

78th GENERAL ASSEMBLY

May 8, 1973

1. PRESIDENT:

2. Will the Senate please come to order. The prayer
3. will be offered by the Reverend John Bylsma of Kedvale
4. Avenue Christian Reformed Church of Oak Lawn. Reverend
5. Bylsma.

6. (Prayer by Reverend Bylsma,
7. of Kedvale Avenue Christian Reformed Church,
8. Oak Lawn, Illinois)

9. Reading of the Journal. Senator Soper.

10. SENATOR SOPER:

11. Mr. President, members of the Senate, I move that
12. we...that we postpone reading of the Journals of May 1st,
13. 2nd, 3rd, 4th and 7th pending arrival of the printed
14. Journal and the approval thereof.

15. PRESIDENT:

16. Senator Soper moves that we postpone reading of the
17. Journals of May 1st, 2nd, 3rd, 4th and 7th, until the
18. arrival of the printed Journal. All in favor signify by
19. saying aye. Contrary no. The motion is carried. So
20. ordered. Senator Harber Hall.

21. SENATOR HARBER HALL:

22. Mr. President, in the gallery to my left is a class
23. of students from Beason under the capable hands of Mrs.
24. Dan Handlin. Would the class stand and let us take a
25. look at them and welcome them. Thank you Mr. President.

26. PRESIDENT:

27. Committee reports.

28. SECRETARY:

29. Senator Graham, the Chairman of the Committee on
30. Assignment of Bills reports the following assignments.

31. To the Committee on Appropriations, House Bills
32. 559 and 586.

33. Committee on Education House Bills 419 and 584.

1. Committee on Judiciary HB 585.

2. Committee on Local Government House Bills 520,

3. 582 and 583.

4. Senator Knuepfer, the Chairman of the Committee

5. on Public Health, Welfare and Corrections, reports Senate

6. Bills 554, 555, 556 and 947 with the recommendation the

7. bills Do Pass. Senate bills 450, 948 and 1051 with the

8. recommendation the bills Do Pass as Amended. SB 687

9. with the recommendation the bill Do Not Pass.

10. PRESIDENT:

11. Resolution.

12. SECRETARY:

13. Joint Resolution No. 37 by Senator Graham.

14. (Secretary reads Resolution)

15. PRESIDENT:

16. Senator Graham moves the adoption of the adjournment

17. Resolution. All in favor signify by saying aye. Contrary

18. no. The motion carries, the Resolution is adopted.

19. Messages from the House.

20. SECRETARY:

21. (Secretary reads House Message and House Bills)

22. PRESIDING OFFICER (SENATOR MOHR):

23. We'll go to House Bills on 1st reading. Sergeant

24. at Arms, would you ring the bell please and see if we can

25. get into high gear here. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President, members of the Senate, this would

28. be a good time...SB 404, I am listed as co-sponsor. I'd

29. like to have my name removed as a co-sponsor of SB 404.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Is there leave? Your name will be removed. All right,

32. House Bills on 1st reading. Senator Knuppel.

33. SENATOR KNUPPEL:

I'm proud to acknowledge the presence of Central Grade School from Lewistown, Illinois in the balcony. If they'd stand.

PRESIDING OFFICER (SENATOR MOHR):

House Bills, 1st reading, please. HB 288 by Representative Martin. We only have five bills, so if we can act on them, please, and get the sponsor. HB 539, Representative Blades. HB 542, Representative Rigney. HB 647, Representative Stone. ...go to Senate Bills on 2nd reading, gentlemen and if we can have your attention, let's see if we can move. We've got quite a few here to advance, so let's pay attention please. SB 1, Senator Merritt. SB 12 and 15, Senator Newhouse, not on the Floor. SB 55 and 57, Senator McBroom. SB 191, Senator Berning. SB 225, Senator Fawell, SB 298, Senator Smith. SB 321, Senator Berning. SB 337, Senator McBroom. SB 342, Senator Wooten. SB 364, Senator Johns. SB 386, Senator Berning. SB 386, Senator Berning wishes that bill advanced.

SECRETARY:

SB 386 (Secretary reads title of bill)
2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (SENATOR MOHR):

Amendments from the Floor? 3rd reading. SB 404, Senator Graham. SB 441 and 442, Senator Berning. 441, 442, Senator Berning.

SECRETARY:

SB 441 (Secretary reads title of bill)
2nd reading of the bill. The Committee on Local Government offers one amendment.

PRESIDING OFFICER (SENATOR MOHR):

Senator Berning moves the adoption of Amendment No. 1. All those in favor signify by saying aye. Opposed.

1. The amendment is adopted. Any amendments from the Floor?
2. 3rd reading.

3. SECRETARY:

4. SB 442 (Secretary reads title of bill)

5. 2nd reading of the bill. No committee amendments.

6. PRESIDING OFFICER: (SENATOR MOHR)

7. Any amendments from the Floor? 3rd reading. SB 454,
8. Senator Rock. 459, Senator Johns.

9. SECRETARY:

0. SB 459 (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDING OFFICER: (SENATOR MOHR)

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

4. SB 467, Senator Roe.

5. SECRETARY:

6. SB 467 (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER: (SENATOR MOHR)

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

0. SB 468, Senator Roe. SB 473, Senator Nudelman.

1. SECRETARY:

2. SB 473 (Secretary reads title of bill)

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

4. PRESIDING OFFICER: (SENATOR MOHR)

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

6. SB 477, Senator Mitchler. SB 493, Senator Sours.

7. SB 533, Senator Kosinski wishes the bill advanced.

8. SECRETARY:

9. SB 533 (Secretary reads title of bill)

0. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER: (SENATOR MOHR)

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

3. SB 536, Senator Roe. 536, Senator Roe, you want to

1. hold that? 536, no. 546, Senator Keegan. 584, Senator
2. Sours. 588, Senator Buzbee.
3. SECRETARY:
4. SB 588 (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Any amendments from the Floor? 3rd reading.
8. 599, Senator Course.
9. SECRETARY:
10. SB 599 (Secretary reads title of bill)
11. 2nd reading of the bill. The Committee on Transportation
12. offers one amendment.
13. PRESIDING OFFICER (SENATOR MOHR):
14. Senator Course moves the adoption of Amendment No.
15. 1. All those in favor signify by saying aye. Opposed.
16. Amendment is adopted. Any amendments from the Floor?
17. 3rd reading. SB 600, Senator Course. He wishes the
18. bill advanced.
19. SECRETARY:
20. SB 600 (Secretary reads title of bill)
21. 2nd reading of the bill. The Committee on Transportation
22. and Public Utilities offers one amendment.
23. PRESIDING OFFICER (SENATOR MOHR):
24. Senator Course moves the adoption of Amendment No.
25. 1. All those in favor signify by saying aye. Opposed.
26. The amendment is adopted. Any amendments from the Floor?
27. 3rd reading. SB 601, Senator Course. Wishes the bill
28. advanced.
29. SECRETARY:
30. SB 601 (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Transportation
32. and Public Utilities offers one amendment.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Course moves the adoption of Amendment No. 1.
2. All those in favor signify by saying aye. Opposed. The
3. amendment is adopted. Any amendments from the Floor?
4. 3rd reading. SB 602, Senator Course.

5. SECRETARY:

6. SB 602 (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Any amendments from the Floor? 3rd reading.
10. SB 603, Senator Course wishes it called...

11. SECRETARY:

12. SB 603 (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Any amendments from the Floor?

16. SECRETARY:

17. Amendment No. 1 by Senator Course.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Course.

20. SENATOR COURSE:

21. Yes, Mr. President, members of the Senate. This bill...
22. this amendment was agreed upon in the committee...
23. Transportation Committee was recommended by a member
24. of the other side of the aisle, and we agreed to the
25. amendment. And what the amendment does, on page 3 by
26. deleting lines 2 and 4 and inserting in lieu thereof
27. the following "testing engine and driveline components".
28. That's all it does. I move the adoption of the amendment.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Course moves the adoption of Amendment No. 1.
31. All those in favor signify by saying aye. Opposed.
32. Amendment No. 1 is adopted. Any amendments from the Floor?
33. 3rd reading. SB 604, Senator Latherow. SB 615, Senator

1. Berning. SB 660, Senator Regner.
2. SECRETARY:
3. SB 660 (Secretary reads title of bill)
4. 2nd reading of the bill. The Committee on Local Government
5. offers one amendment.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Senator Regner moves the adoption of Amendment No. 1.
8. All those in favor signify by saying aye. Opposed.
9. Amendment No. 1 is adopted. Any amendments from the
10. Floor? 3rd reading. SB 615, Senator Berning. SB 661,
11. Senator Regner. SB 663, Senator McBroom. SB 669,
12. Senator Schaffer. SB 690, Senator Palmer. Did you
13. want that advanced Senator? Senator Palmer, do you
14. want that bill advanced?
15. SECRETARY:
16. SB 690 (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Any amendments from the Floor? 3rd reading.
20. Senator Harris wishes 695 advanced.
21. SECRETARY:
22. SB 695 (Secretary reads title of bill)
23. 2nd reading of the bill. No committee amendments.
24. PRESIDING OFFICER (SENATOR MOHR):
25. Any amendments from the Floor? 3rd reading.
26. SB 707, Senator Latherow. SB 709, Senator Course,
27. advance the bill.
28. SECRETARY:
29. SB 709 (Secretary reads title of bill)
30. 2nd reading of the bill. The Committee on Transportation
31. offers one amendment.
32. PRESIDING OFFICER (SENATOR MOHR):
33. Senator Course moves the adoption of Amendment No. 1.

1. All those in favor signify by saying aye. Opposed.
2. Amendment No. 1 is adopted. Any amendments from the
3. Floor? 3rd reading. SB 749, Senator Rock. SB 782,
4. Senator Hall. Kenneth Hall. SB 797, Senator Regner.
5. All right, Senator Kenneth Hall would like SB 782
6. advanced.

7. SECRETARY:

8. SB 782 (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.

10. PRESIDING OFFICER: (SENATOR MOHR)

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

12. SECRETARY:

13. SB 784 (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.

15. PRESIDING OFFICER: (SENATOR MOHR)

16. Any amendments from the Floor? 3rd reading.
17. Senator Regner, SB 797. 800. Advance 800.

18. SECRETARY:

19. SB 800 (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.

21. PRESIDING OFFICER: (SENATOR MOHR)

22. Any amendments from the Floor? 3rd reading.
23. SB 801, Senator Regner. Advance it.

24. SECRETARY:

25. SB 801 (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER: (SENATOR MOHR)

28. Any amendments from the Floor? 3rd reading.
29. SB 885, Senator Hynes.

30. SECRETARY:

31. SB 885 (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER: (SENATOR MOHR)

Any amendments from the Floor? 3rd reading.
SB 889, Senator Bruce. SB 894, Senator Partee. I'd
like SB 910 advanced.

SECRETARY:

SB 910 (Secretary reads title of bill)
2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (SENATOR MOHR):

Any amendments from the Floor? 3rd reading.
SB 933, Senator Rock. Senator Rock.

SENATOR ROCK:

Yes I would...Mr. President and members of the
Senate I wish to have this bill advanced, but I would
also like the Secretary to change the caption. We are
not establishing the time and place for Sessions of the
Illinois Supreme Court. This is an act in relation to
Supreme Court law clerks, and I would ask that it be
advanced.

SECRETARY:

SB 933 (Secretary reads title of bill)
2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (SENATOR MOHR):

Any amendments from the Floor? 3rd reading.
SB 912, Senator Rock. 993. Do you want to move SB 993
Senator Rock? No. Senator Graham, you're co-sponsor
on SB 1006 with Senator Harris. Do you want to advance
that? Advance 1006.

SECRETARY:

SB 1006 (Secretary reads title of bill)
2nd reading of the bill. No committee amendments.

PRESIDING OFFICER (SENATOR MOHR):

Any amendments from the Floor? 3rd reading.
SB 1007, Senator Knuppel. Advance it.

SECRETARY:

SB 1049
2nd reading
5-8-73

1. SB 1007 (Secretary reads title of bill)

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

3. PRESIDING OFFICER (SENATOR MOHR):

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

5. SB 1049, Senator Rock. I'm sorry that Calendar is

6. in error. It's Senator Wooten right on the Floor.

7. SB 1008, Senator Bartulis. SB 1094, Senator Bartulis,

8. we'll hold that for a minute. Go back to 1049, Senator

9. Wooten.

10. SECRETARY:

11. SB 1049 (Secretary reads title of bill)

12. 2nd reading of the bill. The Committee on Judiciary

13. offers one amendment.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Wooten moves the adoption of Amendment No.1.

16. All those in favor signify by saying aye. Opposed.

17. Amendment No. 1 is adopted. Senator Wooten.

18. SENATOR WOOTEN:

19. Mr. Chairman, I have a 2nd amendment to offer which

20. has been distributed to all the Senators present. It is

21. a further working out of a compromise between the

22. Illinois State Medical Society and the Illinois Hospital

23. Association, the Department of Public Health. It

24. insures that the second trimester abortions...first

25. trimester...second trimester abortions will be performed

26. by a physician in a hospital on an inpatient basis. It

27. corrects some language on page 3, substitution Act for

28. Section and it amplifies the conscience clause in

29. Section 6. I move the adoption of this amendment.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Wooten offers Amendment No. 2. All those

32. in favor of adopting Amendment No. 2 signify by saying aye.

33. Opposed. Amendment No. 2 is adopted. Any

1. amendments from the Floor? 3rd reading. SB 1050,
2. Senator Wooten.

3. SECRETARY:

4. SB 1050 (Secretary reads title of bill)
5. 2nd reading of the bill. The Committee on Judiciary
6. offers amendments numbered one and two.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Wooten moves the adoption of Amendment
9. No. 1. All those in favor signify by saying aye. Opposed.
10. Amendment No. 1 is adopted. Now Senator Wooten offers
11. Amendment No. 2. Senator Wooten moves the adoption of
12. Amendment No. 2. All those in favor signify by saying
13. aye. Do I hear any aye? Opposed. Amendment No. 2 is
14. adopted. Any further amendments from the Floor? 3rd
15. reading. SB 1008, Senator Bartulis.

16. SECRETARY:

17. SB 1088 (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Any amendments from the Floor? 3rd reading.
21. SB 1133, Senator Knuppel.

22. SECRETARY:

23. SB 1133 (Secretary reads title of bill)
24. 2nd reading of the bill. No committee amendments.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Any amendments from the Floor? 3rd reading.
27. SB 1145, Senator Romano. All right now, if I can
28. have your attention we'll go through here one more
29. time. Or perhaps...perhaps we can skip around for
30. those Senators that are here. Senator Latherow.

31. SENATOR LATHEROW:

32. Mr. President I have three that I'd like to
33. move on there. 604.

1. PRESIDING OFFICER (SENATOR MOHR):
2. All right, SB 604, Senator Latherow. Do you want to
3. give us the other number Senator and then we'll be...
4. SENATOR LATHEROW:
5. Pardon.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Give us the other numbers that you're going to
8. call and we'll be ready.
9. SENATOR LATHEROW:
10. 604, 708 and 755.
11. SECRETARY:
12. SB 604 (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.
14. PRESIDING OFFICER (SENATOR MOHR):
15. Any amendments from the Floor? 3rd reading. SB 708,
16. Senator Latherow.
17. SECRETARY:
18. SB 708 (Secretary reads title of bill)
19. 2nd reading of the bill. The Committee on Transportation
20. and Public Utilities offers one amendment.
21. PRESIDING OFFICER (SENATOR MOHR):
22. Senator Latherow.
23. SENATOR LATHEROW:
24. Mr. President, I move the adoption of the amendment.
25. PRESIDING OFFICER (SENATOR MOHR):
26. Senator Latherow moves the adoption of Amendment
27. No. 1. All those in favor signify by saying aye. Opposed.
28. Amendment No. 1 is adopted. Any amendments from the Floor?
29. 3rd reading. SB 755.
30. SECRETARY:
31. SB 755 (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDING OFFICER (SENATOR MOHR):

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

2. Senator Johns.

3. SENATOR JOHNS:

4. Mr. President, I'm going to ask for leave of
5. suspension of the rules to take SB 213, which was placed...

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator, would you hold that until we get into
8. the motions. We'll go through them first and then we
9. can return. Ok. Thank you. Senator McBroom, do you
10. have a bill you wish advanced?

11. SENATOR McBRROOM:

12. I'd like to move 663, Mr. President.

13. PRESIDING OFFICER (SENATOR MOHR):

14. SB 633, Senator McBroom.

15. SECRETARY:

16. SB 633 (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Executive offers
18. oen amendment.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator McBroom moves the adoption of Amendment
21. No. 1. All those in favor signify by saying aye. Opposed.
22. Amendment No. 1 is adopted. Any amendments from the Floor?
23. 3rd reading. Senator Latherow.

24. SENATOR LATHEROW:

25. Did you get 755? Did you get it moved? Ok.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Sours, you had a few bills you wished advanced.
28. Do you want to give us the numbers all at one time and then
29. the Secretary will be ready.

30. SENATOR SOURS:

31. 493, 584, 587, 594.

