

78TH GENERAL ASSEMBLY

May 15, 1973

1. PRESIDENT:

2. The Senate will come to order. The prayer will
3. be delivered by the Reverend LaVon Baylor of St.
4. Timothy United Methodist Church of Litchfield. Will
5. our guests please rise. Reverend Baylor.

6. (Prayer by Reverend Bayler,
7. St. Timothy United Methodist Church,
8. Litchfield, Illinois)

9. Thank you very much Reverend Bayler. Reading of
10. the Journal. Senator Soper.

11. SENATOR SOPER:

12. Mr. President, members of the Senate, I move that
13. we postpone the reading of the Journals of May 10th,
14. 11th, 12th, 14th, pending the arrival of the printed
15. Journal and approval of the same.

16. PRESIDENT:

17. Senator Soper moves that we postpone reading of
18. the Journals of May 10, 11, 12 and 14, pending the
19. arrival of the printed Journal. All in favor signify
20. by saying aye. Contrary no. The motion carries.
21. Now, the Chair wishes...the Chair recognizes Senator
22. Davidson. Senator Davidson.

23. SENATOR DAVIDSON:

24. Mr. President and Ladies and Gentlemen of the
25. Senate, it's my distinct pleasure to ask for a
26. suspension of the rules for introduction of a
27. congratulatory resolution. And I would like all the
28. Senators to join me. This is a congratulatory
29. Resolution to Lieutenant Enschede, John Enschede a native
30. of Springfield who was a POW who is now returned home,
31. and is sitting on the President's podium, and after
32. we adopt the Resolution, I would like to present him
33. to the Senate.

1. PRESIDENT:

2. Senator Davidson moves for the suspension of the
3. rules for the introduction of and immediate consideration
4. of the Resolution. All in favor signify by saying aye.
5. Contrary no. The motion carries. The rules are suspended.
6. Secretary will read the Resolution.

7. SECRETARY:

8. (Secretary reads Senate Resolution 156)

9. PRESIDENT:

10. Senator Davidson.

11. SENATOR DAVIDSON:

12. Mr. President, Ladies and Gentlemen of the Senate,
13. it's my pleasure to present to you Lieutenant and Mrs.
14. John Enschede on the President's podium. Lieutenant Enschede.

15. LIEUTENANT JOHN ENSCH:

16. Thank you very much. Last time I was ever here,
17. I was on a tour like those kids up there. I never, ever
18. thought I'd be up here talking to the Senate. But...on
19. behalf of myself and my family, I want to say thank you
20. very much. I know you've got a lot of work to do here,
21. and I won't take too much of your time. But, this is
22. a very distinct honor for me to have this happen to me,
23. from my home State. I'm very proud to have served my
24. Country and my State, had the opportunity to do so,
25. and I also want to say thank you, not only for this but
26. on behalf of all the POW's for all the work that the
27. United States and the State of Illinois did getting
28. us back, and I'd like to make an appeal as private
29. citizens that we don't forget the MIA's. We've still got
30. some guys over there that, or possibly got guys over
31. there, we don't know. But, there are some we don't
32. even know what happened to, and those are the primary
33. concern for us that came back...our comrades, we want

1. back.

2. PRESIDENT:

3. All in favor of the adoption of the Resolution
4. signify by saying aye. Contrary no. The motion carries,
5. and the Resolution is adopted. Lieutenant Enschede, we
6. certainly thank you and this response is only symbolic
7. of what I know is heartfelt thanks by all of us for the
8. sacrifice and the contribution you have made to us as
9. citizens of the United States, and of Illinois. And
10. again, we thank you. Senator Davidson.

11. SENATOR DAVIDSON:

12. I would like to also present to the Senate,
13. Lieutenant Enschede's brother and sister-in-law who are
14. with him, Mr. and Mrs. Leon Enschede.

15. PRESIDENT:

16. Committee reports.

17. SECRETARY:

18. (Secretary reads Committee Reports)

19. PRESIDENT:

20. Resolutions.

21. SECRETARY:

22. Senate Resolution 157 by Senator Mitchler and all
23. members of the Senate. And it's congratulatory.

24. PRESIDENT:

25. Senator Mitchler.

26. SENATOR MITCHLER:

27. Mr. President, this is a congratulatory resolution.
28. Copies have been distributed to the Minority Leader and
29. the Majority Leader. And I would move for the suspension
30. of the rules, the immediate consideration and adoption
31. of this Resolution.

32. PRESIDENT:

33. Senator Mitchler moves to suspend the rules for

1. the immediate consideration of the Resolution. All
2. in favor signify by saying aye. Contrary no. The
3. motion carries, the rules are suspended. Senator
4. Mitchler.

5. SENATOR MITCHLER:

6. Yes, Mr. President, I would now move for
7. immediate consideration and adoption of this Resolution.

8. PRESIDENT:

9. Senator Mitchler moves for the adoption of the
10. Resolution. All in favor signify by saying aye. Contrary
11. no. The motion carries, and the Resolution is adopted.

12. SENATOR MITCHLER:

13. Mr. President.

14. PRESIDENT:

15. Senator Mitchler.

16. SENATOR MITCHLER:

17. As long as I'm on my feet. If I might rise on
18. a point of personal privilege. In the gallery immediately
19. to my rear are a group of 26 foreign exchange students
20. who are the guests and under sponsorship of Rotary
21. District 644, Fred Depiro from Downers Grove, Illinois
22. in DuPage County. And I would like to have them rise and
23. have them be recognized by the Illinois State Senate.
24. These are 26 foreign exchange students touring the
25. Illinois State Capitol Complex today.

26. PRESIDENT:

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Mr. President, on a point of personal privilege,
30. I'd like to note the presence on the Floor today of
31. my predecessor, Senator Carpentier. Welcome him to
32. the Chamber today.

33. PRESIDENT:

1. Message from the Senate...

2. SECRETARY:

3. (Secretary reads message from the President)

4. PRESIDENT:

5. Senator Howard Mohr.

6. SENATOR HOWARD MOHR:

7. Yes, Mr. President, up in the gallery to my right

8. are two very fine friends of mine from the fine village

9. of Forest Park, who I'd like at this time to introduce

10. to the Senate, Ruth and Bob Savage.

11. PRESIDENT:

12. Introduction of bills.

13. SECRETARY:

14. SB 1167 (Secretary reads title of bill).

15. SB 1168 (Secretary reads title of bill).

16. 1st reading of the bills.

17. PRESIDENT:

18. Message from the House.

19. SECRETARY:

20. (Secretary reads message from House).

21. PRESIDENT:

22. House Bills on 1st reading. HB 288, Representative

23. Martin. HB 368, Representative Catania. HB 446,

24. Representative Choate. HB 553, Representative Taylor.

25. HB 554, Representative Giorgi. HB 616, Representative

26. Kelly. HB 625, Representative Kosinski. Yes, the

27. 3rd, I mean the 4th column should read 1st reading.

28. It begins at the bottom of the 3rd column. But it's

29. on page 3 of today's Calendar, beginning with HB 368

30. in the 4th column. That heading should say 1st reading.

31. It is a printer's error. HB 616, Representative Kelly.

32. HB 625, Representative Kosinski. HB 630, Representative

33. Gibbs. HB...HB 675, Representative Rayson. HB 695,

1. Representative Houlihan. HB 749, Representative
2. Catania. HB 788, Representative Kelly. HB 866,
3. Representative Ewell. Senator Course. The 866, HB
4. 866, Senator Course.
5. SECRETARY:
6. HB 866 (Secretary reads title of bill)
7. 1st reading of the bill.
8. PRESIDENT:
9. Senate Bills on 2nd reading. Senator Vadalabene,
10. he's not on the Floor. Senator Ozinga, 131. 146,
11. Senator Ozinga.
12. SECRETARY:
13. SB 146 (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. NO...Are there amendments from the Floor? 3rd
17. reading. SB 131.
18. SECRETARY:
19. SB 131 (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.
21. PRESIDENT:
22. Are there amendments from the Floor? 3rd reading.
23. Senator Conolly, you wish to advance 150? Senator
24. Berning, 191. Senator Fawell, 225. Senator Knuepfer,
25. 235. Advance.
26. SECRETARY:
27. SB 235 (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDENT:
30. Are there amendments from the Floor? 3rd reading.
31. 237, advance.
32. SECRETARY:
33. SB 237 (Secretary reads title of bill)

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

2. PRESIDENT:

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

4. 239, advance.

5. SECRETARY:

6. SB 239 (Secretary reads title of bill)

7. 2nd reading of the bill. The Committee on Local Govern-

8. ment offers one amendment.

9. PRESIDENT:

10. Senator Knuepfer.

11. SENATOR KNUEPPER:

12. Move the adoption of the amendment.

13. PRESIDENT:

14. Senator Knuepfer moves the adoption of committee

15. Amendment No. 1. Is there discussion? All in favor

16. signify by saying aye. Contrary no. The motion carries.

17. Amendment No. 1 is adopted. Are there amendments from

18. the Floor? 3rd reading. Do you want to advance it

19. Senator Wooten. SB 246.

20. SECRETARY:

21. SB 246 (Secretary reads title of bill)

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

23. PRESIDENT:

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

25. Senator Berning, 321. Senator McBroom, 337. Senator

26. Wooten, 342, advance.

27. SECRETARY:

28. SB 342 (Secretary reads title of bill)

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

30. PRESIDENT:

31. Senator Wooten.

32. SENATOR WOOTEN:

33. Yes, Mr. President, I would like to offer an amendment

1. to SB 342. The purpose of this amendment is to eliminate
2. all reference to constitutional implementation, and to
3. slightly expand the language. This has to do with revenue
4. ...expenditure of revenue sharing funds, and I would
5. like...I would like to also to mention that I'm ready to
6. call this back from 3rd to 2nd in case other difficulties
7. develop but I believe that this will answer objections
8. which have been made on the grounds of constitutional
9. implementation, and I would move the adoption of this
10. amendment.

11. PRESIDENT:

12. Is there further discussion? Senator Wooten moves
13. the adoption of Amendment No. 1. All in favor signify
14. by saying aye. Contrary no. The motion carries, the
15. amendment is adopted. Are there further amendments
16. from the Floor? 3rd reading. Senator Newhouse, 402,
17. advance.

18. SECRETARY:

19. SB 402 (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.

21. PRESIDENT:

22. Are there amendments from the Floor? 3rd reading.
23. Senator Chew. Senator Wooten, do you want to advance
24. 434 for Senator Keegan? Do you know about that bill?
25. Oh, Senator Rock says no. Ok. We'll...Senator Roe,
26. 468. He's not on the Floor. Senator Mitchler 477.
27. Senator Vadalabene. Senator Partee.

28. SENATOR PARTEE:

29. I just think the record ought to show that Senator
30. Vadalabene and Senator Knuppel are in...and Senator
31. Regner and Senator Moore are in an election contest,
32. and that accounts for their absence.

33. PRESIDENT:

1. Yes, the record will show that Senator Don Moore,
2. Senator Regner, Senator Vadalabene and Senator Knuppel
3. are absent because of their required attendance in the
4. recount procedure in the election contest. Senator
5. Carroll, 5...Senator Sommer, 539. Senator Carroll or
6. Senator Wooten, do you know whether Senator Keegan might
7. wish 553 advanced? 553.

8. SECRETARY:

9. SB 553 (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Are there amendments from the Floor? 3rd reading.
13. Senator Sours, 566. 567, Senator Sours. Senator Latherow,
14. 597. He's not on the Floor. Senator Johns, 645, advance.

15. SECRETARY:

16. SB 645 (Secretary reads title of bill)
17. 2nd reading of the bill. The Committee on Transportation
18. and Public Utilities offers two amendments.

19. PRESIDENT:

20. Senator Johns.

21. SENATOR JOHNS:

22. I'm...I'm not sure that I have had those amendments.
23. I move the adoption of the amendments. That's what I
24. wanted.

25. PRESIDENT:

26. Is there further discussion? Senator Johns moves
27. the adoption of Committee Amendment No. 1. All in favor
28. signify by saying aye. Contrary no. The motion is carried,
29. the amendment is adopted. Senator Johns.

30. SENATOR JOHNS:

31. Mr. President, I move for the adoption of Amendment
32. No. 2.

33. PRESIDENT:

1. Is there further discussion? Senator Johns moves
2. the adoption of Committee Amendment No. 2. All in favor
3. signify by saying aye. Contrary no. The motion is
4. carried and Amendment No. 2 is adopted. Are there amend-
5. ments from the Floor? 3rd reading. Senator Bartulis,
6. Senator Welsh, 676. Advance.

7. SECRETARY:

8. SB 676 (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Pensions and
10. Personnel offers one amendment.

11. PRESIDENT:

12. Senator Welsh.

13. SENATOR WELSH:

14. Mr. President, I move for the adoption of Committee
15. Amendment No. 1.

16. PRESIDENT:

17. Is there further discussion? All in favor of the
18. motion to adopt Committee Amendment No. 1 signify by
19. saying aye. Contrary no. The motion carries. The
20. amendment is adopted. Are there amendments from the
21. Floor? 3rd reading. Senator Bartulis, we passed by
22. you a minute ago. Do you wish to advance 673? Yes,
23. advance.

24. SECRETARY:

25. SB 673 (Secretary reads title of bill)
26. 2nd reading of the bill. The Committee on Pensions and
27. Personnel offers Amendment No. 1.

28. PRESIDENT:

29. Senator Bartulis. Do you wish to move its adoption?
30. Senator Bartulis moves to adopt Committee Amendment No. 1.
31. All in favor signify by saying aye. Contrary no. The
32. motion carries, the amendment is adopted. Are there amend-
33. ments from the Floor? 3rd reading. Senator Fawell,

1. SB 225. Advance.

2. SECRETARY:

3. SB 225 (Secretary reads title of bill)

4. 2nd reading of the bill. The Committee on Local Government
5. offers amendments numbered one and two.

6. PRESIDENT:

7. Senator Fawell.

8. SENATOR FAWELL:

9. The first amendment is the Home Rule Amendment
10. offered by Senator Dougherty, and I move the adoption
11. of the same.

12. PRESIDENT:

13. Is there further discussion? All in favor of
14. the adoption of Committee Amendment No. 1 signify by
15. saying aye. Contrary no. The motion carries.
16. Amendment No. 1. is adopted. Senator Fawell.

17. SENATOR FAWELL:

18. Amendment No. 2 approved by the Committee is merely
19. a rewording of the entire act. But there's no substitutive
20. changes. The same thing.

21. PRESIDENT:

22. Senator Fawell moves the adoption of Committee
23. Amendment No. 2. All in favor signify by saying aye.
24. Contrary no. The motion carries. Amendment No. 2 is
25. adopted. Are there amendments from the Floor? 3rd
26. reading. Senator Sours in connection with con-
27. sideration of SB 567, do you wish to make a motion
28. in that regard? Senator Sours.

29. SENATOR SOURS:

30. Yes, Mr. President, Ladies and Gentlemen of the
31. Senate, I have left with the Secretary one very large
32. seventy page amendment to this bill. So that every-
33. one will have a chance to look...look into each particular

1. problem involved. It is...it refers to the...skeleton
2. Workman's Compensation agreed bill. I'd like to make
3. the proper motion that the bill...that the Amendment
4. No. 1 be printed and each member of this Chamber given
5. a copy.

6. PRESIDENT:

7. Senator Sours moves that the amendment be printed.
8. All in favor signify by saying aye. Contrary no. The
9. motion carries, and the amendment will be printed.
10. Senator Newhouse. Senator Welsh 689. Senator Course,
11. 710, advance.

12. SECRETARY:

13. SB 710 (Secretary reads title of bill)
14. 2nd reading of the bill. The Committee on Transportation
15. and Public Utilities offers one amendment.

16. PRESIDENT:

17. Senator Course. Do you wish to move the adoption
18. of committee amendment? Senator Course moves the adoption
19. of committee Amendment No. 1. All in favor signify by
20. saying aye. Contrary no. The motion carries, the
21. Amendment is adopted. Are there amendments from the
22. Floor? 3rd reading. Senator Shapiro, 760. 760.
23. Senator Course, 762. Senator Carroll, 764. Senator
24. Hynes. Senator Saperstein, SB 824. Hold. Senator
25. Glass, 831.

26. SECRETARY:

27. SB 831 (Secretary reads title of bill)
28. 2nd reading of the bill. The Committee on Executive
29. offers one amendment.

30. PRESIDENT:

31. Senator Glass.

32. SENATOR GLASS:

33. I would move for the adoption of Amendment 1.

1. Committee amendment 1.

2. PRESIDENT:

3. Senator Glass...is there further discussion?

4. Senator Glass moves the adoption of committee Amendment

5. No. 1. All in favor signify by saying aye. Contrary

6. no. The motion carries, Amendment No. 1 is adopted.

7. SECRETARY:

8. Amendment No. 2 by Senator Glass.

9. PRESIDENT:

10. Senator Glass.

11. SENATOR GLASS:

12. Thank you, Mr. President. Amendment No. 2 would

13. clarify that the appointees to the commission from

14. the legislature would be from opposite parties, and

15. I move for the adoption of the amendment.

16. PRESIDENT:

17. Senator Glass moves the adoption of committee

18. Amendment No. 2. Is there further discussion? All

19. in...I'm sorry. This is not a committee amendment, this

20. is an amendment from the Floor. Is there further discussion?

21. All in favor signify by saying aye. Contrary no. The

22. motion carries. Amendment No. 2 is adopted. Are there

23. further amendments from the Floor?

24. SECRETARY:

25. Amendment No. 3 by Senator Glass.

26. PRESIDENT:

27. Senator Glass.

28. SENATOR GLASS:

29. Mr. President, Senators, Amendment 3 would specify

30. that the recommendations of the commission do not go

31. into effect immediately but go into effect sixty days

32. after submission. I would move for adoption of Amendment

33. No. 3.

1. PRESIDENT:

2. Is there further discussion? Senator Glass moves
3. the adoption of Amendment No. 3. All in favor signify
4. by saying aye. Contrary no. The motion carries,
5. Amendment No. 3 is adopted. Are there further amend-
6. ments from the Floor? 3rd reading. Senator Fawell,
7. you have SB 646, you were off the Floor at the time
8. we passed it by.

9. SECRETARY:

10. SB 646 (Secretary reads title of bill)
11. 2nd reading of the bill. The Committee on Local Government
12. offers one amendment.

13. PRESIDENT:

14. Senator Fawell.

15. SENATOR FAWELL:

16. ...this is the Home Rule Amendment, I was...I move
17. the adoption.

18. PRESIDENT:

19. Is there further discussion? All in favor signify
20. by saying aye. Contrary nay. The motion carries.
21. Amendment No. 1 is adopted. Are there amendments from
22. the Floor? 3rd reading. Senator Hynes, you were off
23. the Floor when we reached...hold it, ok. Senator
24. Fawell, you have another bill, 647. Advance.

25. SECRETARY:

26. SB 647 (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.

28. PRESIDENT:

29. Are there amendments from the Floor? 3rd reading.
30. Senator Harber Hall, 858, you wish it advanced? SB 858.
31. Advance.

32. SECRETARY:

33. SB 858 (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.
2. PRESIDENT:
3. Are there amendments from the Floor? 3rd reading.
4. Senator Conolly, advance.
5. SECRETARY:
6. SB 878 (Secretary reads title of bill)
7. 2nd reading of the bill. The Committee on Local
8. Government offers one amendment.
9. PRESIDENT:
10. Senator Conolly.
11. SENATOR CONOLLY:
12. Move the adoption.
13. PRESIDENT:
14. Senator Conolly moves the adoption of committee
15. Amendment No. 1. All in favor signify by saying aye.
16. Contrary no. The motion carries, Amendment No. 1 is
17. adopted. Are there further...are there amendments from
18. the Floor? 3rd reading. 879, Senator Conolly, advance.
19. SECRETARY:
20. SB 879 (Secretary reads title of bill)
21. 2nd reading of the bill. The Committee on Local
22. Government offers one amendment.
23. PRESIDENT:
24. Senator Conolly.
25. SENATOR CONOLLY:
26. Move the adoption.
27. PRESIDENT:
28. Senator Conolly moves the adoption of committee
29. Amendment No. 1. All in favor signify by saying aye.
30. Contrary no. The motion carries, Amendment No. 1 is
31. adopted. Are there amendments from the Floor? 3rd
32. reading. Senator Fawell, 884. Senator Swinarski, 898.
33. Advance.

