

78TH GENERAL ASSEMBLY

MAY 24, 1974

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will be in order. The invocation will be
3. given by the James Ellerbrook of the Union Avenue Christian
4. Church in Litchfield, Illinois. Reverend Ellerbrook.

5. (Prayer given by Reverend Ellerbrook).

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Thank you Reverend Ellerbrook. Committee...Senator
8. Soper. Senator Soper. Oh, reading of the Journal.

9. SECRETARY:

10. Weds...Wednesday, May 16, 1973...

11. SENATOR SOPER:

12. Mr. President, I move that we dispense with further
13. reading of the Journal of May 16th and that if there are no
14. corrections to be made the Journal stand approved.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. All...you've heard the motion of Senator Soper all in
17. favor will signify by saying aye. Opposed? The ayes have
18. it and the motion carries.

19. SECRETARY:

20. Thursday, May 17, 1973...

21. SENATOR SOPER:

22. Mr. President, I move that we dispense with the further
23. reading of the Journal of May 17th and that if there are no
24. corrections to be made that the Journal of May 17th stand
25. approved.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Gentlemen, you've heard the motion of Senator Soper
28. all in favor will signify by saying aye. Opposed? The ayes
29. have it and the motion carries.

30. SENATOR SOPER:

31. Now, Mr. President, I move that we postpone the reading
32. of the Journals of May 21st, 22nd and 23rd and the approval of
33. those Journals pending the arrival of the printed Journal.

1. PRESIDING OFFICER: (SENATOR GRAHAM)
2. You've heard the motion by the Senator from Cicero
3. all in favor will signify by saying aye. Opposed? The ayes
4. have it and the motion carries. Committee reports. Messages
5. from the Governor.
6. SECRETARY:
7. (Secretary reads message from the Governor).
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. Executive Committee. Messages from the House.
10. SECRETARY:
11. (Secretary reads messages from the House).
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. While we have a couple of minutes here gentlemen, if
14. you will look at your Calendars on 1st readings we have a pad
15. down here to allow you to sign up but continue Mr. Secretary.
16. SECRETARY:
17. (Secretary reads messages from the House).
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. ...Senator Rock.
20. SECRETARY:
21. Sudden Infant Death Syndrome Study Commission.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. It's a resolution from the House extending the reporting
24. date of the Sudden Death Syndrome...who's handling that do you...
25. who's on that committee, Senator?
26. SENATOR ROCK:
27. Might be Senator Welsh.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Senator who? Senator Ray Welsh, do you move then?
30. SENATOR WELSH:
31. Well, I...I think Mr. President that they're having a
32. problem with the printer for one thing...I...there should
33. be no controversey. This is a commission that we've set up
and it extends the reporting date till when?

1. SECRETARY:

2. January of 9, 1974.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. You move ... you move for suspension of rules?

5. SENATOR WELSH:

6. I would move for the suspension of rules and the immediate
7. consideration and adoption of this resolution.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. All in favor of the suspension of rules will signify by
10. saying aye. Opposed? All in favor of the immediate adoption
11. of the resolution will signify by saying aye. The ayes...no...
12. Opposed? The ayes have it the resolution is adopted. Senators.
13. again I'll remind you that we have provided that legal pad to
14. allow you to sign up for House bills 1st if you care to.
15. Come sign up while we're... Senator Knuepfer I think you have
16. a motion.

17. SENATOR KNUEPFER:

18. ...Well, I just have...I...I would ask leave of the Body
19. to take SB 573 back to the order of 2nd reading for the purpose
20. of adding an amendment.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Knuepfer has requested leave of the Senate to add
23. ...SB 573 return to the order of 2nd reading for the purpose
24. of considering an amendment. All in favor will signify by
25. saying aye. Opposed? The ayes have it the bill is now on
26. 2nd reading and Senator will explain his amendment if the
27. Secretary has one he may read it.

28. SENATOR KNUEPFER:

29. ...The amendment reduces the appropriation by some two
30. hundred eighty thousand dollars. It is to conform and delete
31. the word reservoir. The study of the Department of Waterways
32. indicated that a reservoir was not feasible that channel
33. straightening was and so this reduces the appropriation to

1. eliminate the reservoir and take off the word reservoir.

2. And I would move for adoption of the amendment.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. I'll bet you don't have any trouble with that. All
5. in favor of the adoption of the amendment signify by saying
6. aye. Opposed? The ayes have it. The amendment is adopted.
7. Is there further amendments? 3rd reading. Are there further
8. motions, Senator Hynes did you have a...is that yours on
9. 2nd reading Senator? We'll get to those later...any...anyone
10. else have a bill that you want to move back for an amendment?
11. Now is a good time to do it. Let's proceed...Senator Scholl
12. did you seek recognition?

13. SENATOR SCHOLL:

14. Mr. President, I believe it should be made part of the
15. record this morning in the Committee on Insurance we all got
16. up early...to take on a bill that I thought was very serious
17. which designated the first Monday in March a legal holiday to
18. commemorate the birthday of Casimir Pulaski and the sponsor of
19. that bill did not show up and I asked Senator Daley and
20. Senator Chew if they wouldn't speak up on it and they refused.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. I suppose, it's not the prerogative of the Chair to try
23. to get Senator Daley and Senator Chew to speak up because
24. Senator Chew speaks up enough anyway. ...Gentlemen, I think
25. we have arrived at what will be our schedule for today and I
26. think this might be important and we'll write Senator Walker a
27. note as soon as we're through. We're hoping to work until
28. 12 and as near as we can at that time and I hope promptly we
29. plan to adjourn. Recess. For the purpose of getting some
30. sustenance, food only, and the time will be set there whether
31. it's an hour or an hour and a half and we'll come back and work.
32. We'll adjourn around 5 or 5:30 for a hour and a half or two
33. hours' time, probably two for dinner. Coming back after that

1. and we'll work as long as you Senators are able to work.
2. Taking into consideration the Executive Committee hung in
3. there last night 'til 2 o'clock. But it is important I
4. think and I don't have to remind you that there are some bills on
5. here that are of great importance to many Senators and it
6. will take the cooperation of all of us to try to make some
7. determination with regard to those bills today and tomorrow.
8. So, I'm sure that all of you will be as great as you have been
9. in these waning days of Senate Bills out of the Senate and
10. we will try to be cooperative in allowing you to have some
11. time off to get some food because I too have been on cold
12. sandwiches for three days. So, we'll try to adhere to that
13. schedule and now we will revert to...are there any motions
14. on bills on 3rd to 2nd? If there isn't we will go to the
15. order of House Bills on 1st reading. House Bills 1st reading.
16. Mr. Secretary.

17. SECRETARY:

18. House Bill 444, Representative Fennessey.

19. House Bill 459, Representative Geo-Karis.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Conolly on 459.

22. SECRETARY:

23. House Bill 459

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. House Bill 464, Representative Stone.

27. House Bill 490, Representative Palmer.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Walker.

30. SECRETARY:

31. House Bill 490

32. (Secretary reads title of bill).

33. 1st reading of the bill

1. House Bill 496, Representative Douglas.
2. House Bill 501, Representative Rayson.
3. House Bill 505, Representative Philip.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Senator Walker, How about you taking 505? House
6. Bill 505. That's...you're familiar with that.
7. SECRETARY:
8. House Bill 505.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. House Bill 509, Representative McMaster.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Senator Latherow, are you interested?
14. SECRETARY:
15. House Bill 510, Representative McMasters.
16. House Bill 526, Representative J. J. Wolf.
17. House Bill 540, Representative D. L. Houlihan.
18. House Bill 541, Representative Blades.
19. House Bill 544, Representative Rayson.
20. House Bill 546, Representative...
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. That's Mugalian.
23. SECRETARY:
24. Mugalian.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator Rock do you have any interest in that? No?
27. SECRETARY:
28. House Bill 579, Representative Rayson.
29. House Bill 580, Representative Rayson.
30. House Bill 588, Representative Deuster.
31. House Bill 588.
32. (Secretary reads title of bill).
33. 1st reading of the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Senator Berning? Take that bill? Thank you Senator.
3. SECRETARY:
4. House Bill 589, Representative Schlickman.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. That should probably belong to Senator Nimrod but he
7. is not on the Floor so I'll remind him. Let's give 589 to
8. Senator Nimrod and if he doesn't make too much fuss we'll
9. leave him have it.
10. SECRETARY:
11. House Bill 589.
12. (Secretary reads title of bill).
13. 1st reading of the bill.
14. HouseBill 593, Representative Fennessey.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Welsh. Senator Ray Welsh.
17. SECRETARY:
18. House Bill 593.
19. (Secretary reads title of bill).
20. 1st reading of the bill.
21. House Bill 616, Representative Kelly.
22. House Bill 617, Representative Matijevich.
23. House Bill 630, Representative Gibbs.
24. House Bill 655, Representative Porter.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator Harber Hall.
27. SECRETARY:
28. House Bill 655.
29. (Secretary reads title of bill).
30. 1st reading of the bill.
31. House Bill 661, Representative G. L. Hoffman.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Senator Shapiro.

1. SECRETARY:
2. House Bill 661.
3. (Secretary reads title of bill).
4. 1st reading of the bill.
5. House Bill 665, Representative Porter.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Senator Harber Hall.
8. SECRETARY:
9. House Bill 665.
10. (Secretary reads title of bill).
11. 1st reading of the bill.
12. House Bill 666, Representative Skinner.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Senator Schaffer.
15. SECRETARY:
16. House Bill 666.
17. (Secretary reads title of bill).
18. 1st reading of the bill.
19. House Bill 668, Representative R. L. Dunne.
20. House Bill 670, Representative Palmer.
21. House Bill 710, Representative Leinenweber.
22. House Bill 721, Representative Leinenweber.
23. House Bill 722, Representative Leinenweber.
24. House Bill 727, Representative McCormick.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator Johns.
27. SECRETARY:
28. House Bill 727.
29. (Secretary reads title of bill).
30. 1st reading of the bill.
31. House Bill 741, Representative R. K. Hoffman.
32. House Bill 780, Representative Brummet.
33. House Bill 920, Representative Berman.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Senator...Bruce or Berning. Who wants it?
3. Senator Bruce? Senator Bruce.
4. SECRETARY:
5. House Bill 920.
6. (Secretary reads title of bill).
7. 1st reading of the bill.
8. House Bill 972, Representative Day.
9. House Bills 1008 and 1009, Representative R. K. Hoffman.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Senator...from Chicago, Senator Scholl.
12. SENATOR SCHOLL:
13. ...Representative J. J. Wolf has asked me to handle
14. House Bill 526.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. We'll ... be pleased indeed. Senator Scholl on
17. House Bill 526.
18. SECRETARY:
19. House Bill 526.
20. (Secretary reads title of bill).
21. 1st reading of the bill.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Senator Walker, for what purpose do you arise, Sir?
24. SENATOR WALKER:
25. ...That 670 that is Ozinga. You got that one Mr. Clerk?
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. That sounds like a reasonable...
28. SENATOR WALKER:
29. And then, Mr. President, if I may House Bill 505 amends
30. the State Police Act requires retirement state policeman
31. at 63 years of age rather than 65. I understand it came out
32. of Committee in the House and off the Floor with a tremendous
33. vote and I would appreciate unanimous leave to advance to the order of 2nd reading without reference to Committee.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. ...Senators, you have heard the motion by Senator
3. Walker that House Bill 505 be moved to the order of 2nd
4. reading without reference to a Committee. All in favor
5. will signify by saying aye. Opposed? The ayes have it
6. and the bill is now on 2nd reading.
7. SECRETARY:
8. House Bill 670.
9. (Secretary reads title of bill).
10. 1st reading of the bill.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Do any of the Senators have a desire to...Senator Rock.
13. SENATOR ROCK:
14. Well, I just wonder Mr. President what the necessity
15. was to move 505 without reference. It is a subject of heady
16. concern in the Pension Laws Commission I would expect that the
17. Pension Committee would have some...
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. I think Senator Romano is going to explain that.
20. SENATOR ROCK:
21. All right.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. He's the expert. Senate Bills 2nd reading. Senate
24. Bills 2nd reading. Mr. Secretary will call the bill.
25. Senate Bills 2nd, gentlemen.
26. SECRETARY:
27. SB 55 and 57...
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. No, no.
30. SECRETARY:
31. SB 138, Senator Glass.
32. SB 138, 2nd reading.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Read the bill a second time.

2. SECRETARY:

3. SB 138.

4. (Secretary reads title of bill).

5. 1st reading of the bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. ...Senator Glass, for what purpose do you arise?

8. SENATOR GLASS:

9. Mr. President, I'd like to ask the Secretary was there

10. an amendment on that...put on that yesterday?

11. SECRETARY:

12. No amendment.

13. SENATOR GLASS:

14. Well, Senator Clarke is not on the Floor I believe he and

15. Senator Nimrod were on a subcommittee that developed an

16. amendment to that bill so I wonder if you would hold it

17. Mr. President.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Let's move it on up to 3rd and let the record show it's

20. on 3rd reading, we'll move it back.

21. SENATOR GLASS:

22. All right. Okay. Thank you.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. 3rd reading.

25. SECRETARY:

26. SB 150, Representative...Senator Conolly.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Conolly. Senator Conolly.

29. SECRETARY:

30. SB 150, Senator Conolly.

31. SB 191, Senator Berning.

32. SB 283, Senator McCarthy.

33. SB 285, Senator Bruce.

1. SB 286, Senator Bruce.
2. SB 295, Senator Netsch.
3. SB 299, Senator Smith.
4. SB 381, Senator Weaver.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Read the bill by title a second time.
7. SECRETARY:
8. SB 381.
9. (Secretary reads title of bill).
10. 2nd reading of the bill. No Committee amendment.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Are there amendments from the Floor? 3rd reading.
13. SECRETARY:
14. SB 566, Senator Sours.
15. SB 597, Senator Latherow.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. First page on the left side. Read the bill...
18. SECRETARY:
19. SB 597.
20. (Secretary reads title of bill).
21. 2nd reading of the bill. No Committee amendments.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Are there amendments from the Floor? 3rd reading.
24. SECRETARY:
25. SB 598.
26. (Secretary reads title of bill).
27. 2nd reading of the bill. No Committee amendments.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Are there amendments from the Floor? 3rd reading.
30. SECRETARY:
31. SB 632, Senator Savickas.
32. SB 664, Senator McBroom.
33. SB 731, Senator Savickas.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. I think this entire series can be passed over Mr.
3. Secretary.

4. SECRETARY:

5. SB 804, Senator Regner.

6. SB 811, Senator Hynes.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Hynes.

9. SECRETARY:

10. SB 811.

11. (Secretary reads title of bill).

12. 2nd reading of the Bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Hynes.

15. SECRETARY:

16. The Committee on Education offers one amendment.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Hynes.

19. SENATOR HYNES:

20. Mr...Mr. President, I would move to Table the Committee
21. amendment I have a replacement for it there were certain
22. technical objections raised to the Committee in the Committee...
23. this new amendment corrects those problems.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Hynes having voted on the prevailing side moves
26. to have the Amendment #1 to SB 811...have the vote reconsidered
27. by which this amendment was adopted. He moves to Table Committee
28. amendment which never was adopted. Thank you. Now Senator.

29. SENATOR HYNES:

30. And I would move the adoption...well, this would be called
31. Amendment number...

32. PRESIDING OFFICER (SENATOR HYNES):

33. This would be Amendment No. 2.

1. SENATOR HYNES:

2. Two or number one. Two?

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Two.

5. SENATOR HYNES:

6. Number two. I would move the adoption of Amendment
7. No. 2 which is substantially the same amendment. It makes
8. certain clarifying changes as called for by the Committee
9. members. The one substantive change it makes is to reduce
10. the population requirement for Class 1 junior college from
11. fifty thousand persons to forty-five thousand so as not to
12. impair the accreditation of any existing junior college.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. The first amendment having been Tabled, Senator Hynes,
15. now moves the adoption of Amendment No. 2 to SB 811 and all in
16. favor of that motion will signify by saying aye. Opposed?
17. The ayes have it and the amendment is adopted. Are there
18. further amendments from the Floor? 3rd reading.

19. SECRETARY:

20. SB 832.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Read the bill by title a second time.

23. SECRETARY:

24. SB 832.

25. (Secretary reads title of bill).

26. 2nd reading of the bill. No Committee amendments.

27. PRESIDING OFFICER (SENATOR GRAHAM):

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

29. SECRETARY:

30. SB 866, Senator Partee.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Partee.

33. SECRETARY:

1. SB 905. Senator Fawell.
2. PRESIDING OFFICER (SENATOR GRAHAM):
3. SB 905 on 2nd reading. School Construction Bond Act.
4. Read the bill by title a second time.
5. SECRETARY:
6. SB 905.
7. (Secretary reads title of bill).
8. 2nd reading of the bill. No Committee amendments.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Fawell as sponsor indicates he has an amendment
11. from the Floor.
12. SECRETARY:
13. Amendment No. 1 by Senator Fawell.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Senator will explain his amendment.
16. SENATOR FAWELL:
17. Yes. Amendment No. 1 is purely nonsubstantive changing
18. misspelling and I move the adoption Amendment No. 1.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Senator Fawell moves the adoption of Amendment No. 1 which
21. clarifies typographical errors and spelling. All in favor will
22. signify by saying aye. Opposed? The ayes have it and the
23. amendment is adopted. Are there further amendments from the
24. Floor? 3rd reading.
25. SECRETARY:
26. SB 906.
27. (Secretary reads title of bill).
28. 2nd reading of the bill. No Committee amendments.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Are there amendments from the Floor? 3rd reading.
31. Senator Hynes.
32. SENATOR HYNES:
33. Mr. President, I know all of these bills we have some

1. questions and I...I believe it is the understanding that we
2. can bring these back if there are further amendments to be
3. offered?