32. PRESIDING OFFICER (SENATOR MOHR):

33. SB 493, Senator Sours.

1. SENATOR SOURS:

2. The caption...Oh, excuse.

3. SECRETARY:

4. SB 493 (Secretary reads title of bill)

5. 2nd reading of the bill. No committee amendments.

6. PRESIDING OFFICER: (SENATOR MOHR)

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

8. SB 584, Senator Sours.

9. SECRETARY:

0. SB 584 (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDING OFFICER: (SENATOR MOHR)

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

4. SB 587.

5. SECRETARY:

6. SB 587 (Secretary reads title of bill)

7. 2nd reading of the bill. No committee amendments.

8. PRESIDING OFFICER: (SENATOR MOHR)

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

0. SB 594.

1. SECRETARY:

2. SB 594 (Secretary reads title of bill)

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

5. PRESIDING OFFICER: (SENATOR MOHR)

6. Senator Sours moves the adoption of Amendment No. 1.

7. All those in favor signify by saying aye. Opposed.

8. Amendment No. 1 is adopted. Any amendments from the

9. Floor? 3rd reading. Any other Senators have bills

0. they wish advanced from 2nd to 3rd...Senate Bills 2nd

1. to 3rd. Senator Newhouse, you just came in. You have

2. a number of bills. We'll run through this list one

3. more time today, gentlemen. SB 191, Senator Berning.

1. Hold it. SB 225, Senator Fawell. Hold it. Advance it,
2. please. Oh, hold it, I'm sorry. Senator Smith, SB 298.
3. Senator Bruce, SB 889, Senator Bruce.

4. SECRETARY:

5. SB 889 (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.

7. PRESIDING OFFICER: (SENATOR MOHR)

8. Any amendments from the Floor? 3rd reading.
9. Senator Schaffer, SB 669. Senator Partee, 894, you
10. wish that held. Senator Newhouse, SB 917.

11. SECRETARY:

12. SB 917 (Secretary reads title of bill)
13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR MOHR)

15. Any amendments from the Floor? 3rd reading.
16. Senator Newhouse.

17. SENATOR NEWHOUSE:

18. 917 has been moved to 3rd reading.

19. PRESIDING OFFICER: (SENATOR MOHR)

20. That's correct, Senator.

21. SENATOR NEWHOUSE:

22. Mr. President, I was off the Floor. I got held up
23. returning from a committee meeting, and SB 12 and 15
24. have been passed. I wonder if we could move those bills
25. today? Are we planning to go through the Calendar...

26. PRESIDING OFFICER: (SENATOR MOHR)

27. Yes we are. SB... All right, we'll call SB 12.

28. SECRETARY:

29. SB 12 (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.

31. PRESIDING OFFICER: (SENATOR MOHR)

32. Any amendments from the Floor? 3rd reading.
33. SB 15, Senator Newhouse.

1. SECRETARY:

2. SB 15 (Secretary reads title of bill)

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

4. PRESIDING OFFICER: (SENATOR MOHR)

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

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you Mr. President. I apologize, I was
9. engaged when SB 615 was called. I'd like to have
10. that moved.

11. PRESIDING OFFICER: (SENATOR MOHR)

12. 615

13. SECRETARY:

14. SB 615 (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Local Government
16. offers one amendment.

17. PRESIDING OFFICER: (SENATOR MOHR)

18. Senator Berning moves the adoption of Amendment No. 1.

19. All those in favor signify by saying aye. Opposed.

20. Amendment No. 1 is adopted. Any amendments from the

21. Floor? 3rd reading. Any other Senator wish to

22. advance a bill from 2nd to 3rd? Senate Bills from

23. 2nd to 3rd. The Secretary will go to the order of

24. motions.

25. SECRETARY:

26. (Secretary reads Motion in Writing from Senator Johns)

27. PRESIDING OFFICER: (SENATOR MOHR)

28. Senator Johns.

29. SENATOR JOHNS:

30. Mr. President and members of the Senate. This
31. bill was voted out of committee with no recommendation
32. on a unanimous roll call, and it was Tabled much to
33. my chagrin and I ask permission of the Body to take

1. this from the Table, SB 213 and place it on 2nd reading.

2. I ask for suspension of the rules.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Johns asks to suspend the rules. I...I'm...
5. He's requesting...

6. SENATOR JOHNS:

7. 213, SB 213.

8. PRESIDING OFFICER (SENATOR MOHR):

9. SB 213 taken from the Table and put on the Calendar
10. in the order of 2nd reading. Any objection? Leave.

11. Senator Johns, Senator Sours has a question on that bill,
12. would you explain it?

13. SENATOR JOHNS:

14. Yes sir. SB 213, Senator Sours, is the appropriation
15. for Deaf School in Southern Illinois. It's a bill that
16. I passed last Session. This particular bill deals in
17. a very sparsely settled part of the country. We have
18. twenty-four school districts in sixteen counties sending
19. children to this particular little area where they go
20. to school in a church. We're trying to build a wing on
21. a present facility.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Sours.

24. SENATOR SOURS:

25. What was the committee action on that Senator?

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Johns.

28. SENATOR JOHNS:

29. Senator Sours, it was a nineteen yeas, to report
30. this bill out without recommendation. That's...I'm
31. reading from the Senate...Secretary of the Senate's
32. file.

33. SENATOR SOURS:

1. And...and did that automatically put it on...on
2. the Table without recommendation.

3. SENATOR JOHNS:

4. Well, Senator it did, according to Secretary of
5. the Senate Fernandes. But it was much to my amazement
6. as well as Senator McBroom that it did. That was not
7. our intention. The intention was not to kill the bill,
8. but to study it further and to make sure that it was in
9. satisfactory form for acceptance.

10. SENATOR SOURS:

11. Well, doesn't this appropriate about \$725,000 for
12. a school district. The only one in the State...in your
13. Senate district?

14. SENATOR JOHNS:

15. Senator Sours, I might explain this to you. It
16. does that but we have twenty-four school districts,
17. utilizing this one little church room, and we have
18. fifteen counties injoining...in joint agreements, what
19. we call agreement cooperatives, and this would serve
20. over a hundred school districts, eventually, and it could
21. right now, because there may be only one or two children
22. from a county that drives to that particular facility
23. each day, you see.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Sours.

26. SENATOR SOURS:

27. Well, I...certainly don't want to be the only one
28. opposing this, but it seems to me that we're now, just
29. ignoring the action of the committee. We either believe
30. in the system or we don't.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Ozinga.

33. SENATOR OZINGA:

1. I wonder if the Senator would yield to a question.

2. SENATOR JOHNS:

3. Yes, sir.

4. SENATOR OZINGA:

5. Isn't there similar legislation being prepared or
6. in the process or somewhere along the board by the Office
7. of Superintendent of Public Instruction on this very same
8. subject matter?

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Johns.

11. SENATOR JOHNS:

12. Senator Ozinga, I understand from the Superintendent
13. of Public Instruction this particular school could become
14. a model for the implementation of an overall program, but
15. it will take millions of dollars and many years to put
16. this into effect. It will require a great deal of leg-
17. islation and study. But these children are now thrown
18. into a church classroom five days a week and then they're
19. thrown out of that classroom on the weekends. They drive
20. sixty miles each day one way to attend.

21. SENATOR OZINGA:

22. I...I realize that, except that...I thought, or have
23. been informed that there is similar type legislation and
24. that the reason that this came out with a no recommendation
25. was to see what the other bills were doing with regard
26. to that and that it would lay on the Table until such
27. time as they got a chance to take a look-see.

28. SENATOR JOHNS:

29. Senator Ozinga, you evidently have better contact
30. with the OSPI than I do...

31. SENATOR OZINGA:

32. I don't have any contact with them.

33. SENATOR JOHNS:

1. Well, I have none either, sir and I'm really a
2. little bit concerned that no one from that office has
3. ever approached...I hear it from Representative Hart
4. who helped me sponsor this bill last year, and the bill
5. is...is in dire need of passage. It means so much to
6. so many young children at the age of two and a half to
7. four. You see, Senator the present...Don, forgive
8. me, right now the State of Illinois will not take
9. these children until they're four and a half years of
10. age. They take them from their homes and take them
11. to Jacksonville, and this gives an institutional sort
12. of a psychological drawback. Right now these children
13. are able to mingle with their families, during the day.
14. They're not torn from their mothers at two and a half
15. to three and a half years of age.

16. SENATOR OZINGA:

17. Well, now this is only the appropriation, is it not.

18. SENATOR JOHNS:

19. That is right, sir.

20. SENATOR OZINGA:

21. Well, where is the other bill?

22. SENATOR JOHNS:

23. I do not know. I have never heard of it, sir.

24. SENATOR OZINGA:

25. Well now, I mean the bill that this appropriation
26. is for, to set up the school.

27. SENATOR JOHNS:

28. Well this is the bill that I'm talking about SB 213.

29. SENATOR OZINGA:

30. If this doesn't...this is merely...I thought that
31. this was only an appropriation bill.

32. SENATOR JOHNS:

33. Well sir the ...the school is already going on.

1. We're just wanting to build a classroom on the...on a
2. present building so that these children can mingle
3. with normal children and feel that they're part of every-
4. day society. They'll use the same cafeteria, the same
5. playground. Right now they have nothing. They're...
6. they're set aside, they're really being mistreated.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Now, we...a number of Senators who want to speak.
9. We'll go by the numbers. Senator McBroom is number one.

10. SENATOR MCBROOM:

11. Well, Mr...could we have just a little order, Mr.
12. Chairman, apparently several people are interested in
13. this end it's rather noisy. Well Mr...

14. PRESIDING OFFICER (SENATOR MOHR):

15. A little order, please.

16. SENATOR MCBROOM:

17. Senator Mohr, Senator Ozinga and Senator Sours,
18. this bill I think is like too many matters come before
19. the General Assembly. I think a good argument could
20. be presented in favor of it and a good argument could
21. be presented in...in opposition to this particular measure.
22. I think the...a good many members, Senator Ozinga and
23. Senator Sours were inclined to kill this bill when it
24. came before the Senate Appropriation Committee. Upon
25. listening to the testimony, some of us apparently on
26. a roll call of nineteen to nothing were persuaded with...
27. with mixed emotions, if I'm...I'm helping any. And
28. we moved, Senator Mohr moved and I believe Senator
29. Nimrod seconded it that the bill come out of committee
30. with a motion to go to the Secretary's desk. Now, some
31. of us were not aware according, and I believe I'm
32. quoting Mr. Fernandes correctly that the rules provide
33. for no such motion. And it came out without recommendation

1. and...and was therefore Tabled. Now, I think I told
2. Senator Johns that I don't know what I'm personally
3. going to do if this bill finally reaches 3rd reading.
4. But I think that whatever is necessary to comply with
5. our agreement in committee should be afforded Senator
6. Johns now. And his request was that the bill come
7. out and rest on the Calendar on...on the Secretary's
8. desk. I certainly have no objection to that. That was
9. the intent on a vote of nineteen to nothing in the
10. committee, I think we ought to go that far and then
11. see what happens after...after that transaction takes
12. place. Now, what I...I would so move, if I could get
13. some guidance on the necessary motion, or is...is there
14. a motion pending. There's a motion pending? What is
15. the present motion, Mr. President?

16. PRESIDING OFFICER (SENATOR MOHR):

17. The motion is to take SB 213 from the Table and
18. put it on the order of 2nd reading.

19. SENATOR MCBROOM:

20. Senator Johns, will you agree to hold that bill
21. on 2nd reading until we can get some more dialogue on
22. it?

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Johns.

25. SENATOR JOHNS:

26. I welcome that Senator McBroom, because as I...this
27. is the only bill that I've ever asked any expenditure
28. whatsoever from this General Assembly since I've been here.
29. And I feel that it is such necessity that I welcome the
30. opportunity to work with you and to put this thing
31. in proper shape for passage.

32. PRESIDING OFFICER (SENATOR MOHR):

33. I have two more...three more Senators who would like

1. to speak on this if you can...Senator McBroom.

2. SENATOR MCBROOM:

3. The agreement...the agreement in committee Gene
4. or Senator Johns was that it should go on the Secretary's
5. desk, and I...I think that to get some some...to expedite
6. things on this side of the aisle, I suggest that that
7. ought to be your motion and then we'll see what tomorrow
8. brings. That's only one...one members suggestions.

9. PRESIDING OFFICER (SENATOR MOHR):

10. I'm informed that that motion is not in order,
11. that it would have to go to 2nd reading Senator.
12. All right that motion is in order. Take it from the
13. Table and put it on the Secretary's desk. Senator
14. McBroom makes that motion, 2nd by Senator Ozinga.

15. Senator Soper.

16. SENATOR SOPER:

17. Mr. President, Senator Johns, now from some of the
18. things that you've said, are we lead to understand
19. that this...this is the input from about you say twnty-
20. five or thirty school districts, to this little school?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Johns, put him on.

23. SENATOR JOHNS:

24. Senator Soper, you are absolutely right. Right now,
25. twenty-four districts are working a joint agreement
26. in support of this one little church room that these
27. children are using. Fifteen counties are now enjoined
28. in cooperative agreements. There's a possibility of a
29. hundred school districts...

30. SENATOR SOPER:

31. All right. All right. Now just one question at
32. a time, don't you. You know I don't want to go through the
33. whole thing. But now, if that's so, now you also state

1. that these children are two and a half and three years
2. old. Are they older than two and a half also?

3. SENATOR JOHNS:

4. Some...some are, yes sir.

5. SENATOR SOPER:

6. All right, now if they are then...then the school
7. districts are allowed to appropriate money from each school
8. district and send it to this special school. There's
9. an Act in the State of Illinois that allows this where you
10. don't have special education. Now why do you need this
11. extra money, and another question before you go into dialogue
12. on this answer. How has this school been funded before you
13. asked for this money? Now, how long has it been existence?
14. Just one at a time. Just a couple of dates and a yes or
15. a no.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Johns.

18. SENATOR JOHNS:

19. The school has been in existence since about 1969.
20. Each district is supporting the child that it sends to
21. that particular school...

22. SENATOR SOPER:

23. So they've been receiving money from each school
24. district to support the child. Right?

25. SENATOR JOHNS:

26. In cooperations.

27. SENATOR SOPER:

28. Yeah, so that's the way it's been funded.

29. SENATOR JOHNS:

30. Yes sir.

31. SENATOR SOPER:

32. Now, why do you need this money?

33. SENATOR JOHNS:

1. All right sir. This particular room, if you...
2. if you could do the research that I have sir, and I hope
3. I have done it for you. The deaf children require
4. special equipment. Their equipment must be maintained
5. at a certain humidity in order to be effective. It has
6. to have one side of the room, for example, a hard surface,
7. the other side must be muted with carpets so that the
8. reverbations that they must hear are...

9. SENATOR SOPER:

10. Senator Johns, I understand that. Now, there is
11. a way to do this from each school district, and there
12. are funds in the State of Illinois for special equipment
13. for schools of this sort, so why do you need a special
14. bill?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Johns, would you hold your reply? Senator
17. McBroom, for what purpose do you...

18. SENATOR MCBROOM:

19. Senator Soper, I don't know if I can answer your
20. question, but I think...I think that the...the thrust of
21. the matter is simply what we all read about when we read
22. about Southern Illinois, too much geography and too few
23. people, and this is the only way to get it done. That's
24. the...I think that is...was the selling point on many
25. of us who were inclined to kill the bill when we agreed
26. to let it out of committee on the Secretary's desk.
27. There's just too much geography and too few people.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Gentlemen, we have a motion to second. Senator
30. Fawell.

31. SENATOR FAWELL:

32. I would like to second what Senator McBroom has
33. indicated. I know in committee it was brought out by

1. the school districts who are concerned here in response
2. to Senator Soper's inquiry which I think is a sound one
3. also. These districts have basically utilized their power
4. insofar as special education for construction purposes
5. that is in regard to the handicapped children in general.
6. This is a specific request that deals only with the deaf,
7. and the...the funds by referendum that for special
8. education cooperative districts are being utilized, I
9. believe at least by the majority of these districts. So
10. this is a special request. In the last Session, Senator
11. John Gilbert was the sponsor of this bill and I believe it
12. passed out of the Senate and we...we discussed it at
13. length at that time too, but the...if this is to be
14. done, if this is the only way it can be done, although
15. Senator Johns did indicate to our Education Committee
16. that if it got to 2nd reading there would be amendments
17. so that in effect, the ownership of this building would
18. be under a joint agreement entity so that all of the
19. districts involved would...would own it rather than just
20. having one particular district. And I...I'm assuming that
21. type of amendment can be set forth, if it does reach
22. 2nd reading.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Hall.

25. SENATOR KENNETH HALL:

26. Thank you Mr. President, members of the Senate. I
27. rise in support of this. As the Senators told you in our
28. Education Committee that we discussed this bill and we
29. gave it a Do Pass motion. Now, my understanding and
30. Senator Johns can correct me, that this school at present
31. is being held in a church, and some of these children are
32. bused over a hundred miles each way. So the reason for
33. this is to give them, to add a room onto a public school,

1. and give these children an opportunity to play and visit
2. and go along with other people. Is that right, Senator
3. Johns? So I'd urge your support for this bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Saperstein.

6. SENATOR SAPERSTEIN:

7. This bill was as Senator Fawell said heard before
8. the Education Committee. The testimony was very effective..
9. It proved a great need and it came out of the Education
10. Committee with a most favorable recommendation. I urge
11. your support.