1. SECRETARY:
2. SB 898 (Secretary reads title of bill)
3. 2nd reading of the bill. The Committee on Local Government
4. offers one amendment.
5. PRESIDENT:
6. Senator Swinarski.
7. SENATOR SWINARSKI:
8. No further amendments other than committee amendments.
9. PRESIDENT:
10. You move the adoption of...
11. SENATOR SWINARSKI:
12. ...adoption of the committee amendment.
13. PRESIDENT:
14. Senator Swinarski moves the adoption of committee
15. Amendment No. 1. Is there discussion? All in favor
16. signify by saying aye. Contrary no. The motion carries.
17. Amendment No. 1 is adopted. Are there amendments from
18. the Floor? 3rd reading. Senator Fawell, do you wish
19. to advance 905? Hold. 907. 908, ok. That series.
20. Senator Merritt, do you wish to advance 915? SB 915.
21. Senator Newhouse, 916. Advance.
22. SECRETARY:
23. SB 916 (Secretary reads title of bill)
24. 2nd reading of the bill. The Committee on Judiciary
25. offers one amendment.
26. PRESIDENT:
27. Senator Newhouse. Do you move the adoption of
28. the amendment? Senator Newhouse moves the adoption of
29. committee Amendment No. 1. All in favor signify by
30. saying aye. Contrary no. The motion carries, the
31. Amendment No. 1 is adopted. Are there amendments from
32. the Floor? 3rd reading. Senator Newhouse, you were
33. off the Floor when we passed by SB 688, do you wish to

1. advance that?
2. SENATOR NEWHOUSE:
3. Advance it.
4. PRESIDENT:
5. Yes, advance.
6. SECRETARY:
7. SB 688 (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Public Health,
9. Welfare and Corrections offers one amendment.
10. PRESIDENT:
11. Senator Newhouse. You wish to move the adoption of
12. committee Amendment No. 1, on SB 688. The Committee on
13. Public...Senator Newhouse moves to adopt committee
14. Amendment No. 1. Is there discussion? All in favor
15. of the motion signify by saying aye. Contrary no.
16. The motion carries. Amendment No. 1 is adopted.
17. Senator Carroll, 920. Senator McBroom. Senator Merritt,
18. 930. Advance.
19. SECRETARY:
20. SB 930 (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Are there amendments from the Floor? 3rd reading.
24. Senator Fawell, 939. Advance.
25. SECRETARY:
26. SB 939 (Secretary reads title of bill)
27. 2nd reading of the bill. No committee amendments.
28. PRESIDENT:
29. Are there amendments from the Floor? 3rd reading.
30. Senator Fawell, 940. Senator Fawell, yes, advance.
31. SECRETARY:
32. SB 940 (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:

2. Are there amendments from the Floor? 3rd reading.
3. Senator McBroom, 973. Senator Rock, 992. 993...Senator
4. Harber Hall, 1008, hold. Senator Hynes, 1055. Hold.
5. Senator Glass, what about 106L, Senator. Advance.

6. SECRETARY:

7. SB 1061 (Secretary reads title of bill)
8. 2nd reading of the bill. No Committee amendments.
9. Amendment No. 1 by Senator Hynes.

10. PRESIDENT:

11. Senator Hynes.

12. SENATOR HYNES:

13. Amendment No. 1 is the...in effect the consensus of the
14. Revenue Committee as to modifications that should be made
15. in this bill. It does two things. First, it limits the
16. interest that would be payable to four...not to exceed
17. four percent. And secondly, it provides that if interest
18. is not earned by the County that it will not be payable.
19. It does not require the local governmental bodies to...to
20. pay from their general fund for any interest. I've checked
21. with Senator Harber Hall who suggested this amendment, and
22. he has...finds it to meet with his approval. Senator
23. Clarke was not on the Floor, and I have not had a chance
24. to talk to him. I do not think there will be any
25. objection to it, and I would move its adoption.

26. PRESIDENT:

27. Is there further discussion? All in favor of
28. the adoption of the amendment signify by saying aye.
29. Contrary no. The motion carries. The amendment is
30. adopted. Are there...further amendments from the Floor?
31. 3rd reading. Senator Glass, 1078. Hold. Senator
32. Latherow, 1082, hold. Senator Schaffer, 1099. Advance.
33. SB 1100, advance.

1. SECRETARY:
2. SB 1100 (Secretary reads title of bill)
3. 2nd reading of the bill. No committee amendments.
4. PRESIDENT:
5. Are there amendments from the Floor? 3rd reading.
6. Senator Daley, we passed by your name on the order of
7. 2nd reading a few minutes ago. There is a ...1027, do
8. you wish to advance that bill?
9. SECRETARY:
10. SB 1027 (Secretary reads title of bill)
11. 2nd reading of the bill. No committee amendments.
12. Amendment No. 1 by Senator Daley.
13. PRESIDENT:
14. Senator Daley.
15. SENATOR DALEY:
16. This is an amendment was suggested by the committee
17. members, which stated that in the...whereby the State
18. would give \$2.00 worth of aid in the matching fund by
19. the City would be \$1.00, and also no municipality may
20. receive more than 50% of any such appropriation. This
21. deals with the program whereby the Department of Local
22. Government would institute a program to aid the cities,
23. towns and villages throughout the State in...in destroying
24. and demolishing of abandoned buildings.
25. PRESIDENT:
26. Is there further discussion? All in favor of the
27. adoption of the amendment signify by saying aye. Contrary
28. no. The motion carries, the amendment is adopted. Do
29. you wish to call 1025, Senator Daley? Hold that. 3rd...
30. on SB 1027, it is ordered to 3rd reading. The motion...
31. Senate Bills on 3rd reading. SB 281. Senator, I did speak
32. to a couple of sponsors of these appropriation bills.
33. They are exempted from the action deadline.

1. Let's...I'm sorry, I should not have called it.

2. SB 276, Senator Howard Mohr.

3. SECRETARY:

4. SB 276 (Secretary reads title of bill)

5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Mohr.

8. SENATOR HOWARD MOHR:

9. Mr. President, this is a bill that allows mayors
10. to appoint police and fire chiefs. I would remind
11. members that there is an amendment on...an amendment
12. on this bill that makes it mandatory for the mayor to
13. get the advice and consent of his board or council. There
14. have been some objections from the Chief of Police
15. Association, who now are not objecting based on
16. this requirement that we have in the bill. It's
17. always been...the authority has always been given
18. the municipal or corporate authorities the right to
19. appoint, and the right to remove. Until 1971, there
20. was a case in...in the Appellate Court in Edwardsville
21. dealing with this subject, and the court ruled that
22. the municipal officials had the right to appoint, but
23. didn't have the right to remove. And what we are
24. saying here that it is the responsibility of the
25. mayor and the city council to oversee their police
26. and fire departments. They are responsible to the
27. people and should have this...this right. I know of
28. no objection. Now it's supported by the Illinois
29. Municipal League, and I would ask for a favorable
30. roll call.

31. PRESIDENT:

32. Senator Rock.

33. SENATOR ROCK:

1. Yes, Mr. President, I rise in support of SB 276.
2. And I would urge our members to give this bill their
3. full consideration.

4. PRESIDENT:

5. Is there further discussion? Question is, shall
6. SB 276 pass, and on that question the Secretary will
7. call the roll.

8. SECRETARY:

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

19. PRESIDENT:

20. Senator Buzbee, aye. Newhouse, aye. Senator
21. McBroom, aye. Senator Merritt, aye. Senator Carroll,
22. Senator Bruce, Senator Netsch, Senator Hynes, Senator
23. Sours. On that question the yeas are forty-eight, the
24. nays are one. SB 276 having received a constitutional
25. majority is declared passed. Senator Berning, do you
26. wish to recall SB 2 to the order of 2nd reading? For
27. purposes of an amendment.

28. SENATOR BERNING:

29. Yes, Mr. President and members of the Body.

30. PRESIDENT:

31. SB 2 is ordered to 2nd reading. Is there leave?
32. SB 2, Senator Berning.

33. SENATOR BERNING:

1. This will be Amendment No. 2. A copy was furnished
2. to Senator Rock for his review. All it does is simply
3. provide for a two percent service charge to go to the
4. clerk for the providing of the services under the
5. provisions of SB 2, and I would move for the adoption.

6. PRESIDENT:

7. Senator Berning moves the adoption of Amendment
8. No. 2. Is there discussion? The question is shall
9. Amendment No. 2 be adopted. All in favor signify by
10. saying aye. Contrary no. The motion carries. Amend-
11. ment No. 2 is adopted. Are there amendments from the
12. Floor? 3rd reading. Senator Buzbee, 293. Senator
13. Partee, 301. Yes. SB 301. Yes. SB 301.

14. SECRETARY:

15. SB 301 (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. This is a bill we discussed before which
21. Senator Glass was good enough to give us an amendment
22. to, which we took, and which we think makes this a
23. better bill. This is a bill which would, as expressed
24. by Mr. Weidrich in the Tribune, would be the kind
25. of bill that would be protective of those persons
26. who desire to run a clean establishment and who would
27. have some recourse when persons who sought to buy
28. alcoholic beverage, who were not old enough, would
29. proffer some identification which was later found to
30. be spurious. As you know, a person has to rely on
31. the identification offered him. In those cases where
32. people come in to make purchases, and if a person
33. came in with spurious identification, this bill provides

1. for that person to be dealt with and also gives as a
2. defense, not a complete defense, but a...a person
3. who is a seller may offer in evidence that fact that
4. he was taken advantage of by spurious identification.
5. It would also prevent those persons, and they are few
6. in number, who are connected with law enforcement
7. agencies from utilizing young people to purchase
8. alcohol to set up the...the seller with a spurious
9. kind of contrived case. It is an excellent piece
10. of legislation, made even better by the amendment,
11. and I would solicit your support.

12. PRESIDENT:

13. Is there further discussion? Senator Glass.

14. SENATOR GLASS:

15. Mr. President and Senators, very briefly, the
16. amendment suggested by Senator Roe and myself and
17. added in committee that Senator Partee has alluded
18. to, I think does make the bill a good bill. Before
19. the amendment, there was some question that the
20. tavern owner might have a complete defense if he
21. relied on a piece of identification that proved to
22. be false which we felt was improper and I think
23. the way that it is now worded is...is fair that the
24. identification and the fact that he showed it to the
25. tavern owner may be admitted in evidence in defense
26. of a case of this type. I think it is a now a good bill,
27. and I will support it.

28. PRESIDENT:

29. Is there further discussion? The question is
30. shall SB 301 pass? Senator Fawell.

31. SENATOR FAWELL:

32. I...I'm sorry my memory fails me, Senator Partee.
33. Would...the actual, and I don't have a copy of the bill

1. in my...in my list of bills here. But the actual changes
2. then that are made by this bill, are what? I...I can't
3. recall. I know I heard it in Judiciary, and you mention
4. that Senator Glass has the amendment. It evidently
5. changes the wording on page 2, so that the presentation
6. of an identification card by a minor is not automatically
7. a defense to the actions to the crime of selling to a
8. minor. And it simply may be, but...what is the basic
9. change? I'm sorry. You...you may have...I think you
10. probably quite accurately brought this out, but I...I missed...
11. what is the basic change that is being set forth in this
12. legislation?

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. The basic aim of this legislation is to prevent
17. persons from using spurious identification for the
18. purpose of purchasing alcoholic beverages. Concomitantly,
19. it gives the seller the right to use the fact of such
20. spurious identification as a defense to any charge which
21. he may...may be leveled against him for having sold to
22. a minor. There have been some experiences which have
23. been the subject matter of the Federal Grand Jury
24. in an area of this State, particularly, the Northern
25. district of Illinois, Federal Court, where it is alleged
26. that policemen have taken youngsters who were not
27. old enough into a place to buy beverages and have
28. subsequently gone in and arrested the seller, and have
29. on some instances not charged them with a crime in
30. lieu of a blandishment in form of money. This bill
31. would, in my opinion, prevent that kind of an operation.
32. It would also place in jeopardy any person less than
33. 21 who permitted himself to be utilized for such a

1. nefarious purpose. It does not give to the person who
2. made the sale a carte blanche defense, but it is usable
3. in such a case that he was given spurious information.
4. That basically is the bill.

5. PRESIDENT:

6. Senator Fawell.

7. SENATOR FAWELL:

8. Yes, now, all right. Comes back to me now slowly.
9. The one area, and I think you're absolutely correct
10. that it would certainly limit the ability of police
11. shake down or anything of that sort. The wording in
12. which I would have trouble is in subparagraph B on
13. page 1, where it would seem to me that what we're
14. saying here that adequate written evidence of age and
15. identify of the person is any document issued by
16. Federal, State, County or Municipal government or sub-
17. division including but not limited to a motor operators
18. license, or registration certificate, or an identification
19. card issued to a member of the armed forces. And evidently,
20. it would appear that as long as the person submitted
21. what is defined here as adequate written evidence, even
22. though it may be fraudulent, that really is all
23. that has to be done. The...the picture may be of some-
24. one that doesn't even...if it's an identification card
25. with a picture, that in no way relates to the identifica-
26. tion. Now, I'm...maybe I'm incorrect here, but it seems to
27. me that what we're saying is as long as there is any form
28. of identification card presented that...that is...all that
29. need be shown.

30. PRESIDENT:

31. Senator Partee.

32. SENATOR PARTEE:

33. If it was adequate, it would not be fraudulent.

1. By definition it eliminates fraudulent. It would be
2. adequate from the standpoint of the seller to be
3. given written documentation which is set forth in
4. the bill in several forms, but it might not be adequate
5. if it were found to be spurious. Now, when you walk
6. in and you're eighteen or nineteen years old and you
7. have long hair, and you have a large beard, you may look
8. like you're twenty-five. And if the seller says, may
9. I see your driver's license and you hand him a driver's
10. license which is not your driver's license, which is
11. a spurious driver's license, then on examination of
12. this entire situation, and if it were found to be
13. spurious, it would not then by definition be adequate.

14. PRESIDENT:

15. Senator Fawell.

16. SENATOR FAWELL:

17. Well, I...I would respectfully differ there Senator,
18. because it would appear to me that what we're saying
19. here, and I understand the thrust of the bill. I...I
20. think there's some real sound basis behind it. But it
21. is true that if you present an identification card that
22. belongs to someone else, the bill goes on to point out
23. that any person under the age of 21 years who presents
24. or offers to any licensee, his agent or employee a false,
25. fraudulent identification card, that that is a crime.
26. And insofar as the minor is concerned, ...but on the
27. other hand, I think we also ought to make it very
28. clear to the Body that what we are saying is that
29. tavern owners has a defense here and that any type of
30. an identification card as defined in subparagraph B,
31. on page 1, even though it is false and fraudulent, for
32. which the minor would be committing a crime. Neverthe-
33. less, insofar as the tavern operator is concerned, he has a

1. right to rely upon that. I think that that is clearly
2. what the bill does say, and what it means is that,
3. theoretically, a ten year old boy could present one
4. of these so-called adequate written evidences. I think
5. so, because you must read literally what it says. That
6. insofar as the purposes of this Act are concerned, ade-
7. quate written evidence of age and identity of the person
8. is a document issued by a Federal, State or County, or
9. municipal government, or subdivision or agency thereof,
10. including but not limited to a motor vehicle operators
11. license. Now, it's quite true, that that minor is,
12. committing a crime in so doing it, but the point is
13. that as long as it is any one of these identification modes,
14. the tavern operator has a right to rely upon it and
15. although as Senator Glass has pointed out that it...
16. it is no longer worded that it shall be a defense, it's
17. just about the same thing when you point out to the
18. Court this...this may be a defense. This is an
19. acceptable defense and what it means is that the tavern
20. operator simply has to say, look you give me any one
21. of these identification cards and I don't...care if it
22. shows that you are only two feet tall and you're seven
23. feet tall; I'll accept it because that will be a defense
24. for me.

25. PRESIDENT:

26. Senator Partee.

27. SENATOR PARTEE:

28. Senator, you're a good lawyer, and I...the example
29. that you just conjured up, you would not have mentioned
30. had you...read the amendment. The amendment says that
31. not only must a person make a presentation, but it must
32. be reasonably relied upon. Now, if a ten year old boy
33. came in, it is obvious that he did not reasonably rely

1. upon the card. I'm sure that had you read that amend-
2. ment, you would have not made that argument, because it
3. just is absolutely out of place on this bill. The
4. person must have two things. That's why I said that
5. the amendment made this a salutary piece of legislation.
6. He must have the card, identification document and he
7. must have reasonably relied on that document. Now
8. that makes for two considerations, and even those two
9. considerations does not render the tavern keeper, not
10. guilty. He must show by evidence, he has a right to
11. show by evidence that he saw this card and that he
12. reasonably relied upon it. It is up to the court to
13. determine if under those circumstances a man could or
14. should have reasonably relied upon it. We're not giving
15. him anything, we're just giving the...the shopkeeper
16. an opportunity to defend himself, and that's all it
17. amounts to.

18. PRESIDENT:

19. Senator Fawell, are you finished?

20. SENATOR FAWELL:

21. Just one...one point. I...I...I will agree that
22. when you say reasonably relied upon the presentation of
23. the card that that softens it. But I think that in
24. practicality, we're talking about the fact that as long
25. as the tavern owner can show that there was any one
26. of these particular identification modes handed to
27. him, he would have a right to point out to the court
28. that that is deemed by the legislature to be adequate
29. written evidence, and as a practical matter, it's
30. going to be a form of an out. That I think is going
31. to produce more, much more of a problem than the
32. particular potential that you're referring to. You're
33. saying that the only reason for the presentation of this

1. bill is because there are some dishonest cops who will
2. shake down tavern operators...which is a practical
3. problem and I...I think gives certainly some foundation
4. for the presentation of the bill. But I think what
5. you're doing is...is completely throwing the baby out
6. with the washwater here, because you're...you're opening it
7. up. So that we might as well just simply say, let's take the
8. ...let's take the age limit down to 18 and forget about it...
9. which we may be doing very shortly to 19 at least. I
10. still will oppose the bill and I think that you're
11. creating much more of the potential of harm and unen-
12. forceability. You're making the Act basically unen-
13. forceable because of the fact that you've got an
14. enforceable Act now which is being used detrimentally
15. by dishonest police officers. And I...I don't think
16. that that means that we have a reasonable piece of legis-
17. lation, and I will stand in opposition to it.

18. PRESIDENT:

19. Senator Sours.

20. SENATOR SOURS:

21. I'd like to ask, Mr. President, Senator Partee, a
22. question or two.

23. PRESIDENT:

24. He indicates he'll yield. Senator Sours.

25. SENATOR SOURS:

26. Can you conceive of one errant tavern owner whose
27. license would be revoked once this bill were passed?

28. And if so, give me the factual situation.

29. PRESIDENT:

30. Senator Partee.

31. SENATOR PARTEE:

32. Yes, I can Senator. If a person came into an
33. establishment who was obviously not the person whose

1. card he had, or whose driver's license he had. I would
2. certainly think that he'd be...tavern owner could not
3. say that he reasonably relied upon that identification.
4. Let me give you an example, that takes me back a few
5. years. I had an occasion once while in the State's
6. Attorneys office to look into the matter of a bum check,
7. and when I brought in the gentleman who had cashed the
8. check, I said, how could you reasonably rely on the
9. fact that the man who offered you this check was the
10. person to whom it was drawn. The man who offered the
11. check was of the Negro or black race and the person
12. whose name was on it was an obvious Polish name. And
13. I said now you just ought to know that you can't reasonably
14. rely on the fact that this is the person who is there.
15. I can think of myriad examples where a person would
16. not reasonably rely on any indentification shown and
17. would not make the sale on that basis, and of course,
18. would not be found not guilty if such a bill passed.

19. PRESIDENT:

20. Senator Sours.

21. SENATOR SOURS:

22. I have to agree with Senator Fawell on this. This
23. is saloon keepers legislation. I thought we had finished
24. with them last semester when we took off liability on the
25. dram shop and other...other scavanger acts on the dram
26. shop. Now, this bill simply says that the judge can
27. even instruct the jury if it gets into a...a situation
28. where you have a jury, that this was reasonable, because
29. it says, beginning on line 26, it defines on page 1,
30. it defines, it says, "adequate written evidence of age
31. and so forth, and so forth is a document." Then it
32. goes on to say at the bottom of that page, "proof that
33. the defendant, licensee, or his employee or agent

1. demanded, was shown and acted in reliance." Now, the
2. rule of reason, whose rule is that? Yours or mine?
3. I can see a situation here as Senator Fawell stated a
4. minute ago. We have some juvenile come in, and he has
5. some spurious evidence, identifying him as a certain
6. person. Now, there's a reason...there's a reason and
7. it's been on the books for many years, to deprive
8. certain minors of the right to go into a saloon,
9. or a tavern, you call them anything you want and
10. buy liquor. Now, I think we ought to either abolish
11. the rule completely, or keep it completely. Now, the
12. way the law is now, it is a positive duty of the
13. tavern owner or his agents, and servants, his bartenders,
14. it is a positive duty that the party who is receiving
15. the alcoholic beverage is an adult person. Now anything
16. less than that is putting garlic in the soup again.
17. This is bad legislation. It's typical of the saloon
18. keepers lobby, and ought to be defeated.