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. The Senator has indicated that that is true and that's
6. pretty generally true I think throughout the series of all
7. these bills.

8. SECRETARY:

9. SB 907. (Secretary reads title of bill).
10. 2nd reading of the bill. No Committee amendments.

11. PRESIDING OFFICER (SENATOR GRAHAM):

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

13. SECRETARY:

14. SB 908. (Secretary reads title of bill).
15. 2nd reading of the bill. The Committee on Education offers
16. one amendment.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Fawell moves the adoption of Committee Amendment
19. No. 1. All in favor will signify by saying aye. Opposed? The
20. ayes have it. The amendment is adopted. Any further amendments
21. from the Floor?

22. SECRETARY:

23. Amendment No. 2 by Senator Fawell.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator will explain his amendment.

26. SENATOR FAWELL:

27. I have talked to Senator Hynes and...specifically on this
28. and what it...it amends the debts service grants so that the
29. debt service grant would be 50% of the outstanding principle
30. and interest for a given fiscal year of the applicant. So that
31. it is retaining the debt service grant but limiting it to 50%
32. of a particular year's principal and interest. And I move
33. the adoption.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Fawell moves the adoption of Amendment No. 2...
3. is that Senator? To SB 908. All in favor of the adoption
4. will signify by saying aye. Opposed? The ayes have it.
5. The Amendment is adopted. Are there further amendments from
6. the Floor? 3rd reading. We'll get soon as we finish this
7. series...

8. SECRETARY:

9. SB 909. (Secretary reads title of bill).
10. 2nd reading of the bill. No Committee amendments.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Amendments from the Floor? 3rd reading.

13. SECRETARY:

14. Amendment No. 1 by Senator Fawell.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator will explain his amendment.

17. SENATOR FAWELL:

18. Yes, this amendment does not change the overall amount
19. one hundred million in bonds but it...it specifies that there
20. is a limit of twenty-five million insofar as school districts
21. over five hundred thousand are concerned. That is for the
22. City of Chicago. Again there is agreement on this, no...no
23. objection to this and I move the adoption of Amendment No. 1.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Fawell moves the adoption of Amendment No. 1 to
26. SB 909. All in favor of its adoption will signify by saying
27. aye. Opposed? The ayes have it and the amendment is adopted.
28. Are there further amendments from the Floor? 3rd reading.

29. SECRETARY:

30. SB 938...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. ...Senator...

33. SECRETARY:

SB 938

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Yes, that's...

3. SECRETARY:

4. SB 938. (Secretary reads title of bill).

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

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Amendments from the Floor? 3rd reading. SB 866,
8. Senator Partee desires to have it read a 2nd time.

9. SECRETARY:

10. SB 866. (Secretary reads title of bill).

11. 2nd reading of the bill. The Committee on Revenue offers
12. one amendment.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Partee moves the adoption of Amendment No. 1
15. to SB 866. All in favor will signify by saying aye. Opposed?
16. The ayes have it. The amendment is adopted. Are there
17. further amendments from the Floor? 3rd reading.

18. SECRETARY:

19. SB 1044, Senator Merritt.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Merritt the gentleman from Hoopeston. 2nd
22. readings. Read the bill a second time...

23. SECRETARY:

24. SB 1044. (Secretary reads title of bill).

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

26. PRESIDING OFFICER (SENATOR GRAHAM):

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

28. SECRETARY:

29. SB 1046, Senator Glass.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Read the bill a second time by...

32. SECRETARY:

33. SB 1046. (Secretary reads title of bill).

2nd reading of the bill. No Committee amendments.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Are there amendments from the Floor? 3rd reading.
3. SECRETARY:
4. SB 1047, Senator...
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Read the bill by title. Senator indicates...
7. SECRETARY:
8. SB 1047. (Secretary reads title of bill).
9. 2nd reading of the bill. No Committee amendment.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Amendments from the Floor? 3rd reading.
12. SECRETARY:
13. SB 1055, Senator Hynes.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Senator Hynes.
16. SECRETARY:
17. SB 1055. (Secretary reads title of bill).
18. 2nd reading of the bill. No Committee amendments.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Are there amendments from the Floor?
21. SECRETARY:
22. Senator Hynes offers Amendments No. 1 and 2.
23. PRESIDING OFFICER (SENATOR GRAHAM):
24. Senator Hynes will explain first Amendment No. 1.
25. SENATOR HYNES:
26. Now a...a...Amendment No. 1 is simply a technical amendment.
27. It corrects a transposition of...of words within the original
28. bill and I move its adoption.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. You've heard the explanation of Amendment; all in favor
31. of its adoption will signify by saying aye. Opposed? The
32. ayes have it. The amendment is adopted. Senator Hynes will
33. explain Amendment No. 2.

1. SENATOR HYNES:

2. Amendment No. 2 makes it clear that a recipient of an
3. administrative certificate must in fact have a masters degree.
4. It corrects a question that was raised in the Education Committee.
5. And I would move its adoption.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. You've heard the explanation. All in favor of the adoption
8. of Amendment No. 2 will signify by saying aye. Opposed? The
9. ayes have it. The amendment is adopted. Are there further
10. amendments? 3rd reading. Senator Fred Smith has indicated that
11. he would like to call SB 299.

12. SECRETARY:

13. SB 299. (Secretary reads title of bill).

14. 2nd reading of the bill. The Committee on Appropriations
15. offers one amendment.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. 299, Senator or Mr. Secretary.

18. SECRETARY:

19. SB...295.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. It says fair employment practices.

22. SECRETARY:

23. SB...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Just a moment Senator.

26. SECRETARY:

27. SB 299. (Secretary reads title of bill).

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

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Smith.

32. SENATOR SMITH:

33. Move to Table the Committee amendment, and Senator

1. McBroom has another amendment which provides for thirty
2. thousand dollars less than the Committee...Committee amendment.
3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Smith moves to Table the Committee amendment
5. to SB 299 on 2nd reading. All in favor of the motion will
6. signify by saying aye. Opposed? The ayes have it and the
7. amendment is Tabled. Senator Smith.

8. SENATOR SMITH:

9. Senator McBroom...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. He yields to Senator McBroom. Gentlemen, please.

12. SECRETARY:

13. Amendment No. 2 by Senator McBroom.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator McBroom will explain the amendment.

16. SENATOR MCBROOM:

17. Yes...Mr. President, members of the Senate. This...this
18. amendment simply reduces the appropriation by thirty thousand
19. dollars from...from 165 to 135 as Senator Smith indicates. I
20. believe we have agreement on both sides of the aisle for the
21. adoption of this...amendment. I move its adoption Mr. Chairman
22. or Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senators McBroom and Smith move the adoption of Amendment
25. No. 2 to SB 299. All in favor will signify by saying aye.
26. Opposed? The two ayes have it and the amendment is adopted and are
27. there further amendments from the Floor? 3rd reading. Do we
28. have 1047, we didn't... Senator, I'm sorry Senator...Senator
29. McBroom.

30. SENATOR MCBROOM:

31. I just wanted to tell you Mr. President. It's been nice
32. to see, it's been almost five hours..

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. I...I know. It was a short night wasn't it, Senator?

2. SECRETARY:

3. SB 1082, Senator Latherow.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Latherow.

6. SENATOR LATHEROW:

7. Mr...Mr. President, I had an amendment left with me

8. yesterday that is not acceptable for me for this. I'd like

9. to move it on to 3rd reading and the department and the people

10. involved do not get a proper amendment to suit me I'll Table

11. the bill.

12. SECRETARY:

13. SB 1082. (Secretary reads title of bill).

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

15. PRESIDING OFFICER (SENATOR GRAHAM):

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

17. SECRETARY:

18. SB 1084, Senator Bartulis.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Read the bill by title.

21. SECRETARY:

22. SB 1084. (Secretary reads title of bill).

23. 2nd reading of the bill. No Committee amendments.

24. PRESIDING OFFICER (SENATOR GRAHAM):

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

26. SECRETARY:

27. SB 1096, Senator Bartulis.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Read the bill. Senator Bartulis.

30. SECRETARY:

31. SB 1096. (Secretary reads title of bill).

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

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Amendments from the Floor? 3rd reading.

2. SECRETARY:

3. SB 1049, Senator Soper.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator James Soper, the gentleman from Cicero.

6. SECRETARY:

7. SB 1049. (Secretary reads title of bill).

8. 2nd reading of the bill. No Committee amendment.

9. PRESIDING OFFICER (SENATOR GRAHAM):

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

11. SECRETARY:

12. SB 1065, Senator Mitchler. 1165, I'm sorry.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. He's wanting to hold the bill.

15. SECRETARY:

16. SB 1169, Senator Schaffer.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. ...just...Senator Mitchler.

19. SENATOR MITCHLER:

20. May...may we advance that Mr. President to 3rd reading

21. with the understanding that it can be brought back for amendment?

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. That's your prerogative Senator. We'll read SB 1165 by

24. title a second time.

25. SECRETARY:

26. SB 1165. (Secretary reads title of bill).

27. 2nd reading of the bill. The Committee on Agriculture,

28. Conservation and Ecology offers one amendment.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Mitchler.

31. SENATOR MITCHLER:

32. Mr. President, I'm going to retrack that request because

33. of the length of that amendment I...I don't want to go to
the troub...putting that on and printing that and the cost.

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2nd reading

1. on and printing that and the cost. Let's just hold it on
2. second and we can take it... I'm going to ask that that be
3. exempted anyway.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. It'll be taken from the record. Senator Schaffer he
6. wants 1169 read by title a second time.

7. SECRETARY:

8. SB 1169 (Secretary reads title of bill).

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

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Sours, for what purpose do you arise? Is that...
12. in relation to this bill?

13. SENATOR SOURS:

14. No. I have a bill to advance.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Are there any further...any amendments from the Floor?
17. 3rd reading. The Chair now recognizes the Senator from Peoria.

18. SENATOR SOURS:

19. SB 566 on second.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. SB 566 will be read by title a second time.

22. SECRETARY:

23. SB 566 (Secretary reads title of bill).

24. 2nd reading of the bill. No Committee amendments.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Are there amendments from the Floor? 3rd reading.
27. Senator Shapiro did you have a motion you wanted to make?

28. The Chair recognizes the Senator from Amboy.

29. SENATOR SHAPIRO:

30. Mr. President, members of the Senate, I would like unani-
31. mous consent of the Senate to suspend the rules for the introduc-
32. tion of a bill and move it to second reading without reference to
33. Committee. It is a deficiency appropriation for the Pension

1. Laws Commission of seven thousand dollars. It has been cleared
2. with the leadership on both sides of the aisle. And it is
3. sponsored by the Pension Laws Commission.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Shapiro has moved for unanimous consent of the
6. introduction of a bill to provide for a deficiency appropriation
7. for the Pension Laws Commission and have it advanced to the
8. order of second reading without reference to Committee. All in
9. favor will signify by saying aye. Opposed? The ayes have it.

10. SECRETARY:

11. SB 1185. (Secretary reads title of bill).

12. 1st reading of the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. It is now on 2nd reading. Senator Shapiro. Senator Knuepfer
15. the gentleman from Elmhurst what...for what purpose do you
16. arise?

17. SENATOR KNUEPFER:

18. ...I want to make an announcement for those of you and I've
19. told several of you already but the Senate Public Health, Welfare
20. and Corrections Committee will not meet this evening due to a
21. conflict. That meeting and all of the bills that we had up
22. at the meeting this Thursday will be next Thursday and be
23. prepared for a long meeting next Thursday because we've got this
24. weeks bills and next weeks bills. But if you have any witnesses
25. come down detain them, send them back or tell them don't bother
26. because we will not have the meeting this evening...

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. The purpose of that announcement and the conflict is that
29. we will be in Session this evening and for those who arrived
30. late. Our working plan for today is this. We will adjourn...
31. we will recess at 12 o'clock for the purpose of lunch. Hopefully,
32. coming back at 1:30 and working until 5:30 at which time we
33. will recess for dinner for two hours. That is the plan now.

1. And then we will return full of vim and vigor and the work
2. as long as we are physically able to do it. The Executive
3. Committee set the pattern last night and we adjourned at
4. 2 O'clock this morning. So that's the reason for the conflict.
5. Are there further announcements or motions? Gentlemen, now
6. is the time if you want to move bills from 3rd reading back
7. to 2nd. Let's do it now or hold your peace for a while. We
8. will now proceed to the order of... Sommers.

9. SENATOR SOMMERS:

10. I would ask leave of the Body to return SB 924 to the
11. order of 2nd reading, it's currently on 3rd.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Sommers ask leave of the Senate to return SB 924
14. to the order of 2nd reading for what purpose? Consideration
15. of an amendment. Leave is granted, the bill is now on order
16. of 2nd reading. SB 924. Secretary is being provided with the
17. amendment.

18. SECRETARY:

19. Amendment No. 1...offered by Senator Sommer.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Sommer will explain his amendment.

22. SENATOR SOMMER:

23. ...This amendment does one thing; it adds the effective
24. date. It makes some other small technical changes and changes
25. the Board of Auctioneer License Examiners to include members
26. of the General Assembly. I would ask for a favorable roll
27. call.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. All...you have heard the motion put by Senator Sommer.
30. All in favor of the adoption of Amendment No. 1 to SB 924 will
31. signify by saying aye. Opposed? The ayes have it. The amendment
32. is adopted. Are there further amendments? 3rd reading.
33. Gentlemen, the hour has arrived. We are now proceeding to

1. the order of Senate Bills on 3rd reading starting with SB 758.
2. Senator Shapiro. SB 758. We are proceeding to SB...none of
3. that serious SENator...Shapiro? SB 762, Senator Kenneth
4. Course. SB 764, Senator Howard Carroll. If you know where
5. these gentlemen are they may be wondering Saturday what happened
6. to their bills. Ring the bell, Mr. Serqeant-at-Arms. SB 769,
7. Senator Knuepfer. 769.

8. SECRETARY:

9. SB 769. (Secretary reads title of bill).
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Gentlemen, I think it's time that the social hour be
13. discontinued. We are passage stage of Senate Bills in the
14. Senate. So may we please...may we please. We are now on
15. passage stage. Senator Knuepfer.

16. SENATOR KNUEPFER:

17. ...This bill relates to the County Executive Act...which
18. at the present time no counties have adopted. Cook County has
19. home rule by...constitution. No other county has it. This
20. provides an alternative solution for the county boards presently
21. if the county decides to go the Executive route...the route
22. of the home rule county. The executive must provide over...
23. preside over the county board. This allows the county board
24. an option and that option is to let the executive be an executive
25. and allow the county board to select from their own members the
26. presiding officer for their board. It would permit the county
27. board thus to divorce the executive and legislative function
28. if they so desire. I think it is a desirable alternative...
29. the present situation is equivalent of having the Governor
30. preside over this Legislature. Nothing is mandated but it
31. does provide an additional alternative for county government.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. You've heard the explanation of the bill. Is there

1. discussion on SB 769. Senator Glass.

2. SENATOR GLASS:

3. ...Senator Knuepfer does this apply to Cook County?

4. Thank you. .

5. SENATOR KNUEPFER:

6. ...apply to Cook County.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Any further discussion? The question is shall SB 769

9. pass. Upon that question the Secretary will call the roll.

10. SECRETARY:

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

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

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

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

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

16. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

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

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

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

20. Weaver, Welsh, Wooten, Mr. President.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Bartulis, aye. Hynes, aye. Netsch, aye. On that

23. question the ayes are 35. The nays are none. SB 769 having

24. received the constitutional majority is declared passed.

25. 770, Senator Knuepfer.

26. SECRETARY:

27. SB 770. (Secretary reads title of bill).

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Knuepfer

31. SENATOR KNUEPFER.

32. All this bill does is to change the interest rate.

33. Several years ago we increased the interest rate to 7% for
public work bonds. That...legislation ran out and this

1. now provides...it would provide an increase for two more
2. years since it appears many interest rates are going over
3. the present 6% mandatory...statutory rate. There are some
4. other bills to do this for municipalities this...this provides
5. this for public works. I would appreciate...

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there any discussion? Senator Bruce.

8. SENATOR BRUCE:

9. Why on this particular bill do we exclude Cook County?
10. Why the home rule amendment on a 7% bond act?

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. Senator Bruce, I cannot answer that except that was what
15. was desired by Cook County.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Any further discussion? The question is shall SB 770 pass
18. and on that question the Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
21. Chew, Clarke, Conolly, Course, Daley, Davidson, 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. Roe, aye. Berning, aye. On that question the ayes are
32. 36. The nays are 1. SB 770 having received the constitutional
33. majority is declared passed. 772.

SECRETARY:

1. SB 772 (Secretary reads title of bill).

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Knuppel.

