. did you have a 2nd reading bill you wanted to deal with?
9. Senator Hudson Sours. Let's move along gentlemen so we
10. can get on Senate Bills 3rd.

11. SENATOR SOURS:

12. Mr. President, I have a SB 419 on 3rd. I'd like to
13. make the proper motion to have it placed back on 2nd
14. reading for the purpose of an amendment. A copy of which
15. is on everyone's desk.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. You have just made the motion. All in favor will
18. signify by saying aye. Opposed. The ayes have it, the
19. bill will be returned to the order of 2nd reading for
20. the purpose of considering an amendment. 419. You
21. want to explain your amendment, Senator Sours?

22. SENATOR SOURS:

23. Yes. Mr. President, Ladies and Gentlemen of the
24. Senate, this is an amendment that Bob Howard suggested
25. would be presented by me today, as a result of the
26. Judiciary meeting of last week. This simply says, and I'm
27. going to read it, it's on everybody's desk. It's very
28. short. Line 22, by adding after the period the
29. following: "Said petition shall be filed in one of the
30. counties or Appellate Court Districts or divisions in
31. which part of said acts or transactions occurred or the
32. subject matter under investigation effects the resident
33. or governments therein.". Now there was some question

1. about the goodness of the bill if, for example, one could
2. go before the judge down in Massac County to conduct an
3. investigation in Winnebago County. I believe this
4. clears it up, and I move the adoption.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Wooten, for what purpose do you rise?
7. Question? Let's have some order, gentlemen and ladies,
8. please. Gentlemen mainly, the ladies are behaving as
9. usual.

10. SENATOR WOOTEN:

11. It's purely a question of language. On line 7, Senator,
12. should that not be a-f-f-e-c-t-s?

13. PRESIDING OFFICER (SENATOR GRAHAM)

14. Senator Wooten has a question for Senator Sours. Would
15. you like to answer, and I'm going to suggest that we're
16. going to have some order, or we're going to stop the music.
17. So let's get ready to have some order and those who are not
18. entitled to the Floor and are lobbying the Senators are busy
19. will please be removed. Senator Sours, would you answer the
20. question?

21. SENATOR SOURS:

22. The Senator is correct, and the...the adjective, the
23. verb is affects, a-f-f-e-c-t-s. And I'd like the privilege
24. of making that in the Chamber rather than having it all
25. typed over again. Change an "a" to an "e", and the word
26. effect, make it affects.

27. PRESIDING OFFICER (SENATOR GRAHAM)

28. Senator Sours moves the adoption of the amendment. All
29. in...I was trying to get some order, and the reason is...and
30. now we do as a result of not having order at the proper time,
31. we have some confusion existing, at Secretary's desk and we're
32. going to straighten it out so stay in order, please.
33. Senator Sours, would you withhold your motion and talk

1. to the Secretary of the Senate, please? I would like to
2. have the record show that on HB 457 the sponsoring Senator
3. will be Senator Course, instead of Senator Regner. On 457.
4. While we have a little...we're having this little lull,
5. Senator Dougherty so you can pay your respects to your
6. friends, we're going to hold...Senator Sours withdraws
7. his motion for the adoption of amendment on SB 419, and it
8. will remain on the order of 2nd reading, temporarily, and
9. we will proceed to the order of Senate Bills on 3rd read-
10. ing. Senator Rock.

11. SENATOR ROCK:

12. Mr. President, in the interest of allowing everybody
13. at least a crack at some of their bills, are we going to
14. commence where we left off last night?

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. That is my intention, unless I am directed otherwise
17. by the Body.

18. SENATOR ROCK:

19. Fine, thank you, sir.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. We left off last night after going back and passing
22. SB 77, we left off immediately following SB 197, so the
23. first order of...the first order of business would be...
24. we did not act on SB 197, Senator Glass. SB 197. SB 198,
25. Senator Robert Mitchler.

26. SECRETARY:

27. SB 1...SB 198 (Secretary reads title of bill)
28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Mitchler would like to explain his bill if
31. we can have some order too.

32. SENATOR MITCHLER:

33. Yes, Mr. President, and members of the Senate, this

1. bill could be called a housekeeping bill, because the
2. Courts have declared the existing statute...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Gentlemen, Gentlemen and ladies, please.

5. SENATOR MITCHLER:

6. The Courts have declared that the existing statute
7. that prohibits female employees from working in excess
8. of eight hours a day and forty hours a week to be uncon-
9. stitutional. And under the equal rights provision,
10. they should have the same rights to work overtime, accept
11. premium pay as males. So that's what it is and it's
12. just clearing up the statutes. It's been a long time
13. coming, so I would ask for a favorable roll call.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Any further discussion? The main question will be
16. put. Shall SB 198 pass? and upon that question the
17. Secretary will call the roll.

18. SECRETARY:

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

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Fawell, aye. Gentlemen, if this was your bill and
31. the Secretary couldn't hear the roll call, you would be

1. Fawell, aye. Gentlemen, if this was your bill and
2. the Secretary couldn't hear the roll call, you would be
3. concerned, and I am too. So, will you please cooperate.
4. I'm asking you in the nicest way I know how. Senator
5. Mitchler.

6. SENATOR MITCHLER:

7. Completed the roll call? Mr. President, I would ask
8. that you call the absentees, because several of them were
9. not here, please.

10. PRESIDING OFFICER: (SENATOR GRAHAM)

11. The request has been made for a call of the absentees,
12. and the absentees will be called.

13. SECRETARY:

14. Chew, Clarke, Course, Daley, Donnewald, Kenneth Hall,
15. Hynes, Keegan, Kosinski, McCarthy, Mitchler,

16. PRESIDING OFFICER: (SENATOR GRAHAM)

17. Senator Mitchler.

18. SENATOR MITCHLER:

19. In explaining my vote on this particular bill, there
20. was a great need for a women's eight hour day law, at one
21. time. I think that we all supported that concept. But
22. during the period of years women have accepted their place
23. in the employment field, and one of the greatest discriminations
24. against female employees in their ability to advance to
25. managerial, supervisory and executive capacities has been
26. the fact that they have been limited to the number of hours
27. per day that they can work. They were limited and restricted
28. from putting in the extra initiative and input into their
29. employment that would be required of a supervisory employee.

30. PRESIDING OFFICER: (SENATOR GRAHAM)

31. Senator Mitchler, I think you may as well save your
32. breath. Will...can we please take our caucuses off of the
33. Floor, or should be adjourn? Continue, Senator Mitchler.

1. SENATOR MITCHLER:

2. Yes, and because of the restriction they were unable
3. to have their extra initiative put into their job, so that
4. they could be considered for supervisory, managerial and
5. executive positions. Now because of this, many of the
6. women objected. They wanted to, under favorable working
7. conditions, be able to work in excess of eight hours a day,
8. and receive premium pay and be treated equal with their male
9. employees. And because of this, there was a court case,
10. Caterpillar Tractor Company, Illinois Bell Telephone
11. Company, against the State of Illinois, the then director
12. of the Department of Labor and the court did rule that
13. the existing statute limiting the employment of women to
14. eight hours a day and forty hours a week was discriminatory,
15. and in violation of the Civil Rights Act, and therefore
16. it was unconstitutional, so that I would urge a favorable
17. roll call, and I'd like to be recorded as aye.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. For what purpose does Senator Saperstein rise?

20. SENATOR SAPERSTEIN:

21. Would the sponsor yield to a question?

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator, you have already voted. I hate to be harsh
24. on this, we gave plenty of time before the bill, you have
25. voted now, and you are out of order. The question on this,
26. is, 30...on this question it's yeas 30, the nays are 18.
27. The bill having received its constitutional majority is there-
28. fore declared passed. There...there has been a request for the
29. verification of the roll call. You want a verification of
30. those voting in the affirmative?

31. SENATOR CHEW:

32. Verification in those voting in the affirmative.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. You are in order by making such a request.

2. SECRETARY:

3. The following voted in the affirmative. Bartulis,
4. Bell, Berning, Clarke, Conolly, Davidson, Fawell, Glass,
5. Graham, Harber Hall, Kneupfer, Latherow, McBroom,
6. Merritt, Mitchler, Howard Mohr, Don Moore, Nimrod,
7. Ozinga, Regner, Roe, ...

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Where is Senator Regner? He's on the phone, and
10. you gentlemen have been in the same position. Senator
11. Regner is on the phone.

12. SECRETARY:

13. Regner.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. He's on the Floor.

16. SECRETARY:

17. Roe, Schaffer, Scholl, Shapiro, Sommer, Soper,
18. Sours, Walker, Weaver, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The verification has been had. The count...now
21. listen gentlemen, are we playing games, or do we want
22. to get on with the business? We are going to declare
23. that the verification has been affirmed, and the bill
24. is passed. Senator Nimrod moves having voted on the
25. prevailing side that the vote by which this bill was
26. passed be reconsidered, and Senator Don Moore moves to
27. Table Senator Nimrod's motion. All in favor of the
28. motion will signify by saying aye. Opposed. The ayes
29. have it and the motion carried. SB...Senator Sours.
30. Senator Sours. I don't know what I have to do gentlemen
31. to get some order. I just don't know. Senator Sours
32. you have a couple of items that you wish to take up and
33. Senator Glass was off of the Floor, so I would like to

1. call his bill now and we'll get your 419 right ahead
2. of your other bill. Senator Glass, on SB 197.

3. SECRETARY:

4. SB 197 (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Glass...

8. SENATOR GLASS:

9. Thank you Mr. President and Senators. SB 197 would
10. incorporate trust powers that are now found in every
11. well drafted trust instrument into all trust instruments
12. by reference. This is a bill that was recommended by the
13. joint council of the Chicago Bar and Illinois Bar Associations.
14. And we have amended it in accordance with some suggestions
15. by Chairman Sours of the Judiciary Committee. I'd be
16. happy to answer any question on it, and urge your favorable
17. support.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any discussion? Senator Rock.

20. SENATOR ROCK:

21. Well, Mr. President and members of the Senate, I
22. hate to on successive days stand up and oppose Senator
23. Glass' otherwise good bills. This is another Bar
24. Association gem that attempts to codify the law as it
25. relates to trusts and trustees. I objected strenuously
26. in the Committee on Judiciary to Amendment No. 1. And
27. Amendment No. 1, what it says is that a trustee can
28. invest trust funds in a mutual fund. Now, it doesn't
29. take any great degree of expertise or any great fiduciary
30. capacity to invest into a mutual fund and get a fee.
31. I think this is a bill whose time has not yet come and
32. I would urge opposition.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Further discussion? If not, the main question will
2. be put. Shall SB 1...Senator Soper, I'm sorry.