19. PRESIDENT:

20. Is there further discussion? Senator Partee.

21. SENATOR PARTEE:

22. There's been a great deal of misunderstanding
23. and there has been verbalized here some things about
24. this bill which just simply do not exist. Basically and
25. fundamentally, the liquor industry is with us. Now,
26. if you want to repeal the sale of alcohol, that's
27. one thing. Now one of the cities in this State has
28. a very large distributorship and sells liquor through-
29. out the world, and as long as we have saloons, as
30. long as we permit the sale of alcoholic beverages,
31. I see absolutely nothing wrong with trying to regulate it
32. in the best interest of the entire community as well as
33. the industry. Now, you and I know that the saloons,

1. the persons who sell alcohol are under very, very
2. different kinds of laws than ordinary businesses. As
3. Bob Weidrich points out in his Tower Ticket, if a de-
4. partment store customer drives a stake into the heart
5. of another, the offender is arrested. But the store
6. remains open. If the same occurs in a tavern, the
7. place is immediately placed in jeopardy of losing
8. its license. We do make a terrible difference, and
9. we're not trying to change that difference. But that
10. we do make a very long difference between the
11. operation of this legitimate business and other legitimate
12. business. Now, I'll tell you that the threat of
13. liquor license revocation puts a golden hammer in
14. the hands of a wrong policeman to beat tavern owners
15. and retail dealers into submission without ever going
16. to court. And I say to you that this bill as it would
17. operate would say to the tavern dealer; you are a
18. legitimate business, you have a license to pay this,
19. and if you make the reasonable effort to determine
20. if the person is a minor, then you may use that in
21. court if you're charged with a violation. That's only
22. humanistically fair to give any licensee the right to
23. prove or to disprove any issue in a court which is
24. brought against him. What is the other alternative?
25. If a person is afraid, or has any kind of inkling that
26. the person is not a minor and he refuses to sell, then
27. he loses business. But here is an opportunity as
28. I see it for him to have some guidelines, some standards.
29. We can't say to him, you pick them out...minors, at their
30. peril. We can't say that. You can't tell a minor from
31. anybody else these days, under certain circumstances.
32. So do we say to the man whose selling alcoholic beverages,
33. here are some standards by which you may decide whether

1. or not this person should be served. You have to
2. first of all on the basis of your experience in life
3. reasonably rely that the information which he gives
4. you in the form of a draft card or a driver's license
5. or some other very, very acceptable identification,
6. determine if he is or is not a minor. And on that
7. basis, you can make a decision as to whether or not
8. a sale should be made to that person. I'm sorry that
9. the things have been said about this bill that just
10. simply aren't so. And if a man has a duty to see
11. whether they are a minor or not, we ought to give
12. them some standards by which to make that determination.
13. And I'm grateful to those, Senators Glass and Roe,
14. who gave us this succinct amendment that makes it
15. a better bill, and it is a good piece of legislation.
16. And I earnestly solicit your vote.

17. PRESIDENT:

18. The question is shall SB 301 pass? And on that
19. question the Secretary will call the 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,
27. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
28. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
29. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
30. Weaver, Welsh, Wooten, Mr. President.

31. PRESIDENT:

32. Senator Mitchler, aye. Senator Davidson, aye.
33. Senator McBroom, aye. Senator Latherow wishes to be

1. recorded present. On that question the yeas are thirty-
2. seven, the nays are three, one voting present. The bill
3. having received a constitutional majority is declared
4. passed. Senator Mohr, do you wish to call 311? Senator
5. Sours, 313? Senator Sours, do you wish to call SB 313?

6. SECRETARY:

7. SB 313 (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. Mr. President, Senators, this is a bill given to
13. me by Bob Stuart, of the Park Board Association. It
14. provides a front door referendum and the syllabus is
15. its full explanation. It's for certain funds on
16. referendum only, front door referendum to operate a
17. police system within a park board.

18. PRESIDENT:

19. Senator Rock.

20. SENATOR ROCK:

21. Well, the front door referendum, however, does not
22. apply to park districts organized after July 1, 1973.
23. It applies to those organized prior thereto. Is that
24. not correct?

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. Yes, I think he's correct.

29. PRESIDENT:

30. Senator Rock.

31. SENATOR ROCK:

32. From whence sprang this bill please, I missed your
33. opening comment.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. Bob Stuart, Springfield lawyer, represents the
5. Park Board Association people. He brought this bill.
6. I know of only one opponent, I might just as well
7. disclose that, that that is the North Michigan Avenue
8. Association. This is a front door referendum for the
9. purpose of maintaining a police system only in a park
10. board.

11. PRESIDENT:

12. Is there further discussion? Senator Weaver.

13. SENATOR WEAVER:

14. Question of the sponsor, Mr. President. Senator
15. Sours, does this allow the park boards or the districts to
16. contract from municipalities or counties to provide
17. police protection or within the district.

18. PRESIDENT:

19. Senator Sours.

20. SENATOR SOURS:

21. Senator Weaver, I believe this bill provides for
22. the police system within the park board only, and not
23. contract out. It's just an additional..it's an additional
24. tax on the front door referendum, the people either want
25. it or they don't and it doesn't matter one way or the
26. other to me.

27. PRESIDENT:

28. Senator Weaver.

29. SENATOR WEAVER:

30. I would just think it would just be more economical for
31. most park districts to contract with the local municipality or
32. the county to provide this service. And it might be more
33. acceptable to the public in a referendum if that were possible.

1. PRESIDENT:

2. Senator Sours.

3. SENATOR SOURS:

4. I'm told, I haven't read this bill for a while, that
5. what he inquires is a fact. That such funds shall be used
6. for the organization and so forth, and they can also
7. pay to it a municipality or other body already having a
8. police force establishment. That appears on the first page
9. of the bill.

10. PRESIDENT:

11. Senator Weaver.

12. SENATOR WEAVER:

13. Well, I certainly rise in support of this because
14. most municipalities are providing this service with no...
15. at no cost to the park district and this would be one
16. way in which to supplement police protection for the
17. municipality and the park district.

18. PRESIDENT:

19. Is there further...Senator Rock.

20. SENATOR ROCK:

21. Well, my only question is why...why are we exempting
22. those districts established after July 1, '73? Why not just
23. make it across the board applicable to all park districts,
24. period.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. Well, park boards commencing to live after that
29. date, Senator, this could be in the very referendum
30. setting up that system after that date. It could be.
31. I think that's an adequate answer.

32. PRESIDENT:

33. Senator Rock.

1. SENATOR ROCK:

2. No...no question but that it could. Why not make it
3. be so? Why exempt them?

4. PRESIDENT:

5. Senator Sours.

6. SENATOR SOURS:

7. This bill says on line 28, page 1, no tax...no
8. such tax shall be levied in any such district, except
9. those park districts organized after July 1, 1973, until
10. the question of levying such tax has first been submitted
11. to the voters of such district, at any general or special
12. election."

13. PRESIDENT:

14. Senator Rock.

15. SENATOR ROCK:

16. Well, I...I also can read. That's...that's the...
17. genesis of my question. Why the except, between the
18. two commas, why are we exempting those park districts
19. organized after July 1? Everybody else has got to have
20. a front door referendum except some park districts in...
21. on the planning board that are going to be organized
22. after July 1, '73. I say why?

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. I don't think that necessarily follows.

27. PRESIDENT:

28. Is there further discussion? Question is shall
29. SB 313 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,

1. Donnewald, Dougherty, Fawell,

2. PRESIDENT:

3. Senator Fawell.

4. SENATOR FAWELL:

5. Well, just briefly, I want to rise in support of
6. the bill. I think Senator Rock has brought out a good
7. point. But I think that the answer is that as a practical
8. matter very few park districts are going to be organized
9. after this date, but those that are, the people will have
10. the chance to vote upon all of the permissive tax rates.
11. They will know that by voting in the referendum that they
12. are going to be authorizing a permissive tax for police
13. expenses in the park district. And, therefore, you do...you
14. do really have a front door referendum for everyone. But
15. more important than that, I would implore you on the other
16. side of the aisle to recognize that this is very much of
17. a problem downstate and we do need the legislation with
18. the referendum so that the existing park district can be
19. able with the consent of the people to have the police
20. protection which is very, very necessary. And I repeat,
21. that as long as any new district to be created is going
22. to have to present to the people the question as to
23. whether or not they will go along with the permissive tax
24. for police authority, I think you have the front door
25. referendum for everyone. And I vote aye.

26. SECRETARY:

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

1. Welsh, Wooten, Mr. President.
2. PRESIDING OFFICER (SENATOR WEAVER)
3. On that question there are thirty-seven yeas,
4. one nay. SB 313 having received a constitutional
5. majority is declared passed. Senator Schaffer, 320.
6. Senator Schaffer. Senator Sours, 323. 324. SB 324.
7. SECRETARY:
8. SB 324 (Secretary reads title of bill)
9. 3rd reading of the bill.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Senator Sours.
12. SENATOR SOURS:
13. ...we probably ought to consider these two bills
14. together, Mr. President, because they...they involve the
15. same transaction.
16. SECRETARY:
17. SB 325...SB 325. (Secretary reads title of bill)
18. 3rd reading of the bill.
19. PRESIDING OFFICER (SENATOR WEAVER)
20. Senator Sours there'll be separate rool calls on
21. these bills, but you may discuss them together...Senator
22. Sours.
23. SENATOR SOURS:
24. The genesis of these two bills, Mr. President and
25. Senators, is simply this: What is the remedy of an
26. automobile owner, for example, whose automobile is damaged
27. or who may be injured when a collision occurs between
28. his automobile and a truck having a certificate of
29. conveniencé and necessity under the Commerce Commission.
30. And as a corporation was granted that certificate, and
31. thereafter, the corporation because of nonpayment of tax
32. and charges, whatever the case may be, is de-incorporated.
33. By that I mean, dissolved in the Circuit Court of

1. Sangamon County, or elsewhere. That leaves an aggrieved
2. person with no party to sue, because the corporation
3. which had the certificate of convenience and necessity
4. is out of business. One never knows where the officers
5. might be, besides they wouldn't be liable anyway, or any
6. of the parties involved other than the actual driver
7. of the truck who may be the proud owner of a suit of
8. clothes and a pair of shoes, period. Now, these two
9. bills say that where a corporation enjoying a certificate
10. of convenience and necessity is dissolved or is no longer
11. in existance, that fact must be furnished by the Commerce
12. Commission. So as to have the Commerce Commission
13. revoke and go out and pick up the certificate of
14. convenience and necessity. That is all this does.
15. It is a good bill, because there are probably a number
16. of trucking companies, conceivably, corporations originally
17. no longer in the corporate form. In fact, dissolved,
18. still operating under the certificate. This is some
19. protection for the person who would be injured and whose
20. property would be destroyed. These are good bills,
21. and I believe they merit the approval of this Chamber.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Are there any questions? Further discussion?

24. The question is shall SB 324 pass? And on that question
25. the Secretary will call the roll.

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,
33. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

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

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Newhouse, aye. Buzbee, aye. Saperstein, Aye.
6. Wooten, aye. On that question the ayes are thirty-
7. four, the nays are none. SB 324 having received a
8. constitutional majority is declared passed. Is there
9. further discussion on SB 325? If not, the question is
10. shall SB 325 pass? And on that question the Secretary
11. will call the roll.

12. SECRETARY:

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

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Donnewald.

18. SENATOR DONNEWALD:

19. May I address this to the sponsor? Well, Senator,
20. SB 325 is applicable to utilities and also applicable
21. to motor carriers?

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Sours.

24. SENATOR SOURS:

25. Yes, Mr. President and Senators, these...these bills
26. affect that situation where a trucking company for
27. example has a certificate from the Commerce Commission,
28. and as you know when they...when the certificate is
29. issued, there's an...also certificate of insurance, public
30. liability policy number and all that...that resides with
31. the Commerce Commission. Now the problem arises that
32. there is no present system whereby an aggrieved party
33. who may be injured has a defendant if the...other than

1. the truck driver himself. And there's no superior in
2. the doctrine of principle and agency if the corporation
3. has been dissolved. And that's...that's the situation
4. these two bills attack. There's no way to get the
5. trucking company into court because as a corporation
6. it has been dissolved, and no longer exists. And
7. there's no personal liability on the officers and
8. directors. You've got one man to sue and that's the
9. driver.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Donnewald.

12. SENATOR DONNEWALD:

13. Yes, one more question. What will this cost
14. in additional monies as far as the Commerce Commission
15. is concerned? Have you made a study or inquiry in that
16. or on that?

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Sours.

19. SENATOR SOURS:

20. I, Paul Maunton and the...an agent, representative
21. of the Commerce Commission and I have discussed this.
22. The cost is minuscule. If it needs...if it needs a
23. small appropriation, we can do that too. I think the
24. public ought to be protected.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Donnewald.

27. SENATOR DONNEWALD:

28. Well, what...what does minuscule mean, Senator?

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Sours.

31. SENATOR SOURS:

32. That's the size of the tip that it's variously rumored
33. that you give your barber.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Donnewald.
3. SECRETARY:
4. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
5. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
6. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
7. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
8. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
9. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
10. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
11. Weaver, Welsh, Wooten, Mr. President.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Saperstein, aye. Newhouse, aye. Harber Hall,
14. aye. On that question the ayes are thirty-six, the
15. nays are two. SB 325 having received a constitutional
16. majority is hereby declared passed. SB 327, Senator Regner.
17. SECRETARY:
18. SB 327 (Secretary reads title of bill)
19. 3rd reading of the bill.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator Regner.
22. SENATOR REGNER:
23. Mr. President, members of the Senate, SB 327
24. authorizes the Junior College Boards to regulate and
25. control traffic on their own property. And that's
26. all it does and was asked for by the Junior College
27. Board, and I ask for your support.
28. PRESIDING OFFICER (SENATOR WEAVER):
29. Senator Buzbee.
30. SENATOR BUZBEE:
31. Thank you, Mr. President, would the sponsor yield
32. to a question?
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Regner.

2. SENATOR BUZBEE:

3. In committee when this bill was heard, there was a
4. considerable amount of confusion as to where the money
5. from the fines that would be collected go.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Regner.

8. SENATOR REGNER:

9. Senator Buzbee, that was Amendment No. 2 that was
10. put on the Floor. It was not a committee amendment, but
11. I put the amendment on saying that the Junior College
12. districts shall not receive the fines, so they would
13. go to the local governments involved in that area.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. Thank you, that clears up my question. I support
18. the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Any other discussion? The question is shall SB 327
21. pass? And on that question the Secretary will call the
22. 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,
30. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
31. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
32. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
33. Weaver, Welsh, Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Donnewald, aye. Newhouse, aye. Romano, aye.
3. On that question the ayes are forty-six, the nays
4. are none...zero. SB 327 having received a constitutional
5. majority is declared passed. SB 328, Senator Fawell.
6. SECRETARY:
7. SB 328 (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Fawell.
11. SENATOR FAWELL:
12. Yes, Mr. President, members of the Senate, SB 328
13. is a bill given to me by the Illinois Park District
14. Association. And what it does is to authorize park
15. districts to issue revenue bonds for the construction
16. of recreation facilities, so that in other words, rather
17. than having each separate mode of recreation facility
18. having a separate Act, this sets forth that any re-
19. creational facilities that are to be constructed
20. and financed through the revenues can...they can
21. utilize this particular Act in...in selling the bonds.
22. I know of no opposition and would ask for a favorable
23. roll call on the...from the Body.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. Is there any discussion? The question is shall
26. SB 328 pass? And on that question the Secretary will
27. call the roll.
28. SECRETARY:
29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
30. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
31. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
32. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
33. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
2. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
3. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
5. Weaver, Welsh, Wooten, Mr. President.
6. PRESIDING OFFICER (SENATOR WEAVER):
7. Donnewald, aye. Buzbee, aye. Hall, aye. Newhouse,
8. aye. Regner, aye. Ken Hall, aye. Carroll, aye. On
9. that question the ayes are forty-six. The nays are none.
10. SB 328 having received a constitutional majority is
11. hereby declared passed. SB 329.
12. SECRETARY:
13. SB 329 (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Fawell.
17. SENATOR FAWELL:
18. Yes, Mr. President, members of the Senate, this
19. is another in a series of bills given by the Illinois
20. Park District Association. It was reported out of the...
21. Committee on Local Government unanimously. What it
22. does is to amend the existing law which now states
23. that if in regards to a vacancy in the office of park
24. district commissioner, if there is sufficient time to
25. meet the requirement for nomination the..the..there
26. must be an election. Otherwise, the law now states that
27. the person appointed to fill the vacancy shall hold
28. his office until the expiration of the term for which
29. he was appointed. What this bill does is to in effect
30. state that he will, he must run whenever the next
31. election comes along. Now, if he doesn't have time
32. to qualify, he won't have to run in the first election
33. after his appointment, but the next ensuing election

1. for which he has time in which to file his petition
2. papers, he must do so. Again, I know of no opposition
3. and ask for a favorable roll call.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Berning.

6. SENATOR BERNING:

7. I...like to direct a question to the sponsor.
8. As I interpret this, it would actually eliminate the
9. requirement for a person to file an ethic statement
10. or anything else until the next subsequent election
11. which could be four years away. Is that the way...?

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Fawell.

14. SENATOR BERNING:

15. ...you read this.

16. SENATOR FAWELL:

17. I'm...I'm sorry there's so much noise in the back-
18. ground here, I couldn't get the question.

19. SENATOR BERNING:

20. My question is, in reading this, does it not
21. eliminate or attempt to eliminate from a person's
22. requirement in fulfilling the office the need to
23. file an ethics statement, until the next subsequent
24. election which is four years away. I don't see how
25. we could do that.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Fawell.

28. SENATOR FAWELL:

29. No, it...it in no way effects the ethics statement.
30. It does not address itself to that whatsoever.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Berning.

33. SENATOR BERNING:

1. It says to meet the requirements for nomination. And
2. doesn't that...the ethic statement also fall in that
3. category?

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Fawell.

6. SENATOR FAWELL:

7. No, not...not as far as the park district code is
8. concerned. We're talking here about the requirements
9. under the Park District Code for the filing of petition
10. for nomination. And has nothing to do with a separate
11. distinct statute to which you are referring that refers
12. to the obligation at given times for the filing of
13. ethic statements and by all nominees, whether park
14. district, city, county whatever it may be. It has,
15. Senator, nothing to do and in no way effects the
16. problem of filing your ethics statement as a nominee.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Any further discussion? The question is shall
19. SB 329 pass? And on that question, the Secretary will
20. call the roll.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Donnewald, aye. On that question the ayes are

1. fifty-two, the nays are none. SB 329 having received
2. a constitutional majority is declared passed. SB 330,
3. Senator Fawell. Read the bill.

4. SECRETARY:

5. SB 330 (Secretary reads title of bill)
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Fawell.

9. SENATOR FAWELL:

10. Yes, Mr. President, members of the Senate, this
11. also is part of the package of the Illinois Park
12. District Association sponsored bills. It received
13. the unanimous endorsement from the Committee on
14. Local Government. What it does is to amend the
15. park district code to provide that, the area to be
16. included in a proposed incorporated park district,
17. must have at least a 20 million assessed valuation.
18. Again, I know of no opposition to this bill and ask
19. for a favorable roll call, a majority roll call.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Is there any discussion? The question is shall
22. SB 330 pass? And on that question the Secretary will
23. call the roll.

24. SECRETARY:

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

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

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Romano, aye. On that question the ayes are fifty-

4. one. The nays are none. SB 330 having received a con-

5. stitutional majority is declared passed. SB 331.

6. SECRETARY:

7. SB 311 (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Fawell.

11. SENATOR FAWELL:

12. Yes, Mr. President, members of the Senate, SB 331

13. is the last of four bills given to me by the Illinois

14. Park District Association. What this bill does is to

15. amend the park district code to provide that disconnection

16. of territory from a park district cannot be granted in

17. the event it reduces the assessed valuation of the existing

18. district to less than 20 million. I would ask for the

19. favorable roll call.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Any discussion? The question is shall SB 331 pass?

22. And on that question the Secretary will 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,

30. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,

31. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

32. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,

33. Weaver, Welsh, Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. On that question the ayes are fifty, and the nays
3. are none. SB 331 having received a constitutional
4. majority is declared passed. SB 332, Senator...
5. 332.