5. SENATOR KNUPPEL.

6. This bill, Gentlemen, is designed to remove the twenty-
7. five dollar per day limit on those individuals who check the
8. machine at the tracks. This is designed to...leave no limit.
9. to allow the racing board to pay what they think is reasonable.
10. They think they can get better people to do the job with fewer
11. and it is a very simple bill and it has the endorsement of
12. the Illinois Racing Board. I would suggest a favorable roll
13. call.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Is there any discussion? The question is shall SB 772
16. pass and on that question the Secretary will call the roll.

17. SECRETARY:

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

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Course, aye. Palmer, aye. Carroll, aye. Johns, aye.
29. Vadalabene, aye. Davidson, aye. Merritt, aye. Moore, aye.
30. On that question the ayes are 43 and the nays are none. SB
31. 772 having received the constitutional majority is declared
32. passed. 773

33. SECRETARY:

SB 773 (Secretary reads title of bill).

1. 3rd reading of the bill.
2. PRESIDING OFFICER (SENATOR WEAVER):
3. Senator Knuppel.
4. SENATOR KNUPPEL:
5. Gentlemen, this bill is designed to pass...to make it
6. mandatory that anyone who is licensed, racing or training or
7. anything, be fingerprinted. This has always been the rule in
8. the State of Illinois, however, due to a change in regulations,
9. the FBI a couple of years ago said they would no longer run
10. fingerprint checks unless we had a statute which required it.
11. All it does is make what has been policy with Illinois Racing
12. Board law. I would suggest a favorable roll call.
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Is there any discussion? The question is shall SB 773
15. pass. And on that question, the Secretary will call the roll.
16. SECRETARY:
17. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
18. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
19. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
20. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
21. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
22. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,
23. Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
24. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
25. Welsh, Wooten, Mr. President.
26. PRESIDING OFFICER (SENATOR WEAVER):
27. Hall, aye...Kenny Hall, aye. Hynes, aye. On that question
28. the ayes are 41. The nays are none. SB 773 having received
29. the constitutional majority is declared passed. 776, Senator
30. Donnewald.
31. SECRETARY:
32. SB 776. (Secretary reads title of bill).
33. 3rd reading of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Donnewald.

3. SENATOR DONNEWALD:

4. Mr. President, SB 776 amends the weights and measures
5. act as it pertains to liquid fuel measurements. This was
6. amended by Senator Bartulis in Committee and I think the
7. Department of Agriculture is satisfied with that amendment
8. and what it does. The distributor of liquid fuel using more...
9. using twenty-five or more liquid fuel meters employing
10. trained repairmen to test, repair and adjust those meters may
11. register those repairmen as special sealers with the Department
12. of Agriculture. Director can require bond of one thousand
13. dollars per special sealer or fifteen thousand dollars whichever
14. is less. I think that that pretty well sums up the meat of the
15. bill. I would solicit your support.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? The question is shall SB 776
18. pass and on that question the Secretary will call the roll.

19. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Latherow.

26. SENATOR LATHEROW:

27. Mr. President, I...I notice it seems like a little reluctance
28. to support this piece of legislation. This is a good piece of
29. legislation and taking... the order to give the privilege
30. and the registration of a sealer on the local level where distribution
31. is made. It allows them to put these in production without
32. holding them for months. I think this is a good piece of
33. legislation. I vote aye.

1. SECRETARY:

2. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
3. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
4. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
5. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
6. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
7. Welsh, Wooten, Mr. President.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Soper, aye. Johns, aye. Buzbee, aye. Nudelman, aye.
10. Shapiro, aye. Fawell, aye. On that question the ayes are
11. 51. The nays are none. SB 776 having received the constitutional
12. majority is declared passed. SB 777, Senator Scholl.

13. SECRETARY:

14. SB 777 (Secretary reads title of bill).
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Scholl.

18. SENATOR SCHOLL:

19. Mr. President, members of the Senate, SB 777 provides
20. for a referendum for approval of any proposed CHA public housing
21. site by the people in the area concerned before work on the
22. site could begin. Chicago residents in precincts within a
23. two mile radius of a proposed CHA site would be eligible
24. to vote in such a referendum. The principle behind SB 777...

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Let's have a little order. Continue, Senator Scholl.

27. SENATOR SCHOLL:

28. The principle behind SB 777 is a very simple and
29. democratic ideal that people should have a voice in determining
30. the character of their own neighborhoods. Today in Chicago
31. they do not have this voice. Under Illinois law CHA public
32. housing sites must be approved by the Chicago City Council.
33. Last year Judge Richard Austin ordered the Chicago Housing

1. Authority to bypass the City Council. The judge required
2. the Chicago Housing Authority to find public housing sites
3. in neighborhoods that he selected. Last week the U. S. Court
4. of Appeals upheld Judge Austin's decision to bypass the City
5. Council. So once again the judicial branch of government has
6. overstepped its constitutional grounds. At a time when
7. public confidence in all government is at its lowest ebb, at
8. a time when the average citizen feels government is unrespon-
9. sive to its needs the judicial branch of government, the least
10. democratic of our three branches of government, usurps the
11. power of the Legislative branch of government. The decision on
12. the location of public housing sites in Chicago was made by one
13. man. He ignored the elected representatives of the people, of
14. the Chicago City Council. He held no hearings to ascertain the
15. views of the people who live in the neighborhoods. He doesn't
16. even live in the City of Chicago. The Austin decision is the
17. antithesis of responsive government. It is arrogant and
18. blatantly undemocratic. Judge Austin with one court decision
19. affected the lives of thousands of citizens. Many of these
20. people worked for years in order to save enough money to make
21. a down payment on a home. I ask you shouldn't they have a
22. voice in deciding the character of their own neighborhoods?
23. The courts should not be able to dictate changes in a
24. community against the wishes of overwhelming majority of the
25. residents of that community. Local citizens and elections, not
26. judge in a private chamber should determine what type of
27. neighborhood they want for themselves and their families. This
28. principle applies to every neighborhood in the City of Chicago.
29. SB 777 will benefit Chicagoans of every nationality and ethnic
30. group. It means community control for all of our neighborhoods.
31. My bill will help restore the balance between the judicial
32. and legislative branches of government. SB 777 is constitutionally
33. sound. The U. S. Supreme Court on April 26th of 1971, in the

1. case of James vs. Voltarie upheld a California law that
2. provides for referendums on public housing sites. SB 777
3. is a peoples bill. It will give the average citizen a
4. say in his own neighborhood. Neighborhoods, gentlemen, belong
5. to people who live in them. They do not belong to social
6. planners, arbitrary judges. They do not belong to slum
7. landlords and fat cat contractors who reap huge profits in
8. the name of progress. Let's curb judicial arrogance. Let's
9. trust the good sense and decency of the average citizen. I
10. urge passage of this bill.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Newhouse.

13. SENATOR NEWHOUSE.

14. I agree with about 90% of what our fellow Legislator has
15. said. And I find this a very curious kind of a bill and I'm
16. going to hear some very curious arguments. In the first place,
17. I've had a couple of bills in here to put the CHA in Chicago
18. in the same position as housing authorities in every other
19. subdivision in the State of Illinois. And it is going to wash
20. straight down the drain by the same people that we're going to
21. hear some arguments from in the next few minutes. The fact is that
22. the Council has been pretty arrogant in its action. And I
23. will cite you the building of the Dan Ryan straight through my
24. neighborhood. There wasn't any referendum there. I can cite
25. you the construction of Lake Meadows right in the middle of
26. my neighborhood. There wasn't any referendum there. I'm
27. pleased that you're shouting about referendum now. The facts
28. of life are these that what we're talking about is whose ox is
29. getting gored this time. So you run out of destruction in my
30. neighborhood and now it's going to move someplace else and
31. everybody is getting excited. I think it's about time you got
32. excited. Now the problem is this that what the judge had to
33. do was what he had to do. He had to act in the face of lot

1. of City Council arrogance which you haven't pointed out
2. Senator. And the problem is that that arrogance had put
3. ...had demolished complete neighborhoods in my community.
4. It finally got out of my ethnic group and it got over on the...
5. on the west side when they started to build the...the Illinois
6. Circle Campus and that broke one of the rules because you
7. know normally it was to be restricted to my neighborhood. So
8. it broke that rule and now it's about to break a second rule
9. which is a silent rule and...you come to us saying that all at
10. once you're going to have referendum. I think it would have
11. been fine if we had referendum twenty years ago before an
12. awful lot of people got displaced two, three and four times.
13. And now that the court has been flipped over in the name of
14. progress, I think we ought to have a little progress. I got
15. troubles with this bill, Senator. One of the problems I just
16. outlined to you. I think it's a bad bill and I'm going to
17. vote against it.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Rock.

20. SENATOR ROCK:

21. Yes, Mr. President, this is probably a little unfair as
22. is the bill itself but I would ask a ruling of the Chair.
23. Does this legislation in your judgement constitutionally pre-empt
24. a home rule power and if so how many votes are required?

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Rock, would you repeat please? I didn't get
27. your question.

28. SENATOR ROCK:

29. There...there is a section in our new Constitution
30. Mr. President, that says that when by legislation we attempt
31. to pre-empt the power of a home rule unit three-fifths vote
32. is necessary. My question to the Chair, Sir, is a constitutional
33. one. In your judgement, does this so pre-empt a home rule unit?

1. And if so, how many votes are required?

2. PRESIDING OFFICER (SENATOR WEAVER):

3. What would be your judgment, Senator Rock?

4. SENATOR ROCK:

5. I sure wish I was in the Chair, I would rule in my
6. own favor, Mr. President. In my judgment it does exactly
7. that because now this can be done by ordinance. And if
8. we are taking away the power of the City Council to estab-
9. lish these sites by ordinance then it most certainly pre-
10. empts that Council. And if it does, it takes a three-fifths
11. vote and that's my question.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator, just a minute, Senator Rock we're trying to
14. work something out. Senator Savickas.

15. SENATOR SAVICKAS:

16. Well, I think in this instance, we're talking about what
17. position that has been pre-empted by a judge. When we talk
18. about home rule the City of Chicago has had their home rule
19. authority in this area pre-empted by Judge Austin. And what
20. we're trying to do here is set up some type of authority.
21. The City Council's authority in this matter that is set up by
22. statute has been...judged by Judge Austin that it does not
23. prevail and they cannot determine what sites and where these
24. housing projects should go even though certain communities
25. want public housing. Want it for...for their communities and
26. need it he has determined that that is immaterial that these peo-
27. ple cannot have it. That it must be determined on his basis. And
28. so I think already this area has been pre-empted by Judge Austin.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Rock, right at this moment, I'm not prepared to give
31. you a ruling. If you'd like to go ahead with the bill or do
32. you want to hold the bill? Senator Rock.

33. SENATOR ROCK:

1. Well, I...I can appreciate that and I apologize, frankly,
2. to the Chair for throwing that at you at this moment. I
3. really didn't think that Senator Scholl was even serious about this
4. bill. In the first place, he came into Committee it having been
5. introduced earlier in the Session and put a little amendment
6. on and I would ask the sponsor if he will yield to a question.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. Senator Scholl indicates he will yield.
9. SENATOR ROCK:
10. How many housing authorities are there in this State?
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Senator Scholl.
13. SENATOR SCHOLL:
14. I don't know.
15. PRESIDING OFFICER (SENATOR WEAVER):
16. Senator Rock.
17. SENATOR ROCK:
18. That does not surprise me but the fact of the matter is that
19. there are a number and they are not only in the City of
20. Chicago but throughout the State. And to a man every director
21. of a downstate housing authority came in and testified against
22. this bill. So then Senator Scholl then offered an amendment to
23. restrict it only to the City of Chicago. Now all the bleeding
24. hearts we hear on the Senate Floor, what's good enough for
25. Cook County is good enough for the rest of this State and vice
26. versa. I hope they keep that in mind this time because this
27. bill as it is now amended applies only to the Housing Authority
28. in the City of Chicago. And if it's a good idea to have a
29. referendum in the City of Chicago it is most certainly a good
30. idea to have a referendum in East St. Louis or wherever else
31. these housing authorities are situated. And I would ask, Mr.
32. President, that this bill not be called for a vote until we
33. can have a ruling of the Chair as to whether or not under our

1. Constitution, it pre-empts the power of a home rule unit and
2. therefore requires a three-fifths vote.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Rock, as I said, the Chair is not able to give
5. you a ruling at this point. It's up to the sponsor if he'd
6. like to hold the bill. Senator Scholl.

7. SENATOR SCHOLL:

8. I'm asking for the passage of this bill and I ask for
9. a roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Rock.

12. SENATOR ROCK:

13. Again, I renew my parliamentary inquiry, Mr. President. I
14. think it's unrealistic to ask for a roll call on a bill when
15. you don't know how many votes it's going to take to pass a
16. bill. Now that time is the height of absurdity. And I
17. would ask that this matter be deferred until we get a ruling
18. from the Chair.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Scholl, would you approach the podium please?

21. SENATOR ROCK:

22. I ask for approval.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Rock, the ruling is that this bill would take
25. 30 votes, and so, if there is any further discussion. Senator
26. Netsch. ...Go ahead Senator Rock.

27. SENATOR ROCK:

28. Mr. President, do I understand that under Section 6 of
29. the Constitution which section my...to which section my question
30. was addressed, the Chair has not ruled that this bill as amended
31. does not, in fact, pre-empt the power of a home rule unit.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Rock, the ruling is that the required 30 votes

1. to pass this bill.

2. SENATOR ROCK:

3. Well, Mr. President, in that instance and I would ask every-
4. body to take a look at that section of that Constitution and take
5. a look at the bill and I would appeal the ruling of the Chair.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Partee.

8. SENATOR PARTEE:

9. Just before the appealing...the ruling is appealed, let
10. me say that the ruling of the Chair has been made. We would
11. appreciate it if the Chair would give us the reason for that
12. decision so that the tape can show if the question is litigated
13. later what the Chair's reason was for ruling that it requires
14. 30 rather than 36 votes.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Well, Senator Partee, I think the ruling was based on
17. the fact that this...Senator Partee I believe this was based
18. on the fact that this would apply to a housing authority and
19. not a home rule unit. Senator Partee.

20. SENATOR PARTEE:

21. So that I might be perfectly clear and the record will
22. be perfectly clear, your answer is that this does not apply
23. to a home rule unit but applies to housing. Is that the
24. answer? Now, that would indicate to me that you in one
25. instance decide that it applies to subject matter, and in
26. another instance, it applies to the home rule concept. That
27. to me is mixing apples and oranges. They aren't the same thing
28. at all. Now let me just point out to you...

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator...Senator Partee.

31. SENATOR PARTEE:

32. Let me just point out to you...that the...

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Let me clarify my ruling...

2. SENATOR PARTEE:

3. The Housing Authority is appointed by the City Council.
4. It is a city function so I just don't understand the ruling.
5. It maybe if you'd clarify it for me, I'm sorta, you know,
6. weak in some of these areas.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Partee, the ruling of the Chair was that it takes
9. 30 votes to pass SB 777. Senator Partee.

10. SENATOR PARTEE:

11. And then...then on that basis if that is the ruling
12. then Senator Rock is renewing his motion to appeal the ruling
13. of the Chair.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. The question is shall the ruling of the Chair be sustained.
16. On that question the Secretary will call the roll.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
19. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
20. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Buzbee.

23. SENATOR BUZBEE:

24. Mr. President, a point of parliamentary inquiry. I'd
25. like to know how many votes this motion takes to pass?

26. PRESIDING OFFICER (SENATOR WEAVER):

27. 36 votes.

28. SENATOR BUZBEE:

29. Takes 36 votes for this motion to sustain the ruling
30. of the Chair?

31. PRESIDING OFFICER (SENATOR WEAVER):

32. That's correct. It would take 36 votes to overrule the
33. Chair, Senator Buzbee. Is that clear?

1. Continue the roll call.

2. SECRETARY:

3. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
4. Keegan, Knuepfer, Knuppel,

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Knuppel.

7. SENATOR KNUPPEL:

8. In explaining my vote, I'd like to call attention to the
9. language in the Constitutional Section 6 of Article 6. It
10. says a county which has a chief executive officer and further
11. defines the home rule unit and then said that home rule unit
12. may exercise any power and perform any function pertaining to
13. its government and affairs including but not limited to the
14. power to regulate for the protection of public health, safety,
15. morals and welfare. Now, reference to the...to the statute it-
16. self that we're working with here...lost my page here...it says
17. that this particular statute...it says this particular statute
18. is designed to promote and protect health, safety, morals and wel-
19. fare of the public. That's the police power. The wording...the
20. wording of the introduction of this statute for this bill is
21. identical with the granting of home rule power in the Constitution.
22. Continuing then under the Constitution under Section G, it says the
23. General Assembly by a law approved by a vote of three-fifths of the
24. members elected to each House, may deny or limit the power to tax
25. in any other power or function of a home rule unit not exercised
26. to perform by the State. I would submit...I would submit that
27. this language is so clear that any parliamentarian or anyone else
28. reading it when the language falls identically to regulate for
29. the protection of the public health, safety and morals in both
30. the bill and in the Constitution that it so clearly requires
31. three-fifth that it's unarguable and I must therefore vote to
32. overrule the Chair. I'm sorry.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Continue the roll call.

2. SECRETARY:

3. Kosinski, Latherow, Latherow, McBroom, McCarthy,
4. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
5. Nimrod, Nudelman, Ozinga, Palmer, Partee,

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Partee.