3. SENATOR SOPER:

4. Senator Glass, does this allow the...the trustee
5. to tax and take his fees out of the...of the...of the
6. ...the corporate...the corporate interest in this...of this
7. fund? Not only out of the...not only out of the...income
8. and principal...out of the principal instead of the income?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Glass.

11. SENATOR GLASS:

12. I...I, no, Senator Soper, this is not that bill.
13. In fact that's a bill that Senator Rock is sponsoring
14. I think that is going to be heard this afternoon. This...
15. this bill did have an extensive hearing in Judiciary.
16. Austin Fleming of the Northern Trust Company testified
17. on it on behalf of the Bar Associations, and it has
18. had several amendments. I...I would just respond, if
19. I may, in closing to Senator Rock that the bill does
20. establish a standard for investment of the trust funds
21. by the trustees so that I...I think his objection with
22. regard to mutual funds which I think could be authorized
23. in any event is...is answered in part by that prudent
24. man rule.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any further questions? Senator Sours...or Senator
27. Soper.

28. SENATOR SOPER:

29. Senator Glass, does this allow the trustee to negate
30. any the requests of the...of the...of the one who creates
31. the trust in...in the way of...of taking and investing these
32. funds? In other words, would they have carte blanche
33. privileges to do what they wanted in any of these trusts?

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Glass.

3. SENATOR GLASS:

4. Again, no Senator Sours. That is not a part of this
5. bill. Again, if I...I may just simply state it, the purpose
6. of it and the import of it is to state in the statute a
7. number of trust powers that are normally contained in
8. well drafted trust instruments and indicate that they
9. are incorporated in...in trust instruments whether the
10. draftsman puts them in or not. So that you do not have
11. to produce volumes of paper work just to repeat these
12. trust powers. That...that is the gist of it.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Soper.

15. SENATOR SOPER:

16. I haven't had a direct answer as yet. Now, what are
17. the powers that you're going to put into each trust,
18. whether they're in there or not. That's what I want
19. to know.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass.

22. SENATOR GLASS:

23. I...I can read them to you.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. I think you attorneys should get together on this.

26. SENATOR GLASS:

27. It maybe I would be better off taking the bill out
28. of the record possible that...than take the time of the...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. I think that would be preferable.

31. SENATOR GLASS:

32. ...Senate, Mr. President, because there are quite a few.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. And we could return to it at some convenient time.
2. And now recognize Senator Sours on SB 419 on 2nd reading
3. for the purpose of considering an amendment. Senator
4. Sours. SB 419.

5. SENATOR SOURS:

6. It is the amendment, Mr. President, Ladies and
7. Gentlemen of the Senate that I discussed just briefly
8. a minute ago. And we have now corrected the word effect
9. and made it affect.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. And you move its adoption. Senator Sours moves
12. the adoption of the amendment just described and the...
13. Senator Rock, are you challenging the spelling? Senator
14. Rock.

15. SENATOR ROCK:

16. What...what happened in fact to 197, was that held off?

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Yes, he took it out...

19. SENATOR ROCK:

20. All right.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. ...of the record, Senator. He and Senator Soper.

23. SENATOR ROCK:

24. Now we're...now we are, now we are talking about the
25. bad amendment to a bad bill, is that correct?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. I am not making that determination, I'm trying
28. to preside over this Body and sometimes I find that
29. very difficult.

30. SENATOR ROCK:

31. I am very opposed to this amendment, and I would
32. ask that we have a little discussion on it. I would
33. like the Senator to explain it, what it purports to

1. do, and then we can discuss it.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. He indicates that he'd be very happy to. Senator
4. Buzbee, you'll be recognized when these two gentlemen
5. finish their discussion. You have a point of what, sir?
6. State your point.

7. SENATOR BUZBEE:

8. Mr. President, I...I understand we're on SB 419 on
9. 2nd reading.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. It was returned to...

12. SENATOR BUZBEE:

13. I don't find it...I don't find it on the Calendar.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. It has been recalled, and it is a point of record.
16. Your point is not well taken. Senator Sours, will you
17. now proceed to answer Senator Rock's question.

18. SENATOR SOURS:

19. Yes, there was some apprehension Mr. President, last
20. week if the Attorney General could walk into Massac County
21. for example, suggesting there be an investigation of
22. what might be some machinations going on up in Winnebago
23. County, as an example only. That's what this amendment
24. cures. It says, and I'll read...I'll read it again, "The
25. petition...said petition shall be filed in one of the counties
26. or Appellate Court District or" notice those are disjunctives
27. "or divisions in which part of the act...part of said
28. acts or transactions occurred or the subject matter under
29. investigation affects the residents or governments therein."
30. Now, I...I wouldn't be any more explicit if I spent the rest
31. of the day telling you what that brief amendment means.

32. PRESIDENT:

33. Senator Rock.

1. SENATOR ROCK:

2. Well, with all due deference to the sponsor, I can
3. read I think, and I have read this amendment. When you
4. say it cures whatever defects, I totally and thoroughly
5. and wholeheartedly disagree. It does not prevent in fact
6. the Attorney General from going into Brown County and
7. saying to the residents therein, there is something awry
8. in Williamson County and we'd better do something
9. about it. And all he has to do is allege in his petition
10. that something affects the residents or the governments
11. in Brown County and he can do whatever the heck he pleases
12. in Williamson County. I totally resist this amendment.
13. The bill, amended or not amended, I would not vote for
14. this bill under any circumstances. But to...to purport
15. that this amendment cures some of the defects that we
16. brought up in the Senate Judiciary Committee in that
17. cursory hearing that we did have is just objectional,
18. and I resist this amendment.

19. PRESIDENT:

20. Is there further debate? On the motion to adopt the
21. amendment, all in favor signify by saying aye. Contrary
22. no. The motion carries, and the amendment is adopted. 3rd
23. reading. Senator Bell has a similar motion on 429. SB 429.
24. Is there leave to recall that to 2nd reading for purposes
25. of amendment? 2nd reading, SB 429. Senator Bell.

26. SENATOR BELL:

27. Yes, Mr. President SB 429 was moved to 3rd reading
28. yesterday. It has to do with...with the bail provisions,
29. and I have an amendment that I want to attach to it that
30. extends the ramifications of this bill to take care of a
31. particular problem that...that Criminal Code addresses itself
32. ...addresses itself to, concerning problems that counties
33. are having with paying medical expenses for persons that

1. have been picked up for the commission of a crime when
2. those persons were in fact ill or injured before they
3. had actually committed that crime. In my county, the
4. County of Will, we're spending between 10 and 20 thousand
5. dollars per year in taking the medical...taking care of
6. the medical expenses of those persons that have committed
7. an offense and the...had...had problems with these medical...
8. had these medical problems actually before the offense
9. was committed. And it seems to me, and it seems to the
10. people of Will County that we should not have to bear
11. those medical expenses that have existed before the
12. offense took place. An honest citizen can't have that kind
13. of treatment, it seems to me that certainly the dishonest
14. citizen shouldn't be entitled to that treatment too. And so,
15. I would move for the adoption of this amendment to SB 429
16. to...to amend a bad situation that exists in every county
17. in this State.

18. PRESIDENT:

19. Is there further discussion? The question is, on the
20. adoption of the amendment to SB 429. All in favor of the
21. adoption of the amendment, signify by saying aye. Contrary
22. no. The motion carries, the amendment is adopted. 3rd
23. reading. SB 206, Senator Sours.

24. SECRETARY:

25. SB 206 (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDENT:

28. Mr. President, Ladies and Gentlemen of the Senate,
29. this little bill simply attempts to work out a better
30. arrangement in some of the counties having zoning. The
31. law presently provides that the Zoning Board of Appeals in
32.
33.

1. the county goes to has a meeting somewhere in the
2. township affected, where the land about to be rezoned
3. or where the variance is sought. Now there are certain
4. areas in Peoria County, and I know it must obtain...elsewhere
5. in the State, where there's no suitable place within
6. that township. Now, of course, the classical township
7. is six miles square. This bill simply says they may have
8. their meetings, except that meetings of the Board may be
9. held in any public building suitable for the purpose which
10. is not more than ten miles from any real estate which is
11. the subject of the hearing. That is all the bill does.
12. I'd appreciate a favorable roll call.

13. PRESIDENT:

14. Is there further discussion? The question is, shall
15. SB 206 pass. The Secretary will call the roll.

16. SECRETARY:

17. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
18. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
19. Dougherty,

20. PRESIDENT:

21. Senator Dougherty.

22. SENATOR DOUGHERTY:

23. ...ask the sponsor a question. Mr....Senator Sours,
24. the new language in the bill is this: except that
25. meetings of the board may be held in any public building
26. suitable for the purpose which is not more than ten miles
27. from any real estate which is the subject of the hearing.
28. Am I to understand that we could...we could capriciously
29. set a meeting somewhere else, you know we do hold our
30. meetings right in the County Board Room. The buildings
31. are set up for that purpose, am I right? Does this mean
32. that we would have to...or some capricious person could
33. ...set the hearing somewhere else, or are we barred from

1. holding this where we...

2. PRESIDENT:

3. Senator Sours.

4. SENATOR SOURS:

5. Senator, this...this bill is designed, now I don't know
6. how you handle it in Cook County, but our Zoning Board of
7. Appeals of Peoria County travels out to the townships.
8. Now there are some instances where there's no place for
9. them to meet and having...and...and to have it in the...in
10. the Court House I think would violate the law as it
11. presently exists, because the law says they have to go
12. to the township in which the land is situated. Now,
13. this simply says, and the...and the classical township is
14. six miles each way, now we do have some fractional town-
15. ships because the river runs northeast and southwest. And
16. often times obliquely a...a township will almost be cut
17. in half. NOW, in some of these townships there are no place
18. ...there are no places available where this Board can meet.
19. And this says they can find another place, another public
20. building, but not more than ten miles away because that
21. means, in a classical township of six miles each way, they
22. could go...they could go into the thrid township over,
23. because you've got half of the three of the townships,
24. then the next six and this is ten, you see. Sir?

