

78th GENERAL ASSEMBLY

May 15, 1974

REGULAR

1. PRESIDING OFFICER (SENATOR WEAVER):

2. The Senate will come to order. The prayer, this morning, will
3. be offered by the Reverend Herbert Crede from the Wesley United
4. Methodist Church of Springfield.

5. (Prayer by Reverend Crede)

6. Reading of the Journal. Senator Mohr.

7. SENATOR MOHR:

8. Mr. President, I move that we postpone the reading of the
9. Journals of Wednesday, May 8th, 1974, until the printed copy arrives.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Mohr moves postponement of the reading of the Journal.
12. All in favor signify by saying aye. Opposed nay. The motion carries.

13. SENATOR MOHR:

14. The same motion, Mr. President, on the postponing of the read-
15. ing of the Journal of Monday, May 13th, and Tuesday, May 14th.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. You heard the motion. All in favor signify by saying aye.
18. Opposed nay. The motion carries. Committee reports.

19. SECRETARY:

20. Senator Berning, the Chairman of the Committee on Pensions and
21. Personnel reports Senate Bills 634 and...

22. PRESIDING OFFICER (SENATOR WEAVER):

23. For what purpose does Senator Rock arise?

24. SENATOR ROCK:

25. Mr. President, I wonder if we might delay the reading of that
26. particular committee report until the Senate has had a chance to
27. address itself to the problems that I think will be raised. I see
28. neither Senator Harris nor Senator Partee is on the Floor.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Which committee report is this? Pensions and Personnel you
31. were referring to?

32. SENATOR ROCK:

33. Yes sir. Would you just delay that until they're here. I
would appreciate it.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. All right, Senator Rock. Resolutions.

3. SECRETARY:

4. SR 430 - Offered by Senator Scholl.

5. It's congratulatory.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Scholl is on the Floor. Senator Graham moves to suspend
8. the rules for immediate consideration. All in favor signify by
9. saying aye. Opposed, nay. The rules are suspended. Senator Scholl
10. moves the adoption of the resolution. All in favor signify by saying
11. aye. Opposed, nay. The resolution is adopted.

12. SECRETARY:

13. SR 431 - By Senators Mitchler and Fawell.

14. It's congratulatory.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Mitchler moves to suspend the rules. All in favor
17. signify by saying aye. Opposed, nay. The rules are suspended.
18. Senator Mitchler moves the adoption of the resolution. All in
19. favor signify by saying aye. Opposed, nay. The resolution is adopted.

20. SECRETARY:

21. SR 432 - By Senator Mitchler and all members of the Senate.

22. Congratulatory.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Mitchler moves to suspend the rules. All in favor
25. signify by saying aye. Opposed nay. The rules are suspended.
26. Senator Mitchler moves the adoption of the resolution. All in
27. favor signify by saying aye. Opposed, nay. The resolution is adopted.

28. SECRETARY:

29. SR 433 - By Senators Mitchler and Harris.

30. It's congratulatory.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Mitchler moves to suspend the rules. All in favor signify
33. by saying aye. Opposed, nay. The rules are suspended. Senator
Mitchler moves the adoption of the resolution. All in favor signify

1. by saying aye. Opposed, nay. The resolution is adopted. Intro-
2. duction of bills. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President, first of all, there's no use to make a motion
5. because I'm sure you couldn't hear it. But, I'll make it anyway.
6. I move you that the series of bills, now on the Secretary's desk,
7. be given a number and assigned to the Committee on Rules.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. All in favor of Senator Graham's motion signify by saying aye.
10. Opposed nay. The motion carries and the Secretary will read the
11. bills by number and sponsor.

12. SECRETARY:

13. SB 1535 - By Senator Graham.

14. 1536 - By Senators Regner, Partee, Howard Mohr, Donnewald,
15. Ozinga, McCarthy, Clarke, McBroom, Romano, Glass and
16. Conolly.

17. 1537 - By the same sponsors.

18. 1538 - By Senators Berning, Harris, Partee, Rock, Johns,
19. Donnewald and Graham.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Pursuant to Senator Graham's motion, Senate Bills 1535 through
22. 38 are referred to the Rules on Committee. All in favor signify by
23. saying aye. Opposed, nay. The motion carries. Messages from the
24. House.

25. SECRETARY:

26. (The House has passed and asks concurrence of the Senate for
27. HB 2415 and HB 2274. The House has adopted and asks concurrence of
28. the Senate for HJR 100 and HJR 101.)

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Executive. Senator Regner, for what purpose do you arise?

31. SENATOR REGNER:

32. Mr. President, a point of personal privilege.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Ladies and gentlemen, we're awful noisy this morning. Let's
2. please clear the aisles. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President, I'm going to suggest that if we are going to have
5. a caucus, we have it off of the Floor. I'm suggesting that there is
6. no one in this Chamber can understand what the Secretary is reading.
7. And, I'm suggesting if we don't get some order we have a recess.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Regner.

10. SENATOR REGNER:

11. Yes, Mr. President, I'd like to rise on a point of personal
12. privilege. I'd like to take this opportunity to introduce a group of
13. junior and seniors and their instructor, Mr. Richard Gerico, from
14. Elk Grove High School in my district. It used to be Senator Graham's
15. district and I was in the House, it was my district, but it's all
16. mine now and I'd like to introduce them to the Senate.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Bruce.