6. SECRETARY:

7. SB 332 (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Yes, Mr. President, members of the Senate. SB 332
13. I think is a candidate for a nearly unanimous vote by
14. the Body. What it does is this: When we passed a bill
15. last Session making defective tires a violation of the
16. motor vehicle code, we forgot to specify whether or not
17. that tire type of violation was in fact a moving violation.
18. And the genesis of the bill that I propose to you now
19. is a telephone call-in show where early in February
20. this year one of my constituents called in and
21. said I understand now that if you don't have your tires
22. a certain way that's a moving violation and you lose
23. your driver's license. I looked at the Motor Vehicle
24. Code and found that the Section we now wish to amend
25. did not have this Section in the Act and so I'm attempt-
26. ing to add it. Now it works out this way. A tire violation
27. still is a Class B misdemeanor and subject to penalties
28. of the Motor Vehicle Act. But if this bill is passed,
29. this will be the type of violation along with I believe
30. 68 general equipment type violations that are not
31. considered to be moving violations for purpose of
32. suspension or revocation of a motor vehicle driver's
33. license. Peter Miller, formerly of the Senate and House

1. is representing the Teamsters now. He tells me that the
2. Teamsters are strongly in favor of this legislation, was
3. heard in committee, and I understand passed unanimously.
4. I think it's an excellent bill and one that follows our
5. legislative spirit in the past. If there's any questions
6. that any of the members have, I'll be happy to answer them
7. if there's no objection, I strongly encourage we have a
8. favorable vote. This is one that will, I think, help your
9. people.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there any further discussion? The question is
12. shall SB 332 pass and on that question the Secretary will
13. call the roll.

14. SECRETARY:

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

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Hall, aye. Schaffer, aye. On that question the
27. ayes are forty-nine, the nays are none. SB 332 having
28. received a constitutional majority is declared passed.
29. SB 336, Senator Partee. SB 334, Senator McCarthy.

30. SECRETARY:

31. SB 343.

32. PRESIDING OFFICER (SENATOR WEAVER)

33. SB 344, Mr. Secretary.

1. SECRETARY:
2. SB 344 (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. Senator McCarthy.
6. SENATOR MCCARTHY:
7. Yes, Mr. President, members of the Senate, I think
8. this area is perhaps a little bit more...I'm going to use
9. the word controversial. It's a bad choice of words, but at
10. least, there are different opinions on...on this entire
11. subject. I'd like to explain where the bill came from,
12. and where...why it is in the shape it is now. What the
13. bill does is change the studded tire permissible period
14. in Illinois. At the present time, studded tires are
15. permitted on Illinois highways between October 1, and
16. May 1 of each winter. Say it again. You can put the
17. tires on October 1 and leave them on until May 1st of
18. the next year in Illinois. This bill changes that to
19. where you put them on now legally if passed, November 1st,
20. and you must remove them by April 1st. So what it does, it
21. cuts out October and it cuts out April as permissible
22. periods on a set of tires. This bill is a product,
23. Mr. President, of the Motor Vehicle Laws Commission,
24. and Representative Neff and Senator Course and myself
25. who are in charge of a subcommittee. And we had two
26. public hearings on this bill. People from the Chicago
27. Motor Club wanted to retain the use of studded tires.
28. Certain people in the engineering field thought that the
29. studded tires were causing excessive wear on our high-
30. ways, and they wanted them banned. What we did in the sub-
31. committee was come forth with a compromise that was
32. acceptable to the Chicago Motor Club. Acceptable to
33. the tire industry, and the Department of Transportation

1. never did take a position one way or another. So
2. what we have is a blend of compromise in this very
3. simple bill which deletes the use of studded tires for
4. these two months, October and April. Taking all of the
5. factors into consideration we feel that this will
6. retain for the highway user the safety that he thinks
7. he has real or imagine in his...in his studded tire,
8. and they want these studded tires. They want to be
9. able to use them. We feel that in eliminating their
10. use during October and April, Mr. President, we will
11. save the taxpayers money because the roads won't be
12. chewed up during those two months when there isn't
13. much ice, snow on the highway. So, I could go on and
14. on, and Kenny Course is available to speak on it.
15. But this is the product of it and I recommend the
16. legislation to you subject to the questions and the
17. explanations of the other members of the Body.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Course.

20. SENATOR COURSE:

21. Yes, Mr. President, members of the Senate, I was
22. privileged to study...to be a member of this sub-
23. committee of the Motor Vehicle Laws Commission with
24. Senator McCarthy and Representative Neff, and we did
25. hear extensive testimony from the people who Senator
26. McCarthy mentioned. And it was our final conclusion
27. that we would save the people of the State of Illinois
28. probably sixty million dollars a year by just shortening
29. this term two months. One month in the beginning and
30. one month on the end. So, I would recommend the
31. membership on this side of the aisle to support this
32. legislation. Thank you.

33. PRESIDING OFFICER (SENATOR WEAVER):

AB 346
S-15-73
7/12/53

1. Is there further discussion? The question is shall
2. SB 344 pass? And on that question the Secretary will
3. call the roll.

4. ACTING SECRETARY (MR. WRIGHT)

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

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Romano, aye. Senator Clarke, aye. Knuppel, aye.
17. On that question the ayes are forty-eight, the nays
18. are none. SB 344 having received a constitutional
19. majority is declared passed. SB 345.

20. SECRETARY:

21. SB 345 (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER)

24. Senator Fawell.

25. SENATOR FAWELL:

26. Yes, Mr. President, and members of the Senate,
27. if I may, I'd give an explanation here for both 345
28. and 346. They are companion bills, and in fact, the
29. more important of the two is 346. These bills are
30. the product of the...of a committee of the Chicago
31. Bar Association in conjunction with the Illinois
32. Children's Commission, and the basic thrust of the
33. two bills is to rectify the results of the U.S Supreme

1. Court decision which in effect tells in regard to
2. the adoption of children that the punitive father of the
3. illegitimate child has to be given proper notice
4. and has to have a due process procedure before his
5. rights can be cut off in regard to the child. And
6. the Illinois Supreme Court has of course had to follow
7. the dictates of the U.S. Supreme Court, has therefore,
8. held that the existing adoption laws in Illinois are
9. unconstitutional in part. So what we are doing in
10. SB 346 is to set forth basic due process procedures
11. in regard to the obtaining of a consent from the
12. punitive father of the illegitimate child or the surrender.
13. And also to set up a procedure whereby his rights
14. can be terminated by certain notice procedure that
15. is set forth. That is the thrust, there are a number of
16. details throughout the legislation, but that is the thrust
17. of the bill, to set forth a due process procedure
18. whereby the rights of the punitive father of the
19. illegitimate child can be terminated.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Dougherty.

22. SENATOR DOUGHERTY:

23. Mr. President and members of the Senate, I'm a
24. co-sponsor of these bills and I join with Senator
25. Fawell in asking that they be approved and supported
26. by this group. As the original sponsor of the bill
27. that set up this program and the Adoption Act of 1959,
28. and the President of this Senate was a member of
29. the Commission. Former Governor...former Governor
30. Kerner and former Lieutenant Governor Paul Simon, Tony
31. Scariano, former Senator Canfield. This bill specifically
32. provides, as originally drafted, that the father of
33. a child born out of wedlock, to use a kinder term,

1. would have no right whatsoever. We wrote that right
2. into the Act, that the father...punitive father would
3. have no rights whatsoever; the reasons for that was...
4. was to guard against any shake downs of the petitioners,
5. or interference with the rights of the mother. Because
6. we use the term sole surviving parent to designate
7. the mother of a child born out of wedlock and her rights
8. to consent. We have added some further safety provisions
9. but the Supreme Court of the United States held that
10. Section unconstitutional, not because the Act itself
11. is unconstitutional; it was because of the particular
12. case they were handling. I was a witness in the case,
13. and it did not have general application that would
14. apply to a man who had lived in common law with a
15. woman for seventeen or eighteen years, and fathered
16. several children. He did not abandon them. He did
17. support them. And therefore, when he went through the
18. courts, they held that he did have a right to notification,
19. and he did have a right to consent or to object to the...
20. adoption of his children. These are very fine bills,
21. that are badly needed, and I urge this Body to support
22. them.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Further discussion? The question is shall SB 345
25. pass? And on that question the Secretary will call the
26. roll.

27. SECRETARY:

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

1. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
2. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
3. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
4. Weaver, Welsh, Wooten, Mr. President.
5. PRESIDING OFFICER (SENATOR WEAVER)
6. Senator Sours.
7. SENATOR SOURS:
8. I'm going to vote present on this bill. I have
9. the feeling in my very bones, that these definitions
10. will be perfect conduits to screw up many land titles in
11. the future. I just don't want to be an obstructionist.
12. But I think we're in for it on some highly technical
13. Supreme Court cases in the future just because of this bill.
14. SECRETARY:
15. Swinarski, Vadalabene, Walker, Weaver, Welsh,
16. Wooten, Mr. President.
17. PRESIDING OFFICER (SENATOR WEAVER)
18. Kenny Hall, aye. On that question the ayes are
19. forty-six. The nays none. SB 345 having received a
20. constitutional majority...excuse me, one voting present.
21. SB 345 having received a constitutional majority is
22. declared passed. SB 346.
23. SECRETARY:
24. SB 346 (Secretary reads title of bill)
25. 3rd reading of the bill.
26. PRESIDING OFFICER (SENATOR WEAVER)
27. Senator Fawell.
28. SENATOR FAWELL:
29. Yes, the explanation has already been given. I
30. would ask for a favorable roll call.
31. PRESIDING OFFICER (SENATOR WEAVER):
32. Is there further discussion? The question is
33. shall SB 346 pass? And on that question the Secretary

1. will 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,
9. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
10. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
11. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
12. Weaver, Welsh, Wooten, Mr. President.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. On that question the ayes are forty-three, the
15. nays one, one present. SB 347^{2513(34e)} having received a
16. constitutional majority is declared passed. SB 353,
17. Senator Sours. 353.

18. SECRETARY:

19. SB 353 (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Sours.

23. SENATOR SOURS:

24. This bill, Mr. President, Senators, is quite simple
25. because it simply increases the amount to be loaned or
26. borrowed from 75000 to \$15,000. That amendment appears on
27. line 17 on the first page of the Body of the bill. Now
28. what has happened in the intervening years, many people are
29. buying mobile homes today that cost more than \$7500 and
30. they need more time actually, they need more time to
31. make repayment. So the amount has been increased, \$7500
32. has been excised and \$1500 put in there in it's place,
33. and line 21, the term of the loan is increased...

1. to 121 months, which is just about ten years. That is
2. all the bill does.

3. PRESIDING OFFICER: (SENATOR WEAVER)

4. Excuse me just a minute, I think I made a mistake
5. and called 347 as having passed. It should be 346. Let
6. the record show. Is there any further discussion? The
7. question is shall SB 353 pass, and on that question the
8. Secretary will call the roll.

9. SECRETARY:

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

20. PRESIDING OFFICER: (SENATOR WEAVER)

21. Request for the absentees. The absentees will be
22. called.

23. SECRETARY:

24. Buzbee, Carroll, Chew, Clarke, Conolly, Course, Daley,
25. Dougherty, Kenneth Hall, Hynes, Keegan, Knuepfer, Knuppel,
26. Kosinski, McBroom, Netsch, Newhouse, Nudelman, Ozinga,
27. Palmer, Partee, Rock, Romano, Saperstein, Savickas, Smith,
28. Sours, Vadalabene, Welsh, Mr. President.

29. PRESIDING OFFICER: (SENATOR WEAVER)

30. McBroom, aye. On that question the ayes are thirty, and
31. the nays are five. SB 353 having received a constitutional
32. majority is declared passed. Senator Sours.

33. SENATOR SOURS:

SB 358
3rd Reading
5-15-73

1. Having voted on the prevailing side, I'd like to make
2. the appropriate motion to lock this in.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Sours moves to reconsider the vote by which
5. SB 353 passed. Senator Regner moves to Table. All in
6. favor signify by saying aye. Opposed nay. The motion
7. is Tabled. SB 358. Senator Berning.

8. SECRETARY:

9. SB 358 (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR WEAVER)

12. Senator Berning.

13. SENATOR BERNING:

14. Thank you, Mr. President and members of the Body,
15. this measure is designed to clarify the control over
16. swimming beaches and swimming pools. It is a Department
17. of Public Health bill. It has had two or three amend-
18. ments. There is the possibility that the Department
19. of Public Health, in conjunction with Mr. Lee Schwartz,
20. will have an additional amendment, but by agreement,
21. they would like to see the bill passed and if an amend-
22. ment is necessary, they will apply it in the House.
23. Therefore, unless there are any questions, I would
24. appreciate a favorable roll call.

25. PRESIDING OFFICER (SENATOR WEAVER)

26. Senator Dougherty.

27. SENATOR DOUGHERTY:

28. What Senator Berning says is true. This bill came
29. out of committee, recommendation Do Pass; subject to
30. several amendments. I myself offered the amendments
31. to Senator Berning. They were offered and adopted.
32. And I do also know that Mr. Schwartz and the Department
33. are working out an overall amendment which they feel

1. they would rather put on in the House, get this bill
2. over there in the House. Don't accept the Calendar.
3. I urge an aye vote.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Is there further discussion? Question is shall
6. SB 358 pass, and on that...excuse me. Senator Bruce.

7. SENATOR BRUCE:

8. Would Senator Berning yield for a question?

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Berning.

11. SENATOR BRUCE:

12. My question is, this act has been in effect since
13. 1931 and I've had some work with it in recent months.
14. And speaking with Verdun Randolph who is chief of this
15. division, and three weeks ago, he saw no real need for
16. changing that. What I'm worried about, is that we're pre-
17. sently under construction with many pools. The EPA has
18. changed regulations every couple of months on a lot of
19. construction projects. This bill has been on the Statute
20. books since 1931. He saw no reason to change it. Now,
21. why are we changing it.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Berning.

24. SENATOR BERNING:

25. You are correct. This dates back to July 8, 1931.
26. And there have been no amendments or corrections since
27. that time. But the stimulus for this bill essentially
28. goes back to our recreational trailer coach park
29. statute. And the Attorney General's opinion removed the
30. swimming pools from the jurisdiction of the Recreational
31. Areas Licensing Act, and placed them back under the
32. Swimming Pool Act because the Swimming Pool Act is a
33. little more specific than the Recreational Act. The

1. 1931 act, however, does not have the minimum standards
2. for health and safety with regard to beaches and swimming
3. pools that are necessary. And this the reason that the
4. Department of Public Health, Mr. Randolph, assistant,
5. Joe Townshend, the attorney is the one who has brought
6. this to us.

7. PRESIDING OFFICER: (SENATOR WEAVER)

8. Any further discussion? The question is shall SB
9. 358 pass, and on that question the Secretary will call the
10. roll.

11. SECRETARY:

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

22. PRESIDING OFFICER: (SENATOR WEAVER)

23. On that question the ayes are thirty-seven, the
24. nays are none. SB 358 having received a constitutional
25. majority is declared passed. For what purpose does
26. Senator Bell rise?

27. SENATOR BELL:

28. Yes, Mr. President, I'd ask leave of this Body in
29. order to introduce a school district in the gallery.
30. Do I have that leave? Mr. President, it gives me a
31. great deal of pleasure as Senator from the 42nd District
32. encompassing most of Will County and specifically Homer
33. Township to introduce to this Body this afternoon Homer

1. School District 33-C that's up in the upper gallery and
2. ask for the Members of the Senate to recognize them.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. SB 361, Senator Johns, do you wish to call that?
5. 361.

6. SECRETARY:

7. SB 361 (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Mohr.

11. SENATOR HOWARD MOHR:

12. Yes, I would request that the sponsor hold this one,
13. Senator Johns. We do have some...some problems or questions
14. on it, if you can hold that for a day or so, we'll get
15. back to you. Ok?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. We'll take it out of the record. SB 362.

18. SECRETARY:

19. SB 362 (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Johns.

23. SENATOR JOHNS:

24. Mr. President, this is a copy of a piece of legislation
25. designed by the Department of Transportation to give
26. back some property that they purchased and have no
27. longer need of, and it involves \$755, which the State
28. will sell for that price to the former owner.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any discussion? Question is shall SB 6...362
31. pass, and on that question the Secretary will call the
32. roll.

33. SECRETARY:

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

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Savickas, aye. Johns, aye. Hynes, aye. Latherow,
13. aye. On that question the ayes are forty-three, the
14. nays none. SB 362 having received a constitutional
15. majority is declared passed. SB 383. Excuse me just a
16. minute. We missed one. Senator Johns, 364. Mr. Secretary.

17. SECRETARY:

18. SB 634 (Secretary reads title of bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, Ladies and Gentlemen of the Senate,
24. 364 is amended to remove the interest rate ceiling for
25. industrial project revenue bonds issued by a municipality.
26. We have held this bill...this ceiling of interest at 7%.
27. We have found that in industrial projects, and I might
28. tell you that the Department of Business, the Illinois
29. State Chamber of Commerce, all the industrial consultants
30. have...have given me the information that we need to re-
31. move this ceiling and let the market handle the interest
32. rate on the bonds. And this will open up further in-
33. dustrial development for especially the Southern Illinois

1. area, but throughout the State on industrial projects.
2. And I would recommend a favorable action on this bill.

3. PRESIDING OFFICER: (SENATOR WEAVER)

4. Is there any...Senator McCarthy.

5. SENATOR McCARTHY:

6. Yes, Senator, I don't have a copy of the bill in
7. front of me. But this 7% ceiling on the municipality
8. bonds was...is the law at the present shape where it
9. was going to drop back July 1st of this year to 6% or was
10. this a straight 7 limit?

11. PRESIDING OFFICER: (SENATOR WEAVER)

12. Senator Johns.

13. SENATOR JOHNS:

14. ...straight 7.

15. SENATOR McCARTHY:

16. This was a straight 7 and now you want to take it
17. off completely.

18. SENATOR JOHNS:

19. Senator McCarthy, your question is was it a straight
20. seven. No, that was the limit. We have found that few
21. people are interested in the bonds under the present
22. demand for money at 7% ceiling and we thought we could make
23. these bonds more attractive than the...just letting
24. the market dictate the interest payment.

25. SENATOR McCARTHY:

26. All right.

27. PRESIDING OFFICER: (SENATOR WEAVER)

28. Senator McCarthy.

29. SENATOR McCARTHY:

30. Yes, Mr. President, I think some comments are in
31. order here. Seven percent on a municipality, that's what
32. this bill is all about. To a corporation at a 4.8% rate,
33. is the equivalent return of about 13.6 on a taxable

1. obligation. That's the way my arithmetic comes out. You
2. take "x" minus 48%, you'll come out to 7 and "x" will end
3. up 13.8. Now that isn't enough according to Senator
4. Johns to get a 13.8% return on bonds that are issued
5. by municipalities which are well secure. Because I
6. think it's elementary that one of the critical questions
7. that any investor has to make or any lender has to make
8. when he lends this money is whether or not it's going
9. to be repaid. That's the critical question. If I've
10. got the money and Senator Smith wants to borrow some
11. money from me, the critical question is, will he re-
12. pay me. And if...he says he won't, all right. Then
13. if I get a 100% from you, Senator Smith, I've got a
14. bad loan. But yet if I get 13.8 or the equivalent
15. from a municipality and it is well secure...then what's
16. the poor stiff who wants to buy that trailer that
17. Senator Sours just talked about. What's he going to pay
18. for that house trailer when he wants to borrow \$15,000
19. and the only relief he gave him in the bill is to
20. give him ten years to pay it back which means he'll
21. pay interest for ten years rather than five years.
22. Now, let's look at Senator Johns' bill because that's
23. the one under the consideration. If I'm a lender,
24. the City of Marion wants to borrow some money from
25. me, I ask can the City of Marion pay me back. Well,
26. so far as I know about this bill, these are full
27. faith and credit obligations. They have the power
28. to tax all of the property, the real estate located
29. within the municipality. So, I come to the conclusion
30. that they can pay me back because with their powers
31. to tax the real estate, I've got the earth, I've got
32. the earth as security. Now, Mr. President, if I'm
33. correct that I've got the earth as security, that's a

1. pretty good loan. And if I'm getting the equivalent of
2. 13.8% return, that's a darn good rate of return. And
3. if I'm in the 70% income class and now I can get 8 or 9%
4. with no income tax involved at all, I've got a wonderful
5. loan. And who's going to pay this loan off? And who's
6. going to pay the interest on it? The poor little retired
7. people, that have got the homes down in Marion that we've
8. talked about so long trying to give them a Homestead
9. exemption, and while we may have given it away, a little
10. Homestead exemption in last Session, the special Session
11. and the Session before that, we come along now...we come
12. along now, and take it back from them through this
13. sophisticated type of bill. I haven't finished yet, Gene.
14. But the implications go further than this and I alluded
15. to it earlier. If the municipalities with the earth
16. as security on their loan can get this rate of return
17. and the ceiling will be the limit if this bill passes,
18. where is the market going to be for the parents of the
19. children in the gallery when they want to get a loan.
20. They're going to have to compete...they're going to have
21. to compete against the municipalities. That means they're
22. going to have to go in heavier than 13.8, their security
23. won't be as good because they don't have the earth
24. as security. All they've got is their hands and
25. their back. And that will cut into the pie that
26. they get each week, the pie that the working man and
27. the working woman gets each week, if I can call it a
28. pie, is roughly a circle. And a piece of that pie goes
29. for grocery expenses. A piece of that pie goes for State
30. income taxes, only 2 1/2%. A piece of that pie goes for
31. Federal income tax. A piece of that pie goes for
32. other consumable items, and then they've got their
33. piece of pie of interest that they pay. That piece

1. of that pie to a lot of people that are buying trailers,
2. homes at 8% and it is proposed that they go up, the piece
3. of pie that goes for interest is getting bigger and
4. bigger, and the results eventually will be that they're
5. going to have to get a bigger pie. Because there's not
6. enough pie for them to eat. That means they go out on
7. strike, try to get wage demands put across so they can
8. afford their cost of living, and the circle goes on and
9. on. Now, I've taken nearly fifteen minutes, and I'm
10. sorry if I have, but how this one noncontroversial bill
11. can relate to what's left in the pie at the end of the
12. day or at the end of the week for the working man is as
13. simple as going from A, B, C, D, to E. And it's going to
14. increase taxes, Mr. President, and I don't think there's
15. a member of this Body that wants to increase taxes,
16. because when you increase the amount that the bonds
17. of Marion cost, you're going to increase the amount of
18. money that's going to have to come back in to pay the
19. interest and that means...that means an increase in the
20. property taxes or else I'm deceiving myself. Senator
21. Johns, I'm sorry if I've imposed upon you, but I wanted
22. to make those statements. Just by way of conclusion,
23. I think a no vote is a proper vote.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Netsch.