25. PRESIDENT:

26. Senator Dougherty.

27. SENATOR DOURGHERTY:

28. This bill is merely permissive, anyway? All right.

29. I vote aye.

30. SECRETARY:

31. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
32. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
33. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,

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

6. PRESIDENT:

7. Johns, aye. Senator Donnewald, aye. Senator Partee.

8. SENATOR PARTEE:

9. How am I recorded?

10. PRESIDENT:

11. You are not recorded.

12. SENATOR PARTEE:

13. Well, I wanted Senator Sours to know before I vote
14. on this bill that I'm going to give it a vote, although
15. I think that the amendment that you offer is necessary
16. perhaps to make a bill which in the first instance doesn't
17. make sense, a proper bill for your circumstances. There is
18. no reason why proximity should be any kind of consideration
19. in the consideration of zoning, or any other matter, for
20. that matter. The Congress of the United States makes laws
21. concerning things that happen in Viet Nam and other parts
22. of the world. Certainly the Board could take pictures of
23. it, of the...the area that they are...is the subject matter
24. of the zoning. They could go by and see it personally,
25. as all other zoning boards do. And it doesn't really make
26. sense. But, I'm going to help you with it because I think
27. Senator you know that I...I believe that your zoning board
28. knows what's good for it and I'm going to vote for your
29. bill. I would hope that you would remember that there is
30. another bill here for a zoning board up in Chicago, which
31. is a bill which has the same kind of make-sense
32. proposition to us, that this does to you. I vote
33. aye.

1. PRESIDENT:

2. On that roll call the yeas are forty-one, the nays
3. are none. SB 206 having received a constitutional majority
4. is declared passed. SB 209, Senator Kosinski.

5. SECRETARY:

6. SB 209 (Secretary reads title of bill)
7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Kosinski.

10. SENATOR KOSINSKI:

11. Mr. Chairman and members of the Senate. SB 209 is
12. a permissive bill. It empowers school boards to grant one
13. year of high school foreign language credit to those students
14. who can demonstrate proficiency in a foreign language. Starting
15. with the Sesame Street and continuing into the primary and
16. upper grades, pupils today are learning foreign languages
17. at an early age and with greater demonstrated capacity than
18. every before. Many elementary schools offer foreign language
19. instruction as part of a regular curriculum. Community
20. ethnic centers offer young persons the opportunity to
21. exercise and improve their skills in and after school hours.
22. The bill does not require school boards to grant credit
23. for proficiency but it empowers them to do so if they so
24. desire. For instance, for those high schools which have
25. strong articulation programs with the local elementary
26. schools, the credit could allow the student to enter an
27. advanced program. He would have added an incentive to
28. do well. Granting of the credit would allow and also
29. discourage well prepared students from sitting through
30. a class for which he is over-qualified. I think this
31. is a good bill. It is something...unique. I have the
32. honor of appearing before the Education Committee which
33. has voted unanimously for the bill. It has the approval

1. of the Superintendent of Education, the State of Illinois.

2. I seek a favorable roll call from the honorable Senators.

3. PRESIDENT:

4. Senator Course.

5. SENATOR COURSE:

6. Will the sponsor yield to a question? Senator Kosinski,
7. wouldn't this put our students that are born and raised
8. in this country that just know one language at a disadvantage
9. when it comes to getting out of school? Would the foreign
10. student, be inclined to get out of school a little earlier?

11. PRESIDENT:

12. Senator Kosinski.

13. SENATOR KOSINSKI:

14. The answer is no.

15. SENATOR COURSE:

16. Well, members of the Senate, I'm going to support this
17. legislation, but I still think it would put our students
18. at a...the American born students at a disadvantage.

19. PRESIDENT:

20. Senator...Senator Partee.

21. SENATOR PARTEE:

22. Mr. President, members of the Senate, I rise in
23. support of this bill. I don't think it would place the
24. native born student at a disadvantage. As a matter of fact,
25. I think it would encourage native born students to obtain
26. proficiency in a foreign or second language before they
27. got out of grammar school. One of the things that has
28. distressed me the most about our educational system is
29. that American people by in large are bilingual. You
30. can go all over Europe or all over the rest of the world
31. and most people are bilingual. We are perhaps farther
32. behind in the ability to be bilingual than in any other

33.

1. country. Let me just give you an example of something that
2. really, really bothered me and caused me to really know how
3. important it was that we have some sense of another language.
4. I was in a town one day called Mexico City with my wife, and we
5. were taken by the guide to a place that he described as a slum
6. on a Saturday afternoon. (Slums of Mexico City) And we were
7. in this little pleasure spot, known euphemistically as a bar.
8. And they had music there and my wife evidenced a desire
9. to dance and I went down to the floor to dance with her and
10. a fellow who was native and indigenous to that culture and
11. region came over to me and starting hitting me on the
12. shoulder and started speaking to me. He was speaking the
13. Spanish language which I have absolutely no knowledge of and
14. I was concerned not that I didn't understand the language
15. per se, but because I didn't know whether he was speaking to
16. me in terms of hostility or endearment. And the guide came
17. over to let me know that he was speaking in terms of endear-
18. ment, and was saying to me he hoped I was having a good time.
19. I think that anything that can be done to encourage, particular-
20. ly, in the elementary schools the place in our society the
21. place where the learning of a second language is easiest, I am
22. told. I think anything that can encourage us to suggest to
23. people that we learn a second language should be certainly
24. supported. I don't see any disadvantage to native born, I
25. think it's an excellent idea, and I don't see it will cost
26. any money at all, and I certainly would urge you to support
27. this bill.

28. PRESIDENT:

29. Senator Saperstein.

30. SENATOR SAPERSTEIN:

1. I rise in support of this bill, for several reasons.
2. Number one, it...it will prevent the cluttering up of our
3. classes, it will save money, and it's also a trend not
4. only in the high schools but in the professional schools
5. to give credit where there is proficiency in any course.
6. I urge your support.

7. PRESIDENT:

8. Senator Hynes.

9. SENATOR HYNES:

10. Mr. President, this bill simply will avoid the necessity
11. of requiring a student who is proficient in a language
12. to repeat the training that he has already had. It
13. does...it involves one credit out of the many credits that
14. are involved in a four year high school curriculum. It's very
15. desirable legislation. I would urge this Body to support
16. it.

17. PRESIDENT:

18. Question is shall SB 209 pass. All in favor will
19. respond affirmatively to the roll call. The Secretary
20. will call the roll.

21. SECRETARY:

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

31. PRESIDENT:

32. Senator Sours.

33. SENATOR SOURS:

1. I have to vote no on this. Ladies and Gentlemen of
2. the Senate, we're now sort of giving partial education
3. requirements away, and as I view the system today we're
4. graduating a number of young people these days, some with
5. primary goodness, some with intermediate goodness, and
6. some with advanced goodness. I vote no.

7. SECRETARY:

8. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
9. Mr. President.

10. PRESIDENT:

11. On that roll call the yeas are fifty-two, the nays
12. are three. SB 209 having received a constitutional majority
13. is declared passed. Senator Mohr.

14. SENATOR HOWARD MOHR:

15. Yes, Mr. President, members of the Senate, it's my
16. pleasure to introduce a group in the south gallery from
17. Pontiac, Illinois, some fifty strong. A group sponsored
18. by the Pontiac Chamber of Commerce down here today to
19. honor their Senator, and our President, the first President of
20. the Illinois State Senate under the new Constitution,
21. William C. Harris. And I would like the group in the gallery
22. to stand and be recognized by the Senate. I was only counting
23. one gallery. I think there's more than fifty, and
24. I would like leave of the Body at this time to have a
25. picture taken and a presentation made to President Harris.
26. The presentation will be made by members of the Chamber
27. of Commerce, a Mr. Frank Payno, Mr. Duncan Funk, and Mr.
28. Rodney Lloyd. Do we have leave?

29. MR. FRANK PAYNO:

30. Thank you very much, Senator Harris.
31. On behalf of your many, many friends and well-
32. wishers from Pontiac we would like today to present you
33. with this gavel, and I will read the inscription at this
time, To Senate President Bill Harris from his proud

1. friends in Pontiac, May 2, 1973. Also the Seal of the
2. State of Illinois is inscribed, 78th General Assembly.
3. And Bill, with this we wish you well, and swing it.

4. PRESIDENT:

5. Senator Partee.

6. SENATOR PARTEE:

7. ...and members of the Senate. I should only like
8. to say to those persons who come here today from Pontiac
9. that they have chosen well their representative in the
10. Illinois State Senate. There's an expression which I
11. might garble that says something about a man being a
12. prophet or wise prophet save in his own hometown. And
13. their presence here today is the indicia of esteem which
14. they have shown here today lets us know that you are also
15. a prophet and accepted well in your own hometown. I think
16. it's a very fitting tribute to a person who has given
17. of himself unstintingly for many years in government
18. service. Swing it well.

19. PRESIDENT:

20. Well, to my good friend Frank Payno representing my
21. friends from Pontiac and the District. I just thank you
22. all, and this symbol I want to make note will be implemented
23. not as a symbol of authority, but as a symbol of fairness,
24. and direction to this wonderful Body. And I thank you all,
25. and let us get on with the work of the Senate. Senator
26. Merritt.

27. SENATOR MERRITT:

28. Mr. President and members of the Senate, among your
29. fine group here today, who certainly come enmasse to show
30. their respect, their esteem, yes, their love and affection
31. for a great State Senator from their District. Among that
32. group are two that mean a great deal to me, my cousin
33. Jane Boyer from Dwight, and her husband Herb. I would

1. like for them to stand and be recognized by the Senate.

2. Jane and Herb Boyer.

3. PRESIDENT:

4. Senator McBroom.

5. SENATOR MCBROOM:

6. Mr. President, I'd only like to comment briefly that
7. as many times as I've campaigned in Dwight and visited with
8. the Boyers, I've never heard them claim Senator Merritt as
9. their cousin.

10. PRESIDENT:

11. Senator Mitchler.

12. SENATOR MITCHLER:

13. Mr. President, members of the Senate, I rise on a point
14. of privilege here. I wonder if I could move to revert to
15. the order of Resolutions at this time for the purpose of
16. having a Resolution presented. This has been cleared with
17. Senator Partee and the President.

18. PRESIDENT:

19. Is there leave? Proceed Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President, members of the Senate, the Secretary
22. has on his desk a Resolution commending one of the finest
23. employees in our State government. One with whom many of
24. us have worked many, many times and found his input, counsel
25. and advice to be of the greatest. And if the Secretary
26. would please read the Resolution, then I will ask for a
27. suspension of the rules, immediate consideration and
28. adoption of the Resolution with all Senators joining in
29. sponsorship.