12. PRESIDING OFFICER (SENATOR MOHR):

13. The motion is to take SB 213 from the Table and
14. place it on the Secretary's desk. Any further discussion?
15. The Secretary will call the roll. Unless...can we do
16. that by a voice vote? All those in favor of taking SB 213
17. from the Table and placing it on the Secretary's desk
18. signify by saying aye. Opposed. The ayes have it.
19. Gentlemen we're going to go to Senate Bills, 3rd, pick
20. up where we left off yesterday and hopefully get through
21. the Calendar, so all bills will have been called a first
22. time. ...one is SB 388, Senator Nudelman. SB 388,
23. Senator Nudelman.

24. SECRETARY:

25. SB 388 (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Nudelman.

29. SENATOR NUDELMAN:

30. Mr. President, Ladies and Gentlemen of the Senate,
31. this bill is a bill which was suggested by the Department
32. of Insurance to provide for the statute to comply in effect
33. with the procedure used by the Department in causing licensees

1. to register changes of address, corporate...corporate
2. licensees to register changes of business addresses, and...
3. and individual and partnerships to change...register
4. a change of home address within thirty days of such
5. change. I would request favorable consideration. There's
6. nothing startling about the bill one way or another.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Any further discussion? The question is shall
9. SB 388 be passed. The Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Newhouse aye. Senator Shapiro aye.
23. On that question the yeas are forty-eight, the nays
24. are none, the bill having received a constitutional
25. majority is declared passed. SB 389, Senator Nudelman.
26. Senator Nudelman.

27. SECRETARY:

28. SB 389 (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Nudelman.

32. SENATOR NUDELMAN:

33. Mr. President, Ladies and Gentlemen of the Senate,
this is another bill proposed by the Department of Insurance.

1. This would provide agents and representatives of
2. fraternal organizations...excuse me, agents and representa-
3. tives of fraternal organizations selling insurance to
4. members and others would be required to be licensed.
5. Presently, they are not. There's a grandfather clause
6. in here, which would exempt those presently so engaged,
7. and there's another clause in here which would not
8. require those doing it, selling on part-time basis to
9. be required to be licensed. I would request your support
10. of this bill as well.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Any further discussion? The question is shall
13. SB 389 pass. And on that question the Secretary will
14. call the roll.

15. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Hall, Harber Hall. Senator Latherow, aye.
28. Senator Bartulis, aye. Senator Berning, aye. Senator
29. Hynes, aye. On that question the yeas are forty-nine,
30. the nays are none. The bill having received a constitutional
31. majority is declared passed. Senator Harber Hall.

32. SENATOR HARBER HALL:

33. Well, Mr. President, from time to time, it's rumored

1. that the County of McLean in central Illinois is not
2. represented by residents who are Democrats. That isn't
3. quite right and I would like to have the Body meet today,
4. a group of Democratic Ladies from McLean County who are
5. here to see us in operation. Distinguished group sitting
6. in the President's gallery and also in the back. Would
7. they please rise and be recognized? It's also rumored,
8. Mr. President that they invited one Republican lady to
9. join them and I think they...it shows the ecumenical spirit,
10. that can be expected from McLean County and the represen-
11. tatives from McLean County.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator, the question was asked from the other
14. side of the aisle, are these Democrats for Senator Hall?
15. I couldn't answer that. Definitely no. SB 390, Senator Nudelman.

16. SECRETARY:

17. SB 390 (Secretary reads title of bill)
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Nudelman.

21. SENATOR NUDELMAN:

22. Mr. President, Ladies and Gentlemen of the Senate,
23. this is the third of a series of three bills which I
24. am presenting today. This was submitted by the Department
25. with the support of the industry and the effect of this
26. bill would be to do away with the solicitor as related
27. to agent or broker and all solicitors would be required
28. to become agents or brokers. There's a very small number
29. of them. They perform the duties of agents and brokers,
30. and both the State and the industry feel they should be
31. licensed as such. I request your favorable consideration.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Any further discussion? The question is shall SB 390

1. pass. And on that question the Secretary will call
2. the roll.

3. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR MOHR):

15. Renger, aye. Buzbee, aye. On that question the
16. yeas are forty-eight, the nays are none. The bill
17. having received a constitutional majority is declared
18. passed. SB 392, Senator McBroom.

19. SECRETARY:

20. SB 392 (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator McBroom.

24. SENATOR MCBROOM:

25. Mr. President, Members of the Senate, SB 292, wait
26. a minute, 392, we got the wrong number up there. Mr. Chairman...
27. Mr. President, SB 392 is...is a bill that the Illinois Dental
28. Association wants. As I understand it now Mr. President if
29. an individual goes and has dental work done, and if he has
30. a complaint about the type of work that was done, or
31. the amount of charges, he can go back to the dentist and
32. attempt to resolve. If they can't get it resolved,
33. they go to a dental peer group who attempt to make

1. an adjustment between the client and the dentist. Now,
2. it's been difficult to get individuals to serve in this
3. nonpaying capacity because they're frightened of a civil
4. suit. This would circumvent that, Mr. President. I don't
5. think it's controversial. It came out of committee
6. with one dissenting...with one dissenting vote. I
7. appreciate a favorable roll call.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Any further discussion? Senator Davidson.

10. SENATOR DAVIDSON:

11. I just like to add support to this a bill, because this
12. is a problem which all professional groups have under
13. the PSROS which is now mandatory under the guidelines under
14. Medicare and Medicaid. And I'd urge everybody a favorable
15. vote.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? The question is shall SB 392
18. pass, and on that question the Secretary will call the
19. roll.

20. SECRETARY:

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

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Saperstein, aye. Knuppel, aye. Romano,
33. aye. On that question the yeas are forty-seven, the

1. nays are none. The bill having received a constitutional
2. majority is declared passed. There are some members
3. that arrived late this morning, so you know the agenda,
4. we picked up where we left off yesterday. We're on
5. 3rd reading, SB 388. We're going to go through all of
6. the bills that have been on the Calendar for more than
7. a week, and then we will start all over, hopefully.
8. We are going to work until 2:00 today, and I do want to
9. compliment the members here this morning for their
10. attention. We're starting to move, and that's always
11. a good thing. Senator Don Moore, or I'm sorry. Senator
12. Don Moore, SB 394.

13. SECRETARY:

14. SB 394 (Secretary reads title of bill)
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Don Moore.

18. SENATOR DON MOORE:

19. Thank you Mr. President, members of the Senate.
20. On SB 394, it came to me from Mr. Peter Pappas
21. of the Secretary of State's Office, it's a very simple
22. bill. It requires the Library Boards of the public library
23. districts to determine and report to the County Clerks
24. the total amount of taxable property in each county that
25. the district may lie in and thereby this enable the
26. County Clerks of each County to properly extend the
27. library taxes upon the real estate located in their
28. respective counties. It is a problem that has come up
29. where a library district is in two counties and there
30. is not any way of ascertaining the taxable property of
31. each, this puts it upon the board to notify the
32. County Clerk of each county. I know of no objection,
33. I'd appreciate a favorable roll call.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Any further discussion on SB 394? The question is
3. shall SB 394 pass, and on that question the Secretary
4. will call the roll.

5. SECRETARY:

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

16. PRESIDING OFFICER (SENATOR MOHR):

17. Hynes, aye. Course, aye. On that question the
18. yeas are forty-four, the nays are none. The bill having
19. received a constitutional majority is declared passed.
20. For what purpose does Senator Course arise?

21. SENATOR COURSE:

22. Point of personal privilege, Mr. President. To my
23. rear, on both sides of the entrance are one hundred students
24. from St. Hyacinth Catholic School which is located in
25. the Seventeenth Senatorial District. And I'd like the
26. group to stand and be recognized, and I...And Mr.
27. President, I'm especially proud of the...one of the
28. teachers with the group. Is Joe Schmellick. Joe is a
29. graduate of Northeastern University, and I'm very happy
30. that I was able to give him a scholarship to attend the
31. University, and he graduated with honors. Thank you.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Thank you Senator. SB 395, Senator Don Moore.

1. SECRETARY:

2. SB 395 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Don Moore.

6. SENATOR DON MOORE:

7. Thank you Mr. President, members of the Senate.

8. This is another bill from the Secretary of State. At

9. present there is no provision in the Library Act which

10. states what happens to libraries in the event of a

11. merger of a city, village, incorporated town, townships

12. and so forth. There is no provision in the present law.

13. What this bill does is to set up the procedure by which

14. when two municipalities merge as to what happens to their

15. library districts, and so forth. I know of no objection

16. to the bill, and I'd appreciate a favorable roll call.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Any further discussion? The question is shall SB 395

19. pass, and on that question the Secretary will call the

20. 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, Ozinga,

28. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,

29. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,

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

31. Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Dougherty, aye. Senator Kenneth Hall, aye. Senator Soper,

1. aye. On that question the yeas are forty-eight, the
2. nays are none. The bill having received the constitutional
3. majority is declared passed. SB 400, Senator Fawell.

4. SENATOR FAWELL:

5. Mr. President, members of the Senate, I do have
6. an amendment which I would like to affix to SB 400, so
7. at this time I would ask for unanimous consent to have
8. the bill put back on the order of 2nd reading for the
9. purposes of affixing an amendment to it.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Fawell would bring back SB 400 to the
12. order of 2nd reading for the purposes of amendment.
13. Amendment No. 1. Would you explain your amendment?
14. Does he have leave? All in favor of returning the
15. order of 2nd reading, signify by saying aye. Opposed.
16. So ordered, back to 2nd reading. Senator, would you
17. explain your amendment.

18. SENATOR FAWELL:

19. Yes, the amendment simply states that if in the
20. publication of giving notice as to the filing of petitions
21. for nomination for board members of park district, the
22. failure to give notice required does not affect
23. the validity of the election which may be subsequently
24. held. And it's requested by the park district association,
25. I move the adoption of Amendment No. 1.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Kenneth Hall.

28. SENATOR KENNETH HALL:

29. Senators, just for my own clarification of this,
30. now that, I understand now that the park district
31. members can file for office and it doesn't have to be
32. published. Is that correct?

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Fawell.

2. SENATOR FAWELL:

3. The...No, it does not, nor does this bill require it.
4. The bill, SB 400 simply requires that the secretary of
5. the park district give the people notification of the
6. dates during which petitions for nomination may be filed.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Hall.

9. SENATOR KENNETH HALL:

10. Well, just so that I'm trying to get this straight
11. in my mind. In my district last time, the members of the park
12. district, there was no notification and when the people
13. who wanted to file for office found out and when they were
14. ready to file, the filing date was closed. Now will that
15. still remain the same way?

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Fawell.

18. SENATOR FAWELL:

19. No, in fact it's the purpose of the bill is to rectify
20. that situation.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Any further discussion? Senator Rock.

23. SENATOR ROCK:

24. Well, speaking just to the amendment, I...we are
25. on the one hand saying that you have to give notice
26. and on the other saying that you don't have to give notice
27. cause it doesn't have anything to do with the validity.
28. I don't frankly understand the purpose of the
29. amendment.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Fawell.

32. SENATOR FAWELL:

33. Well, it's a good question. But, it doesn't quite do

1. that. The mandate to publish is still there. But
2. the feeling of many park districts is that there are
3. so many ways in which the publication could be imperfect
4. in one way or the other. Especially when you're figuring
5. on what particular days you are to file, etc. That
6. although they want the park districts to be mandated
7. to give the public notice to the people, they do not want
8. the imperfection of any such publication to necessarily
9. mean that the petition is imperfect or that the subsequent
10. election of that person would be called imperfect. So
11. in...in a sense, it...it removes what might be a
12. detrimental effect of a failure to do it or an imperfect
13. procedure. But the feeling is that if...if we did not
14. make it clear that an improper filing would not have
15. the effect of nullifying the petition, the subsequent
16. petition or the election of the person if he is
17. elected, that we could have a great deal of problems
18. in regard to quo warranto proceedings later.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Partee.

21. SENATOR PARTEE:

22. Well, maybe there's something I don't understand
23. about this, but this strikes me as government by spoon-
24. feeding. You know, it just seems to me to complicate
25. problems for those if when we get into this publication
26. business, if a person wants to run for a political
27. office, is there any reason why he can't go down to
28. the park district and find out by asking when there's
29. going to be an election, and what the requisites are for
30. qualifying for that election. There's no reason why a
31. person can't do that if he has any genuine interest.
32. This is government by spoon-feeding.

33. SENATOR FAWELL:

1. Well, may I...May I respond by stating there are
2. an awful lot of people who feel that in the rush of the
3. times in which we live and the many elections which are
4. coming and going that the ordinary citizen is not aware
5. of the periods for filing petitions until often times
6. they have gone by. This simply has the park district
7. obligated to give the publication to let the people
8. know that...that on a certain time they have the right
9. to file these petitions.

10. SENATOR PARTEE:

11. Well,...

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Partee.

14. SENATOR PARTEE:

15. Maybe that's so, but if the person who doesn't have
16. enough interest to find out in the first place is not
17. going to read the publication in the second place. So
18. I just don't think it's going to be helpful, that's
19. just my attitude.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Nimrod.

22. SENATOR NIMROD:

23. Mr. President, on this particular subject I happen
24. to agree with Senator Partee since there are a number of
25. other elections there involved and we're only talking
26. about park district commissioners. How about notices
27. for all the others, when petitions have to be filed?
28. If we do this, then we're going to have hundreds and
29. thousands of publications, a waste of money and really
30. the thing is that there is really no need to single
31. out one particular group. Now there was a reason why
32. park commissioners, in fact I know that the park
33. commission elections are held on different days, but

1. if we're going to have this consolidation bill, which is
2. going to take care of elections and bringing them all
3. together, then this is certainly going to eliminate
4. that particular problem which exists in all these
5. communities where you vote on Tuesdays and Saturdays
6. and different dates. But if we're going to have the
7. consolidation of dates then why have this bill that's
8. going to provide something different. The filing of
9. notices for those people will be the same. Park Commission
10. the same as any other office. And I would think
11. this really a duplication and a waste even though
12. the attempt to do it is worthy and worthwhile, I do
13. not think that this will solve the problem.

14. PRESIDING OFFICER (SENATOR MOHR):

15. The question is shall Amendment No. 1 be
16. adopted. All those in favor of adoption of Amendment
17. No. 1 signify by saying aye. Opposed. Amendment No. 1
18. is adopted. Any further amendments? 3rd reading.
19. ...403, Senator Partee.

20. SECRETARY:

21. SB 403 (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Partee.

25. SENATOR PARTEE:

26. Mr. President, and members of the Senate. As many
27. of you know, the Economic and Fiscal Commission was perhaps
28. an outgrowth of the old Budgetary Commission. I think
29. it serves a rather responsible function, Senator Harris
30. as it's chairman has, in my opinion, done a very excellent
31. job. And this bill of course just requires the head
32. of each agency of the executive branch, except the
33. elected officials, to submit an annual report each

1. year to the Economic and Fiscal Commission. With this
2. information the Economic and Fiscal Commission will be
3. able to make judgments and to make recommendations to
4. the general legislature. I know of no opposition to
5. this bill, and I would appreciate a roll call.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any further discussion? The question is shall
8. SB 403 pass and on that question the Secretary will
9. call the roll.

10. SECRETARY:

11. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
12. Chew, Clarke, Conolly, Course, Daley, Davidson,
13. Donnewald, Dougherty, Fawell, Glass, Graham, Harber
14. Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
15. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
16. Mitchler,

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Mitchler.

19. SENATOR MITCHLER:

20. Before casting my vote Mr. President, I'd like to
21. ask the sponsor a question. Is this report that is
22. going to come from the agency, Senator Partee, going
23. to be on 8 x 10 paper that's recycled with five or
24. three holes punched in each side?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Partee.

27. SENATOR PARTEE:

28. It's optional, in a mandatory sort of way.

29. SENATOR MITCHLER:

30. In that case, I'll vote aye.

31. SECRETARY:

32. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
33. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,

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

4. PRESIDING OFFICER (SENATOR MOHR):

5. Schaffer, aye. On that question the yeas are
6. forty-six, the nays are none, one voting present.
7. The bill having received a constitutional majority
8. is declared passed. SB 406, Senator Walker.

9. SECRETARY:

10. SB 406 (Secretary reads title of bill)
11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Walker.

14. SENATOR WALKER:

15. Thank you Mr. President. With the enactment of
16. the various health and safety acts, both State and
17. Federal, it's possible that citations might be issued
18. against an employer for alleged violations of these
19. acts. In many instances employers may voluntarily
20. make a payment of a penalty in administrative review
21. or by reason of judicial assessment. In the event
22. that any employee is injured, and alleges an act of
23. omission of the employer was the cause of his injury
24. or damage, should be determined only by the trier
25. of fact. The bill had a very favorable vote in
26. committee and I would appreciate a favorable vote.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Any further discussion? The question is shall
29. SB 406 pass. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, this bill would in no way infringe
32. on any rights of the Health and Safety Act and I
33. think that this protection which Senator Walker asks

1. for is very necessary and proper in the legal procedure.

2. And it would not interfere in any way with the other
3. procedures required by the Federal Statutes. I would
4. urge the support of this bill.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Buzbee.