26. SENATOR NETSCH:

27. Mr. President, will the sponsor yield for a couple
28. of questions?

29. PRESIDING OFFICER (SENATOR WEAVER):

30. He indicates he will.

31. SENATOR NETSCH:

32. You're sure you will. Could you tell me how much
33. the amount of industrial revenue bonds that has been

1. issued throughout the State pursuant to this authorization,
2. or how much is outstanding at the present time? That
3. would be sufficient.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Johns.

6. SENATOR JOHNS:

7. I can tell you flatly that I have no idea. It would
8. be very hard to comprehend. I would have no record...
9. there is no facility that I know of Senator Netsch
10. that's set up at present to tell me all the bonds
11. that are issued, that have been issued or the total
12. amount involved as yet.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Netsch.

15. SENATOR NETSCH:

16. Is the same true with respect to the types of
17. projects that have been financed by these industrial
18. revenue bonds?

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Johns.

21. SENATOR JOHNS:

22. I...I do not have that information as yet either.
23. We only had this law tested by the Supreme Court as of
24. maybe six months ago. And it is just now beginning to
25. take hold in industrial development.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Netsch.

28. SENATOR NETSCH:

29. I do not recall from the terms of the bill as it
30. was finally enacted in what is thought to be valid form.
31. Is there provision for any gathering of all of the
32. information on the bonds issued and the projects to be
33. financed from the...pursuant to the act?

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Senator Johns.
3. SENATOR JOHNS:
4. Senator Netsch, we have a department in State
5. government that not only has the responsibility but
6. the duty to have that information. That would come
7. forth from the Department of Business and Economic
8. Development which has praised this bill from its
9. passage last Session.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Senator Netsch.
12. SENATOR NETSCH:
13. At the present moment, you are not aware of...of
14. that information or if indeed it exists at the present
15. time. Is that correct?
16. PRESIDING OFFICER (SENATOR WEAVER):
17. Senator Johns.
18. SENATOR JOHNS:
19. That's correct.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator Netsch, do you have another question.
22. SENATOR NETSCH:
23. Just a comment. I...my problem, Senator Johns, is
24. that I have grave reservations about the whole concept
25. of the use of the ...of bonding power, even revenue
26. bonding power for this type of activity and it has been
27. subjected to considerable criticism by some who have
28. studied it over a period of time, and I'm not sure
29. that until we know exactly how much we are going to
30. be issuing and for what purposes, that it is a good
31. idea to take the...the rate ceiling off on this sort
32. of project.
33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Soper.

2. SENATOR SOPER:

3. Mr. President, I think we know what this is all about,
4. you know. I move the previous question.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Soper moves the previous question. All in
7. favor signify by saying aye. Opposed nay. The motion
8. carried. Senator Johns may close debate.

9. SENATOR JOHNS:

10. Mr. President, I...I don't know but as the
11. drafter of the bill in the last Session which had
12. all the endorsement of the Internal Revenue Service,
13. the Illinois State Chamber of Commerce, the Depart-
14. ment of Business. This particular bonding act put
15. no obligation on a municipality. The bonds were
16. issued and the...the obligation was on the project
17. alone. There was no taxation, nor threat of taxation
18. on the municipality which held the referendum and
19. sold...sold the bonds. The project alone stood, as
20. a test of, if you call it that, as a sole means of...
21. of a...I'll think of the word in a minute, but anyway,
22. the bonds were sold on the basis of the strength of
23. the project. Now, forty other states, or maybe forty-
24. three, now have this law in effect. We have been
25. negligent for years in having this law. We lost an
26. 80 million dollar plant to Wickliffe, Kentucky. We
27. lost another hundred million dollar plant to Missouri.
28. All of the sister states have this law, and are stealing
29. our industrial prospects. Now, I know again of no
30. way that there is an obligation placed upon a
31. municipality or the people for the bonds sold under
32. this act. The project alone must stand and have a
33. sinking fund to pay for the interest, the maintenance

1. and the building and the grounds and therefore, the bond
2. holder assumes the risk for the success or failure of
3. this project. It is not placed, and I repeat, it is
4. not placed as the responsibility upon the tax holder.
5. They in turn only act as a vehicle within this area,
6. or this municipality to sell these bonds, and therefore,
7. I close the debate. If I had thought that there was any
8. real serious question about this particular bill, I...
9. would have withheld it, cause our time is valuable and
10. I would try to find out what problems I had with
11. this bill. But, this is sought by many people who
12. feel that we will cause the industrial project
13. development bonds to blossom and bloom with this
14. removal of this particular ceiling of 7%. Thank you,
15. Mr. Chairman.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. The question is, shall SB 364 pass? And on that
18. question the Secretary will call the roll.

19. SECRETARY:

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

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Johns.

32. SENATOR JOHNS:

33. I'd like to record my vote as aye on this. And let it

1. go as she's going.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Johns votes aye. Senator Buzbee, aye.

4. On that question the ayes are eleven, the nays are
5. eleven. SB 364 having failed to receive the con-
6. stitutional majority is declared lost. SB 383.

7. SECRETARY:

8. SB 383 (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Don Moore.

12. SENATOR DON MOORE:

13. Thank you, Mr. President, Members of the Senate,
14. SB 383 amends the Election Code to provide that the
15. County Clerk or Board of Election Commissioners as
16. the case may be shall upon re-registration of a voter
17. take a colored photograph of the applicant and affix
18. the same to the voter's identification card. The County
19. Clerk will be reimbursed to the extent of 50 cents
20. which is approximately the cost that it costs us
21. in the State of Illinois in the recent program
22. that we initiated for our welfare recipients, to have
23. your picture on the identification card and it is put
24. on and it will be put on in such a manner that will
25. almost make it impossible to tamper or deface it.
26. I think this is a good bill. It will accomplish
27. two purposes. One, it will be a great blow at vote
28. fraud, because one having this identification card
29. on your possession; the judge of election can look
30. at a color photograph and determine whether or not
31. that is the person who is signing the application
32. to vote. And the other will provide a very useful
33. piece of identification for the citizen. I think

1. the only type of identification, we have with our
2. picture on it today in the State of Illinois, is the
3. firearm owners identification card. I think that this
4. will be a great help, not only to law enforcement
5. officials but to the business community alike. As
6. far as cashing checks, as far as credit and so forth,
7. I believe that this voter's identification card will
8. serve a dual purpose, and I would appreciate a favorable
9. roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Wooten. Senator Wooten.

12. SENATOR WOOTEN:

13. Thank you, Mr. President. Mr. President and colleagues,
14. I rise in opposition of this bill. Not because I
15. cannot see the tremendous value inherent in having
16. such a voter identification card. This would be an
17. excellent device to insure that the person appearing to
18. vote is indeed the person entitled to vote. However, since
19. I have had this brief essay into politics, one of the
20. first things I learned in my own district is the
21. appalling turnover we have in voter registration and
22. re-registration. It seems to me that at a time when
23. we are doing everything we can to encourage registration
24. and to facilitate registration, that while this would
25. accomplish the end of positive voter identification,
26. it would actually deter our drives in the other direction.
27. It is certainly well intentioned and as I say would
28. serve a most useful purpose in identification. But
29. on a practical level this would be a simply hor-
30. rendous task in my district with the tremendous turn-
31. over we have. We are a largely urbanized community.
32. We have a population that is considerably transient in
33. nature, people moving in and out into our large manufacturing

1. centers. I think of one township where, between elections,
2. we had something like a 20% turnover. And to require
3. this kind of elaborate process, and it is elaborate,
4. it's time consuming. It requires an appointment or
5. at least waiting in line. This is the sort of thing
6. which would deter active participating in voting. Now,
7. since I firmly believe that we want to do everything
8. to make voting registration easy, to increase participa-
9. tion. With that consideration in mind, I must oppose
10. this legislation and solicit a negative vote from my
11. colleagues. Thank you.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Kosinski.

14. SENATOR KOSINSKI:

15. Mr. President, a personal privilege. It gives me
16. a great honor and a great privilege to present to you
17. one of the outstanding Congressmen of the great Congress.
18. Ladies and Gentlemen and Senators, our great Congressman,
19. Dan Rostenkowski.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Hynes.

22. SENATOR HYNES:

23. Mr. President, Members of the Senate, while we're
24. on the order of introductions, I would like to acknowledge
25. the presence of Sister Joan of Arc and a large group from
26. St. Christina's School in Chicago, and I wish the Senate
27. would acknowledge their presence here.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Is there any...Senator Donnewald...Dougherty.

30. SENATOR DOUGHERTY:

31. Mr. President and Members of the Senate, I rise
32. in opposition to this bill. I think it's another
33. invasion of privacy. I don't know where we're going

1. with all this identification. You recall at the time
2. of the institution of Social Security, your Social
3. Security number was supposed to be a secret between
4. yourself and your government. But now we have to have
5. it on our insurance policies, we have to have it on
6. everything else, and this is just another imposition
7. of the like character on the people who would vote.
8. There is in Cook County at every general registration,
9. a change over of about 125 to 150,000 new registrations
10. or change of addresses and so forth. This would
11. require additional photographing. If we are to use
12. the figure of approximately 6 million voters in the
13. State of Illinois, this would mean the initial cost
14. of some 3 million dollars on the State of Illinois plus
15. the addition of all these change of addresses and re-
16. registrations and new registrations. This is a bad
17. bill. It's bearing the disguise of being in the...in
18. the disguise of the issue of good government, cleaning
19. up elections, it will do nothing but create embarrassment
20. to the voters of Illinois and I urge its defeat.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Knuepfer.

23. SENATOR KNUEPFER:

24. Senator Dougherty, I have heard many arguments in
25. my day, and certainly there is an argument that this
26. bill may be expensive, but the argument that this is an
27. invasion of privacy is simply astounding to me. It is
28. right that when I vote, the Judges assure themselves
29. that it is me. Is there anything wrong with my banker
30. assuring himself that when I cash my check that he is
31. cashing a check from me? Senator, the...the argument
32. on invasion of privacy simply suggests that deceit is
33. the order of the day. And if it is illegal, if it is an

1. invasion of my privacy, to simply suggest that I don't
2. have a right to go around confusing people by saying
3. I'm somebody else than I really am, then Senator, I'm
4. very confused.

5. SENATOR DON MOORE:

6. I'll yield to Senator Dougherty, he wishes to
7. respond.

8. PRESIDING OFFICER: (SENATOR WEAVER)

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. What are you going to do in DuPage County when
12. you change registrations without even bringing
13. the person in to register? How are you going to get
14. around that? And you do do that out there, you know that.
15. How you going to get around that?

16. PRESIDING OFFICER: (SENATOR WEAVER)

17. Senator Knuepfer.

18. SENATOR KNUEFFER:

19. Well, I...I was addressing myself to the invasion
20. of privacy argument, Senator. I would be very happy to
21. have this bill apply in DuPage County. It would be no
22. problem for me whatsoever, and I think it would be as
23. good a bill there as it would be anywhere else in the
24. State of Illinois.

25. PRESIDING OFFICER: (SENATOR WEAVER)

26. Senator Carroll.

27. SENATOR CARROLL:

28. Thank you, Mr. President...

29. PRESIDING OFFICER: (SENATOR WEAVER)

30. Excuse me, Senator Carroll, Senator Swinarski.

31. SENATOR SWINARSKI:

32. Mr. President...

33. PRESIDING OFFICER: (SENATOR WEAVER)

1. Senator Swinarski.

2. SENATOR SWINARSKI:

3. Thank you, Mr. President, members of the Senate,
4. it gives me a pleasure this afternoon to introduce a
5. former colleague of mine, and outstanding alderman in
6. the City of Chicago, Alderman Terry Gabinski, and not
7. only the Alderman, great Alderman, but also a great
8. friend of mine and it's my alderman, 32nd Ward.

9. PRESIDING OFFICER: (SENATOR WEAVER)

10. Senator Carroll.

11. SENATOR CARROLL:

12. Thank you, Mr. President. First if I may ask a
13. question of the sponsor.

14. PRESIDING OFFICER: (SENATOR WEAVER)

15. Sponsor indicates he'll yield.

16. SENATOR CARROLL:

17. Thank you. Don, as I understand this, the State
18. will expend up to 50 cents for each application. Who pays
19. the additional cost of operating this type of facility?
20. Who's going to buy the equipment, put it in all the
21. polling places and things like that?

22. PRESIDING OFFICER: (SENATOR WEAVER)

23. Senator Moore.

24. SENATOR DON MOORE:

25. It is anticipated the total cost will be 50¢
26. and this is based upon the experience we had when we
27. issued I.D. cards to the welfare recipients. It takes
28. approximately two minutes, and the picture is taken;
29. it's placed on the card, your signature is on the card.
30. It's plasticized in such a way that if it is attempted
31. to be altered it can be readily seen. The whole process
32. takes about two minutes. The total cost is 50 cents and
33. it is provided in the case of our public aid people

1. by, I believe, Polaroid was the one that furnished the
2. equipment, and so forth.

3. PRESIDING OFFICER: (SENATOR WEAVER)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Yes, I oppose this bill because I think there is
7. a basic distinction difference between this and the
8. public aid case and that is the fixed location facilities,
9. in which your picture can be taken. We're talking
10. about maybe some 6,000 precincts in Cook County each
11. one of which would have to have at least one of these
12. machines available, every registration day. We're
13. talking about a 152 places of registration in suburban
14. Cook County, in the counties, in the townships, in
15. the village halls that would have to have this type
16. of equipment on hand each and every day. I think you're
17. talking about a major expenditure of money by your
18. cities and counties and villages to purchase this
19. equipment to handle this kind of a job, bringing this
20. type of equipment into the polling places on registration
21. days. I think this is a very unworkable situation and
22. would urge the defeat of this proposal at this time.

23. PRESIDING OFFICER: (SENATOR WEAVER)

24. Senator Moore.

25. SENATOR DON MOORE:

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

27. PRESIDING OFFICER: (SENATOR WEAVER)

28. Senator Moore, Senator Course and Senator Rock
29. both indicated they'd like to speak on this. Do you
30. want to hold your motion? The question is, moving
31. the previous question, all in favor signify by saying
32. aye. Opposed nay. Motion carried. Senator Moore
33. may close debate.

1. SENATOR DON MOORE:

2. Just a few comments, Mr. President. There is some
3. question as to whether this pertains just to Cook County
4. or is applicable state-wide. It is applicable state-wide.
5. We know that we have bills introduced or we're talking
6. about bills for a state I.D. card at the cost of \$5.00
7. with your picture on it. A driver's license with your
8. picture on it. We've gone into this public aid problem
9. before. I think that actually this will...bill will end up
10. being...or saving money rather than costing money. In
11. answer to Senator Carroll's idea that we would have to have
12. 6,000 cameras set up in 6,000 polling places at one
13. time. I think that this is the type of a problem that
14. can be resolved. You could take townships at a time,
15. you could take wards at a time. You surely won't need
16. 6,000 cameras in order to have a one in every precinct
17. throughout the County of Cook or throughout the State
18. of Illinois. I think it's an administrative problem that
19. can be resolved. I think that anything we do to take
20. a blow at vote fraud would be one of the greatest things
21. that this Session of the General Assembly could do.
22. And, I think this is one way of doing it. I think it's
23. a good bill, and I would urge support from both sides
24. of the aisle on its passage. I request a favorable
25. roll call, Mr. President.

26. PRESIDING OFFICER: (SENATOR WEAVER)

27. The question is shall SB 383 pass. And on that
28. question the Secretary will call the roll.

29. SECRETARY:

30. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
31. Chew, Clarke, Conolly, Course, Daley, Davidson,

32. PRESIDING OFFICER: (SENATOR WEAVER)

33. Senator Course.

1. SENATOR COURSE:

2. Thank you, Mr. President. I rise to explain my
3. vote. We opposed this bill...my side of the aisle
4. opposed this bill in committee, and for various
5. reasons. And, one of the reasons was that some people
6. may have object...to having their photograph on that
7. registration card. What do we do in a case like that?
8. We're trying to encourage people to come out and vote
9. and here we're discouraging them by making them put
10. their photograph on there. Another thing that's
11. called to mind, Ladies and Gentlemen, what if a person
12. doesn't have to re-register for ten years and
13. their appearance changes. And they go into a polling
14. place to cast their vote and they're challenged
15. because they don't look like the photograph on there.
16. They don't look like the photograph that's on their
17. identification card. Another thing that's called to
18. mind, Ladies and Gentlemen, we have the Secretary of
19. State is going to...they want the Secretary of State
20. to issue identification cards for the purpose of cashing
21. checks or...identification cards with their picture
22. imposed on for the purpose of cashing checks and
23. identification, and retail establishments for credit
24. card purposes, currency exchanges. My contention is,
25. Ladies and Gentlemen, that these establishments want
26. this here, if they want an identification on anything,
27. let them pay for it. Don't come to the county or
28. the people and say the people ... we want you to
29. pay for it. And you people, you gentlemen that served
30. in the House a few years back will recall that on the
31. driver's license we had the color of a woman's hair.
32. We had an amendment to take that off because some
33. women objected to having the color of their hair on

1. the photograph because they were dying their hair and
2. when they went in to...they were stopped by police
3. officers, they had gray hair when on the driver's license
4. it showed they had red hair or black hair. Some
5. women wore wigs, and they objected to this and...we
6. took the color of the hair off of the photograph, or
7. off the driver's license. Ladies and Gentlemen, I
8. don't think this is a good bill, and I vote no.

9. SECRETARY:

10. Davidson, Donnewald,

11. PRESIDING OFFICER: (SENATOR WEAVER)

12. Senator Donnewald.

13. SENATOR DONNEWALD:

14. When Senator Course alluded to some people that
15. had photographs that you wouldn't be able to recognize,
16. I have mine which is on my gun registration, and believe
17. me, if they had to depend upon that, I wouldn't be able
18. to vote at all. I vote no.

19. SECRETARY:

20. Dougherty, Fawell, Glass,

21. PRESIDING OFFICER: (SENATOR WEAVER)

22. Senator Glass.

23. SENATOR GLASS:

24. Mr. President, I would like to explain my vote.
25. I think I've heard more reasons for voting against this
26. bill than I could imagine existed. There's a good
27. reason for voting for it, Ladies and Gentlemen, it's because
28. it's a step toward honest elections and the elimination
29. of vote fraud. And, it's going to cost the public some-
30. thing, and I think it's worthwhile. That's the point,
31. it seems to me, that's being missed, and I'm proud to vote
32. aye.

33. SECRETARY;

1. Graham, Harber Hall, Kenneth Hall, Hynes,

2. PRESIDING OFFICER (SENATOR WEAVER)

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President, it's my judgement that the long
6. term effect of...of this legislation will be to effective-
7. ly deny the right to vote to many of our citizens. And
8. my vote is therefore no. And while I'm on my feet,
9. I would like to take the opportunity to introduce
10. to the Senate and ask that they rise...a group from
11. St. Christinia's School in Chicago and Sister Joan of
12. Arc who is...or rather Sister Annacita who is with
13. the group.