30. PRESIDENT:

31. On the motion to suspend the rules for the immediate
32. consideration, all in favor signify by saying aye.
33. Contrary nay. The motion carries. Secretary will read the

1. Resolution.

2. SECRETARY:

3. Senate Resolution 126 by Senators Mitchler, Latherow,
4. Wooten and all members of the Senate.

5. (Secretary reads Senate Resolution 126)

6. PRESIDENT:

7. Senator Mitchler.

8. SENATOR MITCHLER:

9. Yes, Mr. President, without doing him any further
10. laudits and exemplary remarks for John C. Guillou, I
11. would move for suspension of the rules, immediate consideration
12. and adoption of this Senate Resolution.

13. PRESIDENT:

14. Yes, we...we have carried that motion. Upon the question
15. to adopt, it is in order at this time.

16. SENATOR MITCHLER:

17. Well, Mr. President, if you would be kind enough to
18. present to this Body for recognition the man that we are
19. honoring, Mr. John C. Guillou.

20. PRESIDENT:

21. John. A friend of every member of this General Assembly,
22. John's presence is with us, and I would just be delighted to
23. have the members acknowledge his presence with an affirmative
24. response to this Resolution that I'm sure we all join in as
25. sponsors and in support. John.

26. MR. JOHN GUILLOU:

27. I thank all of you very, very sincerely, from the
28. depth of my heart. I hope it doesn't embarrass Senator
29. Mitchler, when he asked me to come over here this morning,
30. I thought he wanted some money. I didn't know this was
31. involved at all. It has really been a deep and sincere
32. issue with me to be able to work with the General Assembly
33. over the years. I think that the General Assembly doesn't

1. receive the credit it should get with those piles of bills
2. and the clamor you have to sustain relative to the issues
3. at home. It's a real joy for me to work with you, and I
4. appreciate very much what you have done here, and Bob, I
5. appreciate very much your effort. Thank you Mr. President.

6. PRESIDENT:

7. All those in favor of the motion to adopt please
8. signify by saying aye. Contrary no. Let the record
9. show that the Resolution carried unanimously. It is
10. adopted. SB 212, Senator Don Moore.

11. SECRETARY:

12. SB 212 (Secretary reads title of bill)
13. 3rd reading of the bill.

14. PRESIDENT:

15. Senator Moore.

16. SENATOR DON MOORE:

17. Thank you Mr. President, members of the Senate. SB
18. 212, Mr. President puts savings and loan associations
19. on the same basis as banking institutions, insofar as
20. the inspection and licensing of safety deposit box facilities
21. are concerned. The reason for this bill is that the banks
22. are presently covered under the FDIC, the savings and
23. loans under the FSLIC. It's a duplication. The department
24. is not...is in favor of this bill. What the bill does,
25. it places savings and loan associations which are organized
26. under the laws of the State of Illinois or state or national
27. savings and loan associations on the same basis as banking
28. institutions organized under the laws of the State of Illinois
29. for safety deposit business operation. The bill came out
30. of committee ten to one, I know of no objection. I'd
31. appreciate a favorable roll call.

32. PRESIDENT:

33. Senator Wooten.

1. SENATOR WOOTEN:

2. Will the sponsor yield for a question?

3. PRESIDENT:

4. He indicates he'll yield. Proceed.

5. SENATOR WOOTEN:

6. Senator, I'm going to reveal my ignorance here. I
7. didn't realize that safety deposit boxes were forbidden
8. to banking institutions.

9. PRESIDENT:

10. Senator Moore.

11. SENATOR DON MOORE:

12. They are not prohibited but they are under the
13. jurisdiction of the FDIC, the Federal Deposit Insurance
14. Corporation, I believe has jurisdiction over them and
15. the State and for that reason they were exempted in the
16. present law. What this bill does is to place saving and
17. loan associations which are also governed by the FSLIC
18. on the same basis as what banks are.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. In other words, this does not actually prohibit the
23. use of safety deposit boxes in...in either institution.
24. Is that correct?

25. PRESIDENT:

26. Senator Moore.

27. SENATOR DON MOORE:

28. In...in no way. This is strictly a licensing corporation
29. that they are being exempted from.

30. PRESIDENT:

31. Senator Ozinga.

32. SENATOR OZINGA:

33. All that this does, it excludes out of the licensing act

1. for the safety deposit box, box companies. The savings
2. and loans which are now under the jurisdiction of the
3. Bank Examiners as it is. That's all. Actually, the
4. bankers should be agin it, but we're for it. We can
5. see no harm in it.

6. PRESIDENT:

7. Is there further discussion? The question is,
8. shall SB 212 pass. The Secretary will call the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
11. Chew,

12. PRESIDENT:

13. Senator Chew.

14. SENATOR CHEW:

15. To get clarification on this. I would like to ask
16. the sponsor a question in explanation of my vote. Aren't
17. the present time safety deposit companies licensed by the
18. State Treasurer's Office, and yet they come under the
19. Department of Financial Institutions. Now, your new bill
20. does what?

21. PRESIDENT:

22. Senator Moore.

23. SENATOR DON MOORE:

24. It removes them from the licensing provisions in
25. the Department of Financial Institutions. They are still
26. under the jurisdiction of the...of the Commissioner of
27. Savings and Loans, is that correct?

28. PRESIDENT:

29. Senator Chew.

30. SENATOR CHEW:

31. Our safe deposit box, those companies do not have
32. to be Federally insured, they're insured by private
33. companies. Bank and loan associations in this State are

1. insured by FDIC. Now, are you putting safe deposit
2. box companies under the same program?

3. PRESIDENT:

4. Senator Moore.

5. SENATOR DON MOORE:

6. Only if they are part of the same saving and loan
7. association.

8. SENATOR CHEW:

9. I think that portion of it would be totally unconstitutional.
10. Safe deposit companies are by in large separate entites
11. of institutions. And you'll find that most savings and loans
12. associations have that, most banks have them, and then there are
13. independent safe deposit companies. And, to put them under
14. Federal insurance, and that's exactly what you're doing,
15. is...is unconstitutional. So, I can't support the bill. It
16. would jeopardize the right of these companies because
17. each institutions, or most institutions have a separate
18. company within the facility, physical facilities and they are
19. clearly indicative of that. In other words, if you have a
20. bank account, and a notice is sent, that comes from XYZ
21. bank. If you have a safe deposit box, that comes from the
22. safe deposit and vault company. The two are not together
23. and that is clearly unconstitutional, and I have to
24. vote no on it.

25. ACTING SECRETARY (MR. WRIGHT):

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

1. PRESIDENT:

2. Senator Walker.

3. SENATOR WALKER:

4. Mr. President, I'd like to take just a minute to
5. explain my vote and perhaps I can help my friend
6. Senator Chew here, by just reading a very brief paragraph
7. in a letter. Says, I was clearing my desk, I came
8. across correspondence with you on the subject of a bill
9. to amend the Safety Deposit Licensing Act to do away with
10. inspecting and licensing of vaults in buildings owned
11. by saving and loan associations, and where the vault is
12. operated by the saving and loan association. In other
13. words, this vault is operated by the association itself.
14. The inspectors they send out couldn't tell you whether
15. the vault is installed or constructed properly or not,
16. and it's just another way to collect a fee of \$50.00.
17. In the meantime, the banks do not have to pay this fee
18. or fool around with this inspection. I see no difference
19. in treatment. So all this is doing in my opinion is
20. putting the saving and loans who operate their own
21. boxes on the same basis with the banking associations
22. and as Senator Ozinga who is in addition to being an
23. attorney is also a banker. He said they ought to be
24. opposed to it, but if it's good enough for bankers, it's
25. good enough for me, and I think Charlie, it should be
26. good enough for you.

27. PRESIDENT:

28. Proceed with the roll call.

29. ACTING SECRETARY (MR. WRIGHT):

30. Weaver, Welsh, Wooten, Mr. President.

31. PRESIDENT:

32. Senator Buzbee, aye. Senator Netsch, aye. Senator
33. Course, you wish to be recorded aye? Senator Shapiro, aye.

1. On that roll call the yeas are thirty-two, the nays are
2. one, one present. SB 212 having received a constitutional
3. majority is declared passed. Senator Moore.

4. SENATOR DON MOORE:

5. Mr. President, having voted on the prevailing side,
6. by which SB 212 was passed, I move that that vote be
7. reconsidered.

8. PRESIDENT:

9. Senator Don Moore moves to reconsider. Senator
10. Howard Mohr moves to Table. All in favor of the motion
11. to Table signify by saying aye. Contrary nay. The
12. motion carries and the motion is Tabled. SB 220, Senator Nimrod.

13. SECRETARY:

14. SB 220 (Secretary reads title of bill)
15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Mr. President, ladies and gentlemen of the Senate,
20. SB 220 and 221 is the companion bill and these are bills
21. which are a follow up on the previous bills where we have
22. given permission to create the necessary legislation to
23. meet the requirements for the new Occupational Safety and
24. Health Act of 1970. Now OSHA itself of course as the decision
25. has been reached by this State, that the State would
26. comply and would request to have OSHA adopted and under
27. the State jurisdiction rather than Federal jurisdiction.
28. I have talked with the Federal authorities, and they
29. advise me that within the next three or four weeks, I
30. think the Illinois State plan will be effective. Now
31. these bills, in particular SB 220, the one we're speaking
32. of has been discussed and has been approved by both
33. labor, organized labor and management. And in the original

1. process both the Department of Labor from last year
2. and the new Director Kenneth Holland, the Industrial
3. Commission and the new Director of the Industrial
4. Commission, Melvin Rosenbloom have all had an opportunity
5. to look at these and do agree that these are in conformity
6. with Appendix 5 of the State Plan Proposal and these were
7. the amendments which were necessary to State law in
8. order for us to comply with the proposed State plan.
9. And this was heard in committee and has, did come out
10. there with a favorable vote. And I would ask for your
11. favorable consideration, and I would be happy to answer
12. any questions pertaining to this subject, Mr. President.

13. PRESIDENT:

14. Is there further discussion? The question is shall
15. SB...Senator Bruce.

16. SENATOR BRUCE:

17. Mr. President, members of the Senate, I would like
18. to rise in favor of these two bills. They had a very
19. fair hearing in a Senate Labor Committee. It is the
20. program for development of the State plan and the
21. rules and regulations there under. The Director of the
22. Department of Labor, the Industrial Commission all favor
23. these bills. I believe that they've been worked with
24. industry and management. Never...all is not perfect,
25. but it's the best that we can have at this time. And
26. I urge a favorable vote.