7. SENATOR BUZBEE:

8. Mr. President, I wonder if the sponsor would yield
9. to a question?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Sponsor will yield.

12. SENATOR BUZBEE:

13. I don't quite understand Senator Walker, is this
14. to...to repay the person who was injured or to repay
15. the employer when there has been a false claim made
16. against him.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Walker.

19. SENATOR WALKER:

20. Neither Senator Buzbee. This...the...the quilt
1. advantage should be by the trier of the facts, in other
2. words if it's a negotiated settlement or something like
3. that, that can't be brought in.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Buzbee. Any further discussion? Senator Bruce.

6. SENATOR BRUCE:

7. Well, I just wonder if the sponsor would just
8. tell us what exactly is the purpose of the bill. What...
9. what do you propose to effect by this because it seems
0. you change in someway the evidentiary requirements.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Walker.

3. SENATOR WALKER:

1. Any previous voluntary payment, Senator Bruce,
2. or judicial assessment based upon a charge of violation
3. of the Health and Safety Act should not be prima facie
4. evidence of negligence in the trial of the action to
5. recover. And that's about the only answer I can give
6. you to it.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Hynes. Senator Bruce, do you have another
9. question?

10. SENATOR BRUCE:

11. Well, my question is is it not now prima facie
12. evidence if you can prove a violation that negligence
13. is involved, and you have to prove the negligence, you're
14. putting a pretty severe burden on the employee.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Walker.

17. SENATOR WALKER:

18. No more than on the employer.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Bruce, any other question?

21. SENATOR BRUCE:

22. ...Answer to the question that it would place a
23. different burden on the employee.

24. PRESIDING OFFICER (SENATOR MOHR):

25. He did answer...

26. SENATOR WALKER:

27. No. No it wouldn't.

28. SENATOR BRUCE:

29. Well, my only comment that I am fearful of this
30. piece of legislation. I...I know no reason for it.
31. What it does is put a severe burden on the employee to
32. prove negligence in a case where there has been a violation
33. of the Federal Occupational Health and Safety Act. And

1. I would urge a no vote.

2. SENATOR WALKER:

3. Mr. President, members of the Senate, not in any
4. manner. This bill just provides that if there is a
5. negotiated settlement, that that's not prima facie
6. evidence. That it has to be decided by the trier of
7. the facts, and that's all the bill does, it's patterned
8. after bills, similar bills in other states.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Hynes.

11. SENATOR HYNES:

12. Now, Mr. President, would the sponsor yield to
13. another question?

14. PRESIDING OFFICER (SENATOR MOHR):

15. He indicates he will.

16. SENATOR HYNES:

17. You...you indicated Senator that this bill simply
18. provides that a finding in a civil or a criminal case
19. of a violation of the act will not in any way be prima
20. facie evidence of negligence. That's all it does. Why
21. should we adopt such a policy? What makes this bill
22. desirable? Why is it undesirable on the other hand to
23. give the employee the benefit of the work that has been
24. done before in the finding of guilty against the employer?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Walker.

27. SENATOR WALKER:

28. This would be helpful to the employer in my estimation.
29. It would set a standard here. As mentioned with the
30. enactment of the various health and safety acts both
31. State and Federal, it's possible that citations may be
32. issued against an employer for alleged violations. And
33. then in many instances, in many instances employer may

1. voluntarily make a payment of a penalty on administrative
2. review of by reason of judicial assessment. In other
3. words, they would be negotiating. But this says that
4. this is not prima facie evidence in that matter and that
5. should be determined by the court or the trier of the
6. facts. I think it's a good bill.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Hynes.

9. SENATOR HYNES:

10. Well, first of all in terms of voluntary settlement,
11. I think it is possible for the employer to protect him-
12. self presently, but beyond that the bill does not
13. limit itself to that situation. It also includes the
14. assessment of a civil or criminal penalty, so that
15. even though there is a contested hearing, and a finding
16. under...under the act this cannot be used as prima
17. facie evidence of negligence by the...by the employee,
18. and that's the part that I think I would object to.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Walker.

21. SENATOR WALKER:

22. Well, the bill does provide, granted what you say,
23. but any previous voluntary payment or judicial assessment
24. based upon a charge of a violation of the Health and
25. Safety Act should not be prima facie evidence. So, you're
26. correct in your statement, but does...it's not harmful
27. to the employee, it's not harmful to the employer.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Hynes.

30. SENATOR HYNES:

31. Well, I...I think it is harmful to the employee,
32. and I think the bill is objectionable and intend to
33. oppose it.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Partee.

3. SENATOR PARTEE:

4. I don't want to sound ominous here, but I just
5. want the membership to start really taking a look at
6. the bills that come through here. I think that the
7. Secretary does a good job in trying to capsulize the
8. impact of a particular bill for the purpose of our
9. daily sheets. But what's on this Calendar in explanation
10. of this bill in no way gives a reader any knowledge
11. of what is really in the bill. So I would advise all
12. of you to take a look at these bills and don't vote
13. based on what's on a Calendar, because if you do you're
14. going to get home one day and you're going to find
15. out that you voted for something very much in the
16. disinterest of your people. Certainly the Senate makes
17. more of an attempt to explain what a bill is about on
18. it's Calendar than does the House. The House's Calendar
19. would not in any way enlighten you as to what's in a
20. bill. They simply say it amends the Revenue Code or
21. it amends the driver's license law, or something of
22. that sort, and it may be a good thing because it
23. may suggest to the members that they have to look at
24. the bills in order to vote intelligently. But for
25. those of you who are voting on the basis of what appears
26. on the Calendar, this is a very good example that you
27. may be making a tremendous mistake. I just wasn't
28. satisfied Senator Walker very honestly with your answer,
29. and I really say in all candor and friendship that
30. your answer left much to be desired. The basic
31. question here is why this evidence should not be
32. used to establish civil or criminal liability.
33. And I've not heard any answer to that question. That

1. is the basic question involved here.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you Mr. President. In answer to Senator
6. Partee and I think to the Senator Hynes, I would point
7. out that the key language in this bill is in line 23, shall
8. not be prima facie evidence of negligence in a trial of a
9. any action to recover for personal injury or property
10. damage. If any action for personal injury or property
11. damage were filed, it seems to me that triers of fact
12. in those cases be the jury or judge ought to hear the
13. evidence and judge for themselves. And this bill doesn't
14. say that they can't consider evidence that may be presented
15. from the other hearings...I...I don't think you'd expect
16. the issuance of a citation to be considered prima facie
17. evidence. It doesn't say that they can't be considered
18. as evidence, it simply says they're not going to raise
19. this presumption which has to be rebutted. And I think
20. therefore it's a reasonable and...and fair bill and the
21. only fair way to approach these lawsuits. In other words,
22. why should somebody be found guilty on the basis of a
23. tribunal other than the one where the case is being brought
24. for civil penalties. That...so I think in that sense
25. it is very fair.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Partee.

28. SENATOR PARTEE:

29. Well the answer to that of course is that prima
30. facie evidence is never used to finalize anything.
31. You will talk about the courts being clogged on the
32. one hand, and you want them to start all over in the
33. second suit. Prima facie evidence doesn't mean that

1. it's going to be decided on that point or on that basis,
2. but at least shortens the trial and brings what has been
3. determined by the courts into some real focus.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Glass.

6. SENATOR GLASS:

7. Without being overly argumentative, I think what
8. it does is say to a jury that unless you...that you must
9. presume this party has been negligent based on some prior
10. hearing, and I don't think that's consistent with
11. our judicial process, the fact that this earlier evidence
12. this earlier finding may be introduced in evidence I
13. see nothing wrong with that. But to establish a pre-
14. sumption made...based on some prior tribunals finding
15. is I think is clearly unfair.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Don Moore.

18. SENATOR DON MOORE:

19. Yes, I moves the previous question Mr. President.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Moore...Don Moore moves the previous question.

22. All those in favor signify by saying aye. Opposed. So
23. ordered. The Secretary will call the roll to determine
24. whether SB 406 should pass. On the question, call the
25. roll please.

26. SECRETARY:

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

1. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
2. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
3. Wooten, Mr. President.
4. PRESIDING OFFICER (SENATOR MOHR):
5. Mitchler, aye. Berning, aye. Knuepfer, aye.
6. Merritt, aye. Request to call the absentees.
7. SECRETARY:
8. Bell, Clarke, Conolly, Course, Daley, Keegan,
9. Knuppel, Netsch, Newhouse, Nudelman, Palmer, Rock,
10. Romano, Savickas, Sommer, Soper, Swinarski,
11. PRESIDING OFFICER (SENATOR MOHR):
12. Senator Walker.
13. SENATOR WALKER:
14. I'd request that a further consideration be post-
15. poned and I want to thank one of my cohorts for his help.
16. PRESIDING OFFICER (SENATOR MOHR):
17. Request for postpone consideration. Senator
18. Fawell, SB 400. We'll have to go back to that Senator.
19. He doesn't have the bill here, I'm sorry. We'll go
20. back. A page please. SB 410, Senator Knuepfer. SB 410,
21. Senator Knuepfer.
22. SECRETARY:
23. SB 410 (Secretary reads title of bill)
24. 3rd reading of the bill.
25. SENATOR KNUEPFER:
26. The synopsis describes the bill completely. All
27. it does is provide the Department of Public Aid and local
28. government units the power to use certified mail as an
29. alternative to registered mail. There was...were not any
30. problems in committee, if there are any problems here,
31. I'll be happy to discuss them. The Department was for
32. this.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Any further discussion?

2. SENATOR KNUEPFER:

3. Senator Hall has a...

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Kenneth Hall.

6. SENATOR KENNETH HALL:

7. I just want to ask one question. Is this because

8. certified mail is cheaper than registered mail, Senator?

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. Yes, it is very much cheaper, Senator.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Any further discussion? The question is shall

15. SB 410 pass and on that question the Secretary will

16. call the roll.

17. SECRETARY:

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

19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,

20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth

21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,

22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,

24. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,

25. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,

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

27. Wooten, Mr. President.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Berning, aye. Course, aye. Buzbee, aye. Clarke,

30. aye. Bell, aye. Sommer, aye. On that question the

31. yeas are forty-six, the nays are none. The bill having

32. received a constitutional majority is declared passed.

33. SB 436, Senator Don Moore.

1. SECRETARY:
2. SB 436 (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER (SENATOR MOHR):
5. Senator Don Moore.
6. SENATOR DON MOORE:
7. Mr. President, SB 437, 438 and 439 are companion
8. bills to 436. Should the...I'd like to address my remarks
9. to all four of the bills, so could the Secretary please
10. read 437, 8 and 9.
11. PRESIDING OFFICER (SENATOR MOHR):
12. Request to have the Senate Secretary read 437,
13. 438 and 439.
14. SECRETARY:
15. SB 437 (Secretary reads title of bill)
16. SB 438 (Secretary reads title of bill)
17. SB 439 (Secretary reads title of bill)
18. 3rd reading of the bills.
19. PRESIDING OFFICER (SENATOR MOHR):
20. These will be separate roll calls, you understand,
21. Senator. Senator Don Moore.
22. SENATOR DON MOORE:
23. Thank you Mr. President, members of the Senate.
24. These bills I am sure are not unfamiliar to many members
25. here. They have been introduced I believe for the last
26. four or five Sessions. They were formally handled by
27. Senator John W. Carroll up until this point. What these
28. bills do, Mr. President, members of the Senate, is that
29. they make the Cook County Department of Public Aid, an
30. instrument of the State Department of Public Aid.
31. In formulating these bills every effort has been made
32. to respond to the wishes of the Cook County Board
33. in the County of Cook and to the Director of the Cook

1. County Department of Public Aid. These series of
2. bills express the legislative intent that the Illinois
3. Department shall maintain the structure of the Cook
4. County Department as it exists on December 31, 1973,
5. except where the conditions or improvement in administration
6. may be otherwise be provided. They provide for the
7. transfer of the Cook County employees to the State
8. Department of Personnel. They will be granted their
9. civil service status. There...this provides for the
10. transfer of documents, equipment, office facilities
11. and so forth to the State. And also the transfer
12. of various administrative costs formerly associated
13. with the County Department will be assumed by the
14. State. They will become State employees with their
15. full civil service status that they presently have.
16. They are blanketed in, the effective date of the bill
17. is January 1, 1974. The companion bills, 437 and
18. 438, provide for their transfer from the County civil
19. service to the State civil service. Also their pension
20. rights are guaranteed. I'd be happy to answer any
21. question that anyone may have. If not, I would ask
22. for a favorable roll call Mr. President.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Any further discussion? The question is shall
25. SB 436 pass, and on that question the Secretary will
26. call the roll.

27. ACTING SECRETARY (MR. WRIGHT):

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

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

5. PRESIDING OFFICER (SENATOR MOHR):

6. McBroom, aye. Merritt, aye. Senator Don Moore.

7. SENATOR DON MOORE:

8. Yes, to briefly explain my vote before I ask for
9. a poll of the absentees, Mr. President. These bills
10. are endorsed by all fifteen members of the Cook County
11. Board. Mr. George Dunn was down here, he was my star
12. witness. He testified in favor of these bills. I know
13. that there were political implications when the adminis-
14. tration was different four years ago, that do not exist
15. now. I think that in order to really take a burden off
16. of the Cook County Board in addition to having a more
17. efficient administration, a saving to the State
18. Department, that these bills are essential. And I
19. would request a call of the absentees.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Request to call the absentees.

22. SECRETARY:

23. Bartulis, Bruce, Buzbee, Carroll, Chew, Daley,
24. Donnewald, Dougherty, Kenneth Hall, Hynes, Johns, Keegan,
25. Knuepfer, Knuppel, Kosinski, McCarthy, Netsch, Nudelman,
26. Palmer, Partee, Rock, Romano, Saperstein, Savickas,
27. Shapiro, Swinarski, Vadalabene, Welsh, Wooten.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Knuepfer, aye. Davidson, aye. Regner, aye. Scholl,
30. aye. On that question the yeas are thirty, the nays are
31. two. The bill having received a constitutional majority
32. is declared passed. Request for verification. Senators,
33. please be in their seats.

1. SECRETARY:

2. The following voted in the affirmative. Bartulis,
3. Bell, Berning, Clarke, Conolly, Course, Davidson, Fawell,
4. Glass, Graham, Harber Hall, Knuepfer, Latherow, McBroom,
5. Merritt, Mitchler, Howard Mohr, Don Moore, Nimrod,
6. Ozinga, Regner, Roe, Schaffer, Scholl, Shapiro, Sommer,
7. Soper, Sours, Walker, Weaver, Mr. President.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Do you want the negatives called, Sir?

10. SENATOR PARTEE:

11. Where...where is Senator Course?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Course. Not on his...not in his seat.

14. SENATOR PARTEE:

15. Ask that he be removed from the roll call.

16. PRESIDING OFFICER (SENATOR MOHR):

17. His name will be removed from the roll call.

18. Senator Partee, Senator Bartulis was on there and
19. the vote was thirty-one to two. Now, it's down to
20. thirty...thirty to two.

21. SENATOR PARTEE:

22. I don't know politics...

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Partee.

25. SENATOR PARTEE:

26. ...it looked like, zero looked like one, but you're
27. not thirty. I don't follow it.

28. PRESIDING OFFICER (SENATOR MOHR):

29. The Secretary failed to record Senator Bartulis, in
30. the first announcement.

31. SENATOR PARTEE:

32. Well, now let's...let's just get to something here
33. now. If there is a recorded number of persons voting,

1. to be able to alter it on a verification upwards is
2. a very dangerous kind of precedent. This is just one
3. bill from many but I certainly don't want to see
4. us get started with that kind of maneuver. That just
5. isn't the way it ought to be.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator...

8. SENATOR PARTEE:

9. ...and much of the legislation could possibly be
10. jeopardized when it's tested in the courts by that kind
11. of an operation. It just isn't the way to run a legis-
12. lature.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator, I've been informed by the Secretary
15. that he was on his sheet when he called the absentees.

16. SENATOR PARTEE:

17. Well, if he was on the sheet, it should have been
18. thirty-one to begin with and not thirty. Now, it can't
19. be thirty-one when we start the verification...when we
20. start the verification if it wasn't thirty-one when it
21. was announced as being the vote. It's as simple as that.

22. PRESIDING OFFICER (SENATOR MOHR):

23. The ruling of the Chair will be that after the
24. verification the yeas are still thirty. The nays are two.
25. The bill having received the constitutional majority is
26. declared passed. Senator Graham.

27. SENATOR GRAHAM:

28. Having voted on the prevailing side, I move the
29. vote by which this bill was passed be reconsidered.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Graham moves, Senator Don Moore moves to
32. lay that on the Table. All those in favor signify by
33. saying aye. No. The ayes have it. The motion is

1. Tabled. Senator Don Moore, SB 437. I think, so
2. we know what we're doing here, I'd like the Secretary
3. to read the title and there will be time for discussion
4. after the bill has been read.