14. SECRETARY:

15. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
16. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
17. Moore, Netsch, Newhouse,

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Netsch.

20. SENATOR NETSCH:

21. Mr. President, my vote is present, and I would like
22. to explain the...gentlemen on both sides of the aisle
23. why it is so. This is a very important, but very compli-
24. cated question. Many of us had a number of problems that
25. we had to resolve in our minds, and we wanted some dis-
26. cussion and some answers to questions. But a havit has
27. developed around here, even on relatively important
28. issues, of cutting off debate before any of that in-
29. formation gets brought out. Therefore, some of us
30. are left without any opportunity to find answers to
31. the questions that we need. I would suggest to every-
32. one, if you want affirmative votes on your bills in
33. the future, give us a chance to find out what we need

1. to know in order to make a rational decision. My vote
2. is present.

3. SECRETARY:

4. Newhouse, Nimrod,

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Nimrod.

7. SENATOR NIMROD:

8. Mr. President, members of the Senate, it's very
9. obvious that the means of identification system is
10. very necessary as we have seen from the public aid
11. identification. We have seen millions of dollars having
12. been saved as a result of this for the State of Illinois,
13. in fraudulent checks. And they have been reduced to
14. practically nothing in their losses. Now I would think
15. that it's just as important for us to save millions of
16. votes if this is the case, and if it costs us a few
17. dollars to do the job, then we ought to do it all the
18. way. It's worth spending millions to accomplish the
19. fact after all. I vote yes.

20. SECRETARY:

21. Nudelman, Ozinga, Palmer, Partee,

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Partee.

24. SENATOR PARTEE:

25. I, like Senator Netsch, did not get a chance to
26. become involved in the debate because of a rather un-
27. timely motion made to cut off debate. But I think we do
28. when you allude to the other bills in here for identifica-
29. tion, should draw the distinction between them. This is
30. one that would cost a large, large sum of money. And the
31. others involved are those which are optional to people
32. who desire to purchase them, for a small sum of money
33. they can purchase them particularly those persons

1. who do not drive an automobile and who need some other
2. form of identification. So there's a basic difference
3. between this situation and the other kinds of identifica-
4. tion bills which are here. I vote no on this one.

5. SECRETARY:

6. Regner, Rock,

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Rock.

9. SENATOR ROCK:

10. Yes, Mr. President, members of the Senate, in my
11. judgement, this is a shame; one of many we've seen
12. perpetrated this Session. The pious cry goes up concern-
13. ing itself with vote fraud. But I would ask everybody to
14. take a look at the bill. Right now under our current
15. election laws, the voter registration card is not, in
16. fact, needed to vote. And now we're going to take a card
17. that you don't need anyway and put a picture on it. Now
18. if indeed the sponsors were serious about preventing
19. any type of fraud or collusion, why is there no sanction?
20. Why don't they say that a voter who presents himself
21. in a polling place and doesn't, in fact, have a regis-
22. tration card with a picture upon it will be disenfranchised.
23. The bill doesn't say that. The bill takes a card that
24. is not necessary, that 90% of the people have lost or
25. misplaced, don't need to carry under any type of sanction,
26. and says we ought to have a picture on it. The bill is
27. bologna, and I vote no.

28. SECRETARY:

29. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
30. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
31. Walker, Weaver, Welsh, Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Moore.

1. SENATOR DON MOORE:

2. To briefly explain my vote before I request a poll
3. of the absentees, Mr. President. We have heard that we...
4. we are trying to encourage people to come out and vote.
5. This is true and I don't think this bill in any way will
6. keep people from coming out registering to vote. In fact,
7. it will probably increase the number of people because they
8. will have a valid piece of identification that can be used
9. for many purposes besides having a voter's registration
10. card in their pockets. But when we want people to come out
11. and vote, we want people to come out and vote who are
12. human, living beings, not people that have moved out,
13. not people who are in the graveyards. We want honest
14. people who are actually registered to come on out and
15. vote at our elections. And I think that this is the..is
16. the one method of doing it. As far as Senator Rock's
17. suggestion to make it mandatory that you present...

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Wooten, what is your point of order?

20. SENATOR WOOTEN:

21. Point of order. How can Senator Moore be explaining
22. his vote when he was recorded on the roll call as voting
23. aye the first time through.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. I didn't know that he was recorded. He seeks
26. recognition, Senator. Senator Moore.

27. SENATOR DON MOORE:

28. Yes, thank you, Mr. President, I think that this
29. is a good bill. I don't see where it will do any harm,
30. as far as Senator Rock's suggestion to make it mandatory,
31. I'd be happy to amend the bill in the House if this
32. Senate sees fit to pass it over there, to make it
33. mandatory that you produce this card. If he thinks this

1. will assist in knocking out vote fraud, then I'm all for
2. it, and I'd be more than happy to take his suggestion in
3. this manner...

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Moore...

6. SENATOR DON MOORE:

7. ...and I would request a poll of the absentees.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. A request for poll of the absentees. They will be
10. called.

11. SECRETARY:

12. Chew, Clarke, Fawell, Kenneth Hall, Keegan, Knuppel,
13. Kosinski, Mitchler, Newhouse, Palmer, Romano, Savickas,
14. Smith, Soper, Vadalabene,

15. PRESIDING OFFICER (SENATOR WEAVER):

16. On that question the yeas are twenty-six, the nays
17. are eighteen, three present. SB 383 having failed to
18. receive a constitutional majority is declared lost.
19. Senator Vadalabene on the Floor? Senator Hall, do you
20. wish to call 142? Senator Hall, do you wish to call 142?

21. SENATOR KENNETH HALL:

22. Let it go. Thank you, Mr. President, members of the
23. Senate. Better read this...

24. PRESIDING OFFICER (SENATOR WEAVER):

25. The Secretary read 142.

26. SECRETARY:

27. SB 142 (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Hall.

31. SENATOR KENNETH HALL:

32. Tell him to turn it on. Thank you. I'd like to say
33. gentlemen that this...the Calendar is wrong, that was the

1. original appropriation until Senator Harber Hall put
2. the amendment on. Now at present, this only appropriates
3. 12,500 to the Joliet-Marquette Tri-Centennial Commission
4. for the purpose of recreating an Act. So, this was
5. Senator Rosander's gem last...I mean at last Session,
6. and I'm just following it up. And what we're going to
7. do this time is they're going to re-enact the scene
8. and this is added, and you want to...might know that the
9. Illinois Tourism have aided in writing this legislation
10. and that nine States are participating. We'd like to
11. get this on the way. This bill has been laying on the
12. Calendar for over two months. So I'd like your most
13. favorable vote on that bill.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Is there any discussion? Senator Bell.

16. SENATOR BELL:

17. I think, members of the Senate, that \$12,500 is
18. little enough for this State to contribute to the
19. 300 year centennial of the exploration of this area
20. by Louis Joliet and Father Marquette. Now, I'm proud
21. to be co-sponsor of this particular legislation. There
22. are, in fact, as Senator Hall has pointed out, 9 States
23. participating in this, and I might add that the State
24. of Illinois is participating at a rather nominal level.
25. And I would hope that the members on this side of the
26. aisle would support this particular bill. We're...
27. running out of time. The Legislature does need to move
28. on it, and I would support Senator Hall's asking for a
29. favorable roll call.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Is there any further discussion? The question is
32. shall SB 142 pass? And on that question the Secretary
33. will call the roll.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
3. Chew, Clarke, Conolly, Course, Daley, Davidson,
4. Donnewald, Dougherty, Fawell, Glass, Graham, Harber
5. Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
6. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
7. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
8. Nimrod, Nudelman, Ozinga, Palmer,

9. PRESIDING OFFICER: (SENATOR WEAVER)

10. Senator Hall, Senator Hall.

11. SENATOR HARBER HALL:

12. Mr. President, fellow Senators. This bill in hearing
13. in committee did point out a problem that I think we
14. have in administration in the State of Illinois when
15. certain commissions are formed and they are...the members
16. of the commission are appointed by the Governor and they
17. proceed to do what they think they're supposed to be doing,
18. and then they come to the Legislature for the appropriation
19. and find out that they were really not supposed to be
20. committing the State or themselves to expenditures prior
21. to receiving legislative approval of the expenditures of
22. money. This particular group did make a very good
23. presentation, but they had failed to consider that there
24. are other approaches to funding State government,
25. that is to say the approved method of budgetary procedures
26. and going through the proper executive agency to apply for
27. monies and get their concurrence with the project. We agreed
28. in the committee to pass the bill out on a narrow vote, so
29. long as the size of the expenditure was not what they
30. asked for and a group of...studying it thought that 12,500
31. would be good seed...amount that they could use as
32. seed money and go out and get more money. I would urge
33. the members to vote aye on this for the nominal amount

1. that they're asking for now, that's been cut down from
2. 83,000 to 12,500. And I vote aye.

3. SECRETARY:

4. Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro,
6. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
7. Walker, Weaver, Welsh, Wooten, Mr. President.

8. PRESIDING OFFICER: (SENATOR WEAVER)

9. Hall aye, Johns, aye. Knuppel, aye. Hynes, aye.
10. Schaffer, aye. Schaffer, no, excuse me. On that
11. question the ayes are forty-six, the nays are two.
12. SB 142 having received a constitutional majority is
13. hereby declared passed. SB 1147, Senator Vadalabene.

14. SECRETARY:

15. SB 1147 (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDING OFFICER: (SENATOR WEAVER)

18. Senator Vadalabene.

19. SENATOR VADALABENE:

20. Thank you, Mr. President, this bill gives the
21. State Treasurer, Alan Dixon, the authority to
22. destroy redeemed bonds and coupons by shredding
23. rather than by cremation. If you remember last week
24. that this bill was advanced without reference to
25. 2nd reading and now to 3rd and has an emergency
26. clause, and I would appreciate a favorable
27. vote.

28. PRESIDING OFFICER: (SENATOR WEAVER)

29. Is there any discussion? The question is
30. shall SB 1147 pass, and on that question the Sec-
31. retary will call the roll.

32. SECRETARY:

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

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

11. Newhouse, aye. Soper, aye. On that question
12. the ayes are forty-six, the nays are none. SB 1147
13. having received a constitutional majority is declared
14. passed. At this time, we'll revert to the order of
15. Senate Bills on 2nd reading. Senator Harris.

16. SENATOR HARRIS:

17. Mr. President, I wish to call SB 416. We now
18. have the amendments prepared that I did not have when
19. we reached this bill on the order of 2nd reading earlier
20. this morning. I might briefly say in general,
21. that these amendments are five in number. They are
22. being distributed to the members. We have worked
23. diligently and most cooperatively with the Department
24. of Insurance in developing these amendments. Amendments
25. No. 1,2,4 and 5 are what will be called department
26. requested amendments, that I have agreed to. And
27. Amendment No. 3 is Senator Partee's cost savings
28. amendment. They are on the Secretary's desk. I'll
29. be...Amendment No. 1 is a technical amendment that,
30. with the single exception of directing the matter of
31. self-insurance to be administered by the Director...

32. PRESIDING OFFICER: (SENATOR WEAVER)

33. Senator...Senator Bruce, do you have a question?

1. SENATOR BRUCE:

2. I wonder if Senator Harris, as you start on each
3. of these amendments, we've all had five in various orders
4. stacked on our desk. If you would just tell us what
5. the first couple of words on each one of these, so that
6. we know we're talking about the same amendment as
7. we come to each one, it would help us.

8. SENATOR HARRIS:

9. Amendment No. 1 is the one that begins on page 1,
10. line 18, and the first substantive change is after
11. December 31, 1973. Ok. That's Amendment No. 1.

12. PRESIDING OFFICER: (SENATOR WEAVER)

13. Will the Secretary read the bill a 2nd time?

14. SENATOR HARRIS:

15. Except for technical changes...requested by the
16. Director...

17. PRESIDING OFFICER: (SENATOR WEAVER)

18. Mr...Mr. President, the bill has not been read
19. a 2nd time.

20. SENATOR HARRIS:

21. Oh, I'm sorry.

22. PRESIDING OFFICER: (SENATOR WEAVER)

23. I asked the Secretary if he would do that.

24. SECRETARY:

25. SB 416 (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER: (SENATOR WEAVER)

28. For what purpose does Senator Swinarski rise?

29. SENATOR SWINARSKI:

30. Mr. President, because of the involvement of
31. these amendments that were just given to us, some of
32. the work and research that has been done by some of
33. the members and some of the other amendments that

1. could be proposed at this time, I'd like to move at this
2. time to postpone consideration of SB 416 until tomorrow.

3. PRESIDING OFFICER: (SENATOR WEAVER)

4. Senator Harris.

5. SENATOR HARRIS:

6. Well, I would just point out to the Senator that
7. these are amendments that we have spent long hours in
8. developing with the department. We've got to get to
9. this issue sometime, and if we continue to post-
10. pone these important decisions, we're going to be up
11. against a terrible deadline. I would just invite
12. Senator Partee to respond to that motion. I personally
13. want to resist it. I think we have to address ourselves
14. to this question and let's go ahead and get to the
15. question of the sense of the Body.

16. PRESIDING OFFICER: (SENATOR WEAVER)

17. Senator Swinarski, the motion is out of order
18. because Senator Harris had the Floor. Senator Partee.

19. SENATOR PARTEE:

20. I just heard a part of the motion. I thought the
21. motion was to postpone consideration of the bill but I
22. did not hear the reasons stated for the motion.

23. PRESIDING OFFICER: (SENATOR WEAVER)

24. Senator Swinarski's motion was out of order...

25. SENATOR PARTEE:

26. I recognize that.

27. PRESIDING OFFICER: (SENATOR WEAVER)

28. ...also Senator Harris had the Floor and I thought
29. he had a point of personal privilege. Senator Harris
30. may continue.

31. SENATOR HARRIS:

32. Well, I will proceed then with a discussion of Amendment
33. No. 1 which essentially makes technical changes in the

1. bill with the exception that the question of administration
2. of the self-insurance provisions of the bill. This is
3. transferred from the Department of Insurance to the
4. Office of Secretary of State. They are involved in this
5. question...in this administrative responsibility now, and
6. it was the determination of the Department of Insurance
7. that this would be a more appropriate place for the ad-
8. ministration of this Section of the bill relating to self-
9. insurance. I move the adoption of Amendment No. 1.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Is there further discussion? All in favor of
12. adopting Amendment No. 1 to HB 416, signify by saying
13. aye. Opposed nay. The amendment's adopted.

14. Senator Harris.

15. SENATOR HARRIS:

16. Amendment No. 2...

17. PRESIDING OFFICER (SENATOR WEAVER):

18. For what purpose does Senator Netsch arise?

19. SENATOR NETSCH:

20. Mr. President, am I correct that it would not be
21. out of order for me to move to postpone consideration of
22. the amendments and further consideration of this bill
23. until tomorrow.

24. PRESIDING OFFICER (SENATOR WEAVER)

25. Senator Netsch, you are out of order. Senator...

26. SENATOR NETSCH:

27. Why am I out of order, Mr. President?

28. PRESIDING OFFICER (SENATOR WEAVER)

29. Senator Harris now has the Floor, and when you
30. interrupted...

31. SENATOR NETSCH:

32. You just recognized me.

33.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. I recognized you...
3. SENATOR NETSCH:
4. For what purpose?
5. PRESIDING OFFICER (SENATOR WEAVER):
6. To find out, for what purpose you asked for the Floor?
7. SENATOR NETSCH:
8. I was attempting to get your attention after the
9. action on the last Amendment. And I...I thought you were
10. recognizing me between action on Amendments.
11. PRESIDING OFFICER (SENATOR WEAVER)
12. I...Senator, I recognized Senator Harris to proceed
13. on Amendments to SB 416.
14. SENATOR NETSCH:
15. Will you recognize me at the conclusion of the next
16. Amendment?
17. PRESIDING OFFICER (SENATOR WEAVER):
18. I'll recognize you when I deem it necessary.
19. SENATOR NETSCH:
20. That is not very fair, Mr. President.
21. PRESIDING OFFICER (SENATOR WEAVER)
22. Senator Harris may proceed.
23. SENATOR HARRIS:
24. Well, I have no objection to determining the sense
25. of the Senate. I can...deal with this question. I have
26. stated in response to the question being before us
27. earlier of postponing, which was not recognized to say
28. that I think this is a question that we must deal with,
29. and if the sense of the Senate is to proceed, let us
30. do so. If the sense of the Senate is otherwise, it's okay
31. with me. We...we will gain nothing by continuing to put
32. off these important decisions. There is, I think...I
33. think, let me just proceed. I think there is value

1. in...in permitting a Senator to get the bill in shape
2. that he is sponsoring. And I state to you that if there
3. are further amendments that are offered by members, that
4. opportunity is before them now and with the understanding
5. that in the light of the adoption of the amendments that
6. I am proposing, one of which has been adopted, if
7. there are members who on further evaluation when this
8. bill is on 3rd reading without getting into the possibility
9. of recalling to get into dilatory tactics, I would
10. very seriously consider the presentation of any amendments
11. that would be offered to me prior to 3rd reading passage.
12. And see if we can't work them out. But I do not want
13. to give the opportunity to engage in further delay and
14. dilatory tactics once this bill gets to 3rd reading.

15. PRESIDING OFFICER: (SENATOR WEAVER)

16. Senator Swinarski.

17. SENATOR SWINARSKI:

18. I'd like to address this question if I might to
19. Senator Harris.

20. PRESIDING OFFICER: (SENATOR WEAVER)

21. Senator Harris.

22. SENATOR SWINARSKI:

23. Senator Harris, from just looking at this very
24. quickly for the last two moments. I think between some
25. of the amendments on SB 416, that have been proposed by
26. other people, are very similar to the proposals you have
27. made. In many instances, I do not see a conflict; in
28. some instances, I do see a conflict. I think by delaying
29. this because of the substance and the nature of this
30. bill by delaying this for only 24 hours so that we
31. have an opportunity to digest these amendments which
32. look quite, quite good in many instances, that it would
33. not be the slowing up of the legislative process at all. I

1. think tomorrow we would be able to move this very rapidly
2. and I ask for your...consideration on this.

3. SENATOR HARRIS:

4. Well, it would just...the point that your raising
5. is one that is always potentially a result when amendments
6. are offered from the Floor. I personally would prefer
7. to proceed with the consideration of the amendments that
8. we've worked out. And I indicated just a moment before
9. that I would be amenable to very careful evaluation of
10. subsequent amendments when this bill goes on to 3rd
11. reading. But not to commit myself to the opportunity for
12. dilatory involvement in calling the bill from 3rd back
13. to 2nd for the opportunity for the people to construct
14. amendments that might be changed by the inclusion of the
15. five amendments I am offering today. And I...if you have
16. amendments that have no conflict with my five, then
17. there's no problem on those amendments. If there are some
18. that get involved, I indicate to you without a full
19. commitment because I want to evaluate the question of...
20. of whether it is, in fact, a question of delay or an honest
21. opportunity to have the Body consider what should be every
22. member's right to offer bona fide and serious amendments;
23. and with that understanding, I would like to proceed
24. with the adoption of my five amendments. And any others
25. that will not get into conflict insofar as their
26. construction is concerned in the adoption of these.

27. PRESIDING OFFICER: (SENATOR WEAVER)

28. Senator Harris, do you wish to continue or do you
29. wish to yield to Senator Netsch for a question?

30. SENATOR HARRIS:

31. I will yield, momentarily.

32. PRESIDING OFFICER: (SENATOR WEAVER)

33. Senator Netsch.

1. SENATOR NETSCH:

2. Mr. President, may I address this comment and question
3. to Senator Harris? I really don't quite understand this,
4. Senator Harris. This is...as you have said and many
5. others have said, one of the major bills and most difficult
6. and complex of this Session. Nobody is asking for undue
7. dilatory tactics. All we're saying is that we're all of a
8. sudden presented with a package of very complex amendments
9. to a bill that's complex to begin with. We are asked
10. to vote on them without even the opportunity to read
11. them and then we are told that this is a package of
12. five amendments, there shall be no more unless I say
13. that they are acceptable. There are people in this
14. room who have amendments to this bill who cannot even
15. present them today because by the time these five are
16. adopted, they will not even conform to the language
17. of the bill as it then exists. And all we're saying
18. is, we would like 24 hours to read the amendments, to
19. see whether there are others that need to be made by
20. anyone and then we will proceed. And it seems to me
21. that that is not an unreasonable request. Everyone
22. has a right to try to have an impact on this important
23. issue if he so desires. That is all we are requesting.
24. PRESIDING OFFICER: (SENATOR WEAVER)

25. Senator Harris.

26. SENATOR HARRIS:

27. Well, Mr. President, I thought I made clear, that
28. I thought it was a better course of action to adopt the
29. four amendments that the department has requested, and
30. the amendment that Senator Partee has requested. And
31. we'll know in what shape the bill is then if we take
32. favorable action on those five. And then in that posture
33. subsequent amendments can be drawn. I say to you that

1. the opportunity for offering amendments will not be
2. foreclosed. And I...I just...I want to point out, and
3. it's perfectly all right with me if...if we get beyond
4. the question of presentation of serious amendments, if
5. the question I have raised does come into being so...
6. so be it. I've...just state clearly that the opportunity
7. for any member to offer amendments will be made available.
8. It does seem to me that it's a better course of procedure
9. to put the amendments on that the department wants. Then
10. we can proceed from the position insofar as individual
11. Floor amendments are concerned in...in the form that I
12. have agreed to with the department. This as you are...
13. I am sure, all aware was not a department bill when it
14. was introduced. But the department does support the
15. bill, enthusiastically I might add, with the adoption
16. of these amendments. This is a commitment that I have
17. made. Further, the ...the Amendment No. 2, the cost
18. savings amendment is Senator Partee's...I'm sorry, No. 3
19. which we have not reached, but I...I say to you that
20. I believe the most appropriate course of action is to
21. adopt these. And we know what construction will be re-
22. quired for subsequent amendments. And that opportunity
23. will be given on an unlimited basis to every member.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Netsch, do you have further questions?