27. PRESIDENT:

28. Question is shall SB 220 pass. Secretary will
29. call the roll.

30. SECRETARY:

31. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
32. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
33. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

7. PRESIDENT:

8. Senator Walker.

9. SENATOR WALKER:

10. I'm going to vote no. I've been informed that
11. maybe erroneously so, but are these, if I could ask, well,
12. I'll vote no, and try to explain my vote. The reason
13. I'm voting no is because I have been informed that
14. these are the two bills involving OSHA. And if so,
15. I've heard considerably in opposition to them, if that's
16. what these bills do, I have to vote no.

17. SECRETARY:

18. Weaver, Welsh, Wooten, Mr. President.

19. PRESIDENT:

20. Senator Latherow.

21. SENATOR LATHEROW:

22. Well, Mr. President, I don't think I am on roll call
23. there. I'd just like to recognize that many of the things
24. that you've heard about the Federal implementation of the OSHA
25. program, which Senator Walker talked about that is pronounced
26. in several different ways back in my District. I can see
27. that this is the direct implementation of something by
28. the State of Illinois almost exactly like OSHA. Now,
29. I think what you're doing with this, you're beginning,
30. and if not attaining, the exact position of putting these
31. people out of business with the regulations you're putting
32. on them. I think you'd better take a good hard look at
33. this piece of legislation, because someday people will be

1. hunting for a place to work because that available place
2. is not safe according to OSHA, and the regulations of the
3. State of Illinois. I want to be recorded as no.

4. PRESIDENT:

5. Senator Berning.

6. SENATOR BERNING:

7. Yes, Mr. President and members of the Body. I regret
8. that I was caught a little bit flatfooted on this one also.
9. But in quickly attempting to digest it, it does seem to me that
10. this puts every local governmental unit in the State of Illinois
11. under this particular OSHA-type control. And further,
12. eliminates the farmer exemptions. It seems to me that
13. this is much more far reaching than at least this one
14. poor Senator was lead to believe. And I think this legislation
15. is untimely. I vote no.

16. PRESIDENT:

17. Senator Harber Hall.

18. SENATOR HARBER HALL:

19. How am I recorded, Mr. President?

20. PRESIDENT:

21. You are recorded aye.

22. SENATOR HARBER HALL:

23. Would you please correct that to no?

24. PRESIDENT:

25. Senator Bartulis.

26. SENATOR BARTULIS:

27. How was I recorded?

28. PRESIDENT:

29. You are recorded aye.

30. SENATOR BARTULIS:

31. Please change it to no.

32. PRESIDENT:

33. Senator Merritt.

1. SENATOR MERRITT:

2. ...Mr. President, I believe the Secretary will show I
3. voted aye, is that correct, Mr. Secretary? I'd like to
4. change my vote to no.

5. PRESIDENT:

6. Senator Roe.

7. SENATOR ROE:

8. Same request.

9. PRESIDENT:

10. Senator Merritt. I'm sorry, Senator Mitchler.

11. SENATOR MITCHLER:

12. Mr. President, in as much as I am a sponsor of the
13. bill with Senator Nimrod and I voted in the affirmative,
14. I'd like to change my vote from aye to present.

15. PRESIDENT:

16. Senator Schaffer.

17. SENATOR SCHAFFER:

18. Same request as Senator Roe.

19. PRESIDENT:

20. Senator Sommer.

21. SENATOR SOMMER:

22. Same request as made previously.

23. PRESIDENT:

24. Senator Shapiro is recorded how, Mr. Secretary?
25. He wishes to be changed to no. On that roll call the
26. yeas are thirty-five, the nays are fourteen. SB 220,
27. having received a constitutional majority is declared
28. passed. SB 221.

29. SECRETARY:

30. SB 221 (Secretary reads title of bill)

31. 3rd reading of the bill.

32. PRESIDENT:

33. Senator Nimrod.

1. SENATOR NIMROD:

2. Mr. President, this bill is a companion bill which
3. takes care of the Safety Inspections Act. The previous
4. bill took care of the Health and Safety Act. And it conforms
5. again with the minimum requirements of the Federal standards
6. in order to comply with the State plan, which the State
7. of Illinois has asked to have the State come under this
8. plan for Occupational Safety and Health. I would ask
9. a favorable vote.

10. PRESIDENT:

11. Is there discussion? Senator Hall.

12. SENATOR HARBER HALL:

13. Will the sponsor yield for a question?

14. PRESIDENT:

15. He indicates he'll yield.

16. SENATOR HARBER HALL:

17. Senator Nimrod, I've heard you refer on several
18. occasions to the State plan. Would you explain what the
19. State plan is? Who devised the State plan? It seems to
20. me the General Assembly is vitally interested in the
21. planning for the State. I don't...unless you give me
22. names or offices, I don't know what you're talking
23. about.

24. PRESIDENT:

25. Senator Nimrod.

26. SENATOR NIMROD:

27. Senator Hall, the State plan was...came about as a
28. result of the Federal Act of 1970, which says this basically,
29. that the Federal government had passed national laws which
30. involve regulation of health and safety. And Congress in
31. it's wisdom and in it's compromise came about and said,
32. well we just can't have a Federal program that's going
33. to take everything. What we will do is a compromise. We

1. will give the State's an option to take over and enforce
2. this particular national act, provided they will tell us
3. ahead of time in writing that they will conform with the
4. minimum requirements which we establish. There are some
5. twenty-one industries which they have established as
6. minimum requirements. The...Governor Ogilvie and with the...
7. appointed the Department Labor and the Industrial Commission
8. as joint agencies to prepare the necessary papers to
9. advise the Federal government that we did not want a
10. Federal take over and that we did want the State of
11. Illinois to handle this particular program. So for a
12. year and a half they have been working on a plan. Now,
13. during my time, before I was in the Senate, I was with
14. the Industrial Commission and during this operation I
15. was a project director for this particular program.
16. The entire concept of this plan was presented with the
17. light that we would only do those things which were of
18. minimum requirements in order to comply with the Federal
19. requirements so that the State could operate the plan
20. rather than the Federal government. Now this plan has
21. been presented and has been approved, and worked on
22. tediously over many months with management and organized
23. labor , with the Department of Labor, the Industrial
24. Commission and all of the agencies, the State departments
25. within the State of Illinois. They've all been called
26. to meetings, and there have been numerous meetings that
27. have been held over a period of...of a year and a half.
28. On this basis then the State plan was submitted last
29. November, and this plan has been in the hands of the
30. Federal government, and in fact, Illinois' plan is a
31. model and when it has been used for other States within
32. the Union. Now, it's my...to my, the best of my knowledge
33. all States in the United States have asked for this'

1. State cooperation and have asked for State adoption,
2. except one state, which is Idaho. That means the
3. Federal government will operate that particular area.
4. Now, we have three once...in the time the plan is accepted
5. we will have three years to show the Federal government
6. that we will comply with the plan we have presented.
7. If we do then, then the Federal government will step
8. out and the State of Illinois will have sole jurisdiction
9. over the entire program, provided we meet the minimum
10. requirements of the plan we presented.

11. PRESIDENT:

12. Senator Harber Hall.

13. SENATOR HARBER HALL:

14. Along with this, if I may ask one more question of
15. the sponsor. Along with this, along with insuring that
16. the State has a plan commensurate with the minimum required
17. as laid down by the Federal government. We are incorporating
18. hundreds of thousands of other working entities not
19. covered under the Federal plan. Is that right?

20. PRESIDENT:

21. Senator Nimrod.

22. SENATOR NIMROD:

23. No, we are not. What we are doing in fact is we have
24. a regulation of accident reporting within the plan that
25. is the only item that included...that is not included in
26. this State...in the minimum requirements. And of course
27. this is so that we can have a comprehensive accident reporting
28. system within the State. The other items are that the Federal
29. government has stated, that all employees of the State
30. will come under the Occupational Safety and Health Act.
31. Now, as there are changes which the Federal government
32. makes and I hope that they will. I hope they will exempt
33. employees of 25 or less. I hope they will exempt certain

1. people such as in the mining industry and others where
2. they have regulation. And certainly, I hope that we
3. can get this done. I hope they will have advisory inspections,
4. rather than mandatory. But as these take place in the
5. Federal government, then I would think we would have to
6. amend our plan accordingly.

7. PRESIDENT:

8. Senator Bruce.

9. SENATOR BRUCE:

10. Partially in answer to Senator Hall's question, a
11. year ago we, Senator Harris and myself sponsored I believe
12. SB 1224 and 1225, which gave authority to the Department
13. of Labor, the Director of that Department and Industrial
14. Commission to proceed with development of a State plan.
15. That's what they've done, and that's...that's the authority
16. we vested in them to develop that program. Obviously,
17. they've sought the advise of both industry and labor to
18. develop a good State program. These are the minimum
19. standards that are acceptable. If we do not adopt the
20. minimal standards by June the 1st, I understand the
21. State plan is to go into effect June 1st. If we don't
22. have those on the books, we are going to lose millions
23. of dollars of Federal money that will come for factory
24. inspection that we will have to assume on our own.

25. PRESIDENT:

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Yes Mr. President, just briefly in support of this
29. bill. I am given to understand the Illinois Agricultural
30. Association has no objection to it. And it seems to me
31. that this moves in the area of the State assuming responsibility
32. party because we don't want the Federal government to take
33. over this role entirely, by assuming the minimal

1. standards we are lessening the impact to the allowable
2. degree, the most allowable degree. I know that the...
3. the acronym OSHA frightens many people. But I do
4. believe that this is a responsible action on the part
5. of the Legislature. There are benefits to accrue
6. financially, but the main thing is the State is able to
7. stand between the citizens and the Federal government.
8. And we really, in one sense we have no choice. If we
9. don't do it the Federal government comes in with more stringent
10. standards. It seems to me that this represents a common-
11. sensical approach to the problem, and I am very happy to
12. endorse the measure.

13. PRESIDENT:

14. Senator Latherow.

15. SENATOR LATHEROW:

16. Mr. President, I wonder if the sponsor would yield
17. to a question.

18. PRESIDENT:

19. He indicates he'll yield. Senator Nimrod.

20. SENATOR LATHEROW:

21. Well, I wonder Senator Nimrod have you had a lot of
22. complaints coming to you from people that the businesses
23. haven't in years past. You know, we've had a lot of
24. businesses in this country and all at once now we decide
25. they haven't come up and provided the proper health
26. standards and so on, and protective standards from
27. injuries around the plant. We come up now and you say
28. we don't want the Federal government to do this, we
29. want to do this. And do you think for one minute that
30. I want to go back in my area and face those people and
31. say, you're producing the same standards that OSHA's
32. producing. Do you want to take that blame, and I'm sure
33. you've heard something of OSHA in you...in your area.