19. SENATOR BRUCE:

20. While we are on the order of announcements, I would like to in-
21. troduce to the Senate the Effingham Central Junior High School class
22. which is in the gallery to the back and ask that they stand and be
23. recognized by the State Senate.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Resolutions.

26. SECRETARY:

27. SR 434 - By Senator Partee and all Senators.
28. Congratulatory. The Reverend Theodore R. Harper.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Partee. Senator Partee moves to suspend the rules for
31. the immediate consideration of this resolution. All in favor signify
32. by saying aye. Opposed nay. The motion carries. Senator Partee.

33. SENATOR PARTEE:

It's a congratulatory resolution for a gentlemen who has, for the

1. last thirty years, at his own expense, at no cost to anybody, spent
2. at least six hours a day in the Cook County Jail counseling with and
3. trying to help those less fortunate than themselves who were incar-
4. cerated. It's a congratulatory resolution. I move the suspension
5. of the rules and immediate adoption, consideration of it...a resolu-
6. tion by myself and all Senators.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. The rules are suspended, Senator Partee moves the adoption of
9. the resolution. All in favor signify by saying aye. Opposed nay.
10. The resolution is adopted. For what purpose does Senator Saperstein
11. arise?

12. SENATOR SAPERSTEIN:

13. On a point of special privilege...personal privilege. I would
14. like to introduce some constituents from the 11th District, Mr. and
15. Mrs. Martin Gerstein, and Mr. and Mrs. Ed Polick. Will they rise
16. and be identified.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Mr. Secretary;

19. SECRETARY:

20. SR 435 - By Senators Partee and Harris and all members of the
21. Senate.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Partee.

24. SENATOR PARTEE:

25. Mr. President, this is a birthday resolution for a man who loves
26. Illinois and who loves his city, Chicago. He's a man who served for-
27. merly in this Body and has served for a number of years as the Mayor
28. of the greatest City in this State, Chicago. It is the seventy-
29. second birthday of the Honorable Richard J. Daley. I'm asking that
30. the rules be suspended for the immediate consideration and passage of
31. this resolution and that all Senators be shown as cosponsors.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Partee moves the rules be suspended. All in favor signify
by saying aye. Opposed, nay. The rules are suspended. Senator Partee

1. moves the adoption of this resolution. All in favor signify by say-
2. ing aye. Opposed nay. The resolution is adopted. Senator Graham.

3. SENATOR GRAHAM:

4. I'd...would like to be recognized just briefly. The resolution
5. has been passed and many of us on this side of the aisle have respect
6. for the Mayor of Chicago and I, personally, if my experience with the
7. ailment he now has is any comfort to his son and his family. He has
8. been more fortunate than some and I think that I can say, with some
9. experience, that his recovery will be rapid and complete and I, for
10. one, who have gone down that road, Mr. President, and Senator Daley,
11. and friends, I think extend without any reservation at all, the best
12. wishes of this side of the aisle for an immediate recovery of your
13. father.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator McBroom, do you have an announcement?

16. SENATOR MCBROOM:

17. Mr. President and members of the Senate, has...I have an...I'd
18. certainly, Senator Daley and members of the Senate, like to say amen
19. to everything that Senator Graham said and echo my personal best
20. wishes to your father who was a long time friend of my father, as you
21. well know, but I wondered before making the appropriation, is this...
22. resolution been adopted? Are we finished with that order of business?
23. Well, what I wanted to do then, Mr. President, and I...I don't know
24. where it's coming from and I'd certainly like to, also, echo another
25. thing that Senator Graham said...this is about as noisy a morning as
26. we've had. I'd like to announce that I talked with Senator Hynes
27. about this that the Appropriations Committee meeting has been cancelled
28. for this afternoon and I'd like to move, Mr. President, to suspend the
29. rules and to waive the six day notice and set the Appropriations
30. Committee hearing for two days next week, Mr. President. At...Monday
31. at two...do you want to entertain that motion and I'll...then I'll
32. make the further announcement?

33. PRESIDING OFFICER (SENATOR WEAVER):

Is there leave to waive the six day rule? Leave is granted.

1. SENATOR MCBROOM:

2. Yes, Now notices will be sent out, Mr. President and the Appro-
3. priations Committee, Senator Hynes, I invite your attention, even
4. though we've discussed it. The Appropriations Committee will meet
5. at 2 o'clock on Monday in Room 400. 3 o'clock, Tuesday, on the
6. Senate Floor. If that meets with your approval. We've got that
7. cleared with Senator Moore. Thank you, Mr. President.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Resolutions.

10. SECRETARY:

11. SJR - By Senator Howard Mohr.

12. (Secretary reads title of bill)

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Mohr moves the adoption. All in favor signify by saying
15. aye. Opposed nay. The resolution is adopted. Senate Bills. Second
16. reading. Senator Fawell. 1397.

17. SECRETARY:

18. SB 1397.

19. (Secretary reads title of bill)

20. 2nd reading of the bill. The Committee on Education offers one
21. amendment.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Fawell.