8. SENATOR PARTEE:

9. Now, Mr. Chairman, I have a personal feeling and concern
10. for you. I know that this is the first time this question has
11. arisen and I know that you're taking your advice from the
12. parliamentarian and I have nothing personal here at all. But
13. I want you to know that your parliamentarian is giving you bad,
14. bad, bad advice on this question and we are going to imperil the
15. efficacy of the bill if it's passed on a nonconstitutional
16. question. This is as clear as Senator Knuppel just pointed
17. out a home rule situation which requires 36 votes. This record
18. will be clear that this is an erroneous ruling and when the
19. matter goes before the court that determination will be made.
20. I am sure that the sponsor of the bill will have obtained his
21. self-aggrandizement from his press releases and other things
22. by that time. But to go headlong into an unconstitutional
23. area is to me irresponsible. I vote no.

24. SECRETARY:

25. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
26. Scholl, Shapiro, Smith,

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Smith.

29. SENATOR SMITH:

30. Mr. President and Members of the Senate, an explanation
31. of my vote...I...I hope that...

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Could we have a little order in the Chamber please?

1. SENATOR SMITH:

2. In explanation of my vote, I rise simply to say that I...
3. I'm not surprised and will not be surprised should the Senator
4. receive the number of votes necessary to sustain the Chair in
5. his decision. In listening here to learned lawyers debating
6. on something in which it appears to me an eighth grade child
7. should understand, it carries my mind back to a debate that
8. was held in Washington, D. C. with reference to the sending of
9. some phantom jets to Israel. One of the speakers arose and said
10. I'm against the bill because it sends phantom jets to Israel
11. what Israel needs he said are real fighting jets. It appears
12. that the Senator who spoke and said those words just simply
13. didn't understand the English language. Now with regards to
14. your legal advisor, I'm not a lawyer but I'm glad that he
15. advised you as he did. And upon reflection if he will just
16. dismiss from his mind what this particular bill is about, what
17. the learned Senator is seeking to do and insofar as this Body
18. is concerned what he will do, and it doesn't excite me, I've
19. seen it year after year here in this Senate when such matters
20. are before us. I think that those of us whose ideas
21. incline toward the final demise of this bill ought to be glad
22. that the learned lawyer to your left advised you as he did.
23. I'm pleased with the ruling. I'm glad he ruled as he did be-
24. cause it's plain as I said a moment ago even to an eighth grade child
25. that he's in error. And I'm going to assume that it's an
26. honest error on his part. It's known and you knew before I rose
27. that certainly I'm against the bill. I'm not surprised that it's
28. here. I don't criticize the Senator for trying to reflect the
29. views of the people of his district and that's what the Senator
30. is trying to do. The measure, itself, I think, is entirely un-
31. American especially so in view of the fact that we argue so
32. much about democracy then we glibly turn around and seek to deny
33. the granting of democracy to other American citizens. I vote no.

1. SECRETARY:

2. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator, Walker.

5. SENATOR WALKER:

6. Mr. President, I suppose you can get as many interpre-
7. tations of this as there are attorneys on the Floor but I feel
8. that if you take Section 6 the powers of home rule units sub-
9. section G and L, in my opinion, you'll find plenty to...sustain your
10. ruling and the ruling of the parliamentarian. I vote aye.

11. SECRETARY:

12. Weaver, Welsh, Wooten, Mr. President.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. On that question the yeas are 30 and the nays are 23.
15. The ruling of the Chair is sustained. Is there further
16. discussion? Senator Chew.

17. SENATOR CHEW:

18. And Members of the Senate, I recall the sponsor of this
19. bill having made a distinguished record as a member of the
20. Chicago City Council. And the Chicago City Council has the
21. authority to select or not to select sites for housing. And
22. the question I want to pose to the sponsor, if he can listen
23. and knock off his conference over there so he can hear it,
24. the question I ask you Senator Scholl does the Chicago City
25. Council Journal reflect your being in opposition to deleting
26. the power as an alderman from your having the right to select
27. housing sites in your ward? Senator Scholl.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Scholl.

30. SENATOR SCHOLL:

31. Mr. President, Senator Chew, I feel is out of order and
32. I ask for a roll call vote...I asked them for a roll call vote
33. and I'm going to ask that the President have the roll call.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Scholl, I have already...Senator Chew, I
3. recognize you on any question, you've asked a question, the
4. sponsor of the bill has refused to answer. Do you have any
5. further questions.

6. SENATOR CHEW:

7. Now, I have some further statements. The sponsor is out
8. of order for attempting to delete by debate on the bill. And
9. I have that right. And I'm not asking it because the Consti-
10. tution gives that right. Now he served in the City Council and
11. he was violently opposed to taking the authority from the alder-
12. men of the City Council that they have on housing. I happen to
13. have served in the City Council along with him and he was vio-
14. lently opposed to it. Now he wants a referendum. And I want
15. to know is this an honest mistake? Or why don't we tell it
16. just like it is. It's a black and white issue. And he can't
17. deny that and if he does it's not true.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Netsch.

20. SENATOR NETSCH:

21. Mr. President, am...I...

22. PRESIDING OFFICER (SENATOR WEAVER):

23. For what reason does Senator Scholl arise?

24. SENATOR SCHOLL:

25. Mr. President, this bill was debated. I've asked for
26. a roll call. If they want to comment...they can comment on
27. the roll.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator...Senator Scholl the debate was not closed. The
30. previous question was not asked for and the Chair has recognized
31. Senator Netsch.

32. SENATOR NETSCH:

33. Thank you, Mr. President, I rise to speak in opposition

1. to the bill. I think it probably ought to be said at the
2. outset that the whole issue may be somewhat academic because
3. if the present administration in Washington persists there will
4. be no more lowcost housing, especially public housing, anywhere
5. anyplace in the country. But on the assumption that we are
6. going to be able to resurrect and continue some kind of low
7. income housing program and hopefully the public housing program
8. then it seems to me that this bill is a great disservice. If
9. you look at it on its face I suppose that it's an unassailable
10. principle. People ought to be allowed to vote on everything
11. that affects them. Who can argue with that. But there is no
12. way of looking at this bill other than in the context of what
13. has happened in the City of Chicago for a long period of time.
14. And that includes the practice of the Chicago Housing Authority
15. partially supported by statutory provisions in making sure that
16. public housing went only where it was acceptable. For a long
17. period of time and finding that even once built that all public
18. housing was subjected to a highly discriminatory, in fact,
19. segregated practice on the part of the Chicago Housing Authority.
20. All of this in Judge Austin's opinion, a very careful one,
21. after a long period of research and hearing. The other aspect
22. of it, the context in which I think the bill has to be considered,
23. is the motivation for it. ...This is hardly a new issue. And
24. there is no doubt in my mind and there is no doubt in the minds
25. of the people of the City of Chicago that this bill is put
26. forward with the absolute conviction that if it passes there
27. will be no more public housing built anywhere in the City of
28. Chicago. And that means specifically that there will be no
29. housing in which black people can move out of the areas in which
30. they live right now. That is the reason for the bill. It has
31. always been the reason for the bill. That has not changed and
32. it is so today. I would add in conclusion only two points that
33. somebody ought to take seriously and that is quite apart from

1. the vote required under our State Constitution for passage
2. of this bill; there are two very solid reasons why the whole
3. thing very likely would be held unconstitutional. One under
4. the Federal Constitution based on the cases that the Supreme
5. Court has already considered, specifically the Akron case, in
6. which attempts to...to put a particular barrier in the way of
7. public housing or any other form of low income housing where a
8. racial motive is involved has been stricken down. Secondly, I
9. think the bill is probably...clearly invalid under the State
10. Constitution in terms of unreasonable classification selecting
11. out only the City of Chicago for referendum on the question of
12. where public housing should be built has no rational relation-
13. ship to population distinctions. And my own judgment is that on
14. that basis also the bill would be held unconstitutional. But
15. these are matters of legal technicality, if you will, and I
16. assume they will eventually be settled in the courts if the bill
17. is passed. What I...what I would plead with you for is don't
18. pass it because the motivation is one that we have been all
19. too familiar with in the City of Chicago. It has done us
20. great harm in the past and if you don't let us have the kind
21. of dispersed public housing program that we need to keep our
22. city alive then you are doing a great disservice to the peo-
23. ple of Chicago.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Mr. President, Senator Netsch has made all of the arguments
28. pointing out the obvious flaws in the legislation and it's no
29. point in repeating them. I would merely like to pay a tribute,
30. I feel very deeply toward Senator Smith. I thought what he
31. had to say was most eloquent and most moving and I empathize
32. with him in the futility he must have felt over the years when
33. something which is improperly motivated and in this case

1. something that is absolutely futile. This legislation will
2. get nowhere and accomplish nothing because of the seriously
3. flawed on two counts. His patience over the years in the face
4. of things like this is a patience I guess we're all going
5. to have to put up with until we quit even addressing such
6. irresponsible propositions.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Is there any further discussion? Senator Knuepfer...
9. Knuppel.

10. SENATOR KNUPPEL:

11. ...Mr. President and Members of this Body, I'm deeply
12. concerned about the Calendar we face here and the work load.
13. This morning I read in the paper that they have a heart
14. resuscitation; and equipment standing by for members of the
15. House and Senate and I know that we've been passing from...
16. like from 522 to 622. We've been covering about 100 numerical
17. bills a day and they aren't all...some of the bills have already
18. been passed out of there. It really seems strange to me without
19. going into the legal arguments that have been advanced by
20. Senator Netsch on other matters which would require court de-
21. termination that this Body would spend its time passing a
22. law so clearly and flagrantly and patently in violation of the
23. new Constitution where even those members who are not lawyers
24. can read and see that this bill is unconstitutional and it
25. will burden...further burden the Calendar of the House, the
26. time of the Governor and possibly even the courts. I think
27. that we're on too strict of a schedule, too strenuous a schedule,
28. to waste our time on bills that require this amount of debate
29. which are so clearly and patently unconstitutional. And I would
30. suggest, sincerely, to the sponsor that the bill ought to be
31. withdrawn for that reason if for no other. In any event I
32. would encourage those who are here, read the bill, the very
33. language of it that it is for public health, welfare and morals.

1. And read the Constitutional article and vote no.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Soper.

4. SENATOR SOPER:

5. In view of Senator Knuppel's remarks, I move the
6. previous question.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. All in favor signify by saying aye. Opposed, nay. The
9. motion carries. The question is shall SB 777 pass? On that
10. question the Secretary will call the roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee,

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Buzbee.

15. SENATOR BUZBEE:

16. Mr. President, I want the record to show that I believe
17. this bill to be patently unconstitutional. I vote no.

18. SECRETARY:

19. Carroll, Chew,

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Chew.

22. SENATOR CHEW:

23. You know it would be a great thing for democracy if people
24. were to come down here with constructive programs instead of
25. racial motivations. I have worked all of my life to attempt
26. to create good racial relations with all people. And yet we
27. are constantly faced with these bigoted kind of ideas for two
28. reasons. One is to go back to your district and put it in
29. plain words, we are going to keep the niggers out. Now, Supreme
30. Court is going to rule it unconstitutional but he'll get a
31. press play out of it and all of the press play is going to be
32. negative because the newspapers in Chicago have endorsed the
33. present policy that is existing and they have agreed with
the Congress so now why doesn't he come out with a bill

1. that's constructive where he can go back to his home
2. district and I proposed this that will help the people of
3. the State of Illinois? But what he's saying is that on that
4. northwest side where you can cut prejudice with a knife is
5. so damn thick that this is going to give him grounds for
6. re-election and is going to backfire on him. And I'm going
7. to always vote no.

8. SECRETARY:

9. Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty,

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Dougherty.

13. SENATOR DOUGHERTY:

14. Mr. President, Members of the Senate, I could go back
15. in certain areas in my district where if I vote aye on this
16. subject would be somewhat of a hero in line with the communi-
17. cations I've received. However, in view of the fact that I'm
18. known as a sponsor of the home rule amendment, this is a clear
19. violation of the home rule theory. I'm going to vote no.

20. SECRETARY:

21. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
22. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
23. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
24. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
25. Regner, Rock,

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Rock.

28. SENATOR ROCK:

29. Mr. President, Members of the Senate, I, too, like
30. Senator Dougherty have a district where this is of vital
31. concern to some of the people. It's interesting to me to
32. hear some of the votes on the other side. There's a lot of
33. wailing and gnashing of teeth around here when a home rule

1. amendment goes on, the cry goes up. If it's good enough for the
2. rest of the State, why isn't it good enough for Cook County? Here
3. we have a bill that applies only to the City of Chicago. There
4. are nearly 100 housing authorities in Illinois. They cover the
5. bulk of the State. Most of them are county authorities and
6. they are, to a man, opposed to this bill. So to sidestep that
7. opposition, this amendment was offered at the 11th hour. I
8. vote no.

9. SECRETARY:

10. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
11. Shapiro, Smith,

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Smith.

14. SENATOR SMITH:

15. Members of the Senate, my friend Senator Chew hit the
16. nail on the head when he said that that I didn't say, I hope I
17. will never say during my tenure as a Senator...and yet you
18. were right buddy. You said it. And you said what should
19. have been said. May I say to the Senators, I've noticed the
20. roll call on this vote. I don't know and I'm not interested
21. overly much as to whether it passes or not because as certain
22. as I'm standing here, once we get into Court we're satisfied
23. that the Courts will declare this to be nothing more or less
24. than a piece of paper. Not a bill enacted by the great Senate
25. of a great State of Illinois. I feel it most keenly of course
26. but for the twenty some odd years that I've been a member of
27. the Illinois State Legislature from time to time I felt it. And
28. I say to you, Mr. President, and to the others who have voted for
29. this legislation that I know as I stand here that any other ethnic
30. group accorded the same type and kind of treatment that we have been
31. treated to and subject to they would be tempted to imitate
32. Job's distracted wife who told Job to curse God and die. I merely
33. want to assure you, Ladies and Gentlemen of the Senate, that
those of my ethnic group here in this Senate in spite of what

1. you have done throughout the years. In spite of what you
2. are doing today. We will neither curse nor die. We will
3. grin and we will live although beneath that grin there is
4. oftentimes a groaning of spirit that is too deep for utter-
5. ance. May I say to the distinguished Senator who has taken
6. it upon himself to introduce and follow through a bill des-
7. igned to hinder and circumscribe and limit my people. I
8. know of nothing that I could the better say this thought
9. enters my mind as I stand here. Years ago when my health
10. first failed I went out into the hills of East Tennessee,
11. there I began raising hogs and chickens. Pretty soon I
12. had more hogs, Mr. President, than I could take care of.
13. It was a good mass year fortunately. I looked around and
14. I turned my hogs out and it was truly a case of root hog
15. or die. I want to say to the former alderman of the City
16. of Chicago and to others here, Mr. President, that we of
17. my ethnic group, we believe that God almighty has made this
18. old world on the plan root hog or die. And to you, Senator,
19. if we can root, then let us build. If we can't root, then let
20. us die. But for God's sake don't object to our rooting be-
21. cause we, like you, we want to enter the rooting business.
22. I vote no.

23. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Daley, no. Bruce, no. Hynes, no. There's been a re-
28. quest to call the absentees. The absentees will be called.

29. SECRETARY:

30. Fawell, Johns,

31. PRESIDING OFFICER (SEANTOR WEAVER):

32. Senator Fawell.

33. SENATOR FAWELL:

1. Just briefly, I think that some of the arguments that
2. have been made here, I have been here just long enough to re-
3. cognize that neither side of the aisle has any corner on truth
4. and accuracy in their comments. I can recall as I have lis-
5. tened to Senator Chew and his comments and Senator Smith both
6. whom I respect. I can recall in instances when open occupancy
7. was before this Body and I stood with you and with a great deal
8. of heat, I might add, and then I can recall when your party
9. had control of this Chamber and no open occupancy bill came
10. forth. And I could never quite understand that. Sometimes
11. we make some very strong speeches and then when we have the
12. opportunity to do the rectifying we...we don't follow through.
13. And I don't even mean that in judgment, I'm less and less
14. prone to judge people. But I think that it bothers me a
15. bit when I hear that in the Senators...Senator Scholl's
16. sponsorship of this bill, he has been as discreetly insulted
17. as many times as I have heard. He has been called a self-
18. seeker and self-aggrandizement. It has been stated that
19. the sole motivation evidently is to keep blacks out of cer-
20. tain neighborhoods and certainly that motivation of many of
21. the people may be...sponsoring this bill may be partially there,
22. of course. That he's not properly motivated, etc. And I...I
23. frankly can see some good in the bill and I can see some bad. And
24. I expect to vote no because I think that the unconstitutional fea-
25. tures and the fact that it does not apply to the State uniformly
26. and several other matters outweigh the pros here. But it bothers
27. me not just a little bit when I hear some of the leadership on the
28. other side talking about the fact that the bleeding hearts on
29. this side who have continuously pointed out that we have a divi-
30. sion here that when a bill doesn't apply to Cook County or Chicago
31. we object. And then you have used that argument against us to-
32. day and you are in no position to use it whatsoever. It
33. really is a fitting recompense to you that this type of an

1. amendment on this type of a bill be put forth, I think.
2. Because continuously you have utilized this very method in
3. order to obtain legislation that you basically wanted for
4. Chicago. Or in some way many times where you didn't want
5. it for Chicago you...consented to have it simply hit down-
6. state. So I think it's unfortunate some of the accusations
7. that have been made because I don't think it's necessary.
8. But in regard to the bill I am of the opinion that it...it
9. wouldn't survive the House, it wouldn't survive the Governor's
10. pen. It probably wouldn't survive a court decision and that
11. the proper step at this time is to vote no.