5. SECRETARY:

6. SB 437 (Secretary reads title of bill)
7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Don Moore.

10. SENATOR DON MOORE:

11. This is a companion bill to the one we just passed,
12. Mr. President. Repeals certain sections giving...so
13. that we can transfer the civil service status to the
14. Cook County employees to the State. And the other
15. two companion bills are also implementation bills
16. to 436, and I would appreciate a favorable roll call.
17. I think it's essential that these employees up there
18. do retain their civil service status, and I'd appreciate
19. having some votes from the other side of the aisle.
20. I'd request a favorable roll call on the next three
21. bills, Mr. President.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Any further discussion? The question is shall
24. SB 437 pass? And on that question the Secretary will
25. call the roll.

26. SECRETARY:

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

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Partee.

3. SENATOR PARTEE:

4. Now, it's perfectly obvious to us that this
5. bill is an essential component of the idea; if the
6. first bill passes, but we're not going to vote for it.
7. And if the first bill passes in the House we can
8. always reconsider this vote, and this bill, and we
9. will certainly give it our support. If the first
10. bill passes, this one will also pass. But, we're...
11. at this time I'm voting present.

12. SECRETARY:

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

17. PRESIDING OFFICER (SENATOR MOHR):

18. On that question the yeas are thirty, the nays
19. are two, those voting present, two. The bill having
20. received the constitutional majority is declared passed.
21. Senator Don Moore, SB 438.

22. SECRETARY:

23. SB 438 (Secretary reads title of bill)
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Don Moore.

27. SENATOR DON MOORE:

28. This makes the Act effective on January 1, 1974.
29. This gives an ample time so that there is a transition
30. period and the various things that have to be done.
31. We're not rushing into this. I'd respectfully request
32. a favorable roll call again.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Any further discussion? The question is shall
2. SB 438 pass, and on that question the Secretary will
3. call the roll.

4. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR MOHR):

16. On that question the yeas are thirty, the nays
17. are none, one voting present. The bill having received
18. the constitutional majority is declared passed.

19. SECRETARY:

20. SB 439 (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Don Moore.

24. SENATOR DON MOORE:

25. Another companion bill to 436, Mr. President,
26. members of the Senate, provides that monies collected by
27. municipalities under the code to be used for general
28. assistance shall be placed in a special purpose trust
29. fund established by Section 12-10 which is included
30. in SB 436. I'd appreciate a favorable roll call.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? The question is shall
33. SB 439 pass, and on that question the Secretary will

1. call the roll.
2. SECRETARY:
3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
4. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
5. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
6. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
7. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
8. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
9. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
10. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
11. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
12. Wooten, Mr. President.
13. PRESIDING OFFICER (SENATOR MOHR):
14. Ozinga, aye. Senator Partee.
15. SENATOR PARTEE:
16. While he's tallying the votes, I just want the
17. record to show that Senator Keegan is not present
18. today because of illness.
19. PRESIDING OFFICER (SENATOR MOHR):
20. The record shall show that. Senator Knuepfer, aye.
21. Senator Don Moore, request to call the absentees.
22. SENATOR DON MOORE:
23. Would you call the absentees, Mr. President?
24. SECRETARY:
25. Bruce, Buzbee, Carroll, Chew, Course, Daley,
26. Donnewald, Dougherty, Kenneth Hall, Hynes, Johns,
27. Keegan, Knuppel, Kosinski, McCarthy, Netsch, Newhouse,
28. Nudelman, Palmer, Partee, Rock, Romano, Saperstein,
29. Savickas, Shapiro, Smith, Swinarski, Vadalabene,
30. Welsh, Wooten.
31. PRESIDING OFFICER (SENATOR MOHR):
32. Senator Don Moore.
33. SENATOR DON MOORE:

1. Yes, if I could briefly explain my vote, Mr.
2. President, on this very important bill that is the last
3. bill in this series of four starting with SB 436. What
4. this bill does, it amends the Municipal Code by providing
5. monies collected by a municipality specifically, the City
6. of Chicago, under this Code. I think we're aware that
7. if our units of government levies a one mill tax they
8. are eligible for State aid. I think that this money
9. goes into a special purpose fund. And I see Senator
10. Shapiro back on the Floor, and I thank you for the
11. opportunity of explaining my vote.

12. PRESIDING OFFICER (SENATOR MOHR):

13. On that question the yeas are thirty, the nays are
14. none. The bill having received a constitutional majority
15. is declared passed. Go back to SB 400, Senator Fawell.

16. SECRETARY:

17. SB 400 (Secretary reads title of bill)
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Fawell.

21. SENATOR FAWELL:

22. This bill has been partially explained at least.
23. Let me quickly summarize it. It pertains to downstate
24. park districts only, and probably many of you have had
25. people in your district complain that they are not aware
26. of the particular dates which do...which have changed
27. quite a bit in the last few years as to when petitions
28. for nomination for park board members can be filed.
29. What this bill attempts to do is to simply require
30. that the secretary of the park district make one publication
31. which sets forth the date during which petitions for
32. nomination of anyone who wishes to be a park board
33. member can file. That's all the bill does. I'd ask

1. for a favorable consideration by the Senate.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Partee.

4. SENATOR PARTEE:

5. This is a bill that I asked some questions about
6. a few moments ago, and Senator Nimrod asked some questions
7. about and what Senator Nimrod carefully pointed out this
8. is just the beginning of a series of these kinds of
9. bills that are going to be very costly to the tax-
10. payers and which are really unnecessary. I would point
11. out again that those persons who are interested in
12. election need only to pick up the telephone and call
13. the branch of government involved and find out when
14. the election is going to be. And to publish it in
15. the paper is going to still have people saying,
16. well, I didn't see the paper that day, and how many
17. people in the first instance read the publication
18. notices that are back over in the want ads. It doesn't
19. in my opinion, make any sense. If people are interested
20. they'll find out. It's a spoon-feeder.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Latherow.

23. SENATOR LATHEROW:

24. Senator...Senator Partee, I might say just as a
25. ...as a point of public interest, back in our local
26. community we had an election and one of the big
27. ads to the part that they ran on, those who do not
28. vote, shouldn't hallow. And five of the six persons
29. running on that particular ballot, or that ticket,
30. failed to vote in the last election.

31. PRESIDING OFFICER (SENATOR MOH):

32. Senator Fawell.

33. SENATOR FAWELL:

1. Well, I respect what Senator Partee has said;
2. in Chicago I suppose one publication wouldn't mean
3. very much-but downstate it can be a help-in the
4. country publications where the people can have in
5. the myriad of elections which are taking place, as
6. Senator Hall has pointed out in his area, many of
7. us, if we don't know that these election are taking
8. place-this is a request of the taxpayers-that they
9. have an opportunity to be apprised as to when the
10. petitions for nominations must be filed. And I'll
11. grant you that a very sophisticated person, I suppose
12. by putting a telephone call in, checking these things
13. out, can be apprised of this. We're all busy people,
14. I think this is something which is helpful. If you
15. don't believe the bill is a sound one, of course, vote
16. against it. It's not the greatest piece of legislation
17. that's ever come or gone in Springfield. I request
18. a favorable roll call.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Any further discussion? The question is shall
21. SB 400 pass, and on that question the Secretary will
22. call the roll.

23. SECRETARY:

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

1. PRESIDING OFFICER (SENATOR MOHR):

2. Latherow, aye. Bruce, aye. On that question the
3. yeas are thirty-three, the nays are two. The bill having
4. received the constitutional majority is declared passed.
5. Go back to Senator Ozinga, I skipped over him, SB 408.

6. SECRETARY:

7. SB 408 (Secretary reads title of bill).

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Ozinga.

11. SENATOR OZINGA:

12. SB 408 amends the Consumer Installment Loan Act
13. in the two simple and understandable ways. They are
14. that the ceiling on loans under this Act is increased
15. from 5,000 to \$10,000. And the Act is made applicable
16. to all loans. The reason for this is that at the present
17. time the higher ceiling provided in this bill will not
18. be competitive with the banks, credit unions or savings
19. and loans. The rate provided in this Act is for high
20. risk loans which cannot be made or are not willingly
21. made by the banks. To day the only source of credit for
22. these people are those loans that the banks won't
23. make. And the only provision for the making of them
24. are through people that are not what we might say
25. regulated or supervised source of credit. The provisions
26. for the loans under 800 will provide a service with
27. a rate competitive with a small loan rate. Good
28. customers with good pay habits, job security and
29. ability to pay can be offered the loan at low rate.
30. We feel that the higher ceiling will benefit consumers
31. who are not eligible for these loans and the higher
32. ceiling is not really competitive with the other
33. sources. So therefore, the only opposition is from

1. the competitive results of making the Act applicable
2. to those loans that are under the 800 which could give
3. a slightly better rate of interest to the better customer.
4. I don't believe there's too much opposition. The only
5. opposition is from the small dealers, and they are not
6. serious about it. We have agreed to suspend action on
7. bill 407 which was the other bill, the companion to this
8. and in that way why the bills will be completely under
9. the Department of Financial Institutions. They will
10. retain complete control over the issue of license and
11. so forth. I would appreciate a favorable roll call.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Vadalabene.

14. SENATOR VADALABENE:

15. Yes, Senator I have just one question. Would you
16. yield to one question, Senator Ozinga?

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator will yield.

19. SENATOR VADALABENE:

20. If I borrow \$10,000, how much would I get in hand
21. if I borrowed \$10,000?

22. SENATOR OZINGA:

23. If you what?

24. SENATOR VADALABENE:

25. If I borrow \$10,000 at the rate of 18,000...18%
26. interest, would they deduct that first before they
27. give me the \$10,000?

28. SENATOR OZINGA:

29. I'm not too sure about that Senator, just how this
30. Consumer Finance Act acts. I believe so. And I believe
31. the going rate is approximately 18%.

32. SENATOR VADALABENE:

33. In other words, you're saying they get \$8,200 instead

1. \$10,000.

2. SENATOR OZINGA:

3. I think that's right.

4. SENATOR VADALABENE:

5. Thank you, sir.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Buzbee.

8. SENATOR BUZBEE:

9. Yes, will Senator yield to a question?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Ozinga, will you yield to a question from

12. Senator Buzbee.

13. SENATOR BUZBEE:

14. Senator, as I understand the synopsis of the bill

15. that this is just to raise the loan limit from 5 to 10,000

16. and my question is, does this bill raise the interest

17. rate?

18. SENATOR OZINGA:

19. No it does not. No, it doesn't.

20. SENATOR BUZBEE:

21. So all you're doing is raising the limit from 5 to

22. 10,000.

23. SENATOR OZINGA:

24. ...and zero to eight. If they are now eligible,

25. before they weren't.

26. SENATOR BUZBEE:

27. Ok.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Carroll.

30. SENATOR CARROLL:

31. Thank you Mr. President. Ladies and Gentlemen of

32. the Senate, I have some concern over this bill because

33. unlike the synopsis, it not only raises the limits from

1. 5 to 10,000, which is something that I don't disagree
2. with, but happen to agree with in the bill. But it
3. does also lower the bottom rate from 801 down to zero
4. which takes it out of the Consumer Installment Loan Act
5. and makes it in competition with the Small Loan Act.
6. Now the effect of that does away with the protection
7. of the Small Loan Act known as convenience and advantage.
8. All right, let me make it a question then, and maybe
9. Senator Ozinga can enlighten me. Does this take away
10. convenience and advantage?

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Ozinga.

13. SENATOR OZINGA:

14. That was to be had, if you will remember, with
15. bill 407. We have reached an agreement. We are hold-
16. ing that bill and not going to proceed.

17. SENATOR CARROLL:

18. But, it would seem to me, Senator Ozinga, that if
19. you lower the bottom limit and put it under the Consumer
20. Installment Loan Act, Consumer Installment Loan Act
21. does not have a convenience and advantage provision
22. in there.

23. SENATOR OZINGA:

24. To this...to this extent, Senator. Applications for
25. licenses must still quality financially and as to
26. character and fitness and therefore the Department of
27. Financial Institutions which is where they're at, will
28. retain firm control over the issuance of license. Now
29. that's the answer that I have to your question, see?

30. SENATOR CARROLL:

31. All right, but that doesn't answer...still does
32. not give the specific requirements of an establishment
33. of convenience and advantage to the community to

1. establish that type of a loan operation, so that they
2. would be giving those types of loans that this
3. Legislature has said have to show convenience and
4. advantage to the constituents, in direct conflict
5. with the Small Loan Act. It would seem to me that to
6. not do that you would have to amend this to say that
7. anyone offering loans from zero to 800 would have to
8. apply under convenience and advantage, which this
9. bill does not do. It seems to be a back door way
10. of getting around it.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Ozinga.

13. SENATOR OZINGA:

14. Well, the only answer that I can give you would
15. be that that...technically you are possibly correct.
16. However, practically the only answer that I can give
17. you is that it will retain the control in the depart-
18. ment and therefore this could be as a part of it. I
19. ...I will not deny that it's possible.

20. SENATOR CARROLL:

21. Yeah, it would seem to me...I don't particularly
22. like that prospect in this bill. It changes the test
23. requirements. You don't have convenience and advantage.
24. We have studied this through many types of legislation
25. the U triple C, the Consumer Credit Code, and many
26. others, where we've had a lot of testimony on convenience
27. and advantage and I think that is something that we should
28. not get rid of very lightly. It has been determined
29. that as an essential requirement we must look to the
30. convenience and advantage to the consuming public, to
31. the clientele of the area, to the constituents of ours in
32. those areas, and that to just go you know around it through
33. this method I think would be a wrong approach. I would

1. prefer to see this bill brought back, amended and to say
2. specifically that the convenience and advantage test
3. must apply if they are going to be in effect the
4. equivalent of under the Small Loan Act. I think this
5. is a back door method of getting around it and I'm
6. very fearful of it for that reason.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator McCarthy.

9. SENATOR McCARTHY:

10. Yes, Mr. President, preparatory toward asking
11. the sponsor a question or two, may I ascertain from
12. you that the time that we anticipate recessing today?

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator, we're going to recess as close to 2:00
15. as possible.

16. SENATOR McCARTHY:

17. Oh, then we have time for a bill like this.
18. Senator Ozinga, Senator Carroll and I were talking
19. about this legislation, from what I can understand
20. from you, you admit now that if this bill passes a
21. licensee under this Act could go into direct competition
22. with the small loan licensee. Is that correct?

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Ozinga.

25. SENATOR OZINGA:

26. It's possible, but not probable.

27. SENATOR McCARTHY:

28. Yeah, all right. Well, we...and that the test for
29. regulation is different of course between the small loan
30. people and the ones that come under this Act. We've
31. already established that. All right. Now, my
32. question is...my first question is this. Are you
33. acquainted with a bill chiefly sponsored by Senator

1. Sours that's on 2nd reading, or 3rd reading perhaps,
2. being SB 492. Are you familiar with that bill?
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senator Ozinga.
5. SENATOR OZINGA:
6. To a degree, yes. To a degree, yes.
7. PRESIDING OFFICER (SENATOR MOHR):
8. Senator McCarthy.
9. SENATOR McCARTHY:
10. ...since Senator Sours isn't there, let me see if
11. I understand the blend of these two bills. Senator
12. Sours' bill 492 would increase the rate of interest on
13. loans under the Consumer Finance Act to 18% per annum,
14. up to \$800 over \$300. Is that correct? All right.
15. What's the effective rate on 300 to 800, Senator Ozinga
16. under your bill?
17. PRESIDING OFFICER (SENATOR MOHR):
18. Senator Ozinga.
19. SENATOR OZINGA:
20. ...I didn't hear...
21. SENATOR McCARTHY:
22. What's the effective rate of interest, maximum
23. to be charged under your bill on 300 to \$800?
24. SENATOR OZINGA:
25. Well, presently the highest rate would be for
26. up to...you see this varies you know on the length of
27. the loan. All right now, presently the highest rate
28. under the Consumer Installment Loan Act is 19.56% a year,
29. annual percentage rate at 48 months, and 18.78 a
30. year, annual percentage rate at 60 months. This
31. ceiling increases and rate provide exceeds 18.78
32. and results in a 17.82% at 121 months. The rate
33. under 800 is lower than the rate provided under the

1. Consumer Finance Act.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Sours. I'm sorry, Senator McCarthy.

4. SENATOR McCARTHY:

5. Well, I just want to establish it as a fact that
6. if this bill passes, you'd have a lesser rate of interest
7. for the licensees under your act than prospectively, than
8. the licensees could charge under Senator Sours' act. I
9. want to establish that as fact. Is that a fact?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Yes, this is possible, but don't forget this...these
14. people that are customers of this type of loan are
15. usually the type of person that needs just a couple
16. of hundred bucks more after having been qualified and
17. have shown a good rate, or a good risk in the category
18. from 5 to \$10,000, which ordinarily would not be in that
19. category. So that the customer ratio there is usually
20. a...a different class of people.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Merritt.

23. SENATOR MERRITT:

24. Mr. President, I move the previous question.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Merritt moves the previous question.

27. Senator McCarthy.

28. SENATOR McCARTHY:

29. First of all Mr. President, I thought I had the
30. Floor. I presume there always is a priority of motion
31. that would be to move the previous question. And if
32. you've recognize Senator Merritt for that purpose, the
33. previous question is before the Body. I would like

1. to make a substitute motion and that is that his
2. motion for the previous question lay upon the Table,
3. and I would like to be heard in support of the motion,
4. not in debate of the motion, but in support of the
5. motion. Before I make the motion, I want to make a
6. parliamentary inquiry, Mr. President to see at what
7. point, in what point of time is debate cut off on a
8. question of a motion to lay upon the Table.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Merritt.