24. SENATOR FAWELL:

25. Yes, the amendment was offered by Senator Brad Glass and refers
26. to the base amount of twelve hundred and sixty dollars which is set
27. forth in the resource equalizer formula so that any referendum or any
28. increase of a tax rate can be taken into consideration in determining
29. the base amount and I move the adoption of the Amendment Number 1.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Fawell moves the adoption of Amendment Number 1 to
32. SB 1397. All in favor signify by saying aye. Opposed nay. The
33. amendment is adopted. Any further amendments? Third reading. 1409.

1. Senator Fawell.

2. SECRETARY:

3. SB 1409.

4. (Secretary reads title of bill)

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

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Any amendments from the Floor? Third reading. 1501. Senator
8. Partee.

9. SECRETARY:

10. SB 1501.

11. (Secretary reads title of bill)

12. 2nd reading of the bill. No committee amendments.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Any amendments from the Floor? Senator Partee.

15. SENATOR PARTEE:

16. Yes, I have some amendments...one amendment to the bill. I'm
17. sending a copy over to Senator McBroom now. I really...in candor, I
18. have not had an opportunity to read it but they tell me that it does
19. not effect the overall impact of the bill. It was a misuse of a...
20. of a word and it changes the form but not the results. Have you had
21. a chance to see it yet? I'd like to move the adoption of the amend-
22. ment. If there's any problem with it we can always bring it back.
23. There's no question about it.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Partee moves the adoption of Amendment Number 1 to
26. SB 1501. Is there any discussion? All in favor signify by saying
27. aye. Opposed nay. The amendment is adopted. Any amendments from
28. the Floor? Do you have further amendments Senator Partee? Third
29. reading. Senator Moore. Senator Partee.

30. SENATOR PARTEE:

31. I just heard from a member of my staff that they just talked to
32. Senator McBroom and he...he thought he had an agreement...he would
33. hold it inasmuch as it's there, I will bring it back if you want it.

1. There's not a problem about it. I'm sorry. I didn't realize that
2. we were...agreed to hold it but we'll leave it right where it is
3. until we've talked and we'll work it out.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Howard Mohr.

6. SENATOR MOHR:

7. Mr. President, we've asked for order in the Chamber here all
8. morning and it's awfully noisy. I'd like to make a suggestion, Mr.
9. President, that the Pages take their seats and stay in their seats
10. where they're assigned, the staff people do the same, stay on the
11. sides of the Chamber. If they have to talk to a member, if they'd
12. be kind enough to take that member to the side of the Chamber and
13. talk to him there. In the case of visiting firemen or whatever
14. where they want to talk to a Senator at the back of the aisle, if
15. they'd take them out in the rotunda or out of the Senate Chamber, I
16. think it would be very, very helpful. And, you know, a lot of people
17. in this Chamber would like to hear what's going on and it's almost
18. impossible to do that. So, if everybody would cooperate. We've
19. asked the Sergeant at Arms to enforce these rules and Rule Two and
20. they're going to do it. So, we would appreciate everyone cooperating.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Thank you Senator Mohr. Senate bills. Third reading. Ring
23. the bell. Senator Vadalabene.

24. SECRETARY:

25. SB 1227.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Thank you Mr. President and members of the Senate. SB 1277
32. extends a term of Supervisors elected in 1971 to expire in 1977 at
33. the same time as all other township officers. This is the only

1. candidate who will be running in 1975. We've extended the term of
2. the Road Commissioners in the last session to have his term expire
3. in 1977. This will save the taxpayers in the State of Illinois
4. approximately four million dollars and I would appreciate a favorable
5. vote.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there any discussion? The question is shall SB 1227 pass.
8. Those in favor vote aye. Those opposed vote nay. The voting is open.
9. Have all voted who wish? Have all voted who wish? The Secretary
10. will take the record. On that question the ayes are forty-five and
11. the nays are none. SB 1227 having received a constitutional majority
12. is declared passed. Senator Bruce. 1227. For what purpose does
13. Senator Harber Hall arise?

14. SENATOR HALL:

15. Thank you Mr. President. I hate to take the time, on a point
16. personal privilege, sitting on the west side of the President's
17. gallery is a large group representing the Stop People Right's Amend-
18. ment. This group is headed by Mrs. McQueen, who is the State Chair-
19. man and Mrs. Mittendorf who is the National Vice Chairman of the
20. group and Mrs. James DePew of Bloomington. I would like to have this
21. group stand and be recognized please. And, Mr. President, Senator
22. McCarthy would like to be recognized.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator McCarthy.

25. SENATOR McCARTHY:

26. Well, thank you Mr. President. I...just on a point of personal
27. privilege, I'd just like it noted that I wanted to cosponsor with
28. Senator Hall the recognition because many of these ladies are from
29. Macon County.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Thank you Senator. Senator Shapiro, do you wish to call 1395?
32. Senator Shapiro. 1395. 1396. Senator Fawell. 1396.

33. SECRETARY:

SB 1396.