1. Do you want to go home and take the blame that you as
2. a Senator are producing the same thing that OSHA's
3. producing?

4. PRESIDENT:

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Senator Latherow, I toured this State last fall and
8. made twelve appearances where hundreds and thousands of
9. company representatives and business representatives,
10. farmers from all over this State attended meetings. I
11. have gone to my own community and spoken before the
12. Chambers of Commerce. I would be the first to put in
13. a repealer for this obnoxious Act that exists today. But
14. I will also be the first to defend it and say that the
15. State must have that control rather than the Federal govern-
16. ment. And I have found that in all cases that everywhere I
17. have gone, the local manufacturers, large and small,
18. governmentry personnel in all walks of life have endorsed
19. this project. Now, I know the present Governor, I under-
20. stood was a little reluctant about accepting or following
21. up with this plan. And it's my understanding now that they
22. have accepted. Labor, of course, is very opposed to this
23. whole project within the State. But they have said, well,
24. since it is the State and this is what management and labor
25. have agreed to, we will go along with it. I agree with
26. you it's a difficult task. But of the lesser of the two
27. evils and as the situation is today, I am convinced that
28. I can go back to my community and say, we did what was
29. best for the citizens of the State of Illinois. Now, I
30. would join you in going to Congress, and going...putting
31. the pressure on there to get the necessary changes made,
32. Senator Latherow, so we can overcome this situation.

33. PRESIDENT:

1. Senator Howard Mohr.
2. SENATOR HOWARD MOHR:
3. Mr. President, I move...
4. PRESIDENT:
5. Senator Latherow, were you finished?
6. SENATOR HOWARD MOHR:
7. I move the previous question.
8. PRESIDENT:
9. Senator Latherow, apparently, was not finished. Senator
10. Latherow.
11. SENATOR LATHEROW:
12. Well, I just thought the question I asked could have
13. been answered yes or no. I...I want to recognize the
14. fact that you aren't just talking about the manufacturing
15. people in this piece of legislation. You're talking about
16. the local businessman, the local man who runs the elevator,
17. the local garage man, the local man who runs the...the im-
18. plement shop and so on. These are the guys you're talking
19. about and you're helping the Federal government put them
20. out of business, and I don't want to go back and have
21. those people say, Cliff Latherow, did you help do this?
22. PRESIDENT:
23. Senator Nimrod.
24. SENATOR NIMROD:
25. Senator Latherow, this bill does not bring them under
26. the Act. They are already under the Act by legislation that
27. was passed prior to the time I came here.
28. PRESIDENT:
29. Senator Mohr moves the previous question. All in
30. favor signify by saying aye. Contrary nay. The motion
31. carries. The question is, shall SB 221 pass? The Secretary
32. will call the roll.
33.

1. SECRETARY:

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

12. PRESIDENT:

13. On that question the yeas are thirty-four, the nays
14. are ten, one voting present. SB 221 having received a
15. constitutional majority is declared passed. Committee
16. reports.

17. SECRETARY:

18. Senator Harris, the Chairman of the Committee on
19. Rules, reports the Committee recommends that the temporary
20. rules of the Senate, as amended, be adopted as the permanent
21. rules of the Senate of the 78th General Assembly.

22. PRESIDENT:

23. Senator Weaver moves the adoption of the temporary
24. rules, as the permanent rules of the 78th General Assembly.

25. Senator Bruce.

26. SENATOR BRUCE:

27. Mr. President, members of the Body. I wonder if
28. it would be asking too much to have some explanation of
29. the changes, what rules we're adopting.

30. PRESIDENT:

31. Well, the effect of the report of the Committee on
32. Rules is no change. We have made two amendments to the
33. temporary rules. One, changing the time of meeting to

11:00 o'clock. The other, an amendment to Rule 5,
1. adding the cut off schedule for the introduction and
2. passage of bills. Those are the only two amendments
3. that have been adopted by this Body to the temporary
4. rules. The effect of the motion is for no change to
5. rules. Does that explain to you what is before us?
6. The temporary rules, copies of the temporary rules
7. have been distributed sometime in the past, and those
8. are the rules we have been operating under.

9. SENATOR BRUCE:

10. And with those two changes that will be what we
11. are adopting.

12. PRESIDENT:

13. Yes.

14. SENATOR BRUCE:

15. Okay.

16. PRESIDENT:

17. Senator Partee:

18. SENATOR PARTEE:

19. Well, Mr. President, I did think that there was another
20. change. That was the change that would render the number of
21. votes required to strike the enacting clause, a number based on
22. a majority of those voting, rather those...a majority of those elected.

23. PRESIDENT:

24. Senator, that has been discussed, but we have never adopted
25. that. That might be proposed later on, but it's not inherent in
26. this motion.

27. SENATOR PARTEE:

28. I thought we'd agreed on that yesterday. That's what I
29. thought.

30. PRESIDENT:

31. Well, I...I do recall now the discussion. Might we deal
32. with that by subsequent report. I have very frankly in the pre-
33. preparation of this report, and I have no objection to that, but
it's not involved, unless we want to change this report...

1. SENATOR PARTEE:

2. All right. I think we can not change this report,
3. but we will deal specifically with that matter and a couple
4. of others.

5. PRESIDENT:

6. Senator Hynes.

7. SENATOR HYNES:

8. Mr. President, how many votes does it now require or
9. under the temporary rules that you've proposed to adopt as
10. the permanent rules? How many votes does it take to suspend
11. the rules?

12. PRESIDENT:

13. Thirty votes.

14. SENATOR HYNES:

15. Then, would a motion be in order therefore to
16. amend the rules to require three-fifths majority to suspend
17. the rules?

18. PRESIDENT:

19. Such a motion would be in order. And up to this
20. Body to act on.

21. SENATOR HYNES:

22. Well, I would make such a motion.

23. PRESIDENT:

24. Senator Hynes, your motion is to amend Rule 37.
25. There should be an understanding here by the members of
26. the procedure that is involved. Your motion is to amend
27. the committee report and provide for a 3/5 vote in Rule
28. 37. That motion is recognized. Senator Mohr.

29. SENATOR HOWARD MOHR:

30. Mr. President, I don't believe that motion is in
31. proper form, and I would move to Table Senator Hynes'
32. motion.

33. PRESIDENT:

1. Senator Mohr has moved to Table Senator Hynes'
2. motion. I'll ask you to withhold that for a moment,
3. Senator Mohr, and I recognize Senator Partee.

4. SENATOR PARTEE:

5. Well, now, if he's moving to Table it because of the
6. superior strength of votes, that's one thing. But if
7. he moves to Table it for the reason that he gave, that
8. he did not think it was in proper form, when the Chair
9. has already ruled that it was a proper motion, then,
10. that's tantamount to moving to overrule the decision of
11. the Chair. And I don't think that's what's intended.
12. Did you hear me, Mr. Chairman, Mr. President? I know
13. you were discussing something with someone else.

14. PRESIDENT:

15. I was diverted. Was the question directed to me?

16. SENATOR PARTEE:

17. No...Yes, I think possibly it was. I said that
18. Senator Howard...Senator Mohr's motion to Table the
19. motion of Senator Hynes for the reason he gave as its
20. being not in proper form, would be in my judgment tanta-
21. mount to asking for us to overrule the Chair, because the
22. Chair has already ruled that the motion was in order. And
23. maybe he did not hear that and that's why he made that
24. motion, and I for one want to in this instance to sustain
25. the Chair's ruling.

26. PRESIDENT:

27. Well, my procedure was Senator Partee, was that I
28. recognized Senator Hynes. Subsequent to my recognition of
29. Senator Hynes, Senator Mohr sought recognition. You heard
30. his explanation as did I. He may want to add to that.
31. Senator Mohr.

32. SENATOR HOWARD MOHR:

33. Well, Mr. President, not in proper form is the way

1. that I explained it, and it was not in writing, but I think
2. it probably is now. My...my motion, I believe Mr. Chairman,
3. Mr. President was in order at the time, and in view of the
4. fact that the motion of Senator Hynes is late in coming
5. down, I...I think I'm still in order in asking that my motion...

6. PRESIDENT:

7. Your motion is in order. Your motion is in order.
8. Senator Mohr reputs the motion to Table Senator Hynes
9. motion to amend Rule 37. It is not debatable. For what
10. purpose does Senator Bruce arise?

11. SENATOR BRUCE:

12. Well, Mr. President, under the temporary Rule 41,
13. this motion has been stated by you to be within the
14. possession of the State Senate. It says under that rule
15. that a motion may be withdrawn only upon unanimous consent
16. of the Senate. The motion is before us. And the motion
17. to Table, I would think under Rule 41 would be out of
18. order.

19. PRESIDENT:

20. Motion to Table is in order at any time. That is
21. the ruling of the Chair. The motion is before us and on
22. that motion, those in favor signify by saying aye. Contrary
23. no. All those...the two members request a roll call.
24. The Secretary will call the roll. The question is on
25. the motion of Senator Mohr to Table Senator Hynes motion
26. to amend Rule 37. Those in favor of the motion to Table
27. will vote aye. Those opposed will vote no. Secretary
28. will call the roll.

29. SECRETARY:

30. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
31. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
32. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
33. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

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

6. PRESIDENT:

7. Senator Sours.

8. SENATOR SOURS:

9. Sometimes I wonder about the incredible feelings
10. some of the other Senators on the other side have...

11. PRESIDENT:

12. For what purpose does Senator Netsch arise? State your
13. point.

14. SENATOR NETSCH:

15. He may not explain his vote on a motion that is not
16. itself debatable, isn't that correct?

17. PRESIDENT:

18. Your point is well taken.

19. SENATOR NETSCH:

20. Thank you.

21. SENATOR SOURS:

22. Well, that deprives me of probably the greatest
23. deathless words I ever would have uttered. And I will
24. take my hat off to the professors. I vote in favor of
25. opposing this silly motion of Senator Hynes who I believe
26. also put that in the rules last year, two years ago to
27. their terrible regret. So I...I support the move and the
28. motion to Table by voting aye.

29. SECRETARY:

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

32. PRESIDENT:

33. Is Senator Course recorded?

1. SENATOR COURSE:

2. Vote me no, please.

3. PRESIDENT:

4. On the motion to Table, the yeas are thirty, the
5. nays are twenty-six, and the motion to Table prevails.
6. We now...Senator Partee.