26. SENATOR NETSCH:

27. Do I understand then, Mr. President and Senator Harris,
28. that you will hold the bill on 2nd reading until it...

29. SENATOR HARRIS:

30. I would like to advance it, and I will recall it
31. for the opportunity of any Senator for the consideration
32. of amendments..

33. SENATOR NETSCH:

1. . You will recall it...

2. SENATOR HARRIS:

3. Yes.

4. SENATOR NETSCH:

5. ...tomorrow...

6. SENATOR HARRIS:

7. Yes.

8. SENATOR NETSCH:

9. ...at the request of any Senator who has an amendment

10. to offer.

11. SENATOR HARRIS:

12. Yes, that's correct.

13. SENATOR NETSCH:

14. Thank you very much.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Harris.

17. SENATOR HARRIS:

18. All right, that's satisfactory to Senators Swinarski

19. and Netsch.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Harris may proceed.

22. SENATOR HARRIS:

23. All right. Amendment No. 2 is an amendment requested

24. by the department that adds into the bill a section dealing

25. with fraudulent claims and delayed payments. Oh, I'm sorry,

26. at Senator Bruce's suggestion this is...no, this is...

27. well, the pages gave copies of the amendments to everyone

28. but me. Amendment No. 2 is the one that begins with the

29. language, Amends Senate 416 on page 15 by deleting Section

30. 638 and inserting in lieu thereof Section 640. Does that

31. identify it? That is Amendment No. 2. Now, this provides

32. for the inclusion of language dealing with fraudulent

33. claims in subparagraph 1 of that section and provision for,

1. on the part of companies delaying of legitimate claims
2. providing for attorney's fees for delayed claims on the
3. part of the company. I move the adoption of the amendment.
4. I might say that this amendment should be identified as
5. being sponsored by me and Senator Partee on Amendment
6. No. 2.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Swinarski.

9. SENATOR SWINARSKI:

10. A question, please, for Senator Harris. Senator
11. Harris, will you yield for a question?

12. SENATOR HARRIS:

13. Yes.

14. SENATOR SWINARSKI:

15. I don't quite...I'm on page 15 now, and I can't quite
16. put this together and the explanation. I wonder if you'd
17. give a more thorough explanation.

18. SENATOR HARRIS:

19. Well, the...the things to do is really to have the
20. amendment in your hand, because it's all new language,
21. and it adds...it...it adds a complete new Section 638. And
22. if you will hold the amendment, you...you don't need to
23. address yourself to the copy of the bill, in considering
24. this amendment. It's entirely new language. This is the
25. amendment that begins with the line, Amends SB 416 on
26. page 15, line 15, by deleting Section 638. Now the effect
27. of this amendment is to add a complete new section in there.
28. And if you...there is no interspersed language.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Swinarski.

31. SENATOR SWINARSKI:

32. I see...in a statement made by the Department of
33. Insurance that the paragraph 638 which was amendatory to

1. this bill which was approximately four sentences and
2. read as follows, cost savings is the intent of the
3. Legislature in adopting this Act as to the extent that
4. implementation of this Act results in cost savings.
5. Such savings shall be returned to the policyholders in
6. accordance with the rules and regulations of the Depart-
7. ment of Insurance until...

8. SENATOR HARRIS:

9. Senator...Senator...

10. SENATOR SWINARSKI:

11. What is the difference between that and...

12. SENATOR HARRIS:

13. Well, Senator Swinarski, that issue is not dealt with
14. in Amendment No. 2 at all. It is dealt with in Senator
15. Partee's amendment, which will be Amendment No. 3. And
16. that communication from the Department is no longer effective
17. insofar as the position of the Department is concerned re-
18. lating to Amendment No. 2 which is their amendment. The
19. question of cost savings is dealt with in an amendment
20. that is not yet before us, and that is Senator Partee's
21. amendment which we anticipate to be Amendment No. 3.
22. Amendment No. 2 deals only with the inclusion of a
23. Section setting up procedures for fraudulent claims
24. and delayed payments, empowering the department to act
25. and authorizing the claimant to recover on those two
26. subjects by means of the new Section 638.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Any further discussion on Amendment No. 2? Senator
29. McCarthy.

30. SENATOR MCCARTHY:

31. Senator Harris, suppose you have under your amendment,
32. a collision of two cars, neither one of which are insured
33. in any way. They don't...neither car nor the driver of

1. these two cars have any insurance, got the factual situation?
2. All right. Suppose one fellow says he is injured, the
3. driver who was stopped at a red light, and the other driver
4. hit him, let's assume that, for the hypothesis. Are they
5. covered under this Amendment?

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Harris.

8. SENATOR HARRIS:

9. Well, I don't think your question applies to Section
10. 638 which is being established by this amendment. You're...
11. it's not germane to this section. Now, in the Act that
12. we are proposing to enact, every motorist operating in
13. Illinois is required to have this insurance. Well,...

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator McCarthy.

16. SENATOR MCCARTHY:

17. Senator, this is it. I said suppose you have a col-
18. lision of two cars, uninsured all the way. One of them
19. stopped at the red light and the other one hits him in the
20. rear. I'm wondering if they're under 638, under this precise
21. language the way I read it, says line 7, in any claim or
22. action arising out of the operation, maintenance or use of
23. a motor vehicle, any person who directly or indirectly,
24. then it goes on, attempts to obtain some money, and if it's
25. true, he's guilty of a business offense. That's the way
26. I read the amendment.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Harris.

29. SENATOR HARRIS:

30. Well, if...if the person falsely as you will see down
31. in line 19. I believe that that constructs him into fraudu-
32. lently making a claim, and that of course is the thrust of what
33. the department requested in the inclusion of this language

1. in this section.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator McCarthy.

4. SENATOR MCCARTHY:

5. I think this comes to the end of it, so that the
6. uninsured people for the fraudulent claim purposes are
7. here in 638.

8. SENATOR HARRIS:

9. I believe so.

10. SENATOR MCCARTHY:

11. I think so, too. What I'm concerned about is the
12. fellow that has a medical injury, a medical injury, that
13. maybe isn't precisely spelled out. I'm wondering about
14. the kind of problem he's going to get in, if he demands
15. from the other fellow who doesn't have any insurance
16. company that he pay him for this medical injury. Let me
17. see if I can put it another way. The way I understand
18. your Act, the only person who can sue after certain things
19. are paid, is a person who has a serious and permanent per-
20. sonal injury. I'm just wondering if a fellow here who
21. doesn't have an insurance company to go after, if he's
22. guilty of a crime because he exercised his right to sue.
23. And claims that he has a personal injury.

24. SENATOR HARRIS:

25. The last situation you are describing is a bona fide
26. attempt to recover, but if he falsely or fraudulently
27. attempts to, he is covered. I think that's the distinction.
28. There must be a showing that he has falsely or fraudulently
29. attempted to recover. But you're pointing out, that the
30. last example you've given here is one of legitimacy, it seems
31. to me. And he would have his right to recover if there is
32. no coverage on the other operator, he would go to the...
33. he would go to the assigned risk pool, assigned claims

1. plan.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Any further discussion? Senator Harris moves the
4. adoption of Amendment No. 2 to SB 416. All in favor
5. signify by saying aye. Opposed nay. The motion's
6. adopted. Senator Harris.

7. SENATOR HARRIS:

8. Senator Partee will offer Amendment No. 3 which
9. begins with language on page 15, line 23 by inserting
10. immediately before the word "is" the following, and then
11. it deals with or Section 639. This is Senator Partee's
12. amendment.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Partee.

15. SENATOR PARTEE:

16. Let me first point out, Mr. President and Members
17. of the Senate, that this is the inseverability clause.
18. If this does not become a part of this law, or if this
19. is declared to be unconstitutional, then the whole
20. law fails. We are concerned and have been since the
21. inception of the no fault concept that the benefits
22. which flow from such an arrangement would be in the
23. interest of the people. And that's why we call it
24. the cost savings amendment. Now, I am concerned that the
25. insurance companies are interested in it. I am concerned
26. that people are interest in it for the basis of having
27. their claims justiciably taken care of immediately.
28. But more than that, I am concerned about the ever
29. spiraling premium rates in this State. I don't want
30. to make a personal example, but the automobile insur-
31. ance premium I paid on our automobiles, I think, should
32. be lowered and this in my humble opinion for myself and
33. everybody else in this State is the way to do it. Now,

1. this amendment simply provides a vehicle by which the
2. Director of Insurance can collect statistical data after
3. this amendment shall have been passed and this bill shall
4. have been passed, and on that basis mandate a reduction
5. of premiums, which premium reductions will be for the
6. benefit of the populace. I am not unaware of all of the
7. divergent groups who are interested in seeing us maintain
8. a status quo. But I am interested in seeing that the
9. people shall have a reduction in their premiums, and this
10. is the cost savings amendment and I recommend its adoption.
11. PRESIDING OFFICER (SENATOR WEAVER):

12. Is there any discussion? Senator Fawell.

13. SENATOR FAWELL:

14. Mr. President, and Members of the Senate, I think
15. what Senator Partee is presenting here is certainly a
16. step in the right direction. And I applaud his efforts.
17. I don't...I haven't had time to digest this, and I'm
18. going to suggest eventually that perhaps it be much
19. stronger, because I...I am of the opinion that the
20. insurance industry is asking for and they've got a
21. clause in their bill that's worth a hundred million per
22. year. It's one of the biggest raids upon the people of
23. the State of Illinois that we have ever seen in this
24. State. Unless we can have a bill that begins to treat
25. the insurance industry as a public utility is treated,
26. I don't believe that they should have the right to set
27. their rates if they're able to complete the raid that
28. they're about to make upon the people of the State of
29. Illinois--And I believe there's a fantastic hoax-- And
30. I hope for the next couple of weeks to try to slowly bring that
31. story out. But if they are going to accomplish what they're
32. trying to accomplish and to take away from the people after
33. mandating that they have to have this insurance, and

1. the people have to pay for it, Senator Partee is absolutely
2. correct. It's not the insurance industries, they could
3. have done this long ago if they had wanted to. They want
4. to be in a position to have only basic medical costs so
5. they can actuarially prognosticate their profits so they
6. can make the kind of profits, that for instance, the life
7. insurance industry, is able to be made. And pile it up.
8. I think we should make very sure if a piece of legis-
9. lation like this ever slips out of this Body that the
10. insurance industry is made to toe the line. They don't
11. even set the premiums as far as I am concerned. Be-
12. cause then, I think, Senator Partee you're absolutely
13. right; you're going right in the correct direction. I
14. think it must be much stronger. I think the department
15. should set these rates on these kinds of policies, not
16. the insurance company. I would like to have a lot more
17. time to look at this. I think, however, I want to say
18. that we're going in the right direction, but we're going
19. to have to go a lot stronger in order to be able to
20. give to the people the kind of fantastic and exorbitant
21. profits which the insurance industry is going to be able
22. to make if they can pull the wool over the eyes of the
23. people of the State of Illinois as they have thus far
24. done in some of the publicity they have put out in regard
25. to this bill. I'm going to have a lot more to say about
26. it in many facets and I think that we're going to have
27. to end up and put an amendment on this bill which is
28. going to simply say that the Director of Insurance is
29. going to set these premiums completely. And they're
30. going to be able to walk in and know every statistic not
31. just be able to set some basic ground rules; they're
32. going to be able to go in and actually set these premiums,
33. if a bill like this is every going to pass.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Bell.

3. SENATOR BELL:

4. Well, Mr. President, Members of this Body, I think
5. you've just gotten done listening to a diatribe against
6. an industry that's attempted to resolve through the
7. utilization of automobile insurance a tremendous problem
8. that we've had not only in the State of Illinois but in
9. these United States. Every day you go out and enter
10. into your automobile, and you drive from point A to point
11. B. All you have to do is look at the amount of traffic
12. that's on the highways, tremendous number of vehicles.
13. And I say to you that coming from the insurance industry
14. and, yes, I happen to be an insurance man, that's dealt
15. for fifteen years with claims that the people have had,
16. that's felt sympathetic for the claims that the people
17. have had, but I'll tell you right now that in my humble
18. opinion, the majority of those claims have been brought
19. about by the legal fraternity and by a jockeying up of
20. rates from many auto parts rebuilders, body shops. The
21. cost of insurance, my friends, is merely a reflection of
22. what it costs to get things fixed. And when labor rates
23. are high, when legal fees are high, when we can have tortuous
24. claims that we've had in the industry as they presently
25. have existed up to this date. This is the reflection of
26. auto insurance, that is what the auto insurance in-
27. dustry has had to put up with. Now, we're entering
28. into a new era. I have grave reservations about SB 416,
29. what we're in effect doing is we're moving into an area
30. like unto workman's compensation. We're asking a private
31. industry that has a right to make a profit to, in effect,
32. become a public utility or to become as social insurance
33. where those profits are going to be very, very closely

1. regulated. These are capital stock companies in many
2. cases, or these are mutual companies that...people...
3. have the right that are investing in those companies to
4. a reasonable rate of return, and my friends in this
5. Body, I've looked over many, many company reports and
6. I haven't seen those profits from the auto insurance
7. aspect. I haven't seen them. They haven't been there,
8. for the last ten, fifteen years by and in large in auto
9. industry; the auto insurance industry has suffered a
10. loss, a loss and where they make up their profits is,
11. you are right, Senator Fawell, they make them up writing
12. life insurance where they can predict their costs
13. accurately and in some cases accident and health in-
14. surance where in rare cases they can predict their
15. costs. They've had to diversify. Now, this is a...
16. this legislation is going to have major, major
17. ramifications in the insurance industry and the slurs
18. that have been cast upon the insurance industry I
19. really resent. And I think it's a case where there's
20. many facets that enter into the picture, Senator, the
21. least of which is ...has been the legal...not the least
22. of which has been the legal fraternity.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Soper.

25. SENATOR SOPER:

26. Mr. President, Members of the Senate, it's always
27. been the policy of this Body that the sponsors should be
28. able to put the bills in the shape he wants. Now, he
29. has some amendments here. We don't know what all these
30. amendments do, let him put them in the shape he wants
31. them, we'll look at the amendments. Sponsor said that
32. he'll let all of us see what these amendments do to the
33. bill and then we will argue the merits of this thing.

1. Otherwise...on every amendment, we're going to be here
2. for four or five days, and argue this thing all over
3. again because every amendment changes something else.
4. So, let's ...get the amendments on, let them rest. Let's
5. look at them. If you got some ideas about some other
6. amendments, the sponsor amenable to any suggestions, and
7. he'll either say I'll accept them, I won't accept them,
8. we'll vote them up or down and let's get a bill in shape
9. and let's get out of here.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? Senator McCarthy.

12. SENATOR McCARTHY:

13. Yes, Mr. President, I am sympathetic with what Senator
14. Soper talked about. But yet, there is an alternative,
15. of course. The bill could always be re-committed to a
16. committee where these bills...where these amendments could
17. be debated in full. But I didn't hear such a motion being
18. made. But I think you face...

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator McCarthy, let's confine our remarks to the
21. amendment before us.

22. SENATOR McCARTHY:

23. All right. Thank you. All right, Senator Partee.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Partee, Senator McCarthy has a quiry of you.

26. SENATOR McCARTHY:

27. Yes, into this amendment on cost savings, is
28. there two different techniques that the Director shall
29. use, one...one for the Calendar year 1974 and another
30. technique after 1974?

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Partee.

33. SENATOR PARTEE:

1. I don't think that there's anything here that
2. indicates that. I certainly don't.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator McCarthy.
5. SENATOR McCARTHY:
6. Let me call your attention to page 2, line 22.
7. SENATOR PARTEE:
8. Line what?
9. SENATOR McCARTHY:
10. Line 22.
11. SENATOR PARTEE:
12. Yes.
13. SENATOR McCARTHY:
14. Now, after June 30, 1975 and pursuant to this article
15. only no insurer may establish a rate which does not meet
16. the following standards. That would be for...
17. SENATOR PARTEE:
18. You're talking about page 2, aren't you?
19. SENATOR McCARTHY:
20. Yes, sir.
21. SENATOR PARTEE:
22. Good.
23. SENATOR McCARTHY:
24. Now, this...they can't establish a rate that's under
25. one, that's excessive, inadequate or unfairly discriminatory.
26. And then it goes on to define what is an excessive rate.
27. I'm just wondering how does F-1 and 2 differ with the pass
28. on or pass through savings for 1974.
29. SENATOR PARTEE:
30. No. Senator, '74 is the year used for the collection
31. of the statistical data on which the Director then makes
32. a judgment as to the savings accumulated and how to pass
33. them on to the policyholders.

1. SENATOR McCARTHY:

2. And is...is that savings...that savings that is
3. determined by the Director limited by F, which is line
4. 22...

5. SENATOR PARTEE:

6. Not at all, and I'd like to know how you arrived
7. at that erroneous conclusion.

8. SENATOR McCARTHY:

9. All right. This is the way I get it on line 27.
10. We'll start on line 25, such a rate, meaning the rates
11. insurance companies charges shall not be excessive,
12. inadequate, I don't think anyone worries about the
13. inadequate rate.

14. SENATOR PARTEE:

15. Well, I don't know whether anybody worries about
16. it, but if you read further in the amendment, you'll find
17. that the definition of inadequate is spelled out, so
18. that we won't have anybody worrying about it or having
19. misconceptions about it.

20. SENATOR McCARTHY:

21. All right. I'll worry a little bit then, I under-
22. stand, I read further.

23. SENATOR PARTEE:

24. But needlessly, Senator. I don't want you to worry.
25. I...

26. SENATOR McCARTHY:

27. Yes, I'll worry a little bit about that. Unfairly
28. discriminatory, then it goes on, and says for the purposes
29. of this section, no rate, no rate, shall be held to be
30. excessive unless one, such rate is unreasonably high for
31. the insurance provided, that part's all right. But, then
32. the conjunctive and a reasonable degree of competition does
33. not exist in the area with respect to the classification

1. to which this rate is applicable. Now, I'm going to stop
2. there. What I get out of that is...

3. SENATOR PARTEE:

4. Well, you can't stop there unless you read the entire
5. sentence.

6. SENATOR McCARTHY:

7. All right. Or such rate will have the effect of des-
8. troying competition creating a monopoly. That's it.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Partee.

11. SENATOR PARTEE:

12. Yes, that's it.

13. SENATOR McCARTHY:

14. ...out of this, Senator, and I hope...hope I'm in-
15. correct in my inference, is that if you've got three
16. companies writing in an area at rates that are unrea-
17. sonable high, that are unreasonably high, that fact and
18. that fact alone will not allow the Director to cut their rates.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Partee.

21. SENATOR PARTEE:

22. Well, if you go back on that same page to line 13,
23. beginning in the middle of the sentence, you will see this
24. language, the Director shall by order mandate perspective
25. premium reductions if justified by the aggregate data
26. published pursuant to subsection D. Now, you have to
27. read these things in conjunction, you cannot take them
28. out of context and understand them. They're confusing
29. when you take them out of context. You must read it in
30. its entirety. I discussed many of the questions that
31. you're raising with the Director of Insurance, and I was
32. satisfied after a substantial talk with him concerning
33. some of the points that disturb you momentarily because

1. you have not had the opportunity to have full grasp of
2. the entire amendment. But, the question you raised is
3. not a question for me, and I think will not be for you,
4. after you've had a chance to grasp the whole amendment.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator...