1. (Secretary reads title of bill)

2. Third reading of the bill.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Fawell.

5. SENATOR FAWELL:

6. Mr. President and members of the Senate, SB 1396 has one basic
7. effect. It refers to the Debt Service Grants which downstate school
8. districts can apply for to the Capital Development Board. And, it
9. simply eliminates the restriction which now sets forth that a school
10. district, in regard to Debt Service Grants on existing bond issues,
11. can only obtain such grants in regard to bond issues issued after...
12. after January 1st, 1969, up to October 1st, 1973. This simply, now,
13. the effect of the legislation is to state that any bond issue after
14. January 1st, 1969 will be eligible for a Debt Service Grant. Now, I
15. would ask for the favorable consideration of the Senate.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? The question is shall SB 1396 pass.
18. Those in favor vote aye. Those opposed vote nay. The voting is
19. open.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Have all voted who wish? Take the record. On that question
22. the yeas are forty-four, the nays are none, three voting present.
23. SB 1396 having received the constitutional majority is declared
24. passed. SB 1399.

25. SECRETARY:

26. SB 1399 (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you Mr. President and Senators, SB 1399 was requested by
32. the Illinois Community College Board. In order to clear up some con-
33. fusion in the provisions of the Illinois Community College Act where-
34. by the Illinois Community College Board is required to put all terri-

1. tory in the state that is not now in a community college district
2. into a new district or to annex...the territory on to an existing
3. district. The action of the Board, for which there is, of course,
4. been no referendum in advance, is made subject to a backdoor refer-
5. endum and this bill clarifies that the backdoor referendum language
6. will apply both in the case of the annexation on to an existing dis-
7. trict and the creation of a new district. On your desks is the
8. statement of the Community College Board. It's entitled Amendment
9. to SB 1188. And, this is their statement and explanation of the bill.
10. I'd be happy to answer any questions, Mr. President, and urge a
11. favorable roll call.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Soper.

14. SENATOR SOPER:

15. Mr. President, members of the Senate, now I've been...I've been
16. looking at this bill and there was...it's sort of confusing to me for
17. a long while. Now, under the Junior College Act, dealing with this
18. proposition, I think we decided some time ago that all junior...all
19. districts shall belong to a junior college. We allowed certain time
20. for different districts to annex to junior college districts or
21. create new junior college districts. We provided that after certain
22. time that if certain communities, certain districts didn't go into a
23. junior college district that the Junior College Board would have the
24. ...the privilege or the...be required to put different territories
25. into a junior college district and to assess the...the taxing situa-
26. tion so that...so that the district would be a viable district and
27. could support its own junior college. Now, this...this bill would do
28. something that I think would violate that proposition. It seems this
29. this is very innocuous, the way Senator Glass explains it. It doesn't
30. do anything, but it does do something. I talked to Senator Glass and
31. I wish Senator Glass would give me an answer as to the question I
32. asked him before. Under this proposition, would it be possible for
33. any district to maintain a position where they wouldn't have to go
34. into any junior college district and just pay tuition?

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Glass.

3. SENATOR GLASS:

4. Senator Soper, it is not under this bill that that occurs.
5. Under the law as it now stands, any territory which is not in a
6. junior college district will be placed in a district by the Community
7. College Board. And, after that is done, there will be the opportunity
8. of the voters to, by backdoor referendum, vote themselves out of the
9. district. And, that...that is correct. What this bill does is to
10. clarify what is somewhat confusing in the law and to make it clear
11. that there will be that backdoor referendum provision for the newly
12. created district as well as the annexation. So, that if there is a
13. backdoor referendum under the present law, as clarified by this bill,
14. and the people vote to stay out of the district. Yes, they will re-
15. main out of a junior college district.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Soper.

18. SENATOR SOPER:

19. Now, that's the same...that's the same explanation I got before
20. now. If you can get anything out of that explanation except the fact
21. that if...if a junior college district was being formed under the
22. auspices of the Junior College Board, under this...addition to this
23. Act, and if you'll read on Page 4, line, 11, of this amendment where
24. the question of annexation was...would be put to a...put to a junior
25. college that was going to be annexed to a junior college district,
26. they would be allowed upon petition to have a referendum. Whether
27. they wanted to go into that junior college district. Now if they
28. were contiguous to another junior college district or if another
29. junior college...if a district was being created that could support a
30. junior college and this territory did not want to annex to the junior
31. college district that was in existence then they could stay out of
32. that district and be put into a new junior college district. Now,
33. with the amendment that adds: or the formation of a proposed new

1. community college district, then a referendum would be held. In other
2. words, if you had a contiguous junior college district you didn't
3. want to get into it you could get out by having a referendum but
4. with this bill, you would preclude the Junior College Board from
5. putting you into any district and you could remain outside the dis-
6. trict which would defeat this...the law that we have it as it is now
7. which says that all districts shall...all communities shall be in a
8. junior college district. Now, I think that if that's going to happen,
9. then we ought to be able to tell all communities where...in the junior
10. college district that they can get out of any junior college district
11. and just pay tuition. This would allow the territories, such as
12. Senator Glass comes from, not to be joined into any junior college
13. district and no way, in any way that you cut that, this is what this
14. bill does. And, I think this should be defeated unless we want to
15. allow any...any territory that's in a junior college district to
16. de-annex from this district.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Latherow.

19. SENATOR LATHEROW:

20. Well, Mr. President, and members of the Senate, some of the same
21. line of questioning, I had as what the thinking of Senator Soper is.
22. I can foresee and I...some question conservative about forever we have
23. some area out there in, we'll say a liberated form, or we don't want
24. in this one or we don't want in that one and so on and I could say
25. to a certain extent I might feel favorable for this...because I felt
26. very unfavorable for causing everybody to get in one of these districts.
27. I only regret that if this possibility is going to be available now
28. that should have some retroactive form in it that would allow these
29. people who've already been forced into one to maybe vote themselves
30. out. I just can't...personally, be in support of the legislation
31. the way I see it.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Bruce.