12. SECRETARY:

13. Johns, Kosinski, McCarthy, Scholl,

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Scholl.

16. SENATOR SCHOLL:

17. I vote aye.

18. SECRETARY:

19. Vadalabene.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. On that question the ayes are 29. The nays are 26.
22. SB 777 having failed to receive the constitutional majority
23. is declared lost. SB 779.

24. SECRETARY:

25. SB 779 (Secretary reads title of bill)

26. PRESIDING OFFICER (SENATOR MOHR):

27. Take SB 779 out of the record please. Senator Chew.

28. SENATOR CHEW:

29. Mr. President, I...I thought the sponsor of this bill
30. would precede me in making the statement that I'm going to
31. make. I believe, as a matter of fact, I know...

32. PRESIDING OFFICER (SENATOR MOHR)

33. Senator Chew, that bill has been taken out of the record.

1. SENATOR CHEW:
2. Fine. Thank you, Mr. President.
3. PRESIDING OFFICER (SENATOR MOHR):
4. SB 780,, Senator Don Moore.
5. SECRETARY:
6. SB 780 (Secretary reads title of bill).
7. 3rd reading of the bill.
8. PRESIDING OFFICER (SENATOR MOHR):
9. Senator Moore.
10. SENATOR MOORE:
11. Thank you, Mr. President, members of the Senate. SB 780
12. amends the Public Junior College Act. It adds a section
13. permitting a levy of a annual tax or a working cash fund purpose
14. at up to 5 cents of the value of the bonds that have not been
15. issued for the purpose. And if tax is so levied, will not aggregate
16. more than 75% of the taxes extended for educational purposes.
17. This puts the junior colleges in the State of Illinois on the
18. same footing that the elementary and secondary school presently
19. have. They have this power to levy this tax for a working cash
20. fund. The principle reason for this is to avoid the payment
21. of interest on tax anticipation warrants that are issued by our
22. junior colleges. I have talked to Mr. Maurice Scott of the
23. Taxpayers Federation, he has no objection to this bill. There
24. is the 75 % limit in it and I know of no objection to it. And
25. I request a favorable roll call.
26. PRESIDING OFFICER (SENATOR MOHR):
27. Any further discussion? Senator Latherow.
28. SENATOR LATHEROW:
29. Well, Mr. President, I just wonder if I could ask the
30. sponsor a question?
31. PRESIDING OFFICER (SENATOR MOHR):
32. He indicates he will.
33. SENATOR LATHEROW:

1. You are increasing the tax levy, am I correct?

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Moore.

4. SENATOR MOORE:

5. That is correct. This is a nonreferendum tax levy
6. up to 5 cents the same as the elementary and secondary schools of
7. the State of Illinois presently have.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Latherow.

10. SENATOR LATHEROW:

11. I might agree it would be the same, but don't you...think
12. the elementary and secondary people when they got this additional
13. levy they probably had to go to referendum with it? ...I know
14. it's a little late in the game, I didn't realize this was
15. going to 3rd, but I...think that probably in the House that if
16. you wouldn't agree to a backdoor referendum on here I couldn't
17. support your legislation.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Moore.

20. SENATOR MOORE:

21. Well, I believe that the elementary and secondary schools
22. presently have the power to establish a working cash fund by
23. means of a levy. The School Code Section 20-3 gives them that
24. authority. I do not think that there is a backdoor referendum
25. on that provision Senator.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Berning. Any further discussion? The question
28. is shall SB 780 pass. And on that question the Secretary will
29. call the roll.

30. SECRETARY:

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

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

7. PRESIDING OFFICER (SENATOR MOHR):

8. Sours, no. Knuepfer, aye. Berning, no. Vadalabene,
9. aye. Netsch, aye. Fawell, aye. On that question the yeas
10. are 43. The nays are 5. SB ...1 present. SB 780 having
11. received the constitutional majority is declared passed.
12. SB 784, Senator Hall...787...Senator Bell.

13. SECRETARY:

14. SB 787 (Secretary reads title of bill).
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Bell.

18. SENATOR BELL:

19. Mr. Chairman, President, that is, members of the Senate,
20. 787 is really a kind of administrative bill that was suggested
21. to me by some of the members of the school board up in Will
22. County to clarify an existing situation I really don't have
23. any particular great knowledge about. But it seems to have
24. some meaningful degree of correcting that problem. It amends
25. the school code to require that candidates for various school
26. governing bodies would draw one petition where the candidate
27. has filed for nomination for an unexpired term and for a full
28. term in the same election. Well, if you look at the bill, it's
29. four pages long. It did go before the Education Committee. The
30. Chairman of the Education Committee, Senator Fawell, says it's
31. something also needed. The Education Committee moved it out
32. Do Pass unanimously. I don't think it's going to be a meaningful
33. piece of legislation as far as changing the concept of government

1. in Illinois particularly. I think that what it does is try to
2. address itself to a simple problem that exists in school
3. board elections. And I'd be glad to try to answer any questions
4. that you might have. I don't have any great in depth knowledge
5. however. Would appreciate your favorable consideration.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any further discussion? The question is shall SB 787
8. pass. And on that question the Secretary will call the roll.

9. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR MOHR):

20. Saperstein, aye. Rock, aye. On that question the yeas
21. are 51. The nays are none. SB 787 having received the
22. constitutional majority is declared passed. SB 790, Senator
23. Mitchler.

24. SECRETARY:

25. SB 790 (Secretary reads title of bill).
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Mitchler.

29. SENATOR MITCHLER:

30. Yes, Mr. President, members of the Senate, SB 790 is a
31. bill that would require the Department of Local Government
32. Affairs to give a written notice to members of the General
33. Assembly from the area and adjacent area of any local governmental

1. unit making application for State or Federal grant or loans.
2. And then after a 10 day period, permit the members of the
3. General Assembly to file comments or recommendations on the
4. matters that were applied for by the local government. Would
5. also give a report on the various grants and funding from the
6. Department of Local Government Affairs to local units of
7. government. This legislation was brought about to better in-
8. form members of the General Assembly of the various grants,
9. and programs that are going into the local governments and to
10. adopt a cooperative system of keeping informed and improve the
11. communications. This practice is now done by the Northeastern
12. Illinois Planning Commission on any of the grants that are
13. requested through that Agency and particularly so when grants
14. are going to be given for example to local mass transportation
15. districts that may be in different areas of the members of the
16. General Assembly. ...This has been discussed with the
17. Department. There appears to be no opposition to this. It's
18. something that I believe and many others believe will be very
19. helpful to members of the General Assembly. This received
20. a very favorable Do Pass recommendation in the Senate
21. Executive Committee. And I therefore would ask for a
22. favorable roll call.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Any further discussion? The question is shall SB 790 pass?
25. And on that question 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. .all, 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,
Saperstein, Savickas, Schaffer, Scholl, Shapiro,

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

3. PRESIDING OFFICER (SENATOR MOHR):

4. Palmer, aye. Hall, aye...Kenneth Hall, aye. Netsch, aye.
5. On that question the yeas are 47. The nays are 3. SB 790
6. having received the constitutional majority is declared passed.
7. SB 791, Senator Knuepfer.

8. SECRETARY:

9. SB 791. (Secretary reads title of bill).

10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. This...this bill is important to just one man. That man
15. is the first Executive Director of NIPSEY. Money was put aside
16. to provide for his retirement. There was a problem insofar as
17. the way the law was drawn. This clarifies the law, rectifies
18. that problem so that he can get paid the retirement benefits.
19. The money has been put aside. I would appreciate a favorable
20. roll call.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Any further discussion? The question is shall SB 791
23. pass. And on that question the Secretary will call the roll.

24. ACTING SECRETARY (MR. WRIGHT):

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

PRESIDING OFFICER (SENATOR MOHR):

1. Kosinski, aye. Donnewald, aye. On that question the
2. yeas are 49. The nays are 1. SB 791 having received the
3. constitutional majority is declared passed. We're going
4. back to SB 764 for Senator Carroll who was in Elections
5. Committee when that bill was called early this morning.
6. SB 764.

7. ACTING SECRETARY (MR. WRIGHT:)

8. SB 764. (Secretary reads title of bill).
9. 3rd reading of the bill.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Carroll.

12. SENATOR CARROLL:

13. Thank you, Mr. President, Ladies and Gentlemen of the
14. Senate, this is also a Commission bill from the Legislative
15. Advisory Committee to the Northeastern Illinois Planning
16. Commission. This is a bill to change the composition of the
17. membership of the Commission itself so as to be more reflective
18. of the six county area in the geographic political subdivisions
19. therein. What we are doing is increasing the number of board
20. members from 19 to a total of 25. We're doing this by raising
21. the membership of the Cook County Board designees to the
22. Commission to three. Adding a designee for the metropolitan
23. sanitary district. Adding a designee for the Chicago Transit
24. Authority. Adding five designees for an assembly of municipal
25. officers of all the cities and towns other than Chicago of that
26. six county region. And reducing the Governors from eight to
27. five. There will still be one from Lake, Will, DuPage, Kane
28. and McHenry making a total of 25 members. This has been approved
29. by the Legislative Advisory Committee to the Northeastern Illi-
30. nois Planning Commission and by all branches therein. I would ask
31. for a favorable roll call.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Any further discussion? The question is shall SB 794

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

3. ACTING SECRETARY (MR. WRIGHT):

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

13. PRESIDING OFFICER (SENATOR MOHR):

14. Latherow, aye. Newhouse, aye. In calling this bill,
15. I erroneously called the question of passage as 794, would
16. like the record to show that it's S 764. And on that question
17. the yeas are 40. The nays are 1. SB 764 having received
18. the constitutional majority is declared passed. SB 765,
19. Senator Carroll.

20. ACTING SECRETARY (MR. Wright):

21. SB 765. (Secretary reads title of bill).
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Carroll.

25. SENATOR CARROLL:

26. Mr. President, the Calendar inadvertently shows me as
27. the chief sponsor. It's actually Senator Dougherty another
28. member of the Commission...Senator Dougherty, it's his bill.

29. SENATOR DOUGHERTY:

30. Senate...SB 765 is a bill that has the approval as a
31. result of the Advisory Committee on Legislative Advisory
32. Committee on Northeastern Illinois Planning Commission. This
33. bill provides simply that the Commission shall be given the

1. power to borrow money and not to exceed 5% of its budget,
2. with interest not to exceed 7%. The reason for this is this
3. that many times the Commission requires to make many investiga-
4. tions and to make an analysis of many projects before it. They
5. must hire expertise. They must hire some extra help in order
6. to do so. Must be approved and abided by the Advisory Commission
7. and by the Commission itself. It simply gives them money to pay
8. their operating expenses. And I ask approval of the Senate.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Any further discussion? Senator Soper.

11. SENATOR SOPER:

12. Senator Dougherty, you and I usually agree. But with
13. this, you want a Commission to be able to borrow money.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Dougherty.

16. SENATOR SOPER:

17. Would you keep us both down...

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Soper.

20. SENATOR SOPER.

21. ...We'll be through with this thing. And...would this
22. be in addition to any budget that's given to this. And how's
23. the money going to be paid?

24. SENATOR DOUGHERTY:

25. The money will be paid out of the budget of the...but
26. will be repaid. From the budget of the Commission plus the
27. fact that they make a charge to the department who has asked
28. for the investigation.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Soper.

31. SENATOR SOPER:

32. Thank you, I...

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Berning.

2. SENATOR BERNING:

3. Thank you, Mr. President, I...I rise in support of this
4. bill. It is an agreed bill. And it's necessary for the Planning
5. Commission to proceed and it is authorization for them to borrow
6. against signed contracts which they have with the Federal
7. Government.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Knuepfer.

10. SENATOR KNUEFFER:

11. I think Senator Berning said it in essence. In the pro-
12. cess many of their projects are carried on with grant money
13. from the Federal Government. And from...sometimes this grant
14. money physically isn't there. Senator Soper says he under-
15. stands it now. So they're going to...actually only borrowing
16. until the grant comes in and then when the grant comes in then
17. they pay back on the borrowing. And it enables them to pro-
18. ceed a little faster.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Dougherty may close the debate.

21. SENATOR DOUGHERTY:

22. It is true what Senator Berning said. They do...they are
23. authorized to make these investigations, analysis of programs,
24. and so forth. And they do not always have the ready cash
25. available or is repaid to them after the completion of the
26. program. And that is right, I said it, as I said before the
27. revenue they received from making these analysis, if you will,
28. repays back with interest the money borrowed. I ask for a
29. favorable roll call.

30. PRESIDING OFFICER (SENATOR MOHR):

31. I...the question is shall SB 765 pass? And on that
32. question the Secretary will call the 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 MOHR):

12. Donnewald, aye. Knuppel, aye. Hynes, aye. On that
13. question, the yeas are 42. The nays are 2. SB 765 having
14. received the constitutional majority is declared passed.
15. SB 792, Senator Davidson.

16. SECRETARY:

17. SB 792. (Secretary reads title of bill)
18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Davidson.

21. SENATOR DAVIDSON:

22. Mr. President, Ladies and Gentlemen of the Senate, SB 792
23. was amended in Committee to remove any objections that people
24. had when the...original form. This bill now has the support
25. of the Illinois Hospital Association, Department of Public
26. Health, Illinois State Med Society, the nephrologist involved.
27. And this does not jeopardize any patient who lives along the
28. border of Illinois that wants to go to a physician or a facility
29. outside the State of Illinois. This does increase the membership
30. in advisory committee gets the transplant surgeon on which they
31. wanted as well as sets some standards which they already
32. and for evaluation. One of our fellow members who is a
33. dialysis member in the House is in support of this bill. And

1. if you give me a favorable roll call, we'll handle this
2. bill in the House. This is good legislation. I'd appreciate
3. a most favorable roll call vote and answer any questions.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Wooten.

6. SENATOR WOOTEN:

7. I merely want to commend Senator Davidson for his splendid
8. work in meeting the objections to this bill. And I happily
9. endorse it.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Any further discussion? The question is shall SB 792
12. pass. And on that question the Secretary will call the roll.

13. SECRETARY:

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

23. PRESIDING OFFICER (SENATOR MOHR):

24. On that question the yeas are 47. And the nays are none.
25. SB 792 having received the constitutional majority is declared
26. passed. SB 793, Senator Nudelman.

27. SECRETARY:

28. SB 793. (Secretary reads title of bill).
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Nudelman.

32. SENATOR NUDELMAN:

33. Mr. President, Ladies and Gentlemen of the Senate, I first

1. apologize for not having put this on the agreed Calendar. It
2. was overlooked. It's a bill proposed by the Commissioner of
3. Banks and Trusts Companies to amend the Business Corporation
4. Act so as to require any company qualifying to administer trusts
5. to have a minimum capitalization. The minimum capital in a town
6. of less than 10,000 would be \$50,000. The minimum capital in a
7. town between 10 and 50,000 people would be a capital of 100,000.
8. And the capitalization in a town over 50,000 would be 200,000.
9. This would bring corporations qualified to administer trusts
10. in line with banks. It's considered by the Department that these
11. companies should have the same capitalization to protect the
12. people with the trusts. This came out of Judiciary without any
13. opposition. I would be pleased to answer any questions you
14. might have. And would request a favorable roll call.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Any further discussion? The question is shall SB 793
17. pass. And on that question, the Secretary will call the roll.

18. SECRETARY:

19. Bartulis, Bell, Berning,

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Berning.

22. SENATOR BERNING:

23. I would just like to ask a simple question as to the
24. justification for the dollar requirements in various areas.
25. And let me just say that line 20 says if in a location not
26. within a city, village or incorporated town or so on, a minimum
27. capital of \$50,000 and then just down below in a little larger
28. it's a 100,000. What would be the situation with an unincor-
29. porated area adjacent to...a population center of 50,000...
30. Be a simple matter to move across the line and require less
31. than the 100,000 but only a 50,000 capitalization. How...how
32. would you be protecting anybody this way? That's my real
33. question.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Nudelman.

3. SENATOR NUDELMAN:

4. The...requirement of...of a company so authorized outside
5. of the city limit of any city is at the minimum rate of \$50,000.
6. I don't get the rest of your question.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Berning.

9. SENATOR BERNING:

10. My question simply is this, how are you protecting people
11. and I think that's what you're trying to do if in one require-
12. ment you have a \$100,000 where as a so-called then undercapitalized
13. group could just move across the arbitrary boundary line and into
14. an unincorporated area with less than the \$100,000 requirement
15. and do the same job for 50,000. I don't see how you're getting
16. anything done here in the way of protection for the users of
17. the trust service.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Well, Senator Berning, by the same token if one is in a
22. village of under 10,000 right next to a city of three million
23. the requirement would be the same capital of \$50,000 and the
24. same argument could be made. The expectation is that these be
25. treated the same as banks and banks are treated this way. The
26. expectation is that trust company in the smaller village or the
27. smaller town or outside the town would have a commensurate type
28. of operation. It would be smaller than the operation of the
29. trust company in the larger town or for instance in the City of
30. Chicago which would need the maximum capitalization and reserves.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? The question is shall SB 793 pass.
33. And on that question the Secretary will call the roll.