7. SENATOR PARTEE:

8. Any may I just point out that this is not a statis-
9. tical data evaluation based on the first year. Under this
10. amendment, the Director has the opportunity to each
11. year make that same kind of any analysis, and make the
12. same kind of needed adjustment. Now, that was something
13. which the industry was not ecstatic about. But they're
14. going to take it because this is a part of a cost
15. saving feature and unless they have the opportunity,
16. the Director has the opportunity to make that evaluation
17. each year, it becomes in my opinion not meaningful.
18. They were concerned about some experiences in Massachusetts.
19. They say that means we've got to bring out books in every
20. year for this or that. And I say, I don't care how often
21. you have to bring them in as long as the people of this
22. State are going to save money by it, then I'm for it.
23. Not only that the Director has to publish these figures,
24. it isn't any sub rosa sort of thing that only he knows
25. about and the insurance company. These are figures that
26. have to be published and are then, of course, related to the
27. public scrutiny. So that everybody will know what happened
28. in terms of the statistical data that is...that's set up.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Any further discussion? Senator McCarthy, you have
31. another question?

32. SENATOR MCCARTHY:

33. I...I was getting very close, I think, to Senator Partee

1. here, but then he...he did kind of lose me. And let me
2. state this, that if we don't discuss these amendments before
3. they're adopted, the discussions go on, just go on. I've
4. said that, and I'll continue. Now, Senator Partee, on
5. that F, double i, F, page 2, starting on line 22, the
6. definition of an excessive rate is that it must be unrea-
7. sonably high and, and a reasonable degree of competition
8. does not exist in the area, or such rates will have the
9. effect of destroying competition or creating a monopoly. I
10. take from that that if three companies that are writing
11. insurance at an unreasonably high premium that they will not
12. be held excessive, because that's what the language says.
13. You referred me to subsection E above it, where the Director
14. shall, by order, mandate prospective premium reductions,
15. and then referred back to subsection D. Let me state what
16. my quandary is in subsection D, that refers only to the
17. calendar year. The way I read it, F refers only to the
18. calendar year 1974, now I'm trying to look here into
19. the future to June 30, 1975. Let's assume that there
20. can be no excessive rates charged during 1974, and the
21. first half of 1975, I want to know what happens after
22. June 30, 1975, if it's different, and if different, how
23. and why?

24. PRESIDING OFFICER (SENATOR WEAVER):

25. For what purpose ...Senator Soper rise?

26. SENATOR SOPER:

27. Mr. President, I...I rise on a point of parliamentary
28. inquiry. Now, we could go on all day, we've got a fifteen
29. minute rule on talking on a subject. If...if the Senator...if
30. the Senator from Decatur wishes to speak on this amendment,
31. and tell us what he thinks about it for fifteen minutes,
32. I'm willing to sit here and listen. Now, a man wants to
33. put the bills in a certain shape and...and we're going

1. listen to these bills later on. But this question and
2. answer, we could have two gentlemen question and answer
3. for two days on any...on any bill and I want to know how
4. long they can go? Now, if it's fifteen minutes a piece,
5. let them speak for fifteen minutes, let the next one
6. answer for fifteen minutes, but I don't want to listen
7. for two and a half hours to this and listen to these bills
8. later on. I may not vote for any bill on this thing, and
9. I don't want to sit around here for two hours with this.
10. I'd like to get an answer on this, otherwise I'll move
11. the previous question, and let's get on with it.

12. PRESIDING OFFICER (SENATOR HOWARD MOHR):

13. Senator McCarthy has one minute and we're not
14. charging with the time you have taken...one minute to
15. go. Senator Partee.

16. SENATOR PARTEE:

17. He asked me a question, first of all, Senator. Under
18. the terms of this amendment, no insurance company can
19. raise its premiums until the end of 1975. Now,
20. it wouldn't matter if they were losing money horribly,
21. they cannot raise their premiums until 1975. Now
22. the thrust of this bill as expressed by the in-
23. dustry is that it would be a tax saving, it would
24. be a saving, a premium saving to the consumer.
25. Now, if that is so, and if that...they believe that
26. is so then they can accept this amendment that
27. there will be no increase in premiums, no matter
28. what happens until 1975. In the intervening per-
29. iod, the Director has the right to look at the
30. statistical data accumulated by experience under the
31. operation of this bill and can then mandate premium
32. reductions. Now, the example that you gave of the three
33. insurance companies in one area could not obtain in

1. terms of not having excessive rates because the very
2. last part of the paragraph involved which you did not
3. stress, which you read very hastily, would say that
4. even if there were three companies within the same
5. district, and under the circumstances you delineated,
6. they still could be knocked out of the box on the basis
7. of the last part of the paragraph which you hurried
8. through and did not refer to later on the basis of
9. they're creating a monopoly. And the Director under
10. those circumstances would have the right to readjust
11. the basic premium rate. Now, I don't know, if I've
12. missed your point. But I think that's your answer.
13. PRESIDING OFFICER (SENATOR HOWARD MOHR):

14. You do have just exactly ten seconds, Senator.
15. SENATOR McCARTHY:

16. When I hurried for the last three lines, it was
17. because of Senator Soper, it wasn't...

18. PRESIDING OFFICER (SENATOR HOWARD MOHR):

19. Senator Donnewald.

20. SENATOR DONNEWALD:

21. Well, very briefly in response to Senator Soper,
22. I think this deserves deep and thorough searching
23. inquiry.

24. PRESIDING OFFICER (SENATOR HOWARD MOHR):

25. Senator Bruce.

26. SENATOR BRUCE:

27. Yes, I just have one question for Senator Partee,
28. that Senator McCarthy brought up. In that same section F,
29. you have small i, and there are three terms, excessive,
30. inadequate and/or fairly discriminatory. Two then goes
31. to explain the word excessive...the word excessive.
32. Three explains the word inadequate. But when we get to
33. four there is no repeating of unfairly discriminatory. I

1. don't know whether the amendment was drafted that way, but
2. it seems to me that after the word, subsection, there seems
3. to be the words, as in all the other sections, no rate shall
4. be held to be unfairly discriminatory unless, and then
5. put in, consideration is given to pass and prospective
6. loss experiences and so forth and so on. If that is the
7. section it defines what is, unfairly discriminatory. My
8. point is that you define two of those terms but not the
9. third one. And it seems to me, we either need to add a new
10. section or make it clear that section four is defining what
11. is meant by the technical term unfairly discriminatory.

12. PRESIDING OFFICER (SENATOR HOWARD MOHR):

13. Senator Partee.

14. SENATOR PARTEE:

15. I would compliment Senator Bruce on his perspicacity.
16. It happens that the point you just raised did not escape
17. my notice when I read this, and I mentioned that to the
18. Director and he feels that there are adequate safeguards
19. in the existing law in insurance in this State to enable
20. him to make it a determination as to when a policy or the
21. operation of a...of an insurance company is unfairly
22. discriminatory. You are indeed a scholar.

23. PRESIDING OFFICER (SENATOR HOWARD MOHR):

24. Senator Partee, do you move the adoption...

25. SENATOR PARTEE:

26. I move the adoption of the amendment.

27. PRESIDING OFFICER (SENATOR HOWARD MOHR):

28. Senator Partee moves the adoption of Amendment No. 3,
29. all those in favor signify by saying aye. Opposed. Amend-
30. ment No. 3 is adopted. Senator Harris.

31. SENATOR HARRIS:

32. Amendment No. 4 provides for optional excess no
33. fault coverage above the basic 10,000 taking it to...oh,

1. I'm sorry, this is the amendment that begins with the
2. language, amends Senate Bill 416 on page 7 by deleting
3. lines 22 through 35 and inserting in lieu thereof the
4. following. Now, the principal effect of this amendment,
5. the original section provided for the excess benefits
6. above the \$10,000 limit to 50, but in addition, it
7. provides for work loss increments at the rate of \$50
8. per week increases up to...whatever the market will
9. offer. But the basic work loss provision required in
10. the...in the bill of \$200 per week for work loss, can
11. be implemented by purchase of \$50 per week increments
12. and that's provided for in Amendment No. 4. This is
13. a request by the Department. I have accepted it and
14. I would move the adoption of the amendment.

15. PRESIDING OFFICER (SENATOR HOWARD MOHR):

16. Any further discussion? Senator Swinarski.

17. SENATOR SWINARSKI:

18. Address a question to Senator Harris.

19. PRESIDING OFFICER (SENATOR HOWARD MOHR):

20. Senator Harris indicates he'll yield.

21. SENATOR SWINARSKI:

22. After you go past the...the second paragraph and
23. you go on to page 8, I was with you up to that point,
24. Senator Harris. Can you start on line 22, optional
25. excess coverage. What does your bottom part of this
26. amendment do?

27. PRESIDING OFFICER (SENATOR HOWARD MOHR):

28. Senator Harris.

29. SENATOR HARRIS:

30. Yes, well, it's just conforming language in a sub-
31. sequent section of the act purposed by this bill that has
32. to also be added. The...this second part of it is
33. not any substantive inclusion but just conforming

1. language where there are cross references later on in
2. the bill. I move the adoption of the amendment.

3. PRESIDING OFFICER (SENATOR HOWARD MOHR):

4. Senator Harris moves the adoption of Amendment No.
5. 4. All those in favor signify by saying aye. Opposed.
6. Amendment No. 4 is adopted.

7. SENATOR HARRIS:

8. Amendment No. 5 is an amendment requested by the
9. Department to make certain that the operation of a non-
10. registered motor vehicle will also be included under
11. the coverage of the no fault provisions. This really,
12. I think, can be identified in the terms of a technical
13. amendment. It is not particularly significant, but
14. I found no objection to it and move the adoption of
15. the amendment.

16. PRESIDING OFFICER (SENATOR HOWARD MOHR):

17. Senator Harris...

18. SENATOR HARRIS:

19. There...there might be a possible loophole in claims
20. and this clearly closes that question. I move the adoption
21. of Amendment No. 5.

22. PRESIDING OFFICER (SENATOR HOWARD MOHR):

23. Senator Harris moves the adoption of Amendment No. 5.
24. All those in favor signify by saying aye. Opposed.
25. Amendment No. 5 is adopted.

26. SENATOR HARRIS:

27. If there are any members that have amendments that
28. don't get into conflict with language of the ones we've
29. adopted, we certainly should get to them today and give
30. the members their right to...

31. PRESIDING OFFICER (SENATOR HOWARD MOHR):

32. All right. Senator Rock.

33. SENATOR ROCK:

1. Just...excuse me, Mr. President, just a question of
2. the sponsor. Do these, Senator, represent the total sum
3. of your agreement with the Director in the Department of
4. Insurance?

5. SENATOR HARRIS:

6. We have an understanding about three additional
7. definitions that we are not attempting to place into
8. amendment form here in the Senate, but conceptually, the
9. ...the Director has some question about the definitions of
10. total disability, work loss, and serious injury. But he
11. has accepted my suggestion that we'll continue to work
12. on those and potentially draft language specifically
13. dealing with those definitions in the House. But he
14. accepts the bill in its form as it has now been amended,
15. as a viable piece of legislation which he supports.
16. I have committed myself to continue to work with him
17. in trying to work out definitions on those three
18. questions in...contained in the bill itself.

19. SENATOR ROCK:

20. The...the reason I...the reason that I ask Senator
21. is that when the bill was introduced, it seems to me, the
22. Department had a press release of sorts or testified, at
23. least, and issued a press release and there was some con-
24. cern expressed about the 60 consecutive day provision that
25. in the judgment of himself and the department there should
26. be that definition...perhaps should be reworked. Is
27. there...

28. SENATOR HARRIS:

29. I'm sorry...it would be acceptable to me to reduce
30. that figure. This is another matter of, I would say
31. strategy or concern that Senator Partee and I have
32. discussed. I would not be offended by reduction in
33. that time period. It may be another one of those

1. things that ought to be dealt with in the House. But
2. whatever the sense of this Body is on the question,
3. that will ultimately shape this bill, if it is passed
4. and sent to the House.

5. PRESIDING OFFICER (SENATOR HOWARD MOHR):

6. Senator Carroll.

7. SENATOR CARROLL:

8. Basically the same question. I understood the
9. Director to say that was one of his five basic criteria
10. of a good no fault bill and that one of the five
11. being that the 60 day was unconscionable. And that
12. would have to be reduced before he could support
13. the legislation.

14. PRESIDING OFFICER (SENATOR HOWARD MOHR):

15. Senator Palmer.

16. SENATOR PALMER:

17. Senator Harris, I want to, forgive me, but I did
18. not understand the treatment on those three matters,
19. the serious injury, work loss, and total disability.
20. How is that going to be handled? Cause I'm very much
21. concerned about that.

22. SENATOR HARRIS:

23. Well...I indicated that conceptually I was amen-
24. able to restating them insofar as they are defined in
25. the...in the bill.

26. SENATOR PALMER:

27. How will that be handled Senator?

28. SENATOR HARRIS:

29. I indicated that...that it was a subject that we
30. would continue to work on and probably work out those
31. changed definitions in the House. But..

32. SENATOR PALMER:

33. Well, my question...

1. SENATOR HARRIS:

2. ...Well, now, wait a minute. I tried to make clear
3. that I think the sense of a majority of this Body is
4. what ultimately will rule on that question. I would
5. have to see language that insofar as I'm concerned
6. at this point in time, I'm satisfied with those definitions
7. as contained in the bill now. The Director would like to
8. see some change and I would say that we're close together,
9. but we haven't reached complete understanding on it.
10. He is perfectly willing for the bill to go to the House
11. in the form that it is in now. And to continue to try
12. and work out those changes in the House. But it's
13. ultimately up to a majority of this Body to make a
14. determination of what goes to the House. And I recognize
15. this and...and don't want to foreclose any dialogue
16. or debate any member of this Body who wants to
17. address himself directly to those definitions.

18. PRESIDING OFFICER (SENATOR HOWARD MOHR):

19. Senator Swinarski.

20. SENATOR SWINARSKI:

21. Will the Senator yield to a question?

22. PRESIDING OFFICER (SENATOR HOWARD MOHR):

23. He indicates he'll yield.

24. SENATOR SWINARSKI:

25. To clarify this once again, Senator Harris, and I
26. don't want to belabor the point. As I understood it and
27. as was explained to me from a few members of your side
28. of the aisle, rather than go in at this time to amendments
29. which could be similar to some of your amendments, and
30. some which could be overlapping some of your amendments,
31. that you'll give us the opportunity in the next day to
32. be able to prepare amendments and whether you are for
33. them or not for them you'll give...

1. SENATOR HARRIS:

2. You'll have the opportunity to present them.

3. SENATOR SWINARSKI:

4. ...to vote for or against them.

5. SENATOR HARRIS:

6. That's correct.

7. PRESIDING OFFICER (SENATOR HOWARD MOHR):

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

9. Senator Bell.

10. SENATOR BELL:

11. Mr. President, it gives me great pleasure, stepping
12. in for Senator Mitchler from the 39th District, to
13. introduce to this Senate Body a group of high school
14. students from Troy Township in Will County, the Shorewood
15. School system. And I beg leave of the Senate, of the
16. Senate members to stand up and to recognize this group.

17. PRESIDING OFFICER (SENATOR HOWARD MOHR):

18. Announcements from the Floor? Senator Hynes.

19. SENATOR HYNES:

20. Mr. President, Members of the Senate, it gives
21. me great pleasure to introduce a group of community
22. leaders from the Mt. Greenwood community in Chicago.
23. Mr. James Johnson, President of the Community Council,
24. Mrs. Paul Durback, Mrs. Leahy, Mr. Ryan, Mrs. Christianson,
25. and a great group. I'd like the Senate please to stand
26. and acknowledge their presence here. They've come down
27. on an important piece of legislation.

28. PRESIDING OFFICER (SENATOR HOWARD MOHR):

29. Senator Knuepfer.

30. SENATOR KNUEPFER:

31. I...I want to make a motion in reference to SB 955.
32. And that motion is that SB 955 be set down as a special
33. order of business before the Committee of the Whole

1. at 4:00 on Monday, May 21st. That is a postponement from
2. a week ago.

3. PRESIDING OFFICER (SENATOR HOWARD MOHR):

4. Is leave...leave is granted. Senator Latherow.

5. SENATOR LATHEROW:

6. Mr. President, I'd like to announce that Agriculture,
7. Conservation and Ecology will not meet in A-1. They will
8. meet in M-1. That's M-1 at 4:30, 4:15.

9. PRESIDING OFFICER (SENATOR HOWARD MOHR):

10. Senator Donnewald, do you have an announcement?

11. SENATOR DONNEWALD:

12. No, I have a Resolution.

13. PRESIDING OFFICER (SENATOR HOWARD MOHR):

14. Senator Harris.

15. SENATOR HARRIS:

16. I noticed that Senator Weaver is off the Floor. There
17. is a Republican caucus at 9:00 in M-1 tomorrow morning.
18. 9:00, M-1, tomorrow morning.

19. PRESIDING OFFICER (SENATOR HOWARD MOHR):

20. Any further announcements? Senator Donnewald.

21. SENATOR DONNEWALD:

22. There is a Resolution up there I believe on
23. Mayor Daley.

24. PRESIDING OFFICER (SENATOR HOWARD MOHR):

25. We have two other Resolutions which we were going
26. to hold until tomorrow. But, that is not one of the two.
27. Senator McBroom.

28. SENATOR MCBROOM:

29. Mr. President, in the way of announcements, Appro-
30. priations will meet today. We're advancing it 15 minutes.
31. It will be 4:30 on the Senate Floor.

32. PRESIDING OFFICER (SENATOR HOWARD MOHR):

33. Appropriations on the Senate Floor in 15 minutes, 4:15.

1. SENATOR MCBROOM:
2. No, 4:30.
3. PRESIDING OFFICER (SENATOR HOWARD MOHR):
4. 4:30, I'm sorry. Senator Clarke.
5. SENATOR CLARKE:
6. The Revenue Committee will meet immediately, so
7. will the members please get over there posthaste.
8. PRESIDING OFFICER (SENATOR HOWARD MOHR):
9. We'll, ...we may as well wind up the Resolutions.
10. We'll have a total of three. The Secretary will read
11. the first Resolution.
12. SECRETARY:
13. Senate Resolution 158 by Senator Mohr and all
14. members of the Senate, and it's commendatory.
15. PRESIDING OFFICER (SENATOR HOWARD MOHR):
16. This Resolution commends Dr. Preston Bradley,
17. strictly a Congratulatory Resolution. I move for the
18. suspension of the rules. Is there leave? Now, I
19. move the immediate adoption of the Resolution. All
20. those in favor signify by saying aye. Opposed. The
21. Resolution is adopted. Next one, Mr. Secretary.
22. SECRETARY:
23. Senate Resolution 159 by Senator McCarthy and
24. it's commendatory.
25. PRESIDING OFFICER (SENATOR HOWARD MOHR):
26. Senator McCarthy.
27. SENATOR MCCARTHY:
28. This Resolution commends the Ursuline Order of
29. Sisters on their hundredth anniversary in Decatur,
30. Illinois. And I move that the rules be suspended for
31. the immediate adoption of the Resolution.
32. PRESIDING OFFICER (SENATOR HOWARD MOHR):
33. Senator Swinarski...or Senator McCarthy moves

1. the suspension of the rules. Is there leave? Now,
2. Senator McCarthy moves the adoption of the Resolution,
3. all those in favor signify by saying aye. Opposed.
4. The Resolution is adopted. Senator Donnewald.

5. SECRETARY:

6. Senate Resolution 160 by Senators Donnewald, Partee
7. and Rock.

8. SENATOR DONNEWALD:

9. ...And all Senators. It's a birthday Resolution
10. to Mayor Daley...Richard J. Daley. And I'm sure that
11. we all want to join in that, and I move for the suspension
12. of the rules and the appropriate motion for adoption.

13. PRESIDING OFFICER (SENATOR HOWARD MOHR):

14. Senator Donnewald moves to suspend the rules. All
15. those...is there leave? Now, Senator Donnewald moves
16. the adoption of the Resolution commending Mayor Daley.
17. All those in favor signify by saying aye. Opposed. The
18. Resolution is adopted. Senator Donnewald.

19. SENATOR DONNEWALD:

20. Yes, Mr. President for the sake of announcing a
21. caucus tomorrow morning at 9:30, sixth floor for
22. Democrats, 9:30.

23. PRESIDING OFFICER (SENATOR HOWARD MOHR):

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. Mr. President, Gentlemen of the Senate, I'd like to
27. take this opportunity to introduce a group of 7th graders
28. from the Marquette School and their teacher, Margaret
29. Castner, in the back audience here. Would they please
30. rise?

31. PRESIDING OFFICER (SENATOR HOWARD MOHR):

32. Any further announcements? Senate stands adjourned
33. until 10:30 tomorrow morning.