11. SENATOR MERRITT:

12. Mr. President, I certainly had no intention...I
13. ...I thought you were through, Senator McCarthy. I
14. thought your questions were answered. If I interrupted
15. you in your questioning, then I...I'm perfectly willing
16. to withdraw until you finished your questioning and then
17. at that time I will put the motion.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Merritt withdraws his motion. Senator McCarthy.

20. SENATOR MCCARTHY:

21. Thank you Senator, I knew that there was a mis-
22. understanding there. It's been cleared up now. Well,
23. Senator Ozinga, it's a little hard for me to recapture
24. the elusive thought that I had in my mind, but we've
25. established now the fact that there'd be a lower rate
26. of interest under the bill you propose to amend than
27. under the Consumer...than under the Consumer Installment
28. Loan Act, which Senator Sours proposed to amend. Since
29. we've established that then Mr. President, I'll get on to
30. the question of speaking to the bill. Mr. President,
31. members of the Senate I do not believe that this bill
32. is necessarily good in the public interest. Senator
33. Carroll has already pointed out that the granting of

1. the licenses to the people that lend money to
2. prospective borrowers, at a rate of 17 or 18% under
3. Senator Ozinga's bill, would not have to make a showing
4. to the Department that the license for them to engage
5. in business is in the public convenience and necessity.
6. Therefore it can be assumed Mr. President that as
7. long as the person wants to go into the lending business
8. all he has to do is prove financial stability, which
9. is not necessarily the best test to the borrowing
10. public. We have emblazened upon our statute books
11. a limitation of 8% per year as the most interest rate
12. that an individual can bargain for, with certain exceptions.
13. And these two acts are certain exceptions to that basic
14. principle of attempting, we have attempted to do, to
15. keep the cost of money low to prospective borrowers.
16. Now what we will have here if one or both of these
17. bills go through Mr. President I suggest is an
18. opportunity for people not only to borrow \$10,000
19. according to the rates in Senator Ozinga's bill, but
20. also to pay a higher rate of interest on their loans
21. up to \$800 according to Senator Sours bill, with the
22. ultimate effect of the consumer, the person who needs to
23. borrow the money having in front of him a ready supply
24. of available cash to borrow. But, but a limited amount
25. of ability to repay. I think I can perhaps say it in
26. three or four different ways, but what I've said I think
27. is enough. That it increases the supply that the borrower
28. can buy that we have nothing to indicate that he will
29. have an increased ability to repay the obligation.
30. That opens up all sorts of problems. It sets patterns
31. of established legal rates of interest that may be
32. charged in Illinois to consumers. The evils that can
33. come from this I think can be either imaginary or real,

1. but if we look, if we look to the public interest,
2. whether or not it's in the public interest to have
3. available to the people that need money, sources of
4. money available to them which this in effect increases
5. the amount that they can borrow, without any corresponding
6. ability for them to repay. I think we are encouraging
7. people overextending themselves insofar as their budgeting
8. activities are concerned. They will borrow to pay
9. loans. They will find themselves getting deeper and
10. deeper into debt. Paying a greater and greater percentage
11. of their earned income for interest expense, resulting
12. sometimes in bankruptcy, broken homes, a false sense
13. of value insofar as the items that they acquire can
14. relate to the money that they borrow. And I just want
15. to conclude by making this statement, I...I don't have
16. the Latin phrase, Senator Sours, I wish I did. But I
17. was reading a book Senator Sours, called the Story of
18. Money, and the Story of Money, Senator was written by
19. Norman Angell who I think later became a member of
20. royalty in England and received the Nobel Peace Prize
21. in 1933. And Norman Angell in one of his chapters on
22. the Story of Money made allusion to a Latin phrase
23. that's been with us for a long time. I don't have it
24. with me, but it's something like (Latin phrase), it's
25. meaning money, money Senator is essentially non-
26. reproductive. The lesson that I got from Norman
27. Angell was that you can't make two one dollar bills
28. and come out with a fifty cent piece. Money is money.
29. It is not productive. So I mention that to you Mr.
30. President, members of the Senate, in this time where
31. wage earners have said, and under the mandate to
32. increase their productivity in order to demand more
33. for their service in this era that we're in where the

1. edict is out to increase productivity so that we
2. should survive. It seems that this legislation
3. is just a little bit out of step when you have the
4. rate of return on a nonproductive item, money going
5. up when the edict that to everybody else is to
6. increase your productivity and therefore the wait...
7. the fires of inflation may be diminished a little.
8. Thank you very much.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Sours.

11. SENATOR SOURS:

12. I always like to hear a word or two Mr. President,
13. Senators on good political economy. We turn on the
14. TV what do we hear, buy today and pay tomorrow. That
15. means next year or in the...in the near or distant
16. future. We see ads, no money down. Uncle Sam has to
17. pay 25 billion a year just on it's interest cost. We're
18. not setting a very good example when we have the old
19. billing authority, you remember that. Now we have the
20. Capital Development Board, remember that? Now, about
21. money. None of us I haven't heard a word said this
22. year or last year that any purchase such as a new
23. chair for one's living room and we put it on a charge-
24. account, we pay 18% for that. A chair retailing for
25. a \$100, probably costs the furniture man \$50. So
26. we pay 18% not on his investment of 50, we pay 18% on
27. his profit. Now this bill of Senator Ozinga and my
28. bill refers to money only. There's no profit already
29. in it. The profit is on the interest charged only.
30. Now, I submit if we sit back and do nothing about
31. retail merchants, if we sit back and do nothing about
32. charge cards, which is 18%, we're putting the people
33. who lend the money, every nickle of it, there isn't

1. a nickel profit. When I make a hundred dollar loan,
2. if I'm in that business, there's no profit. But when
3. I sell a hundred dollar chair, I'm making fifty dollars
4. on which the poor devil who buys the chair pays 18%
5. on the fifty it costs me and 18% on the profit I make.
6. Now, when we sell money and apparently we're money
7. conscious today I submit that the lender of money is
8. entitled to just as much of the fruits of the risk
9. and there's more probably, because you cannot...you
10. cannot replevin back your money like you can a chair
11. or a car. I say when someone lends money he's entitled
12. to the same percent, and the same honest, decent con-
13. sideration as the retail merchant. Or, let's take the big
14. banks who underwrite the credit card business. If I
15. had my way, I'd abolish both. If we're going to have
16. them, let's be fair about it.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Merrittt.

19. SENATOR MERRITT:

20. Mr. President, now I renew my motion. I move the
21. previous question.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Merritt moves the previous question. It's
24. not debatable. All those in favor signify by saying
25. aye. Opposed. Carried. Now, Senator Ozinga, do you
26. care to conclude, or...

27. SENATOR OZINGA:

28. Move for a favorable roll call.

29. PRESIDING OFFICER (SENATOR MOHR):

30. The question is shall SB 408 pass, and on that
31. question the Secreatry will call the roll.

32. SECRETARY:

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

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

10. PRESIDING OFFICER (SENATOR MOHR):

11. McBroom, aye. Clakre, aye. Vadalabene, aye.

12. Daley, aye. Ozinga, aye. Kosinski, aye. Chew, aye.

13. On that question the yeas are thirty-six, the nays are
14. eight. The bill having received a constitutional majority
15. is declared passed. Senator Vadalabene.

16. SENATOR VADALABENE:

17. Thank you Mr. President. In...to the rear, in the
18. galleries to the rear there's a group of students from
19. the Logan School. Their teacher is Mr. Boyer from Granite
20. City, Illinois. I wish they'd stand to be recognized.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Weaver, Merritt, I'm sorry.

23. SENATOR MERRITT:

24. Mr. President, having voted on the prevailing side
25. in SB 408, I move the vote by which it passed be
26. reconsidered.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Merritt moves, Senator Weaver moves to
29. lay that on the Table. All those in favor signify by
30. saying aye. Opposed. So ordered. We have two more
31. bills. The first one, Senator Rock SB 446.

32. SECRETARY:

33. SB 446 (Secretary reads title of bill)

1. 3rd reading of the bill.

2. PRESIDING OFFICER: (SENATOR MOHR)

3. Senator Rock.

4. SENATOR ROCK:

5. Yes, Mr. President, thank you Ladies and Gentlemen
6. of the Senate. SB 446 amends one word in the Cities and
7. Villages Act, and it says property owners within the
8. terms of Section 11137 who object to object to the zoning
9. application of special use application, instead of
10. saying shall upon request be granted a continuance,
11. it merely changes that to may upon request be granted
12. one continuance. I have amended this bill on 2nd reading
13. and the amendment merely says this amendatory act
14. of 1973 is not a limit upon any municipality which is
15. a home rule unit. I think the bill is self-explanatory,
16. I would ask for a favorable roll call.

17. PRESIDING OFFICER: (SENATOR MOHR)

18. Senator Sours.

19. SENATOR SOURS:

20. I just have one question. I didn't ask I think in
21. Judiciary, will this in anyway Senator Rock effect
22. any pending legislation, I mean, any pending litigation?

23. PRESIDING OFFICER: (SENATOR MOHR)

24. Senator Rock.

25. SENATOR ROCK:

26. No sir, it will not.

27. PRESIDING OFFICER: (SENATOR MOHR)

28. Any further discussion? The question is shall
29. SB 446 pass and on that question the Secretary will
30. call the roll.

31. SECRETARY:

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

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

9. PRESIDING OFFICER (SENATOR MOHR):

10. Bartulis, aye. Regner, aye. Berning, aye.

11. On that question the yeas are forty-seven, the nays
12. are two. The bill having received a constitutional
13. majority is declared passed. Senator Sommer. SB 419,
14. Senator Sours. This will be the last bill.

15. SECRETARY:

16. SB 419 (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Sours.

20. SENATOR SOURS:

21. Mr. President, Ladies and Gentlemen of the Senate,
22. before I get into this bill, I wanted to explain for
23. the record might want to go in the Journal. After I
24. learned there would be a Committee of the Whole yester-
25. day, I had my dentist shuffle a couple of appointments
26. around so he could take care of my dental work yester-
27. day afternoon. Then I later learned there was a full
28. Session. But I at least wanted to explain to the
29. members of the Senate why I wasn't here yesterday.
30. It was two hours and fifteen minutes in the dental
31. chair. Now, this bill 419 is the State-wide convening
32. of a grand jury bill, the genesis is the Attorney
33. General. We've gone into considerable discussion

1. of this on 2nd reading when there was an amendment.
2. I think everybody here is familiar with the bill.
3. If there are any questions, I'll be happy to answer them.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Any further...Senator Carroll.

6. SENATOR CARROLL:

7. Senator Sours, this bill as I understand it,
8. authorizes the Attorney General at his whim to call
9. or convene a State-wide grand jury with little
10. requirements as to the State-wide or multicounty
11. necessities of that particular problem. I under-
12. stand that in certain of our Counties the general
13. jury, grand jury act, as it applies to a County Grand
14. Jury, limits the number of grand juries that can be
15. held in a given County at a given time. Were the
16. Attorney General to pick that County as the situs of
17. his State-wide, whether that County had any bearing
18. or relationship to the problem he would seeking to
19. solve that could delimit the local grand jury from
20. being convened or make one of the two illegal. Is
21. that correct?

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Sours.

24. SENATOR SOURS:

25. What is your question? It was a narrative state-
26. ment, suggesting that the Attorney General at his whim
27. of course you wouldn't be guilty of that nor would I,
28. nor would he but proceed.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Carroll.

31. SENATOR CARROLL:

32. The commentary at his whim relating to the language
33. of the legislation as to what requirements there are

1. as far as there being in fact a multi-county problem,
2. that cannot be dealt with by the local State's Attorneys.
3. My question related to the fact that a local State's
4. Attorney may determine that he wants a grand jury
5. on a problem, and the Attorney General may pick that
6. same County as the situs. And as I understand the
7. grand jury law, that there...in most Counties there
8. can be only one grand jury convened at any given time.
9. Who takes precedence which one becomes illegal?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Sours.

12. SENATOR SOURS:

13. I imagine in a situation like that the Attorney
14. General might possibly defer to the local State's
15. Attorney, if he didn't he'd have his bi-county or
16. whatever it is, multi-county grand jury set. Now,
17. may I say with reference to your word whim, this bill
18. states whenever the Attorney General deems it to be
19. in the public interest, he has to make a reasonable
20. presentation to a judge, not just some silly maneuver.
21. He has to make a reasonable presentation to a Circuit
22. Judge. Now there's nothing whimsical about that.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Carroll.

25. SENATOR CARROLL:

26. Senator Sours, it seems to me that first of all
27. we could be violating the general grand jury act, and
28. we could in that way be inhibiting the proper inves-
29. tigating arm of the local county elected officials
30. to a problem that might be single county in nature
31. and have nothing to do with what the Attorney General
32. feels he wants to bring. Secondly, by way of comment
33. on the bill itself, Mr. President. There's nothing in

1. here that says...gives any type of guidelines as to
2. what if anything the Attorney General shall or shall
3. not be empowered to investigate. There seems to me that
4. he is now at the option of picking or choosing what
5. he feels will bring him the most publicity rather
6. than what is in the common good. There is a whole
7. series of treatises and expertise that the grand jury
8. as an investigative tool is no longer effective in
9. this country. That we would be better if probable
10. cause type hearings before a court and let them bring
11. in their investigations. The Attorney General of this
12. State has the largest law firm in the United States
13. at his disposal, by his own statements. He has more
14. attorneys working for him than any other firm in the
15. country. He has more investigating arms than any other
16. law firm in the country. It would seem to me that this
17. is merely a manner by which he can get added publicity
18. where he sees fit. Secondly, the fact is that if he
19. were to determine of his own initiative that this was
20. multi-county whether in fact it was or not, there's
21. nothing in here that says that where he usurps the
22. power of a local State's Attorney that that can be
23. overturned in any manner whatsoever. He merely has to
24. make the assertion that it is multi-county. Finally,
25. once he has made that assertion what is to stop him.
26. Let's say he goes before a Circuit Court judge, or the
27. presiding Appellate Court judge of that district,
28. and he says here is what I deem to be a multi-county
29. problem. And that judge says no. This is not a multi-
30. county problem. This is not something that the Attorney
31. General can in his wisdom pursue. What is in here to
32. stop him from going to another County, seeking another
33. Circuit Court judge or another Appellate Court district

1. and shopping for judges around the State, until he finds
2. one that he can agree with, rather than taking the
3. judgement of the judge where he said was the County
4. most likely to be affected. There's no safeguard in
5. here of stopping him from going judge shopping, which
6. I don't think is the position we want to be in.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Sours.

9. SENATOR SOURS:

10. It's quite evident the good Senator hasn't read
11. the bill. Let me read it. Line 14, Page 1, said
12. presiding judge may for good cause show. Now at the
13. end of line 22, there was an amendment that said,
14. which would put an end to shopping. Said petition
15. shall be filed in one of the Counties or Appellate
16. Courts district or divisions in which part of the
17. said acts or transaction . Now those are procedural
18. words of art, occurred on or the subject matter under
19. investigation affects the residents or governments
20. therein. Now that in itself would limit just merely
21. for the sake of being indifferent, sojourning all
22. over the State to find a friendly judge.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Carroll.

25. SENATOR CARROLL:

26. As I read that amendment Senator Sours, there's
27. nothing in there that stops him from shopping the judges
28. of that Appellate district if the first one, two,
29. three, four, five turn him down. And who determines
30. what affects the residents of a county as to making
31. the crime a multi-county crime. I'm sure your speeding
32. down here, not you per se, but a Senator speeding
33. through Bloomington affect the highway safety of the

1. people in Winnebago County. But that's not to say that
2. there was a multi-county crime at that point in time.
3. Moreover, this amendment does not say that if the judge
4. in his discretion had said that this is something that
5. shall not be brought before a county grand...a State-
6. wide grand jury convened in that jurisdiction, that
7. he...that cannot then turn around and go to another
8. circuit judge in that Appellate district and ask him
9. and still shop within the district that he had chosen.
10. If he picks a large enough district with a large enough
11. number of judges, he can do quite a bit of shopping
12. until he finds a favorable one.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Sours.

15. SENATOR SOURS:

16. My answer to that is, I've heard his narrative
17. statement.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Palmer.

20. SENATOR PALMER:

21. Senator Sours, supposing that the State's Attorney
22. of County No. 1 in the three Counties impanels a grand
23. jury and investigates a certain crime, a three county
24. crime, but certainly a crime that involves his county.
25. And that particular grand jury after deliberating, after
26. all of the evidence has been put forth, they come up with
27. a No Bill. Can under this bill, the Attorney General
28. go to another County and ask for a State-wide grand jury?

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Sours.

31. SENATOR SOURS:

32. The answer is yes.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Palmer.

2. SENATOR PALMER:

3. Do...do you agree that that would be a good procedure?

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Sours.

6. SENATOR SOURS:

7. The answer is yes.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Palmer.

10. SENATOR PALMER:

11. Can...can the Attorney General duplicate? Supposing

12. the Grand Jury in County No. 1 has come out with a True

13. Bill. Can he also go into any one of these districts and

14. get his own grand jury to investigate the same crime?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Sours.