1. SENATOR BRUCE:

2. Well, Mr. President, I stand in support of SB 1399. The diffi-
3. culty arises with the fact that we have allowed Governors to use the
4. amendatory veto and when SB 1188 passed this Body, sponsored by,
5. whose name I presently forget who the sponsor was, it went here, it
6. left this Body without the backdoor referendum for areas annexed to
7. a junior college district. Several organizations made tracks to the
8. Governor's Office, the backdoor referendum was added for those areas
9. that were not within a junior college district that were annexed by
10. Board ruling. On July 1 of this year, all parts of the State of Illi-
11. nois must be within a junior college district. Unfortunately the
12. Board has two authorities. One to annexed areas not presently within
13. a junior college to an existing junior college or to create, if there's
14. sufficient assessed evaluation, a totally new junior college. Now,
15. the difficulty rises in those areas annexed, we say to those citizens:
16. you have the option by filing a petition, to opt out for one year,
17. participation in that junior college. However, in those areas where
18. a new junior college district is created, we say to those people: you
19. have no option, you are in that district, the taxes will be levied,
20. there is no choice for you. All Senator Glass' bill will do is allow
21. those people who are placed, on July 1 of this year, into a new junior
22. college district the same option allowed to those who are annexed
23. and that is a backdoor referendum. If they do not wish to join,
24. they will not be compelled to join in any junior college district.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Harber Hall.

27. SENATOR HALL:

28. Mr. President, it appears clear to me that this legislation is
29. actually a necessity. I come from an area that, just last week, held
30. a vote on a new junior college district and the vote was 978 and 9 to
31. 1 against that particular district but this does not mean that there
32. won't be a junior college district. The Board will assign each of
33. those school districts to a junior college district. Now the problem

1. and the reason for this legislation is that one section of the Act
2. specifically provides for the backdoor referendum and the other sec-
3. tion doesn't mention it. The trouble with not passing this bill is
4. you're going to permit law suits contesting the two different posi-
5. tions here. Actually, both sections should provide for the backdoor
6. referendum. That was the intention of the legislation...of setting
7. up the Junior College Act. Actually, when it was first enacted in
8. 1965, it was strictly permissive to start with and then we put it in
9. the force district with a backdoor referendum. Now, the backdoor
10. referendum needs to be a part of both sections of the Act, that is
11. the School Code and the Junior College Act.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Any further discussion? Senator Glass may close debate.

14. SENATOR GLASS:

15. Well, thank you, Mr. President. I think the bill has been
16. adequately explained. I would just like to point out and read to
17. you the concern of the Illinois Community College Board. As I...as
18. I said earlier, under the law right now, it is somewhat ambiguous as
19. to the intention regarding a backdoor referendum. When the Community
20. College Board does put these unincorporated territories into a new
21. district, they expect to have...

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Glass, will you hold up for one moment please. I wonder
24. if we might have some order in the Chamber. Some people still would
25. like to hear what the sponsor of this bill has to say in closing de-
26. bate. May we have your attention please.

27. SENATOR GLASS:

28. Thank you Mr. President. I will quote the concern of the
29. Community College Board. They state they have tentatively identified
30. three new districts in the state. And, the ICCB would like to have
31. the statute clearly identify the right of the citizens in the ter-
32. ritory, to file a petition for backdoor referendum. Now, if passed,
33. the legislation would extend the same rights and privileges to citi-

1. zens in a proposed new district that citizens in an annexation assign-
2. ment would have for a backdoor referendum. In other words, it's simply
3. not consistent to have this backdoor referendum for an annexation to a
4. new district but not for a newly created district. I think, clearly,
5. when Governor Ogilvie added this provision by amendatory veto, several
6. years ago, his intention was to add the backdoor referendum in either
7. case. Without it, I'm sure, there would be a flood of law suits.
8. People claiming the right to the backdoor referendum. So, I would,
9. Mr. President and members of the Senate, request a favorable roll
10. call.

11. PRESIDING OFFICER (SENATOR MOHR):

12. The question is shall SB 1399 pass. Those in favor will vote
13. aye. Those opposed vote nay. And, the voting is open. Have all who
14. voted who wish? Have all voted who wish? Take the record. Senator
15. Bruce.

16. SENATOR BRUCE:

17. ...the close ones. Are we going to give a count to ten as we do
18. in the ballots - one, two...how do we do that? Do we have a rule on
19. that yet?

20. PRESIDING OFFICER (SENATOR MOHR):

21. Well, Senator, somebody said that Senator Knuepfer asked to hold
22. it for a second. He was on his way into the Chamber and I held it for
23. that. You'll notice how I voted on the issue so...On that question
24. the yeas are thirty, the nays are five, fifteen voting present.
25. Senator Soper.

26. SENATOR SOPER:

27. Verify the roll call.

28. PRESIDING OFFICER (SENATOR MOHR):

29. SB 1399 having received the constitutional majority is declared
30. passed. Senator Soper has asked for a verification of the roll call.
31. Roll call will be verified. The Secretary will call the roll. Will
32. the Senators please be in their seats. For what purpose Senator
33. Saperstein arise?