1. SECRETARY:

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

10. PRESIDING OFFICER (SENATOR MOHR)

11. Senator Sours.

12. SENATOR SOURS:

13. I just wanted to quell any reluctance to support this
14. bill. There isn't a thing wrong with it. And I vote aye.

15. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR MOHR):

19. Newhouse, aye. On that question the yeas are 46. The
20. nays are none. SB 793 having received the constitutional
21. majority is declared passed. Senator Partee.

22. SENATOR PARTEE:

23. ...I ask leave to move to the order of House Bills on
24. 3rd reading for this emergency appropriation. This is House
25. Bill 4712...pardon me, House Bill 995 and this is the
26. emergency appropriation to finish the work commenced at the
27. Governor's mansion. Those of you who have been there have
28. seen the yard in a state of disarray and this is what this
29. money is about. And I appreciate a favorable roll call.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Partee ask leave of the Body to go back to the
32. order of 3rd reading on House Bills. He wishes to call
33. House Bill 995. Is there leave?

1. SENATOR PARTEE:
2. Let him read it.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Leave is granted.
5. SECRETARY:
6. HB 995 (Secretary reads title of bill)
7. 3rd reading of the bill.
8. PRESIDING OFFICER (SENATOR MOHR):
9. Senator Partee.
10. SENATOR PARTEE:
11. I ask for a favorable roll call.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Further discussion? Senator Davidson.
14. SENATOR DAVIDSON:
15. As the Senator from this district, I'd like to urge every-
16. one on this side to vote favorable on this so we can finish up
17. this project.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Any further discussion? The question is shall HB 995
20. pass? And on that question the Secretary will call the roll.
21. SECRETARY:
22. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
23. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
24. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
25. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
26. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
27. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
30. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
31. Weaver, Welsh, Wooten, Mr. President.
32. PRESIDING OFFICER (SENATOR MOHR):
33. Merritt, aye. Glass, aye. Rock, aye. Knuppel, aye.

1. Walker, aye. On that question the yeas are 49. The nays are
2. none. HB 995 having received the constitutional majority is
3. declared passed. Senator Weaver.

4. SENATOR WEAVER:

5. Mr. President, while on this order of business, HB 54
6. is in the same category. This is the appropriation for the
7. current fiscal year to the County Cooperative Extensions and
8. if it's in order, I'd appreciate a call on 54.

9. PRESIDING OFFICER (SENATOR MOHR):

10. We're on that order. We'll hear that. And then I would
11. suggest that this should be the last bill and then we'll have
12. announcements and then lunch. For what purpose does Senator
13. Harber Hall rise?

14. SENATOR HARBER HALL:

15. Mr. President, fellow Senators, in the gallery to the
16. rear of the Senate Floor is the class of 100 students from
17. Washington School in Bloomington, Illinois, a school that
18. four generations of my family have gone to and I'm glad to
19. see them down here. And I'd like to ask that they rise and
20. be recognized.

21. SECRETARY:

22. HB 54 (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Weaver.

26. SENATOR WEAVER:

27. Well, Mr. President, Members of the Senate, this does just
28. as the Calendar states. Distributes money to the various
29. counties in the State of Illinois for cooperative extension
30. programs. I'd appreciate a favorable roll call.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? The question is shall HB 54
33. pass. And on that question the Secretary will call the roll.

1. SECRETARY:

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

11. PRESIDING OFFICER (SENATOR MOHR):

12. Palmer, aye. On that question the yeas are 49. The nays
13. are none. House Bill 54 having received constitutional majority
14. is declared passed. Any announcements before lunch? There
15. will be a...Senator Rock.

16. SENATOR ROCK:

17. No, I was just going to move that we stand in recess,
18. Mr. President.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Republican caucus immediately in the President's office.
21. We'll be back here at 2 o'clock and again we'd like you back
22. here at 2 so we can start to move. Thank you. Senator Rock.
23. Senator Rock.

24. SENATOR ROCK:

25. I thought it was 1:30, it was announced earlier, it was
26. 1:30. 2 o'clock is fine.

27. PRESIDING OFFICER (SENATOR MOHR):

28. 1:30. For you fellow that are complaining, you'll be here
29. at 2 anyway.

30.
31. AFTER THE RECESS.

32. PRESIDING OFFICER (SENATOR MOHR):

33. The Senate will come to order. I will recognize

1. Senator Regner for a motion.

2. SENATOR REGNER:

3. Yes...Mr. President, this morning when you were on
4. 2nd reading I was still in the Elections Committee. And I
5. believe you skipped over SB 804 on 2nd. And there is an
6. amendment I would like to offer. It's on the Secretary's
7. desk.

8. SECRETARY:

9. SB 804 (Secretary reads title of bill)

10. 2nd reading of the bill. No Committee Amendments.

11. Amendment No. 1 by Senator Regner.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Will you explain the amendment Senator?

14. SENATOR REGNER:

15. Yes, Mr. President, this is a bill requiring the usage
16. of headlights at certain times when windshield wipers are
17. necessary. And this is an amendment that was prepared by the
18. State Police that they would like on it. Then they would sup-
19. port the bill. And it defines the conditions as being during
20. inclement weather conditions which would require the continuous
21. operation of windshield wipers. And I move for the adoption
22. of Amendment No. 1. to SB 804.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Regner moves the adoption of Amendment No. 1.
25. All those in favor signify by saying aye. Opposed? Amendment
26. No. 1 is adopted. Now, Senator Regner moves the bill to 3rd
27. reading. Senator Knuepfer.

28. SENATOR KNUEPFER:

29. ...I have on the Secretary's desk an amendment to SB 239.
30. This amendment was proposed by the Department of Public Health.
31. It relates to water wells. I would move the adoption of
32. the amendment. Oh, I would move first of all...ask leave of this
33. Body to withdraw SB 239 from 3rd reading to 2nd reading for

1. the purpose of an amendment.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Knuepfer asks leave of the Body to return SB 239
4. to the order of 2nd reading for the purpose of an amendment.
5. Is there leave? All right, Senator, will you explain your
6. amendment.

7. SENATOR KNUEPFER:

8. ...The amendment was offered by the Department of Public
9. Health. It improves the language, in their opinion, and provides
10. minimum standards and I would move the adoption of the amendment.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Knuepfer moves the adoption of Amendment No...

13. SENATOR KNUEPFER:

14. I don't know what number it is.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Two. All those in favor signify by saying aye. Opposed?
17. The amendment is adopted. Returned to 3rd reading. Any other
18. member have a bill that they'd like to bring back for an amend-
19. ment? We'll go to the order of Resolutions. Senator Buzbee.
20. Senator Buzbee. The order of Resolutions.

21. SECRETARY:

22. Senate Resolution 174 by Senator Buzbee.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Buzbee.

25. SENATOR BUZBEE:

26. Yes, thank you, Mr. President. This is a Resolution con-
27. cerning the town of Brownsville which was the first county seat
28. of Jackson County. And this Resolution pertains to our attempt
29. to express the pleasure of the Illinois Legislature that the
30. Brownsville Cemetery where some of the real first families of
31. the State of Illinois and particularly Jackson County are
32. interred. Express the pleasure of the Legislature that this cemetery
33. be preserved and not be done away with. And I would ask for

1. a favorable vote on that.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Refer that to Executive, Senator.

4. SENATOR BUZBEE:

5. Okay.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any Senator have any bill on 2nd they want to move to

8. 3rd of any housekeeping? Now's the time to do it. Senator

9. Glass.

10. SENATOR GLASS:

11. Mr. President, I have a bill on 3rd reading that I'd

12. like to take back to 2nd for purposes of amendment if that

13. would be in order.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Glass ask leave to return...what is your bill number?

16. SENATOR GLASS.

17. SB 138.

18. PRESIDING OFFICER (SENATOR MOHR):

19. 138 to the order of 2nd reading for the purpose of an

20. amendment. Is there leave? All right. Leave is granted.

21. SECRETARY:

22. Amendment No. 1 by Senator Glass.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Will you explain the amendment Senator?

25. SENATOR GLASS:

26. Thank you, Mr. President and Senators, this is the amend-

27. ment that came out of the Revenue subcommittee on SB 138 as a

28. result of the public hearing held by the subcommittee. And I

29. would move for its adoption.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Any further discussion? Senator Glass moves the adoption

32. Amendment No. 1. All those in favor signify by saying aye.

33. Opposed? Amendment No. 1 is adopted. 3rd reading. Senator

1. Merritt. Senator Merritt. Senator Merritt on SB 1181.

2. SENATOR MERRITT:

3. Mr. President, Members of the Senate, I'd like leave
4. of the Body to take SB 1181 on 3rd reading back to 2nd for
5. purpose of amendment. Amendment No. 1 is up there and
6. then I'll address myself to the amendment.

7. PRESIDING OFFICER (SENATOR MOHR):

8. ...Senator Merritt wishes to recall SB 1181 back to
9. 2nd reading for the purpose of an amendment. Is there
10. leave? Leave.

11. SECRETARY:

12. Amendment No. 1 by Senator Merritt.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Merritt, will you explain the amendment?

15. SENATOR MERRITT:

16. Yes. In the drafting of these series of bills 1181 which
17. is the appropriations bill for this series Chapman-Cutler came
18. up with the fact that we'd used Capital Development Bonds Act
19. while the actual Act itself is Capital Development Act. So we
20. merely by this amendment delete the word bond. It's that simple
21. and I would move the adoption of the amendment.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Merritt moves the adoption of Amendment No. 1.

24. All those in favor signify by saying aye. Opposed? Amendment
25. No. 1 is adopted. 3rd reading. Senator Glass.

26. SENATOR GLASS:

27. ...Mr. President, I would ask the indulgency of the Senate
28. once again to return SB 138. I was advised by one of the staff
29. that when I moved the adoption of Amendment No. 2 that was an
30. error inasmuch as the amendment I submitted did incorporate on the
31. terms of amendment that was added in Committee. And what I should
32. have done was to move Table Amendment No. 1.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator, I'm informed there was not an amendment on
2. there this morning. Maybe you better clear that up here
3. before we take any action on it.

4. SENATOR GLASS:

5. There was an amendment this morning? No amendment.
6. All right, well then, if this was the only amendment added
7. the action was correct and I thank you.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. ...Mr. President, Members of the Senate, several of the
12. Senators have made an inquiry as to who that very, very
13. attractive blond is that's sitting in the President's gallery
14. immediate left and I would like to identify her as Mrs. Jack
15. Schaffer commonly known as Lynn wife of our very distinguished
16. colleague Senator Schaffer.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Ozinga. We're going to go back to the order
19. of Senate Bills on 3rd reading. Senator Nudelman, SB 793.
20. SB 794, Senator McCarthy. 796, Senator Regner.

21. SECRETARY:

22. SB 796 (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Regner.

26. SENATOR REGNER:

27. Mr. President, Members of the Senate, SB 796 is a Residential
28. Contractors Licensing Act and provides the statutory method for
29. the registration and regulation of persons engaged in residential
30. construction industry in the State. It does not regulate persons
31. who are already required under Illinois law to be licensed as a
32. condition for their performance of their skills. It is supported
33. by the Illinois Homebuilders Association and supported by the

1. Illinois Municipal League as it is amendment right now. We
2. had several objections to it in the Committee when it was
3. heard and there have been 6 amendments put on it to eliminate
4. all these various objections. And I would ask for a favor-
5. able roll call.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any further discussion on SB 796? The question is shall
8. SB 796 pass? And on that question the Secretary will call
9. the roll.

10. SECRETARY:

11. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
12. PRESIDING OFFICER (SENATOR MOHR):

13. If we can hold it down gentlemen so the Secretary can
14. hear the members please?

15. SECRETARY:

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 MOHR):

26. Hynes, aye. Johns, aye. Savickas, aye. McBroom, aye.
27. On that question the yeas are 32. The nays are 2. SB 796
28. having received the constitutional majority is declared
29. passed. Senator McCarthy, SB 794.

30. SECRETARY:

31. SB 794...

32. PRESIDING OFFICER (SENATOR MOHR):

33. Will you hold that for one moment please. For what pur-
pose does Senator Don Moore arise?

1. SENATOR MOORE:

2. Mr. President, having voted on the prevailing side
3. of the bill just passed, I would move to reconsider the
4. vote by which that bill passed.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Don Moore moves to reconsider the vote by
7. which SB 796 passed. Senator Regner move that Motion
8. lie on the Table. All those in favor signify by saying
9. aye. Motion is Tabled. Senator McCarthy, SB 794.

10. SECRETARY:

11. SB 794. (Secretary reads title of bill)
12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator McCarthy.

15. SENATOR McCARTHY:

16. Yes, Mr. President and Members of the Body, I believe
17. this bill to be noncontroversial. It was given to me by the
18. Commissioner of Banks. Passed Committee unanimously. What
19. it does is exempt State banks from certain requirements on
20. securities of loans to their subsidiaries following a Treasury
21. regulation involving...Federal Reserve regulation involving
22. national banks. It also adds the plural insofar as designa-
23. tion of beneficiaries on a trustees of bank accounts. I defer
24. to Senator Ozinga and Senator Merritt in answering any questions
25. that might be asked.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Sours.

28. SENATOR SOURS:

29. Senator McCarthy, the eternal question, who's bill is this?
30. Who wants it?

31. SENATOR McCARTHY:

32. My understanding this is John Lanigan who gave me the
33. bill and it's wanted by the State banks. The State chartered banks

1. to put them in the same position as the Federally chartered
2. banks.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Merritt.

5. SENATOR MERRITT:

6. I will say this that had unanimous Do Pass motion out
7. of our Committee. I didn't quite agree with your explanation.
8. Senator McCarthy, do you want to enlarge upon that?

9. SENATOR MCCARTHY:

10. Well, perhaps you can be corrected but I'll be glad...

11. SENATOR MERRITT:

12. Okay, go ahead.

13. SENATOR MCCARTHY:

14. I'll be glad to repeat because I read the bill. Read the
15. synopsis. What it is now is there are certain security re-
16. quirements where a bank makes a loan. The Federal...the Federal
17. Reserve made an exception to those security requirements for the
18. loans were made between a bank and its wholly owned subsidiary
19. because they said that's the same as a loan between departments
20. in a bank. This bill puts the State banks in the same position
21. of the Federally chartered banks insofar as the security treat-
22. ment is concerned. It also adds to the section of designating a
23. beneficiary in a trust, the plural for the singular and exonerates
24. the bank upon the death of the trustee of any liability if they pay
25. the money out to the beneficiary named in the bank deposit.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senator Sours.

28. SENATOR SOURS:

29. Well, the syllabus, Senator McCarthy, suggests that it re-
30. quires disclosure of all beneficiaries of a trust. Now does
31. that...would that include for example a land trust or just the
32. ordinary testamentary or the intervivos or what.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator McCarthy.

2. SENATOR MCCARTHY:

3. Yes. I'd be glad to answer, Senator Sours, because that
4. concerned me. If you'll look on page 7 commencing on line 21.
5. What it provides is where trust accounts are opened where
6. the beneficiary is named as the statute now reads. It doesn't
7. say that a person that opens a trust account has to dis-
8. close beneficiaries. It merely says that if a deposit is
9. made in a bank by one or more persons in trust for another
10. person or persons as beneficiary or beneficiaries. If they
11. name the beneficiary at the present law they have to say who
12. that beneficiary is. This merely expands it to the plural.
13. But if a person wants to open a trust account without naming
14. a beneficiary, I see nothing in this language that would force
15. him to name the beneficiary.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Sours.

18. SENATOR SOURS:

19. There are situations, perhaps Senator, where an intervivos
20. set lower might not want the public to know just who the
21. beneficiaries are. Now that's quite possible. Now, is this a
22. demand that it must be disclosed? And if so, for example,
23. would it be disclosed on the tax return filed with the
24. assessor by the trust department of your bank?

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator McCarthy.

27. SENATOR MCCARTHY:

28. The question that you propose is that if a set lower wants to
29. create a trust, does this bill mandate disclosure of the beneficiary.
30. I think the answer is no and I can't read it in the language
31. at all. I mean that question bothered me so I read the language.
32. It merely says if you do name a beneficiary when you open the
33. account this provides a change in the existing law to take care

1. of the plural and the existing law is only for the singular.
2. It's nothing mandatory about it. But if you name the beneficiary
3. ...if you wish to name the beneficiary, you can name more than
4. one. And the further provision is and this is the protection
5. to the bank when the trustee dies the bank can then pay to the
6. designated beneficiary or beneficiaries and be held harmless by
7. not having to be...not being subject to payment on account of
8. the death of the trustee. It exculpates them from any further
9. liability if they pay to the named beneficiary. But it does
10. not force disclosure of designated beneficiaries of a trust.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Sours.

13. SENATOR SOURS:

14. I just have my authority in this Chamber is a fraction of one
15. over 58 but I don't see much virtue in this legislation.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Merritt.

18. SENATOR MERRITT:

19. Well, Senator Sours, I'll just say this. I don't usually
20. argue with you on trust very much. You very well know my
21. philosophy on this, but I'd have to agree with Senator McCarthy
22. in this instance. I think that...and that is a switch too,
23. Senator McCarthy. This does just exactly what Senator McCarthy
24. says it does. I think it places our State-chartered and insti-
25. tutions in the same level as our national banks. And enclosing
26. that final trustee it does make the payments to the beneficiaries
27. under that trust. And I think it's good legislation and I'd
28. ask membership from both sides to support it.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Any further discussion? Senator McCarthy close the
31. debate.