7. SENATOR PARTEE:

8. I'll wait until you finish this one.

9. PRESIDENT:

10. We now revert to the committee report, the adoption
11. of the committee report.

12. SENATOR PARTEE:

13. Mr. President. Mr. President.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. Just prior to the adoption of the committee
18. amendment I have a...another motion there. This is a motion
19. which would amend the Rules Committee report to the extent
20. that proxy voting in committees be prohibited. I'd like
21. to speak to that motion.

22. PRESIDENT:

23. You are recognized.

24. SENATOR PARTEE:

25. I think most of us know that the numerical strength
26. of either party sometimes makes the logic of the matter
27. subservient, but I have a proposition and motion here, which
28. I think will have some appeal to some of the members above
29. and beyond the pale of politics, and party strength. This
30. is to me one of the most logical amendments that we could
31. offer. It does not lend itself really to party support or
32. party lack of support. But to the basic intelligence of the
33. members of this Body. There is a practice known as proxy

1. voting which in my humble opinion is the scourge of any
2. legislative Body. You will recall one of the things that
3. we did two years ago was to diminish and reduce the number
4. of committees so that the members would not be so over-
5. burden and so thinly spread that they could not be present
6. at a committee hearing and would vote by proxy. I've
7. talked to many people throughout this State, representing
8. business and labor and farmers and all kinds of people
9. who are interested in the various kinds and shadings of
10. legislature that is introduced here. And one of the things
11. that is upsetting and appalling to them is for them to make
12. studious preparation on a bill that they're going to present,
13. and then have the merits of that bill not considered by the
14. duly elected members of this Body. They say that it is
15. quite upsetting, one man uses the phrase nauseating to
16. him, to have sat up for a couple of days and very scholarly
17. prepared an analysis of a bill only to have three members
18. of a committee present, and to have the bill go down on
19. the basis of proxy votes which had been left there. I
20. suggest to you, Mr. President, that if this Body does any-
21. thing it should adopt a rule which prohibits the use of proxy
22. voting in committee. I knew and recognized at the time
23. that I commenced to first talk about this subject that I
24. was perhaps talking to some people who had deaf ears for
25. the subject. I think there are people that have viable
26. and living ears for this subject of proxy voting, and I
27. am absolutely certain that you know whether you vote yes
28. or no on this motion that it would be in the best interest
29. of this Body to adopt a rule which prohibited it. I
30. frankly was willing in the spirit of compromise to make
31. a compromise on the subject, because I knew that the time
32. and temporal circumstances sometimes suggest that a member
33. cannot be in the committee particularly at the end of the

1. Session, when many of you who would ordinarily be in your
2. own committees would be over in the House trying to pass
3. bills that had already passed the Senate, you'd be over on
4. some occasions appearing before committees and on other
5. occasions, trying to line up votes when the bill hit the
6. Floor of the House. So, I was certainly knowledgeable that
7. those circumstances do arise, and in those circumstances I
8. was willing to say, and I am still willing to say that if
9. a person is on the roll call of attendance for a
10. particular committee and then if he finds it necessary
11. to go to another committee or to go to somewhere else on
12. business relating to the legislative process, that he should...
13. then could be able to leave a proxy, at least for the
14. matter under consideration. But now, with the rule that
15. we are now going to adopt, the proxy voting is open.
16. Not only is it open just period, but it's open on a
17. rather irregular and raggedy basis. There are...ought to
18. be a rule it seems to if you were going to say no
19. proxy voting or proxy voting in any event, it ought to
20. be a rule that was embracive of every single committee.
21. It...should not be a rule that varies and alters itself
22. from committee to committee at the caprice and whim of
23. the individual chairman. That to me is a raggedy way
24. of doing business. That to me is a senseless way of
25. operating. If you're going to have proxies, if you're
26. going to outvote this, there ought to be a rule that
27. covers every single committee. It ought not to depend
28. on the...on what the Chairman had for breakfast that parti-
29. cular morning as to whether he's going to have proxies or
30. not going to have proxies. I am very serious. I have
31. never been more serious in my life when I say to you
32. that the proxy system is the scourge of this legislature
33. and the very least we could do is at least delimit it to

1. the considerations that I spoke about in terms of members
2. being on the roll call, leaving to go some other place on
3. legitimate legislative business. I suggest, Mr. President,
4. or I'm asking for a roll call on this motion which would
5. amend the Rules Committee report, to the extent that proxy
6. voting in committees would be prohibited in the Illinois
7. State Senate.

8. PRESIDING OFFICER (SENATOR GRAHAM)

9. Senator Bell.

10. SENATOR BELL:

11. Mr. President, and my eminent colleague on the other
12. side of the aisle, Senator Partee, I'm a new member of the
13. legislature. But I've heard a lot of stories about the
14. 77th General Assembly and really quite complimentary
15. as to how my eminent colleague Senator Partee so ably
16. directed the activities of the 77th General Assembly. And
17. I would like to ask a question for my humble edification.
18. Senator Partee, when your side of the aisle had the leader-
19. ship of this Senate, and you were directing the activities
20. of this Senate, what was your position at that time, sir?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Partee.

23. SENATOR PARTEE:

24. At that time we had proxies. But I would hasten to
25. tell you that Abraham Lincoln said, I'd rather be right
26. some of the time than wrong all the time.

27. PRESIDING OFFICER (SENATOR GRAHAM)

28. Senator Carroll.

29. SENATOR CARROLL:

30. Thank you, Mr. President, members of the Senate. I
31. think nobody would be surprised with the position I will be
32. taking on this issue. It's an issue that I have been
33. pursuing since this Session started and I too was a member

1. of the 77th General Assembly, but served in the other
2. Chamber, in the House. Wherein the proxy that was allowed
3. in that Chamber at that time was merely the proxy of
4. the Presiding Officer, the Speaker of the House. The
5. House sought this year to even go beyond that by way
6. of reform, a reform which was acclaimed by members of
7. the general public as well as members of the other
8. branches of government, and part of that reform was to
9. limit proxies even for the Speaker, and says as Senator
10. Partee has suggested that a proxy if at all allowed,
11. can only be allowed where the member has been there
12. during debate on that bill and then for some reason
13. related to legislative business has to leave before
14. the roll call or during the roll call and therefore
15. leaves a vote as to that bill. I think it would be
16. wrong to say, because it was wrong before that we
17. should continue a wrong Act. I think it's nothing more
18. deplorable than to walk into a committee with witness
19. or without, proponents or opponents, to testify and
20. argue on behalf or against some measure and find the
21. Chamber empty, yea, for two people, one from each side
22. of the aisle and have a vote of ten to eight or what-
23. ever the vote happens to be merely because the holder
24. of the proxy decides one way, and the other elected
25. members did not see fit to attend for whatever reason.
26. I think more clearly our rules had been silent, but
27. they did say that where they were silent and not in
28. conflict we were to go to Roberts Rules. And I would
29. once again merely quote from Roberts Rules of Order
30. as to the situation on proxy voting and I'm quoting under
31. Roberts Rule 46 on page 200 of Roberts Rules of
32. Orders after they have defined what a proxy is, they say,
33. quote, "It is unknown to a strictly deliberative assembly

1. and is in conflict with the idea of equality of members
2. which is a fundamental principle of deliberative assemblies.
3. There can be little use for debate where one member has
4. more votes than another, possibly more than all the others
5. combined. I think it is clear within the concepts of
6. any rules of order that a proxy should not be allowed
7. on debate on a committee just as we would not allow it on
8. debate on the Floor. I urge support for Senator Partee's
9. motion.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Harris.

12. SENATOR HARRIS:

13. Mr. President, I just want to very briefly respond.
14. The point has been made here and of course examples of
15. great distortion of two members holding proxies for both
16. sides is not an accurate portrayal of what has been taking
17. place in this Session. The committee Chairman have been
18. admonished. The matter of proxy voting is a prerogative
19. that has been observed by custom and usage in this Body
20. within the committee for years and years. And I submit
21. that attendance at this Session of committees has been
22. vastly improved on as compared to it's record in the
23. past. This is an issue that we've had great discussion
24. about certainly within our caucus, and I'm certain within
25. the Democrat caucus. The issue is one that we have synthe-
26. sized a position that there are legitimate occasions when this
27. traditional function of the Illinois State Senate should
28. be continued. For these reasons, I am going to move to
29. Table Senator Partee's amendment to the report of the
30. Committee on Rules, and I so move.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. You've heard the motion by Senator Harris, all in
33. favor of the motion will signify...no, I'm sorry, I'm sorry,

1. I had agreed to recognize Senator Netsch and Senator
2. Wooten. I was trying to move upon....Senator Netsch.

3. SENATOR NETSCH:

4. Thank you, Mr. President.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. It's not debatable, is it?

7. SENATOR NETSCH:

8. I am not debating the motion, Senator...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. You're the one that called our attention to it a while
11. ago.

12. SENATOR NETSCH:

13. Senator Graham...

14. PRESIDING OFFICER (SENATOR GRAHAM)

15. Senator Chew, I'm working this out with Senator Netsch.
16. No one has made such a request and..but I'm not going to,
17. Senator. Yes, you were, but this question is not debatable,
18. reminding you again.

19. SENATOR NETSCH:

20. I understand that, and I understand that you are
21. recognizing me because you had so indicated before the
22. motion to Table was made. Is that correct?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. That's the only reason.

25. SENATOR NETSCH:

26. I thank you very much. I just wanted to make a couple
27. of brief comments about the proxy question. In the first
28. place, I think and I've had a peripheral association with
29. the legislature over a period of time. I believe very
30. strongly that the source of the most bitter comments
31. that I have ever heard about the State legislature in
32. Illinois has come from people who have been subjected to
33. the voting by proxy technique. I think it is just not

1. right and fair for us to continue that...that procedure
2. when we know that it presents people who've come to testify
3. on with a (foreign phrase), without any opportunity to
4. really to present their side to those who are in fact
5. casting the vote. Secondly, I think, it suggests something that
6. we really should not be willing to concede at this point
7. in time. And that is that the discussion that takes place
8. in committees is not relevant or important. I agree that
9. there are occasions when someone has to leave a
10. committee, I think a compromise along that line could
11. be worked out. But to suggest that someone who has not
12. been present at all should be allowed to cast a vote, I
13. think makes a mockery of the deliberative process that
14. we like to think that we are involved in. Finally, if I might
15. just address myself briefly to a point that I have heard
16. now made on several occasions. And that is that when the
17. tables were turned last Session, and the Democrats were
18. in a...majority that the same practice prevailed, that is
19. the use of proxy voting. All I can say as a first term
20. and on behalf of at least some of the other first termers,
21. don't visit the sins of the father on the children. We think
22. that it was wrong then. We think that it is wrong now. And
23. we would like to get rid of the entire practice and start
24. with a clean slate. Thank you.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. I am not sure about Senator Wooten. I...Senator Harris
27. had made an indication to me that Senator Netsch would be
28. recognized, and the motion is ready. Is Senator Wooten, I'm...
29. Senator Harris.