1. SENATOR SAPERSTEIN:

2. Question. A matter of inquiry, Mr. President. I have instructed
3. the Page to call me as soon as voting started. Obviously, he didn't
4. and I am in support of the bill. May I answer to the roll call?

5. PRESIDING OFFICER (SENATOR MOHR):

6. No, Senator, that has been raised several times and that is
7. really one of the purposes of the roll call machine. You must be in
8. the Chamber and be recorded. We cannot change the print out copy.
9. The Secretary will announce the roll call.

10. SECRETARY:

11. The following voted in the affirmative:

12. Bell, Berning, Bruce, Buzbee, Chew, Clarke, Davidson, Donnewald, Fawell,
13. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Knuepfer,
14. Knuppel, Merritt, Mitchler, Newhouse, Partee, Regner, Rose, Schaffer,
15. Scholl, Shapiro, Sommer, Swinarski, Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Knuppel. Senator Knuppel is on the Floor. He...he
18. didn't hear you this time, Senator. Request for the negative? Senator
19. Soper. All right. The roll call...for what purpose does Senator
20. Glass rise? The roll call has been verified. The yeas are thirty,
21. the nays are five, fifteen having voted present and the...bill having
22. received the constitutional majority is declared passed. Senator Bell.

23. SENATOR BELL:

24. Yes, Mr. President, members of the Senate, I rise on a point of
25. personal privilege. I have the privilege to introduce to the Senate,
26. this morning, a group of students coming from Romeoville in the nor-
27. thern portion of Will County. The County of which I happen to have the
28. privilege of serving here in the Illinois Senate. I wonder if the Body
29. would rise in recognition of the Westview Junior High School.

30. PRESIDING OFFICER (SENATOR MOHR):

31. The point that the...Senator Bruce raised earlier about...well,
32. I...I don't think it is really, I think it's something that we
33. should clearly spell out. We don't have a count down device on the

1. roll call machine. It, however, can be adapted to that, at a later
2. date, but we would just ask the members to...if they're interested in
3. voting, they be on the Floor or be close enough to reach the Floor
4. when the bell sounds and there just won't be any arguments after that.
5. So, if you're interested in being recorded, be on the Floor. Senator
6. Latherow.

7. SENATOR LATHEROW:

8. Well, Mr. President, I recognized when you said you were holding
9. it for someone. I wonder if I called you from the apartment over here
10. and said I want to be over there to vote on that, if you'd hold it for
11. me in that case.

12. PRESIDING OFFICER (SENATOR MOHR):

13. That's a very good question Senator. Senator Latherow.

14. SENATOR LATHEROW:

15. I heard your answer, too.

16. PRESIDING OFFICER (SENATOR MOHR):

17. You're one of the few that we don't have to worry about. You're
18. in your seat and do vote. Messages from the House.

19. SECRETARY:

20. (The House has adopted and asks concurrence of the Senate for
21. HJR 103.)

22. PRESIDING OFFICER (SENATOR MOHR):

23. The House did not agree with our resolution and they will stay
24. over for a day. Senator Graham.

25. SENATOR GRAHAM:

26. Is our resolution been amended now to be in conformance?

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Graham moves the adoption of HR 103. All those in favor
29. will vote aye. All those opposed will vote no. No? The ayes have it.
30. A report from the Rules Committee.

31. SECRETARY:

32. Senator Harris, Chairman of the Committee on Rules reports that
33. the Committee on Rules recommends that Senate Bills 1247, 1248, 1289,

1. 1291, 1332, 1498, 1502 through 1531 be read by title a first time,
2. ordered printed, and referred to the Committee on Assignment of Bills.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Senate bills. First reading.
5. SECRETARY:
6. SB 1247.
7. (Secretary reads title of bill)
8. 1248.
9. (Secretary reads title of bill)
10. SB 1289.
11. (Secretary reads title of bill)
12. 1291.
13. (Secretary reads title of bill)
14. 1332.
15. (Secretary reads title of bill)
16. 1498.
17. (Secretary reads title of bill)
18. SB 1502.
19. (Secretary reads title of bill)
20. 1503.
21. (Secretary reads title of bill)
22. 1504.
23. (Secretary reads title of bill)
24. 1505.
25. (Secretary reads title of bill)
26. 1506,
27. (Secretary reads title of bill)
28. 1507.
29. (Secretary reads title of bill)
30. 1508.
31. (Secretary reads title of bill)
32. 1509.
33. (Secretary reads title of bill)
34. 1510.
35. (Secretary reads title of bill)

1. 1511.
2. (Secretary reads title of bill)
3. 1512.
4. (Secretary reads title of bill)
5. 1513.
6. (Secretary reads title of bill)
7. 1514.
8. (Secretary reads title of bill)
9. 1515.
10. (Secretary reads title of bill)
11. 1516.
12. (Secretary reads title of bill)
13. 1517.
14. (Secretary reads title of bill)
15. 1518.
16. (Secretary reads title of bill)
17. 1519.
18. (Secretary reads title of bill)
19. 1520.
20. (Secretary reads title of bill)
21. 1521.
22. (Secretary reads title of bill)
23. 1522.
24. (Secretary reads title of bill)
25. 1523.
26. (Secretary reads title of bill)
27. 1524.
28. (Secretary reads title of bill)
29. 1525.
30. (Secretary reads title of bill)
31. 1526.
32. (Secretary reads title of bill)
33. 1527.
34. (Secretary reads title of bill)