32. SENATOR MCCARTHY:

33. Well, I don't wish to close the debate I...I want to adopt

1. the language...well, let me say to Senator Merritt, it's not
2. too unusual, you and I have been together I think three times
3. in the last two weeks. ...On the least don't forget...on
4. the least too...but in the language of Senator Sam Vadalabene,
5. this isn't a biggie as far as I'm concerned but I don't know
6. of any objection to it. I'm going to vote aye.

7. PRESIDING OFFICER (SENATOR MOHR):

8. The question is shall SB 794 pass. And on that question
9. the Secretary will call the roll.

10. SECRETARY:

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

20. PRESIDING OFFICER (SENATOR MOHR):

21. Carroll, aye. Romano, aye. Smith, aye. Knuppel, aye.
22. H. Mohr, aye. Walker, aye. Berning, aye. Scholl, aye.
23. On that question the yeas are 42. The nays are 2. SB 794
24. having received the constitutional majority is declared passed.
25. SB 797, Senator Regner.

26. SECRETARY:

27. SB 797. (Secretary reads title of bill).
28. 3rd reading of the Bill.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Regner.

31. SENATOR REGNER:

32. Yes, Mr. President, members of the Senate, SB 797 requires
33. in counties of million or more inhabitants complaints filed

1. with the tax board of appeals regarding property that is
2. overassessed or exempt the municipalities and the school
3. districts within that...wherein that piece of property
4. lies must be notified of the appeals for the reduction.
5. What has happened is there have been many cases where
6. property has been reduced without knowledge to the school
7. district or municipalities after they have prepared their
8. budget they rely upon receiving this money and then they
9. find out their budgets are completely out of kilter in
10. regards to their revenue. And this, to give them the
11. opportunity to budget properly and I would ask for a
12. favorable vote.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Any futher discussion? Senator Latherow.

15. SENATOR LATHEROW:

16. Mr. President...Senator Regner, I wonder why when you
17. file a complaint it becomes necessary to notify every school
18. district within or possibly other taxing bodies within that
19. area when you file a complaint. You're filing a complaint
20. with the taxing bodies not with the particular school districts
21. and so on. That's who you are filing it with and who you are
22. objecting to is the...is the taxing body of the county. You're
23. not filing with the school districts...God only knows they'll
24. object to anything given a man a reasonable right before them.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Regner.

27. SENATOR REGNER:

28. Senator Latherow, the reason is as I stated is that the
29. municipalities and the school districts which are the biggest
30. recipients of...of tax dollars. When there is an assessment
31. charge to be lowered your local governmental units will re-
32. ceive less monies if the appeal is granted. And therefore
33. their budgeting process will be out of kilter in that particular

1. year. And it's just to give them notification so they
2. know that they are going to receive less tax monies.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Latherow..

5. SENATOR LATHEROW.

6. Now, maybe you and I differ on the explanation of the
7. bill. I thought this says you notify them when you're
8. making the complaint not the results of the complaint.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Regner.

11. SENATOR REGNER:

12. Most of the time if you wait until the results of the
13. complaint are done, the budgeting procedure is over all ready
14. for that local governmental unit. And there is no way they
15. can go back to...to provide for the lost revenue.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Latherow.

18. SENATOR LATHEROW:

19. Mr. President, I...I fail to see the reasoning why any
20. particular body that is participating in the values of an
21. assessment should be considered in determining whether or
22. not a piece of property is assessed properly. That's what
23. your assessment body is for is to determine the proper assess-
24. ment of the property not whether or not the school district
25. and so on is going to have a loss of property or loss of funds
26. to it. They are to determine whether or not that property
27. is properly assessed in relationship to other property. I don't
28. think this has one thing to do with that. You...you notify
29. these school districts so they can come in and say oh gee, don't
30. lower that, we'll lose revenue. That's not what we're doing
31. it for, we're doing it for rightful assessment of property.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Dougherty.

1. SENATOR DOUGHERTY:

2. Mr. President, may I address a question to Senator
3. Regner? ...Senator, this bill applies only to Cook County
4. am I not right?

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Regner.

7. SENATOR REGNER:

8. That's correct Senator Dougherty, it is just Cook County.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Dougherty.

11. SENATOR DOUGHERTY:

12. I'm in somewhat in agreement with the fact that it's going
13. to be a tremendous burden about notifying all parties concerned.
14. However, I am going to vote for the bill, but I do agree that
15. it is a burden on the...whoever the...complainant must make
16. the notification and it's a bit unfair to all those other
17. divisions of government who are not notified. However, the
18. idea is very good but perhaps if the House should decide to
19. put an amendment on it why I don't suppose you would object
20. to it and I am not going to press for the amendment.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Knuepfer.

23. SENATOR KNUEPFER:

24. Well, I...I want to say that I think it'd be a good bill
25. throughout the State of Illinois. I don't ... I personally
26. wouldn't have any objection Senator Dougherty if this applied
27. to the whole State. No one has more at interest in the area
28. from which I come than the taxing bodies in a fair and equitable
29. assessment. Now, they're certainly not asking for more than their
30. share, but I think they're entitled to have some knowledge of a
31. hearing that might prejudice their interest and I think this is
32. an excellent bill. And I think it's an excellent bill statewide.
33. And I...it is my understanding that they're on a matter of

1. personal privilege, Mr. President. As long as I am here, it
2. is my understanding that there are a group of students from
3. my hometown of Elmhurst in the balcony directly to your right,
4. Mr. President. And I would ask them to stand and be acknowledged
5. by this Body.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Regner may close the debate. Senator Fawell.

8. SENATOR FAWELL:

9. I...I just want to add one point and that is that if this
10. is what Cook County wants I gather they may...they may indicate
11. their approval but I wonder...I think Senator Latherow made
12. some good points. I...I recognize too that the school districts
13. and the municipalities do have an interest but when you come right
14. down to it, the question of the proper assessment is a matter for
15. some expertise in regard to the fair cash market value or
16. reduced to a 50% ratio and if school districts or municipalities
17. were to be call in as parties on each one of these hearings
18. before the Board of Review, it would seem to me they would
19. have a right to also appeal under the Administrative Review
20. Act and the whole procedure now for the assessment of our
21. real estate is so elongated that we've got almost two years
22. from the initial January assessment until the tax money actually
23. comes into the districts. I think here although the idea of
24. keeping our school districts and municipalities apprised has
25. some merit, I think that the detriment far outweighs the good
26. points and that we would be better advised to allow the
27. assessors or perhaps to have assessors who are even more qualified
28. in appraising do the job without bringing new party participants
29. into the actual hearing who would I think have a right of appeal
30. perhaps under the Administrative Review Act the questions of the
31. assessment here. I believe I would not support legislation
32. such as this although if again Cook County indicates a ground-
33. swell for it, I'll accede to your desires to have this in Cook

1. County. I understand it applies only to Cook.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Sours, do you...

4. SENATOR SOURS:

5. Mr. President, Ladies and Gentlemen of the Senate, I just
6. wish the sponsor of this bill were someone other than Senator
7. Dougherty but you see if we're going to interlace the school
8. board with matters of tax objections, why not all the other
9. taxing agencies? Because they're just as much in trouble
10. financially as any school board. And therein, I think, lies
11. the vice in this bill. And it just isn't something that we
12. can pass off lightly because as Senator Fawell remarked if
13. we give notice to one agency probably the others will be
14. coming in sooner or later and then ultimately there will be
15. very little tax relief.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Hopefully we're going to be into roll call shortly so let's
18. address ourselves to having it more quiet. And the Sergeant at
19. Arms will invoke Rule 2 and we're going to have some quiet on
20. this Floor. And the caucuses will be held off of the Floor
21. starting now. No further discussion the main question will be
22. put. And that question is shall SB 797 pass. The Secretary
23. will call the roll just as soon as we can get some quiet so we
24. can hear your response. Now, Gentlemen, we are going to have it
25. quiet in these Chambers and our visitors from the House and other
26. people will respect the right that we are going to be on voice
27. roll call and we have to hear the voices. Secretary will call
28. the roll.

29. ACTING SECRETARY (MR. WRIGHT):

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

1. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
2. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
3. Regner, Rock.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Hynes, aye. Senator Rock, I'm sorry.
6. SENATOR ROCK:
7. Mr. President, members of the Senate, in explaining my
8. vote which is no, I am happy to be in agreement today at least
9. with Senator Fawell. I think that while voting against giving
10. notice to school districts sounds like a vote against motherhood,
11. the practical effect of this is that we're never going to get
12. any tax bills out and I vote no.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. ...Rock, no. Continue the roll.
15. ACTING SECRETARY (MR. WRIGHT):
16. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
17. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
18. Walker, Weaver, Welsh, Wooten, Mr. President.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Savickas, no. On this question the yeas are 42. The
21. nays are 7. The bill having received the constitutional
22. majority required for passage is therefore declared passed. Now
23. Ladies and Gentlemen of the Senate, if I have your attention
24. for a moment please. I'm going to ask leave of the Senate,
25. to revert to the order of SB 553 which should be a noncontro-
26. versial measure as a courtesy to the lady from Rockford who
27. would perhaps like to leave the Chambers after the consideration
28. of this bill for the purpose of rest. Do we have leave?
29. Secretary will read the bill a third time.
30. ACTING SECRETARY (MR. WRIGHT):
31. SB 553 (Secretary reads title of bill).
32. 3rd reading of the bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Keegan will explain her bill.

3. SENATOR KEEGAN:

4. ...Senator, I'd like to thank you for your consideration.
5. Actually, this bill has been passed over in the order of...of
6. business and your courtesy extends to the extent of allowing
7. me to backtrack a bit. But, I would like to call, just briefly,
8. to the Senate's attention this bill, 553. It's a bill which
9. affects downstate school districts. Specifically it affects
10. the boards of downstate school districts. I come from a city
11. which has the largest school district in downstate Illinois.
12. Our budget is three...for our school district is three times
13. that of what the county budget is. And the budget for the
14. school district is twice what the city budget is. In other
15. words, in my mind our schools in Rockford, School District
16. #205 is our Community's most important business. Now we are
17. finding in the...in recent years since we went from an
18. appointed board to an elected board a concentration of member-
19. ship on that Board, from a limited area of the community, our
20. community like many communities in this State is a heterogeneous
21. community. I know that there are some that are a great deal
22. more homogeneous. I know that there are many that are like us
23. heterogeneous. But we are finding that increasingly the
24. membership of our school board which is elected at large is
25. coming from one or two sections of that community. Now, I'm
26. not going to take the time of this Body to go into the study
27. that we have done on the resident, on the correlation between
28. the residents of our school board members and the underachieving
29. schools but to our...to our dismay we find that there is an
30. inverse relationship between the number of candidates who run
31. and run successfully from a certain quadrant of the community
32. and the number of under or overachieving school...schools in
33. that area. We have a budget, as I said, of almost fifty-one

1. million dollars in School District 205. We have a school
2. population of forty-one thousand students. Now six thousand
3. of those students are from minority families and at the
4. present time and in the last recent years we have had no
5. minority representation save one on the school board. And
6. that one person was a hold-over from the days of appointed
7. boards. I'm coming to you with two principles in mind. One
8. of them is that I believe very firmly that local government
9. should make its own decision. My bill #533 provides that
10. if a school board or if 10% of the population of the
11. school district ask for a referendum to...it may be held
12. to provide subdistricts within a school district from which
13. the member should be elected. There is nothing mandatory
14. in this bill. I would like to have that thoroughly understood.
15. I don't think that decisions that rightfully belong in home-
16. town communities should be made in this Chamber or indeed
17. should be made in Springfield. I think that this is the kind
18. of decision like many others that should be made right by
19. the people at home who will have a more intense interest, and
20. a more intimate knowledge and a much longer time on which to
21. debate the issue. My bill would provide that if a referendum
22. is called, the question shall be whether the seven members of
23. the school board can be elected from seven...seven school
24. districts, seven subdistricts within the school districts.
25. This bill, I would like to acknowledge, was shepherded
26. through the Education Committee in my absence by Senator Hynes
27. and received at that time unanimous. I think Senator Hynes
28. told me of fourteen to nothing approval for Do Pass. It...
29. it, I think, does the job that I would like to see done and
30. that is bring into the mainstream of our community life of
31. which education is such a tremendously important factor, all
32. facets of the community. I have just one other little
33. summary I would like to tell you. Geographic representation



1. is utilized in other areas of government. It is time in
2. my community, at least, perhaps not in yours, but is is
3. time in my community that we consider geographic repre-
4. sentation for our school board. And I ask this Body to
5. consider SB 553 which on referendum...
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1. by the citizens of the school district itself would decide
2. whether or not it would prefer an elected at-large board or
3. a board elected by district. I'd like to thank the Education
4. Committee for its support and Senator Hynes in my absence.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. On this question the main question shall be put if there
7. is no further discussion. That question is shall 553 pass?
8. And upon that question the Secretary will call the roll.

9. ACTING SECRETARY (MR. WRIGHT):

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
11. Clarke, Conolly, Course, Daley,

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Ladies and Gentlemen, we're on passage stage. Roll call.
14. Your attention please.

15. ACTING SECRETARY (MR. WRIGHT):

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

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Berning, aye. Mr. President, aye. Fawell, aye.
26. Bartulis, aye. McBroom, aye. On this question the yeas were
27. 50. The nays were none. The bill having received more than
28. its constitutional majority is therefore declared passed.
29. Senator Knuppel.

30. SENATOR KNUPPEL:

31. On a matter of personal privilege, I understand this is
32. her first piece of legislation.

33. PRESIDING OFFICER (SENATOR GRAHAM):

This happened to me once, Betty. I think I can still

1. remember how you feel. Senator Ozinga, for what purpose
2. do you arise? Or did you?

3. SENATOR OZINGA:

4. Mr. President, I would now move that we move to the
5. order of business calling for Committee reports.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Committee reports.

8. SECRETARY:

9. (Secretary reads Committee reports).

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Mr. President, I would now move...

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. ...Ladies and Gentlemen...

16. SENATOR OZINGA:

17. ...that we resolve ourself into Executive Session for the
18. purpose of considering these messages from the Governor.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Ozinga moves that the Senate do now resolve itself
21. into Executive Committee for the purpose of receiving Executive
22. Committee Report. All in favor will signify by saying aye.

23. We are now in Executive Session of the Illinois State Senate.

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, sometime ago we had a...

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Ladies and Gentlemen, I'm going...we're not going any
29. farther Senator until we get ourselves into Executive Session.

30. I think that means that we are in our seats and the conversation
31. ceases. Senator Ozinga.

32. SENATOR OZINGA:

33. Thank you, Mr. President, sometime ago, more specifically

1. on April the 4th, we reported to this Senate the confirmation
2. report on one Nancy S. Philippi. This matter had been up
3. in front of the Committee on February the 21st, on March the
4. 7th and again on April the 4th. Now at that time there was
5. a motion made by Senator Partee whereby it was moved that
6. consideration of the appointment of Mrs. Nancy S. Philippi
7. be postponed for one week. Now we have postponed that or
8. not brought it up for many reasons I suppose but with due
9. consideration to Mrs. Philippi. Now, Mr. President, I would
10. now move that the...that the Senate would now consider the
11. report of the Executive Committee. And may I inform the
12. Senate that at that time the Senate Executive Committee reported
13. her out with 9 yeas, 6 nays and 5 people voting present. So
14. that there was not a clear cut majority. There was a controversial
15. matter in the Senate Committee and at that time a lot of
16. controversy arose and as each and every one of you know that
17. there has been consistent lobbying for and on her behalf ever
18. since. However, Mr. President, I am forced to move as directed
19. by the rules of this Body that the Senate advise and consent
20. to the nomination of Mrs. Nancy S. Philippi as Assistant
21. Director of the Department of Local Government Affairs for a
22. term expiring on the 3rd Monday of January 1975.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. You have heard the motion of Senator Ozinga. If there are
25. ...no further discussion. The question was...Senator Sours.

26. SENATOR SOURS:

27. Mr. President, Ladies and Gentlemen of the Senate, I rise
28. in opposition to this appointment...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. ...Senator, I would...if you would hold your opposition
31. until I finish, what I think the record needs to show in this
32. regard. On the consideration of the report of the Executive
33. Committee we now shall ask: does the Senate advise and

1. consent to the nomination of Mrs. Nancy Philippi to be
2. Assistant Director of Local Governmental Affairs. And before
3. the main question is put is there discussion? Senator Sours.

4. SENATOR SOURS:

5. Mr. President, Ladies and Gentlemen of the Senate,
6. sometimes I've wondered why it is that there is a provision
7. with respect to certain gubernatorial appointments that the
8. Senate advise and consent...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. I have requested...Senator Sours, if you ladies and
11. gentlemen are ready to go into a temporary recess until we're
12. ready to find our seats that we have occupied as having been
13. elected to this Body. We will await that time. If we want to
14. proceed in the orderly manner of the Senate, we will find our seats
15. immediately and listen to the debate on this question because I
16. think it's deserving of our consideration. And will you
17. please cooperate? Senator Sours.