30. SENATOR HARRIS:

31. Well, Mr. President, I...I have not withdrawn my
32. motion.

33. PRESIDING OFFICER (SENATOR GRAHAM)

1. Well, then the motion is put, and all in favor of the
2. motion will signify by saying aye. Opposed. The ayes have
3. it, and the motion to Table carries. The question now is
4. shall the Senate adopt the Rules Committee report, and
5. we have a motion in that regard in writing. There is a
6. motion.

7. SECRETARY:

8. Senator Bruce.

9. PRESIDING OFFICER (SENATOR GRAHAM)

10. Senator Netsch, for what purpose do you rise?

11. SENATOR NETSCH:

12. Mr. President, I have a question on another rule,
13. in the temporary, about to be permanent rules. May I
14. address that question to someone appropriate?

15. PRESIDING OFFICER (SENATOR GRAHAM)

16. State your...state your...

17. SENATOR NETSCH:

18. My question was about Rule 20, this was a matter
19. that had been brought up at an earlier date. Rule 20
20. in the temporary rules was not in correct form, it
21. involves so-called emergency voting. It reflected the
22. old Constitution, it does not reflect the current state
23. of events. As I recall that was conceded at an earlier
24. meeting, and I wonder whether that rule had been put in
25. accurate form?

26. PRESIDENT:

27. Senator Netsch, I would respond and say that we
28. did not discuss this definitively although I think the
29. question you raise is appropriate and the matter perhaps
30. could best be handled and I think it should be stricken from...
31. eventually from our permanent rules. But we might consider
32. that at the next meeting of the Rules Committee and
33. incorporate it with the suggestion that Senator Partee has

1. raised about an ambiguity or a paradox...involving the question
2. of striking of the enacting clause. However, you want to
3. proceed on it. I think you are on a valid point, and
4. it could be handled by the...at the next meeting of the
5. Committee on Rules. The question is on the adoption of
6. the Committee...the Rules Committee report. On that question
7. the Secretary will call the roll.

8. SECRETARY:

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

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. Mr. President, I feel impelled to explain my vote to
23. this extent, that I agree with what Senator Netsch said
24. that quite frankly for a freshman, I'm not at all interest-
25. ed in what happened in the last Session in this regard. I
26. would like to serve notice on myself, my party, and the
27. people who elected me, that as long as I am a member of
28. the Senate, God and the citizen of my district willing,
29. I will oppose this. I am assuming in a burst of confidence
30. that the Democrats will be in majority shortly and I
31. will oppose any move on the part of my party to continue
32. the proxy system. And I would urge all my fellow fresh-
33. men, that however you vote, for whatever reasons of

1. discipline, or history, to keep this in mind, that maybe
2. in the next Session we will finally have an opportunity
3. to do away with the practice which is one of the greatest
4. bars to us being a truly responsible and deliberative
5. Body. I vote no.

6. SECRETARY:

7. Mr. President.

8. PRESIDENT:

9. Senator Nudelman. Senator Nudelman, no. On the
10. motion to adopt the report of the Committee on Rules, the
11. yeas are thirty, the nays are twenty-two and the report
12. is adopted. The permanent rules are adopted. We have
13. reached the point for the scheduled time of our committees.
14. The Chair wishes to inform you that we will proceed with
15. one matter of business a Death Resolution. Are there
16. any announcements for the benefit of the other members?
17. Senator Rock.

18. SENATOR ROCK:

19. I just wonder, I just spoke with Senator Soper
20. concerning two bills in Local Government, Mr...if this
21. is an appropriate time, these bills are scheduled for
22. Thursday. I would move that the Committee on Local
23. Government be discharged from further consideration of
24. Senate Bills 1053 and 1054, and that those bills be
25. re-referred to the Committee on Revenue.

26. PRESIDENT:

27. Senator Rock moves to discharge the Committee on
28. Local Government from further consideration of SB 1053
29. and 1054 and be re-referred to the Committee on...Revenue.
30. All in favor signify by saying aye. Contrary nay. The
31. motion is carried, the bills are discharged and re-referred.

32. Senator Partee.

33. SENATOR PARTEE:

1. Mr. President, I move...I rise to seek the removal
2. of a bill from a committee for the purpose of Tabling it.
3. I move that SB 650 be removed from the Committee on
4. Public Health, Welfare and Corrections for the purpose
5. of Tabling it.

6. PRESIDENT:

7. Senator Partee moves to discharge the Committee on
8. Public Health, Welfare and Corrections from further
9. consideration of SB 650 for the purpose of Tabling.
10. All in favor signify by saying aye. Contrary no. The
11. bill is...the motion carries, the bill is discharged.
12. And now on Senator Partee's motion to Table SB 650.
13. All in favor signify by saying aye. Contrary nay. The
14. motion carries, the bill is Tabled. Senator Knuepfer.

15. SENATOR KNUEPFER:

16. I would move, Mr. President, to discharge the
17. Committee on Local Government from SB 956 for the
18. purpose of re-referring it to the Committee on Public
19. Welfare, Health and Corrections. I have talked to
20. Senator Soper about this.

21. PRESIDENT:

22. Senator Knuepfer moves to discharge the Committee
23. on Local Government from further consideration of SB 956
24. and be re-referred to the Committee on Health...Public
25. Health, Welfare and Corrections. All in favor signify by
26. saying aye. Contrary no. The motion carries, the Bill
27. is discharged and re-referred. Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President, some of the committee Chairman have
30. expressed a concern. I think this is something that the
31. Body should deal with, as to what may happen next week in
32. some of our very overburdened committees that may not find
33. it possible to get their bills out, and meeting the dead-

1. line. Are we going to offer them a continuation, or
2. are we ready to deal with it, or are we ready to say to
3. them you work till you get your bills out.

4. PRESIDENT:

5. Well, I...

6. SENATOR GRAHAM:

7. Because our notices in some cases have to be sent
8. out today.

9. PRESIDENT:

10. Well, the Chair has no disposition to...relax the rules.
11. We were cognizant of that at the time, I think it's up to
12. each committee to be under an embargo to be productive,
13. and to limit debate as much as possible so that you can
14. process the amount of legislation in the various committees.
15. That would be my personal response. Senator Latherow.

16. SENATOR LATHEROW:

17. Well, Mr. President, I'd just like to recognize that
18. last week we attempted to contact the sponsors and hear
19. about half of our bills that we had, and many were cancelled.
20. Now, coming into next week at our meeting and a meeting
21. that night, we're not going to be able to hear all those
22. bills on Tuesday. So I wondered if we can have the
23. prerogative to postpone them to a future date those that
24. aren't heard next week, a future date next week.

25. PRESIDENT:

26. Well, it's the prerogative of the Chairman to schedule
27. additional meetings of any committee, which I would re-
28. commend is the solution to this problem that has been
29. raised by Senator Graham and you.

30. SENATOR LATHEROW:

31. ...I'd be glad to put the bills on for next Tuesday
32. and then they cancel them out and we may have them all
33. set for next Tuesday, then they cancel out and we don't have

1. the opportunity to give the six day notice then again,
2. what position are we in?

3. PRESIDENT:

4. You can seek...the opportunity to suspend the rules
5. and waive the notice, if sponsors of bills do not show
6. up to respond to a posted notice, it seems to me that
7. the question of sincerity is legitimately raisable. I...
8. I personally believe that we should make every effort to
9. observe our Calendar of hearing bills and disposing of
10. them in committee by the 12th of May. If we relax that
11. we're just going to continue the greater burden of the
12. Calendar as far as Floor action is concerned. Senator
13. Merritt.

14. SENATOR MERRITT:

15. Mr. President, I certainly would commend you for
16. that action. I think that you've made it very clear to
17. all of us that you set that final day on Friday with the
18. except of two hours in a day for nothing but committee
19. hearings. Now, I know in my committee on Thursday they're
20. posted all to be heard on Friday...we will have a meeting
21. and it states whatever bills are carried over, and I think
22. that that gives us ample opportunity then to get...to meet
23. our deadline.

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. Executive will meet immediately after adjournment.
28. and if you're not going to be there be sure to give me
29. your proxy.

30. PRESIDENT:

31. Senator Graham.

32. SENATOR GRAHAM:

33. I was only going to state that I think that you have

1. answered the problem and answered it for all of us correctly
2. with regard to committees. Where there is...where there
3. is a condition existing where it has been impossible to
4. meet this obligation, then it is the prerogative of that
5. or those persons to prevail upon the will of this Senate
6. to make some...to waive the rules in that respect. And
7. if I took up some of our time, I think we've explained it
8. to all of them at one time, hopefully.

9. PRESIDENT:

10. We have a Death Resolution. Will the members please
11. be in their seats?

12. SENATOR DAVIDSON:

13. Mr. President, Ladies and Gentlemen of the Senate,
14. I'd like unanimous consent to suspend the rules and take
15. up Resolution being presented. This is for Senator
16. Horsley's father, and I'm...I'll have to apologize to the
17. entire Senate for not notifying you yesterday afternoon
18. when I learned of this. Senator Horsley's father
19. passed away Monday and was buried today in Southern
20. Illinois, and if any of you would like to send your other
21. condolences other than the Resolution, please do so.
22. And I'd like consent of all Senators to join me in co-
23. sponsorship of this Resolution.

24. PRESIDENT:

25. Is there leave? So ordered. The Secretary will
26. read the Resolution. Will the members please be in their
27. seats?

28. SENATOR DAVIDSON:

29. Mr. President, I don't...since most of the Senators
30. know Senator Horsley I don't think it will be necessary
31. to read the Resolution.

32. PRESIDENT:

33. On the motion to adopt the Resolution in memory of

1. the father of Senator Horsley, a former member of this
2. Body, all those in favor of the adoption, please rise.
3. The Resolution is adopted. The Senate stands adjourned
4. until 10:30 tomorrow morning.

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