17. SENATOR SOURS:

18. The answer is yes but at the trial of one. The

19. next one would be double jeopardy, as you well know, if

20. on the same charge.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Palmer.

23. SENATOR PALMER:

24. ...and that's why I'm here asking these questions,

25. and don't you think...don't you think there should be

26. something in this bill to prevent that kind of a procedure?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Sours.

29. SENATOR SOURS:

30. Well, I...I think the...the ordinary Attorney General

31. exercises considerable restraint. As I have viewed them

32. for many years they don't just go out half-cocked just

33. because there's nothing else to do. They're highly

1. responsible people. People you have known and so have I.
2. Doesn't matter if they're partisan...

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Palmer.

5. SENATOR PALMER:

6. Senator, do you not think that it's the duty of
7. the Legislature not to rely on the judgement or the
8. restraint or the goodwill of certain Attorney Generals?
9. Do you not think that this Legislature should protect
10. the people in case we find an Attorney General that
11. does not have restraint, or does not have good judgement?
12. We do not know who is going to be the Attorney General
13. because once this becomes law, anybody that holds that
14. office may proceed with double jeopardy procedures,
15. unless we do something here to prevent it.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Sours.

18. SENATOR SOURS:

19. I...I'm not disagreeing with him.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Palmer, will you conclude please?

22. SENATOR PALMER:

23. The last question is then why are you asking us
24. to vote for this bill, if you do not disagree with me?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Sours.

27. SENATOR SOURS:

28. Senator, I agree with you, and I disagree with
29. you. I think this bill is good because there maybe
30. certain Counties where corruption...where crime would
31. flourish and not much done about it. Now the Attorney
32. General of your State and mine in any administration
33. is the people's lawyer, just as the local State's Attorney.

1. Now, you know and I know that local people have certain
2. connections that maybe, just maybe, law enforcement might
3. possibly cease to function properly and this is as
4. Scott says an added tool. Now, I don't expect everybody
5. to like this bill. I think it's a good bill. I just
6. want to answer this other question you asked about
7. political philosophy. I think the least government is
8. the best government. But I seem to be in a minority of
9. one in this Chamber.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Any further discussion? Senator Walker.

12. SENATOR WALKER:

13. I'd like to move, Mr. President, the previous question.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Walker moves the previous question. All
16. those in favor signify by saying aye. Opposed. The
17. ayes have it. The question is shall SB 419 pass and
18. on that question the Secretary will call the roll.

19. SECRETARY:

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

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. It's because the rights of the individual must be
29. so carefully guarded and this is the way of the common
30. law, all the way from the Magna Carta until today. Now
31. the good Senator says that crime may exist in a County
32. and corruption and the State's Attorney may be lethargic.
33. This bill would not apply to such a case. Here there

1. must be an effect upon at least two counties according
2. to what the bill says. And I'm afraid that that's exactly
3. what the people who are voting for this think. That
4. they can go in and use it in one County. I think it
5. subjects the person accused to two sets of prosecutions.
6. I realize what double jeopardy says, but I also realize
7. that if you're charged two different times before two
8. different grand juries, you've got the expense all of
9. the way up to the impaneling of a jury and the starting
10. of the taking of testimony in which you have to defend
11. yourself. So that you could be put to the expense of
12. twice defending yourself proprietary to that point when
13. jeopardy according to the law has actually been invoked.
14. This bill has been here before and it ought to be
15. accompanied with a bill to abolish the Office of
16. State's Attorney or County State's Attorney if that's
17. what we intend to do, because the County State's
18. Attorney now has adequate jurisdiction to do all the
19. things that this attempts to do here. And what this
20. presupposes is that there be at least two County
21. State's Attorneys who won't be doing this job, not
22. just one, but two because it has to affect the people
23. in two Counties. This is a duplication of expense
24. and it's a duplication of the imposition upon the
25. citizenry. It is another attempt just like the attempt
26. to invade privacy which we've witnessed so flagrantly
27. in the press the last few days. The right of those
28. people who think that they can invade the privacy of others,
29. that they can burglar their secrets, enter their homes,
30. go into the offices of their...of their psychiatrist and
31. their doctor. This is an attempt to do more. This is
32. an infringement upon the protection of the Constitution
33. against the right of search and seizure because here

1. the State's Attorney of two different Counties. A man
2. might even have three indictments pending against him,
3. and until he's placed in jeopardy, all of the motions
4. to quash, all of the arraignments, all of the other
5. expense, all of the preparation for trial, that he
6. would have to engage in and pay attorneys for, could
7. be incident to this. At the present time he can only
8. have one such expense. It's an imposition upon people,
9. upon their freedom, and it's...upon their constitutional
10. rights. I think it's done for political purposes
11. by the Attorney General. I don't think he needs it.
12. I think he has plenty to do if he just discharges the
13. responsibilities that he now has. He has some 300 or
14. 400 attorneys and they have all they can do. I think
15. this is absolutely unnecessary, and more than that,
16. there's a lot of question about how effective a grand
17. jury is in any event. I must vote no.

18. SECRETARY:

19. Kosinski, Latherow, McBroom, McCarthy, Merritt,
20. Mitchler, Howard Mohr, Don Moore, Netsch

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Netsch.

23. SENATOR NETSCH:

24. Mr. President, my vote is yes. I would like to
25. make the point that I would much prefer that this bill
26. that we were acting on now, and I wish were debating,
27. except we get debate cut off every time we get one
28. started on a really important bill. I wish the matter
29. before us were a bill to abolish or greatly revise the
30. entire grand jury system. It has bothered me for many
31. years, I think it has been abused, misused, and is
32. not the kind of protection that it was originally
33. designed to be. Until we reach that point in time

1. where we're...where we are willing to face up to that
2. issue, it seems to me that some additional oversight
3. is important and necessary and I can only say that I
4. hope and pray that it will not be abused at the State
5. level and used for political purposes. I think in
6. principle it is right and good.

7. SECRETARY:

8. Newhouse,

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. Thank you Mr. President. Mr. President, my vote
13. on this bill is aye. I would hope that the problems that
14. Senator Knuppel pointed out are not present in this
15. bill and if so, I hope that they can be worked out.
16. I'm voting aye for a quite different reason. And that
17. is I would like to see some competition in the adminis-
18. tration of justice. In the past seven, eight years in the
19. County of Cook for example, I think the citizens have
20. not been protected against the depredations of the
21. prosecution. For example, we passed a bill out of
22. here several years back that provided that if you...
23. in the process of an arrest you touched a police officer
24. you could be charged with a felony. And I have witnessed
25. at 26th Street and California, defendants come into
26. that court room with their heads in bandages, with
27. blood all over them, their clothes torn off, charged
28. with a felony of committing a crime of assault against
29. a police officer who doesn't even have a band aid on.
30. And I've watched as prosecutors seriously prosecute
31. that kind of action. It seems to me that the people
32. need some protection from this kind of depredation
33. and for that reason I vote aye on this bill. Thank you.

1. SECRETARY:

2. Nimrod, Nudelman, Ozinga, Palmer,

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Nudelman.

5. SENATOR NUDELMAN:

6. Mr. President, my vote is no. I think Senator
7. Newhouse, for one, has misinterpreted the bill. The
8. intent of the bill is cross county crime, and the
9. problem that he addresses himself to is not the
10. kind of problem that this bill or this type of
11. grand jury would address itself to. When we discussed
12. this bill in committee, and Attorney General Scott
13. addressed himself to the bill and the question was
14. asked relative to where the petition would be filed,
15. it was discovered that the petition could be filed
16. any place in the State. Subsequently Attorney General
17. Scott...and sponsor of the bill, Senator Sours presented
18. the Amendment No. 2, the purport of which is that the
19. petition should be filed where the act or transaction
20. occurred. But if one reads the final portion of that
21. sentence it continues the right in the Attorney General
22. to file his petition practically anyplace in the State.
23. Because the language or the subject matter under
24. investigation effects the residents or governments
25. therein would indicate to me that a petition might
26. be filed in some County and say no matter how torturously
27. that that act in the other county effects the government
28. of this county or the people of this county, and of
29. course we know how the Federal government stretches
30. the interpretation of interstate commerce so we
31. might and I am sure, we will, find the same kind of
32. stretching of the interpretation of what intrastate, or
33. intercounty commerce. And think the bill in its present

1. state is as dangerous as it was in its initial state,
2. and I vote no.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Palmer.

5. SENATOR PALMER:

6. Mr. President, members of the Senate, I at this
7. time would like to commend and compliment the learned
8. Senator Sours for his forthright answers to the questions
9. here and admitting, in openly admitting the weakness
10. and the dangers that exist in this bill. And I'm
11. repeating the dangers. He admitted to it. And also,
12. if you noticed some of the Senators here how he said
13. as the sponsor that this is a good bill, and I want you
14. to notice that he...he did not say it with the vigor he
15. usually says this is a good bill. He said it with a
16. little weakness, and I...I'd like you to know that in
17. his answers by admitting the weaknesses and the dangers
18. he has in effect told you that this is a bad bill,
19. and given you arguments against it, and I vote no in
20. accordance with his answers. Thank you Senator Sours.

21. SECRETARY:

22. Partee,

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Partee.

25. SENATOR PARTEE:

26. Participation in the law enforcement process has
27. taken a great deal of my time and career and I served
28. a number of years in the State's Attorneys office. I
29. agree with Senator Sours that the least government is
30. the best government and here we are putting men in
31. juxtaposition at an expense and a cost to the taxpayers
32. where one person is supposed to the job and you have
33. two or three people doing it. This is a sad period in

1. American history. Each day I pick up the paper
2. I read about things having transpired in Washington,
3. D.C., involving persons who have the confidence of
4. their government. And I'm not going to get into that.
5. I have purposely not said one word about it to this
6. point. I would agree that people are concerned about
7. law enforcement and about the concentration of power
8. in the hands of a small number of men. The grand
9. jury as Senator Netsch pointed out is perhaps a relic
10. of another age. There's no sanctity in the grand
11. jury procedure any more. A man named Jack Anderson
12. published verbatim the testimony from the grand jury
13. that was taking place in Washington. We need a new
14. system and certainly the system as supported by Senator
15. Netsch is a kind of system we should go to. She
16. says she hopes and prays that it won't be abused,
17. and Senator Newhouse said he hopes that the things
18. that Senator Knuppel mentioned won't be done. But
19. I suggest to you that legislation ought to be bottomed
20. and fastened on something other than hope, and on
21. prayer. Meaningful of course, but we have to do
22. some things in addition to hope and pray. Now their talk
23. about a State's Attorney having connections and things
24. of this sort and perhaps in a particular county things
25. could not get done. Well, let me say for you that I
26. am from a County of Cook, and we have a State's Attorney
27. there who I would defy anyone here to say here has
28. any kind of connection, political or otherwise, that
29. would keep him from doing a good job. Now, if there's
30. someone here who wants to tell me that Bernard
31. Carey is not a State's Attorney who would do the kind
32. of job required of him by statute, please stand now
33. and tell me who you are and why you say he wouldn't.

1. I would say to you that the present Attorney General,
2. Bill Scott happens to be a man that I have a great deal
3. of confidence in, and I would not think that he would
4. abuse his privilege. But I suggest to you that govern-
5. ment by personality is not the way to go. You're not
6. passing a bill for Bill Scott, you're passing a bill
7. for whoever is the Attorney General of this State,
8. and you and I know that the bill as passed here today
9. is fraught with possibilities of mischief, in the
10. hands of the wrong person. I suggest to you that we
11. cannot pass legislation for and to accommodate a
12. particular personality no matter how good that person
13. may be. And no matter how much we believe that it would
14. not take the bill and do things improper with it. I
15. vote no.

16. SECRETARY:

17. Regner, Rock, Roe, Romano, Saperstein, Savickas,
18. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Sours.

21. SENATOR SOURS:

22. I think there should be some reply made by me on
23. this. The Legislative Council prepared a little memo
24. for me on this, suggesting that the basic purpose of
25. a State-wide grand jury is to provide a more effective
26. tool for investigating matters of State-wide concern,
27. State-wide concern. Meaning more than just peculiarly
28. local concerns, such as organized crime. And that's
29. just an example. The National Association of Attorneys
30. General adopted the following recommendation regarding
31. State-wide grand juries at it's 1971 winter meeting.
32. It's very brief, I'll read it. State-wide problems can-
33. not be met solely on the local level. The Attorney General

1. has the authority to call a state-wide grand jury to
2. investigate organized crimes and other matters of general
3. importance. Now, I can't agree that we should abolish
4. the grand jury either. I think an information is far
5. more vicious, far more unilateral, grand juries do return
6. No True Bills. Once the information gets going the
7. accused is in the dock, right then and there. You
8. don't...you don't quash an informat either. But that's
9. on certain form that's unquahsable. Now, we've had
10. the grand jury since the time of Edward the VI
11. and this is for the edification of the professoriat.
12. We've had it since 1553 or 1554. It seems to have
13. worked and at least it's mentioned both in the Federal
14. and State Constitutions. I vote aye.

15. SECRETARY:

16. Swinarski, Vadalabene, Walker, Weaver, Welsh,
17. Wooten, Mr. President.

18. PRESIDING OFFICER (SENATOR MOHR):

19. On that question the yeas are thirty-three, the
20. nays are fourteen. The bill having received a con-
21. stitutional majority is declared passed. Senator Bartulis.

22. SENATOR BARTULIS:

23. ...Make a motion...voting on the prevailing side,
24. motion to lie upon the Table.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Do you want...Do you want to repeat the motion please
27. Senator Bartulis?

28. SENATOR BARTULIS:

29. To reconsider.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Bartulis moves to reconsider the vote by
32. which SB 419 passed. Senator Ozinga moves that that lay
33. upon the Table. All those in favor signify by saying

1. aye. Opposed. Motion carries...fails. Motion to
2. Table carries. Our last bill, we did say that that
3. was the last one. Senator Bartulis.

4. SENATOR BARTULIS:

5. Point of personal privilege, Mr. President. Directly
6. behind the President's podium in the gallery we have
7. today visiting with us a group of women from the Pike
8. County Republican's Club. And I wish they would stand
9. and be recognized.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Newhouse.

12. SENATOR NEWHOUSE:

13. Mr. President, while we're on the order of personal
14. privilege, I'd like to introduce students from Roosevelt
15. University who are just to your right in the gallery.
16. And I'd ask them to stand and be recognized.

17. PRESIDING OFFICER (SENATOR MOHR):

18. All right, the last bill is of an emergency nature.
19. We have agreement from both sides to call this bill.
20. SB 1141, Senator Don Moore.

21. SECRETARY:

22. SB 1141 (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Moore.

26. SENATOR DON MOORE:

27. Thank you Mr. President, members of the Senate.
28. This is an emergency bill. It transfers from within
29. the present Department of Public Aid budget the sum of
30. 15 million dollars from the Aid to Families with
31. Dependent Children, under Article 4 to the General
32. Assistance and Local Aid to the Medically Indigent
33. under Articles 6 and 7. What is going to happen is

1. within the next ten days to two weeks, there will be
2. no money left in the General Assistance line item of
3. the State Department of Public Aid, as a result there
4. will be no GA monies for any of the units of government
5. including the County of Cook and the City of Chicago.
6. And I would appreciate some of the members on the
7. other side of the aisle assisting in passing this
8. emergency measure. This is also a nonpartisan bill
9. like the ones I had previously that abolished the
10. Cook County Department of Public Aid and made it an
11. instrumentality of the State of Illinois. And I would
12. appreciate a favorable roll call on this most important
13. bill particularly calling reference to those 19 Democratic
14. Senators from the City of Chicago and I ask for their
15. support and a favorable roll call Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President, I'd like to ask the sponsor some
20. questions.

21. PRESIDING OFFICER (SENATOR MORH):

22. Will the sponsor yield? He indicates he will.

23. SENATOR SHAPIRO:

24. Senator Moore, I understand now that there is a
25. deficiency in General Assistance and this is a transfer
26. from the ADC line item to General Assistance?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Moore.

29. SENATOR DON MOORE:

30. That is correct. There will be...there is an
31. estimated deficit, or an estimated lapse of monies
32. in the General Assistance of approximately 30 million
33. dollars. We're taking 15 million of that and transferring

1. it to General Assistance, and it is anticipated that
2. on the end of the fiscal year there will still lapse
3. 15 million in ADC.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Shapiro.

6. SENATOR SHAPIRO:

7. Senator Moore, approximately a year ago as I recall,
8. the General Assistance rolls in Cook County were decreas-
9. ing. Mainly as I understand due to a...better check on
10. those recipients and so on and so forth, and if my memory
11. is correct I was under the impression that we
12. appropriated approximately 80 million for FY '73,
13. for General Assistance. Now it appears that we are
14. short of the necessary amount of money to carry
15. through to the end of the year. Are the General
16. Assistance rolls increasing?

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Don Moore.

19. SENATOR DON MOORE:

20. That is true. We appropriated 80,500,000 for
21. fiscal '73. It was anticipated that our case loads
22. would be approximately 27,500 per month for fiscal '73.
23. However in July of '72 there were 31,400 cases and by
24. February it advanced to 36,505 cases. There is an
25. increased case load in General Assistance since the
26. original budget was anticipated.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Shapiro.