1. 1528.
2. (Secretary reads title of bill)
3. 1529.
4. (Secretary reads title of bill)
5. 1530.
6. (Secretary reads title of bill)
7. 1531.
8. (Secretary reads title of bill)
9. First reading of the bills.
10. SB 1539 - By Senators Partee, Harris, Donnewald, Rock, Graham,
11. Moore and Weaver.
12. (Secretary reads title of bill)
13. PRESIDING OFFICER (SENATOR MOHR):
14. Senator Partee.
15. SENATOR PARTEE:
16. The introduction of this bill is a response from the Comptroller's
17. Office, who pointed out to us, that we needed this additional appropria-
18. tion for the pay of members who will be coming into the General
19. Assembly replacing members who have passed or died. It's a forty-six
20. thousand dollar appropriation and I would ask that it be read a first
21. time and moved to second reading without reference to a committee.
22. I think we have an agreement on that.
23. PRESIDING OFFICER (SENATOR MOHR):
24. Any objection? Second reading. The bill will be advanced.
25. Senator Graham.
26. SENATOR GRAHAM:
27. Mr. President, I see we have another list of bills on the Sec-
28. retary's desk. I move you that the rules be suspended, that they be
29. given a number and referred to the Committee on Rules. You heard
30. Senator Graham's motion, all those in favor signify by saying aye.
31. Opposed. The motion carried and the Secretary will number the bills.
32. SECRETARY:
33. SB 1540 - By Senators Carroll, Partee, Rock, and Donnewald.

1. 1541 - By Senators Partee, Rock and Donnewald.
2. 1542 - By Senators Bruce, Rock and Partee.
3. 1543 - Senators Saperstein, Carroll, Knuepfer, Ozinga,
4. Partee, Rock, Donnewald, and several other members.
5. 1544 - By the same sponsors.
6. 1545 - By Senators Johns, Partee, Donnewald and Rock.
7. 1546 - By Senators Chew, Partee, Donnewald and Rock.
8. 1547 - By Senators Chew, Partee, Rock and Donnewald.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Pursuant to Senator Graham's motion, Senate Bills 1540 through
11. 1547 are referred to the Committee on Assignment of Bills. Or Rules,
12. I'm sorry. Senator McBroom.

13. SENATOR MCBROOM:

14. Yes, Mr. President and members of the Senate, I, apparently,
15. missed the announcement that we return at 4 o'clock on Monday, Mr.
16. President. Is that correct?

17. PRESIDING OFFICER (SENATOR MOHR):

18. That is correct.

19. SENATOR MCBROOM:

20. Well, I talked to Senator Hynes and I would like to suggest...
21. he concurs with this, that we back up the Senate Appropriations
22. Committee on Monday from 2 o'clock until 1 o'clock. Members of the
23. Appropriations Committee 1 o'clock on Monday instead of 2 o'clock.
24. Thank you, Mr. President.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Change in the Appropriations Committee meeting. It'll be
27. Monday at 1 o'clock rather than 2. Senator Fawell.

28. SENATOR FAWELL:

29. Yes, Education is set for 2:15 this afternoon. We'll move that
30. up to immediate...immediately after adjournment and I might add, also,
31. that Senator Hynes has asked for special permission, waiver of the
32. rules, so that SB 1402 might be heard and I would ask for leave of the
33. Senate that SB 1402 could be heard by the Education Committee at its

1. meeting immediately after adjournment. I might add, also, that we
2. will be meeting in Room 400 rather than M-3.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Harris.

5. SENATOR HARRIS:

6. Well, Mr. President, I would just like for the Chariman of
7. Education to hear this. We have a meeting scheduled of the members
8. of the Appropriations Committee, the Republican members of the
9. Appropriations Committee, in my office, fifteen minutes after
10. adjournment. That meeting will last about fifteen minutes. They're
11. not going to be able to attend. Why don't you...set your meeting
12. for a half hour after adjournment so that you can proceed earlier
13. than otherwise but give us a chance to proceed with that other meeting.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Fawell is that agreeable?

16. SENATOR FAWELL:

17. Yes...that is. And I would ask then, for the technical request
18. for the leave in regard to the hearing of SB 1402.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Fawell is asking to...or is moving to suspend the rules
21. and waive the six day notice to hear SB 1402 today in Education.
22. Is there leave? Leave is granted. Resolutions.

23. SECRETARY:

24. SR 438 - Senators Donnewald and Smith.
25. And it's congratulatory.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. Yes, it is a congratulatory resolution and I would make the
30. appropriate motion to suspend the rules and ask for its immediate
31. adoption.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Donnewald moves we suspend the rules for the adoption

1. of the resolution. All those in favor signify by saying aye. Opposed.
2. The rules have been suspended. Now, Senator Donnewald moves the...for
3. the immediate adoption of the resolution. All those in favor signify
4. by saying aye. Opposed. The resolution is adopted. Senator Merritt.

5. SENATOR MERRITT:

6. Mr. President, members of the Senate, I wonder if I might have
7. leave of the Body to have my name added as cosponsor on SJR 62.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Merritt asks leave to be included as a cosponsor of
10. SJR 62. Is there leave? Leave is granted. You will be shown as a
11. cosponsor, Senator. Senator Berning.

12. SENATOR BERNING:

13. Thank you, Mr. President. There...I just want to announce that
14. there will be an official notice going out but would like the mem-
15. bers of the Pension and Personnel Committee to be advised now that
16. Monday the 20th at 1 p.m. there will be a meeting in A-1.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Gentlemen, we're going to ask, and ladies, that you hold your
19. announcements. We still have some business to transact and we'll
20. get to announcements in short order. Committee reports.

21. SECRETARY:

22. Senator Graham, the Chairman of the Committee on Assignment of
23. Bills reports the following assignments: To the Committee on Education
24. Senate Bills 1289 and 1332. The Committee on Elections and Reappor-
25. tionment SB 1291. The Committee on Licensed Activity and Credit Reg-
26. ulations Senate Bills numbered 1502 through 1531. The Committee on
27. Local Government Senate Bills 1247 and 1248. The Committee on Trans-
28. portation and Public Utilities SB 1498.

29. PRESIDING OFFICER (SENATOR MOHR):

30. On the Secretary's desk, SJR 62. Senator Weaver asks that
31. this be considered at this time. Senator Weaver.

32. SENATOR WEAVER:

33. Mr. President and members of the Senate, SJR 62 does just as the

1. calendar states. It calls upon the Governor and the Director of the
2. Department of Local Government to defer any executive action that
3. would alter any boundaries. This is the substate district proposal
4. that was somewhat hastily conceived and I think that there's bi-
5. partisan support and concern for the establishment of these districts
6. and if any member of the Senate has any questions regarding this,
7. I'd be happy to try and answer them.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Partee.

10. SENATOR PARTEE:

11. I...I just think I ought to say, for clarification, that at the
12. time this resolution came before the Executive Committee, I voted
13. present. And, I voted present because at that time I had received
14. some diversion sentiments regarding the posture of this bill, as re-
15. spects of the Executive Branch and Mr. Kirk, the Director of the de-
16. partment. I've come to understand now that there are some reserva-
17. tions about the specific language of the resolution but they do not
18. have any objection to its being passed and I propose to vote for it
19. and I just wanted to let the members on this side know that we do not
20. have the posture now that we had in the Executive Committee.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Any further discussion? Senator Weaver.

23. SENATOR WEAVER:

24. Mr. President, I would move adoption of SJR 62.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Weaver moves the adoption of SJR 62. All those in favor
27. signify by saying aye. Opposed. The resolution is adopted.

28. Announcements. Senator Walker.

29. SENATOR WALKER:

30. Thank you, Mr. President. There'll be a meeting of the Senate
31. Committee on Licensed Activities and Credit Regulations in Room A-1,
32. the State Office Building at 8:30 a.m. next Tuesday, May the 21st,
33. to consider Senate Bills 1502 through 1531 inclusive. That'll be

1. next Tuesday at 8:30 in A-1 in the State Office Building. I thought
2. I'd better announce this because the notices are now being distributed.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Further announcements. Senator Conolly.
5. SENATOR CONOLLY:
6. All the members of the Senate Transportation Committee have
7. received notice that we will meet at 10:00 a.m., Monday, next Monday
8. morning, to discuss the legislation pertaining to the RTA. I know
9. it is an early hour but this is probably one of the most important
10. matters to come before the Senate Committee this session and there-
11. fore, I urge the attendance of all of you at 10:00 in Room 212 Monday.
12. PRESIDING OFFICER (SENATOR MOHR):
13. The Senate Transportation, 10 o'clock Monday morning, Room 212.
14. Further announcements. Senator Ozinga.
15. SENATOR OZINGA:
16. As per notice, the Senate Executive Committee will meet at
17. 1 p.m., which is just a half hour from now, in Room 212. It should
18. be a real short notice...short meeting because there's only two or
19. three nominees on the meeting...on the notice.
20. PRESIDING OFFICER (SENATOR MOHR):
21. Senate Executive 1 o'clock today in Room 212. Further announce-
22. ments. Members please be in their seats. We have some death resolu-
23. tions to consider. We have five death resolutions. I wonder if we'd
24. have leave of the Body to have the Secretary read them all by
25. number and act on them at one time. Members please be in their seats.
26. Unauthorized people please be off the Floor.
27. SECRETARY:
28. SR 437 - By Senator Knuepfer.
29. Death memorial.
30. 438 - By Senator Partee and all members of the Senate.
31. Death memorial.
32. SR 439 - By Senator Scholl.
33. SR 440 - By Senators Newhouse, Smith, Partee and Chew.

1. SR 441 - By Senator Donnewald.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Donnewald moves the...that the Senate suspend the rules
4. for the immediate adoption of the five death resolutions. All those
5. in favor of suspending the rules signify by saying aye. ...All
6. Senators shown as sponsors. All those...now he moves the...for the
7. immediate adoption of the five resolutions, all those in favor will
8. signify by saying aye. The members will please rise. The resolutions
9. have been adopted. The Senate will now stand adjourned until 4 p.m.
10. Monday, May 20th.

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