29. SENATOR SHAPIRO:

30. Senator Moore, what's the reason for the increase
31. in General Assistance?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Moore.

1. SENATOR DON MOORE:

2. I believe the only reason that I can see is that
3. the categoricals which the Cook County Department is
4. trying to get on whereby they get matching Federal funds,
5. these cases are being deemed not to be those which
6. can be gone into the categoricals. Therefore, they
7. fall into the General Assistance classification.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Shapiro.

10. SENATOR SHAPIRO:

11. I'm not too sure that I got an answer to this...
12. the question I'm going to ask. You may have started.
13. Approximately when did the General Assistance rolls
14. start increasing again?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Moore.

17. SENATOR DON MOORE:

18. They began in 19...in July of '72, they were up
19. to 31,400 and by February of this year they were up to
20. 36,505.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Shapiro.

23. SENATOR SHAPIRO:

24. Was there any decided increase during the month
25. of January or February?

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Moore.

28. SENATOR DON MOORE:

29. I don't have the exact figures. There was a slight
30. decrease in GA from December to January, dollar wise
31. from \$240,000 but then in February it went from
32. 6,729,000 to 7,907,000. So there was about a million
33. two increase from January to February, a slight

1. decrease from December to January.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Shapiro.

4. SENATOR SHAPIRO:

5. Well, Mr. President, members of the Senate, right
6. or wrong I think you were all aware that ADC money is
7. matched fifty-fifty by the Federal government, and
8. General Assistance funds are...ninety percent State
9. money after the...or totally State money after the
10. local monies are spent by any township or county. And
11. the history of the General Assistance in this State
12. particularly in Cook County has been one that has been
13. bad. I am suspicious that caseworkers, so on and so
14. forth find it much easier to handle a General Assistance
15. case than they do one of the Federally funded categorical
16. aids in the Public Welfare program. I personally just
17. because of what I know about General Assistance cannot
18. support this deficiency. I'd be more than willing to
19. support one in the Aid to the Blind or Disabled, or
20. to ADC or to Medicaid, but this large of a deficiency
21. transferred to General Assistance I just can't
22. accept at this particular time. And I'm going
23. to vote no on this particular deficiency transfer.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Smith.

26. SENATOR SMITH:

27. I appreciate the position taken by the Senator
28. who just yielded the Floor. However, it so happens
29. that those of us who have given perhaps a little
30. more thought, study and attention to this particular
31. bill, than perhaps he has. I think that members here
32. know that ordinarily we on this side of the aisle
33. would be opposed to legislation of this sort,

1. and that under ordinary circumstances we would
2. vote solidly against such a proposal. But these
3. are not ordinary times. The Senator will bear
4. in mind the state of the economy at present,
5. and if he bears in mind the state of the economy,
6. not only here in Illinois but generally, he will
7. know that it so happens that the General
8. Assistance rolls have necessarily increased. Now
9. it may be that he's predicating his opposition to
10. the transference of funds, which I ordinarily would
11. oppose and would caution this side to support me, and
12. I have assurance that they would, upon the statements
13. that have been made during the past few months, that
14. persons on General Assistance would be transferred
15. into the category, Senator that you referred to.
16. It so happens that that hasn't been the case. We
17. had been led in the Advisory Commission, we had
18. been told but not led, in the Advisory Commission
19. that the transferences to Federal participating
20. programs was proceeding fine, that ere long all would
21. be well and a condition such as now is definitely
22. upon us would never be allowed in the State of Illinois.
23. The actual facts however were stated very ably, I think,
24. by the sponsor of this bill, Senator Moore who was
25. present and has been present with us in our various
26. meetings as we have gone over this situation. Now,
27. under ordinary conditions I would take the position
28. that you take Senator and oppose this particular
29. bill. But it's necessary...the plain fact of
30. the matter is that they're skimming the bottom
31. of the barrel even now. And within ten to twelve
32. days the funds will be completely exhausted and
33. I don't know Senator, I didn't notice whether

1. you made an emergency measure of this or not. Did you?
2. Whether you did or didn't the emergency exists, and
3. I'm appealing to all members on this side to for once
4. let us forsake the attitude that we have had heretofore
5. of opposing the transference of funds and on this
6. occasion insofar as this particular bill is concerned
7. let us vote to sustain Senator Moore's position by
8. voting yea on roll call.

9. PRESIDENT:

10. Senator Sours. Senator Dougherty.

11. SENATOR DOUGHERTY:

12. Mr. President, members of the Senate, I rise in support
13. of this bill for the reasons cited by Senator Smith.
14. There's a definite need for it. And if you will recall
15. those of you who were here two years ago, when the
16. Department attempted to transfer 21 million out of ADC
17. to General Assistance there was quite a hassle over it,
18. and the resulted court hearings, if you will recall.
19. However, there was then and there is now even more
20. compelling need for this transfer. And as far as placing
21. these people into categories, every reasonable effort
22. is being made by not only Cook County but by the State
23. Department in order to place these people in the
24. categorical assistance where they belong. I might
25. point out that some two years ago there was well
26. over 40,000 people in that General Assistance
27. category, and the target of about 25,000 was reached
28. when they did transfer them into the categorical
29. areas. Every reasonable attempt will be done to do
30. so. I point out that even now, even though these rolls
31. have escalated, we are still some seven thousand behind
32. what we were two years ago. This is a vitally needed
33. measure, and I urge my colleagues on this side of the

1. aisle to vote for this bill.

2. PRESIDENT:

3. Is there further discussion? The question is shall
4. SB 1141 pass, and on that question the Secretary will
5. call the roll.

6. SECRETARY:

7. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
8. Chew, Clarke, Conolly, Course, Daley, Davidson,
9. Donnewald, Dougherty, Fawell, Glass, Graham, Harber
10. Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
11. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
12. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
13. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
14. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
15. Shapiro,

16. PRESIDENT:

17. Senator Shapiro.

18. SENATOR SHAPIRO:

19. Mr. President, members of the Senate, I realize
20. that there's a tendency to oversimplify many times,
21. and I certainly don't want to do that, but I think
22. that when it comes to a General Assistance aid, as
23. it's handled throughout the State, these are generally
24. people who need temporary short term assistance. In
25. downstate Illinois they walk into the Township Supervisor's
26. Office, practically walk out with the money in their
27. hands and when the Supervisor finds out whether they
28. are eligible for the categorical aid programs, they
29. are transferred to those programs and if not he
30. continues the aid until they can find a job, so on
31. and so forth. In an economy that is rising here in
32. the State of Illinois I just...I just can't reconcile
33. my thinking to the fact that the General Assistance rolls

1. are rising in this State and particularly as dramatically
2. as they have in the few months. So in light of those...
3. that statement and what I stated before, until I get a
4. better explanation as to why the General Assistance
5. rolls are rising, I'm going to have to vote no.

6. SECRETARY:

7. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
8. Walker, Weaver, Welsh, Wooten, Mr. President.

9. PRESIDENT:

10. Senator Newhouse aye. Senator Newhouse.

11. SENATOR NEWHOUSE:

12. After the count is announced Mr. President, I'd
13. like to rise on a point of personal privilege.

14. PRESIDENT:

15. On that question the yeas are thirty-nine, the
16. nays are seven. SB 1141 having received a constitutional
17. majority is declared passed. Senator Moore.

18. SENATOR DON MOORE:

19. Thank you Mr. President, members of the Senate.
20. About an hour ago I thought that perhaps the members on
21. the other side of the aisle were either blind or deaf
22. when SB 436, 7, 8 and 9 were up but my faith is to a
23. certain extent reinstated in them. I want to thank them
24. for their support of this bill, that will greatly
25. assist the County of Cook and particularly the City
26. of Chicago as well as the Madison and St. Clair areas
27. of the State of Illinois. Thank you gentlemen for
28. your assistance in passing this good bill.

29. PRESIDENT:

30. Senator Partee.

31. SENATOR PARTEE:

32. Well, we accept your thanks sir, and we just
33. want you to know that the blind and the deaf sometimes

1. can see.

2. PRESIDENT:

3. Senator Newhouse.

4. SENATOR NEWHOUSE:

5. Mr. President, I'd like to rise on a point of
6. personal privilege. We are being visited today by a
7. group of people from the Chicago Teacher's Union, some
8. of whom are now in the gallery. They are led by
9. Mrs. Jacqueline Vaughn and I will preempt Senator
10. Saperstein by introducing to this Body my lady...
11. vice-president Mrs. Vaughn who I think would ask
12. her fellow compatriots to rise and be recognized by
13. the Senate.

14. PRESIDENT:

15. Senator Schaffer.

16. SENATOR SCHAFFER:

17. I would ask leave of the Body to be added as
18. co-sponsor to SB 928. I have permission of the main
19. sponsor.

20. PRESIDENT:

21. Is there leave? So ordered. Senator Daley.

22. SENATOR DALEY:

23. Mr. President, fellow Senators, I have talked
24. to the Chairman of the Revenue Committee and the
25. Chairman of the Judicial Committee in regards to
26. SB 1020. I'd like to make a motion to discharge the
27. Revenue Committee from further consideration of
28. SB 1020 for the purpose of re-referring SB 1020
29. to the Judicial Committee. And also a motion to
30. waive the rules for the posting requirements so that
31. SB 1020 will be heard with SB 1021 at the same time.

32. PRESIDENT:

33. Senator Daley moves to discharge the Committee on

1. Revenue from further consideration on SB 1020 and
2. re-refer the bill to the Committee on Judiciary. All
3. in favor signify by saying aye. Contrary nay. The
4. motion carries, the bill is discharged and re-referred.
5. On the question of suspending the rules for the posting
6. ...for the posting requirements all in favor signify
7. by saying aye. Contrary no. The motion carries, the
8. rules are suspended for the hearing of SB 1020 in
9. Judiciary. Senator is that today or tomorrow? For the
10. meeting of Judiciary for tomorrow. Senator Mitchler.

11. SENATOR MITCHLER:

12. Mr. President, members, on the Calendar the
13. Industry and Labor Committee is shown as meeting on
14. Thursday, May 10 in room 212 at 2:15 p.m. In room
15. 212 at 2:15 p.m. the Local Government Committee will
16. be meeting in the Public Health, Welfare and Corrections
17. will be meeting. Industry and Labor will be meeting
18. in room A-1 at 2:15 p.m. in the State Office building.
19. Now, I believe that that would have to have...also
20. have a change with the Transportation and Public
21. Utilities Committee which I understand Senator Conolly
22. is going to have meet on the Floor of the Senate at
23. 2:15 p.m. on Thursday, May 10th.

24. PRESIDENT:

25. Senator Donnewald.

26. SENATOR DONNEWALD:

27. Yes, I guess everybody understood that, but Mr.
28. President I would announce a Democratic Cacus an hour
29. before Session tomorrow, and I presume that would be
30. at 10:30 our cacus will be at 9:30. Sixth floor.

31. PRESIDENT:

32. Democrat cacus at 9:30 on the 6th floor, tomorrow
33. morning. Senator Graham.

SENATOR GRAHAM:

1. It's Democratic.

2. PRESIDENT:

3. Democrat, yes.

4. SENATOR GRAHAM:

5. Democratic. It's Democratic to us.

6. PRESIDENT:

7. Yes, Democrat.

8. SENATOR GRAHAM:

9. Mr. President and members of the Senate I'd like
10. leave of the Body to have the Committee of Executive
11. ...

12. PRESIDENT:

13. Senator Graham.

14. SENATOR GRAHAM:

15. ...have the Committee on Executive be discharged
16. from further consideration of Senate Bills 861, 862,
17. 863, 864 and 865 and have them reassigned to the
18. Committee on Education. They deal with a school bond
19. construction, Capitol Development Program. And it's
20. in agreement with the Committee chairman. Senator
21. Fawell would like to have them there. Senator Ozinga
22. would like to get rid of them. Everybody's happy and i
23. ask for their leave.

24. PRESIDENT:

25. Senator Graham, Chairman of the Committee on
26. Assignment of Bills moves to discharge Senate Bills
27. 861, 2, 3, 4 and 5 from the Committee on Executive and
28. re-referred to the Committee on Education. All in
29. favor...Senator Graham. All in favor signify by saying
30. aye. Contrary no. The motion carries, the bills are
31. discharged and re-referred. Senator Graham.

32. SENATOR GRAHAM:

33.

1. Now, Mr. President I'd like to have consent of the
2. Body to waive the six day rule so that they could be
3. heard this week at the convenience of Senator Fawell.
4. PRESIDENT: .

5. Senator Graham moves to suspend the rules in relation
6. to that series of bills for the purpose of hearing the
7. bill in this week's Education Committee. All in favor
8. of the motion to suspend signify by saying aye. Contrary
9. no. The motion carries, the rules are suspended for
10. the posting of those bills of...beyond the six day
11. notice requirement. Senator Bruce.

12. SENATOR BRUCE:

13. I'm sorry, I was called off the Floor, but I
14. understand that action has been taken on bills of mine
15. transferring them from Executive to Education. I...I
16. would just like to know, was that done normally without
17. consulting the sponsor at all...

18. PRESIDENT:

19. You'll have to direct that question to Senator
20. Graham. My understanding was that this matter had been
21. cleared with the sponsors and you have them both in the
22. same committee now. Senator Graham.

23. SENATOR GRAHAM:

24. That was my understanding too.. Thought that talk
25. Senator Fawell had checked with you Senator Bruce...the
26. other bill dealing with this subject matter...and he
27. thought he would like to have it all in the Education.
28. He thought you fellows could handle it more perfectly
29. than...

30. PRESIDENT:

31. Senator Bruce.

32. SENATOR BRUCE:

33. I'm sorry...I have witnesses coming, and I just

1.
2. wonder, the Capitol Development Bond Board, there are all
3. kinds of people. Are these going to be meeting on the
4. same day where this won't inconvenience the witnesses
5. that are coming. These are important pieces of legisla-
6. tion.

7. PRESIDENT:

8. Let's take this matter out of the record until
9. Senator Fawell is on the Floor. The principals ought
10. to be...let's just take it out of the record, the
11. bills remain where they were originally, and if Senators
12. Bruce, Fawell, and Senator Graham was just trying to
13. be helpful. Between the two...okay...Senator Weaver.

14. SENATOR WEAVER:

15. Mr. President, I like to announce a Republican
16. caucus at 10:00 a.m. in the morning in M-1.

17. PRESIDENT:

18. Republican caucus at 10 a.m. tomorrow morning in
19. Room M-1. Are there further announcements to come
20. before the Senate? Senator Smith.

21. SENATOR SMITH:

22. A motion now on the Table. I merely wanted filed.
23. I understand that the time limit for the filing of
24. such a motion is today, and at such time as meets the con-
25. venience of the Senate, I propose to discuss it.

26. PRESIDENT:

27. Well, Senator Smith, under the rules, this motion
28. should have been filed on May 5th, the day following
29. ...The Chair wishes to make an announcement at the
30. request of John Elmer and Burnell Heinecke. I want
31. to call your attention to the annual press gridiron
32. dinner which is tomorrow night at 7 at the St. Nick.,
33.

1. I am sure that you're all aware that these tickets are avail-
2. able from any representative of the press corps. Tickets
3. really aren't going quite as well as they had hoped for
4. and I want to encourage the membership to participate
5. if they possibly can. It's a great evening of enter-
6. tainment, and those members of the press corps who
7. contacted me about it and indicated what some of the
8. surprises are, I know that you all will have a great
9. evening if you are able to participate. So contact
10. members of the press corps for tickets to the annual
11. gridiron dinner, tomorrow night at 7 at the St., Nick.
12. Senator Mitchler.

13. SENATOR MITCHLER:

14. You know, as long as we're on the order of parties,
15. I'd like to thank everyone who contributed and participated,
16. in the German-American Legislative dinner that was held
17. at the St. Nicholas Hotel last evening. Reports that
18. come are very favorable. They appreciated the German
19. speeches by the President of the Senate and also the
20. Minority Leader, as well as the input of many of the
21. other individuals and...very glad that you enjoyed the
22. imported German beer. Thank you.

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. Yes, Mr. President. I wanted to add to what you said
27. about the gridiron dinner tomorrow night and to encourage
28. all members to attend. It is going to be a particularly
29. good show. Last year they had a show that was their first
30. effort, which was in itself good. I'm given to under-
31. stand that this is a kind of show that you will enjoy
32. thoroughly. And if last year was any example, you will
33. enjoy it, and I would certainly encourage the members to

1. attend. That's tomorrow night at 7:30.

2. PRESIDENT:

3. The Senate...Senator Palmer.

4. SENATOR PALMER:

5. ...commending and thanking people. I wanted to...
6. think we ought to compliment and thank Senator Mitchler
7. for the fine work he's doing for the Senate by his
8. suggested addresses that he has delivered to most of
9. the Senators. But I would like to make a suggestion
10. to Senator Mitchler, that he be a little more careful
11. on the timing. It just so happened that I made his
12. Flag Day speech on...on the wrong day. I wish he would
13. time it a little better.

14. PRESIDENT:

15. The Senate stands adjourned until 10 a.m. tomorrow
16. morning. I'm sorry, 10:30 tomorrow morning. The Senate
17. stands adjourned until 10:30 tomorrow morning.