18. SENATOR SOURS:

19. Adverting back to my comments about the necessity for
20. confirmation, consent by this Body to certain of the gubernatorial
21. appointments. Now I have the feeling that the very
22. purpose the sine qua non of that statute would be to prohibit
23. any governor from having the unlimited authority to appoint any-
24. one and for that reason probably the founders or the delegates to
25. the convention which promulgated our new Constitution consider
26. that maybe the mature judgment of some other people including
27. the Governor might enhance the possibility of a better appoint-
28. ment. I mention that because I feel that the people of this State
29. inasmuch as they are rather high paying positions, and this one is,
30. are entitled not only to a superior person but to a superior per-
31. formance. In other words, the lady will not be paid counterfeit
32. money. And she is not expected to perform counterfeit services. So
33. I think we ought to start off with the proposition that the public, the

1. citizen, the taxpayer of this State is entitled to something
2. equivalent to the best. One thing that took my attention in
3. the hearing was that the nominee apparently was in charge of
4. a certain corporation which was actually never incorporated.
5. The corporate documents apparently were prepared sometime
6. and I had my own idea about when they were prepared...it was
7. prepared. But here was the rather interesting subject, the
8. title of the corporation, the name, Citizens Urban Research.
9. The corporate purpose in this corporation which was never
10. incorporated and never, in fact, existed, nor never received
11. a charter. Nor never had its recordation in the County Recorder's
12. office said to engage in research and studies of significant
13. issues and problems affecting the intercity areas of major
14. metropolitan areas, including but not limited to Chicago.
15. Now we also at the hearing, we're furnished a copy of the
16. certified resolution of the Board of directors which had to
17. do with the bank account of this corporation which was never
18. incorporated and which never existed. And we find that
19. considerable money of solicited...during the period April 1972
20. to November 1972. And those dates are critical because that
21. was the election of last November. The lady, the nominee
22. couldn't recall the indentivity, or the identitees, of the several
23. contributors who contributed \$25,000 per capita, per gift, per
24. contribution. Now, I know down in my county, plowed ground
25. county, where the contributions are quite small; I have in my
26. head right today probably as many as 30 or 40 contributors who
27. contributed much less than \$2500. Now all this leads me to
28. believe that we've got in the form of this nominee a person
29. who could rightfully be called a fraud. A montebank. That's a
30. fancy word for a...male crook or some deceiver. Or someone
31. who just didn't want to come clean with the public. Now how about
32. the position? The position is a very critical position. It's in
33. a department of the government of this State which will handle

1. untold millions of dollars of hard money. And by hard money
2. I mean money that you and I fork over quarterly or on the 15th
3. day of April each year. That's hard money. That's not soft money
4. or easy money. That's money earned by sweat hours, weekends
5. or whatever you call it. The nominee would have considerable
6. influence in that department which was inaugurated in the last
7. administration and up to now has had a superior...a superior
8. record of propriety and achievement. In other words, that
9. department in my opinion is doing the right thing. And is not
10. acrawl with this little subterfuge and that little deceit and
11. all the things we read about today or listen as we turn on the
12. radio or the TV. Now I have the feeling that the people of this
13. State deserve something more and it isn't a matter of a conflict
14. of the will between this Chamber and that of the Chief Executive.
15. Far from it. Some people say let him have his own appointments
16. and let him drown with them. Now that's a very cruel, a very
17. cruel approach to consider as inflicting on the taxpayer that
18. kind of a situation. I just believe the taxpayers are entitled
19. to something a lot better. I'd feel very comfortable if this
20. lady had laid it on the table, we didn't get to, so I'm confident
21. that I'm unwilling to lay my vote on the table too.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? Then the main question shall be
24. put. Shall the Senate advise and consent to the appointment
25. the Governor's message of Nancy Phillippi to be the Assistant
26. Director of Local Government Affairs. And upon that question
27. the Secretary will call the roll. Senator Partee.

28. SENATOR PARTEE:

29. Just wanted to say a word concerning this nomination.
30. I, too, heard the testimony of the lady who testified who is to
31. be the Assistant Director of this Department. And my impression
32. is certainly different than the last speaker's. About the lady,
33. she is a person of some real background and training. She

1. holds a bachelor's degree from the University of Chicago.
2. A master's degree from that same University. Now it is true
3. that she...there was considerable questioning about an organization
4. called the Citizen's Urban Research Organization in Chicago that
5. she was president of from May, 1972 to January, 1973. The thrust
6. of the remarks seems to be that that organization was involved
7. in campaign contributions. And I am assured that every person
8. who runs for public office in this State for Governor or for
9. any other office from time to time has organizations which
10. are connected with them to raise the necessary resources
11. for a political campaign. We sat in that same Committee for
12. two years and the Committee heard and saw those persons which
13. were proffered to us by the former Governor. And we didn't busy
14. ourselves with determining if they had made contributions to the
15. campaign of Governor Ogilvie. We assumed that they'd have some
16. relation to him or that he had made some attempt to determine
17. their fit and competency for the particular positions. I think
18. from what I have observed both by her demeanor and by her back-
19. ground it occurs to me that she is eminently qualified for this
20. post. And I think it is poor taste, perhaps to call her a fraud.
21. I don't think there was anything which indicated that she should
22. be so besmirched.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. I ask for further discussion before I put the question.
25. Senator Buzbee.

26. SENATOR BUZBEE:

27. Thank you, Mr. President, I have some further discussion.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Now, I am going to have to withdraw the putting of the
30. main question again and I do not choose to do that. Senator
31. Buzbee, you are recognized.

32. SENATOR BUZBEE:

33. Thank you. I heard some charges made here, Mr. President,

1. and that's why I felt it necessary that there be some comment
2. made. The learned Senator from Peoria is an apparently
3. very able attorney. I am not an attorney, but I believe that
4. the law says that a citizen who knowingly withholds evidence
5. of someone who's a crook or a fraud is not residing within
6. the realm of the law himself. So I submit that if the learned
7. and able Senator from Peoria has such evidence, it is his duty
8. to present it to the proper authorities. If he does not have
9. such evidence, Mr. President, I submit that he's taking a cheap
10. shot and is hiding behind the legislative immunity.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Any further discussion? The question shall be, again,
13. does this Senate advise and consent to the appointment of
14. Nancy Philippi as Assistant Director of the Department of
15. Local Governmental Affairs. And on that question the Secretary
16. will call the roll.

17. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The Senator votes aye, I think.

24. SECRETARY:

25. Kosinski, Latherow, McBroom, McCarthy...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator McBroom.

28. SENATOR MCBROOM:

29. Mr. President, members of the Senate, if I am correct this
30. position is the Assistant Director of the Department of Local
31. Government. If I am also correct this lady was asked a question
32. by Senator Berning in our Committee as to...if she knew the
33. difference between a commission form of government and a town-
ship form of government. Her answer was either no or she didn't know.

1. Now if that is being eminently qualified for a position,
2. Mr. President, I don't understand the definition of eminently
3. qualified and I vote no.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Continue the roll.

6. SECRETARY:

7. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
8. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
9. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
10. Scholl, Shapiro, Smith,

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Smith.

13. SENATOR SMITH:

14. ...How many votes will be necessary for confirmation in this case?

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. This question will require 30 votes.

17. SENATOR SMITH:

18. Now, Mr. Chairman, it so happens that in keeping with the
19. long established practice here, the fact that the lady resided
20. in the district which I represent. I was asked by his Excellency's
21. Office to sponsor this nominee before the Executive Committee.
22. I did so. I listened, as did the others, to the evidence that
23. was presented there. I was impressed. You'll note that I'm
24. not saying how I was impressed. I have discharged my duty in
25. presenting the party to the Senate Executive Committee.
26. Ordinarily having presented the nominee, it would perhaps be
27. expected that I vote for that nominee. I stated, however,
28. when I presented the nominee that I had never seen nor met the
29. nominee but that in keeping with the custom that have existed
30. here in this Senate, I'm going to express my own vote. Having
31. conformed to the practice and customs which is always true that
32. the Senator from that district in which the nominee resides
33. present that nominee. I am now informed that the then nominee

1. has moved from my district, that she no longer resides in
2. the 22nd Senatorial District and I therefore do not feel
3. bound to support the nominee. And I vote no.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Continue the roll.

6. SECRETARY:

7. Sommer, Soper, Sours, Swinarski,

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Sours, no. Senator Swinarski.

10. SENATOR SWINARSKI:

11. Mr. President, members of the Senate, since I've been
12. down here a few short months, I've had the opportunity of
13. calling upon this young lady to assist in some of the problems
14. in the Chicago area. I know she's worked in close conjunction
15. with some of the people in the Chicago area. I think as was
16. pointed out by Senator Partee, we've looked at her background,
17. her education. I think she's truly a qualified person, a well
18. educated person. I believe she's dedicated. She wants to be
19. dedicated to people, to government. I think we'd better look
20. and reflect for just a moment. And the reason we should reflect
21. is because of all the trials and tribulations that some of us
22. go through today being in the political arena that we tend to
23. judge things entirely political. However, too often we find
24. that people who want to be dedicated, who want to serve the
25. people of the State of Illinois and their country are not coming
26. into government work, are not coming into politics. When we
27. have an opportunity to bring a very qualified person in we should
28. seize that opportunity and not let it go. It gives me a
29. pleasure to vote aye.

30. SECRETARY:

31. Vadalabene, Walker,

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Walker.

1. SENATOR WALKER:

2. A little quote, thank you, Mr. President, members of the
3. Senate, a little quote, I think, from one of the Bloomington
4. papers, a week or two ago that stated that the Governor was
5. giving party liberals a chance to show whether they can translate
6. their theories of good government into practical administration
7. after years in the political wilderness. I might add to that
8. by stating what else could you expect from a political novice.
9. There were several remarks made on the other side of the
10. aisle. I heard the testimony. It seems like some members
11. of the Executive Committee have conveniently forgotten when
12. I asked her the question what qualification she had, and this
13. is a doozy, she was an observer of government. Now on the
14. same sheet here, her employment background shows nothing in
15. '72 or from '70 to '73. President of the Citizens Urban Research,
16. Executive Director, Citizen School Committee. And I notice
17. that it was mentioned that she had a BA from the University
18. of Chicago. And...did two of my good mayors who are sitting
19. behind the President's gallery. This young lady has a degree
20. in anthropology. Now maybe that's going to be helpful in working
21. with the municipalities. Frankly, I can't see by any stretch
22. of the imagination where it is. During the campaign much
23. criticism was made of our former Governor but let me remind
24. you of this. He had a former Mayor of Peoria, Bob Lenhausen,
25. as his Director of the Department of Local Affairs. A gentleman
26. long experienced in municipal government. An Assistant Director
27. Walsh, a Mayor up in Senator Glass' area. Their Community
28. Service Representatives were chosen from former political...
29. from former municipal officials and the remark was made that
30. one of our Senators was hiding behind legislative immunity.
31. Let's try that shoe on the other foot. I think the gentleman
32. on the second floor is hiding behind perhaps Executive...community.
33. When he comes out with a blast like this and again I refer to

1. him as a political novice. Governor Walker yesterday
2. assailed what he termed the ignorance of State Legislators
3. who have refused to approve his appointments to State Government
4. posts. Well, I have opposed a couple of them in Committee and
5. I've opposed that number, the same number here on the Floor.
6. Not because of prejudice but because he has continually been
7. making appointments to these important posts to people who
8. are unqualified to serve there. And I'm more than happy in
9. spite of the effort that Mike Duncan has made around the Floor
10. of this House for the last three days to cajole, promise,
11. make deals with some of you, including myself to vote no on
12. this appointment.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Continue the roll.

15. SECRETARY:

16. Weaver, Welsh,

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Welsh.

19. SENATOR WELSH:

20. Senator Walker, I haven't forgotten her lack of qualifications.

21. I vote no.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Continue the roll.

24. SECRETARY:

25. Wooten.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Wooten.

28. SENATOR WOOTEN:

29. Mr. President, my distinguished colleague, Senator Walker,
30. made reference to Miss Philippi's statement that she was an
31. observer. I think it's very interesting being a newcomer here to
32. observe this brand new tendency in this particular deliberative
33. Body. We have now reached the point where our rejection of

1. gubernatorial appointees is just about unprecedented and
2. I understand this is not the end. The traditional use
3. of advise and consent has been perfunctory in the past.
4. Perhaps we have entered a new era. It is hard to say
5. precisely why. I rather suspect it has something to do
6. with the shifting patterns of politics in this State. I
7. merely say that those of us who are new are observing,
8. and if this is the pattern that has developed perhaps it
9. is a very healthy thing and should be continued from this
10. point on in time regardless of the political persuasion
11. of whoever occupies the office on the second floor.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. How does the Senator vote?

14. SENATOR WOOTEN:

15. Pardon me, I vote aye.

16. SECRETARY:

17. Mr. President.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Poll the absentees please?

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. There has been a request for a poll of the absentees. The
24. absentees will be called. Senator Sours.

25. SENATOR SOURS:

26. Just as a point of procedure here. The gentleman from
27. south Illinois is not a sponsor. He has nothing to do with
28. this except to cast one vote up or down. I think he knows
29. that, too.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Partee. The question is are we voting on a
32. piece of legislation or confirmation and does a Senator have
33. a right for a poll of the absentees. Senator Partee.

1. SENATOR PARTEE:

2. Well, it would occur to me that any Senator would
3. have a right to ask for a call of the absentees. There
4. is no sponsor. This is a nomination of the Governor's.
5. No sponsor here at all.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. The sponsor of the motion it would seem would be the
8. man to request a call of the absentees. The sponsor of the
9. motion was Senator Ozinga.

10. SENATOR PARTEE:

11. ...Yes. See the Chair puts the question based on the
12. Committee report. So technically there is no individualized
13. sponsor. This is a nomination by the Governor which went to
14. the Executive Committee which is returned by the Executive
15. Committee. And the Chairman of the Committee puts the...the
16. question but the...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Partee. Senator Partee. I'm going to yield to
19. a question. I think that I could go either way on this, we'll
20. continue to call the roll of the absentees.

21. SECRETARY:

22. Bartulis, Bell,

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Bell, for what purpose do you arise?

25. SENATOR BELL:

26. I haven't voted as yet, I'd like to make my vote.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You're entitled to a vote.

29. SENATOR BELL:

30. I...Thank you. I have met with Mrs. Philippi at some
31. length. We talked about many different things in reference
32. to her previous background. I wasn't privileged to sit
33. before the Executive Committee and listen to the testimony,

1. I could have been there but I didn't happen to be there
2. at the particular time the Committee met. Now I personally
3. have rejected two of the Governor's appointees on what I
4. thought were very, very solid grounds. But after talking
5. to Nancy Philippi, I think she's a fine young woman. I
6. personally feel that she has every desire to fulfill the
7. office for which she has been appointed to the best of her
8. ability and I would find it a grievous thing in my conscience
9. if I voted against her on the basis of some of the discussion
10. that I've heard here today. I would like to point out also,
11. Mr. President, that this time that I don't understand what
12. is going on here because I've seen a notable lack of support
13. from the other side of the aisle which should be picking up
14. support for her. But as a Republican, as a new member to this
15. Senate, I want to give this young lady a chance. She's been
16. called for by the Governor. He's the Governor of this State,
17. the people elected him and I have no sound basis to reject her
18. and so therefore I vote aye.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Continue the roll.

21. SECRETARY:

22. Berning, Carroll, Chew, Conolly, Course, Hynes, Kosinski,
23. Latherow, Mitchler, Howard Mohr, Don Moore, Newhouse, Nimrod,
24. Nudelman, Palmer, Regner, Romano, Saperstein, Savickas, Schaffer,
25. Shapiro, Sommer, Soper, Mr. President,

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. The roll has been taken gentlemen. We've had plenty
28. of time. We've called the absentees. Mitchler wants to be
29. recorded no. On this...As the result of the vote of this
30. Senate on the question propounded by a vote of 26 yeas, 14 nays,
31. a majority of the Senators elected having refused to
32. give their advise and consent by a record vote the Senate...
33. by a record vote of this Senate, rejects the Governor's

1. nomination of Nancy Philippi to be the Assistant Director
2. of the Department of Local Government Affairs. Senator
3. Ozinga.

4. SENATOR OZINGA:

5. Now, Mr. President, I would turn to the Governor's
6. message of May the 11th which was reported just a few minutes
7. ago namely the nomination of Mr. John J. Houlihan of Park Forest
8. to be Administrator of the Illinois Veteran's Commission for a
9. term expiring on the 3rd Monday of January, 1975. And I would
10. move you that the Senate advise and consent in this nomination.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. You've heard the motion of Senator Ozinga. If there is
13. no further discussion on the main motion shall be put. Does
14. the Senate advise and consent to the appointment of John J.
15. Houlihan to be the Director of Veteran's Affairs for the State
16. of Illinois and on that question the Secretary will call the
17. roll.

18. SECRETARY:

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

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Netsch, aye. Rock, aye. On this question...Senator Hall
31. would like to be voted aye. On the question the result of the
32. vote of this Senate on the question 55 to none. 55 yeas, no
33. nays. And the majority of the Senators elected concurring by
record vote the Senate does advise and consent to the Governor's

1. nomination of Mr. Houlihan to be Director of Illinois Veteran's
2. Commission. Senator Ozinga.

3. SENATOR OZINGA:

4. I would move that the Senate advise and consent to the
5. nomination of Mr. John B. Hayes of South Holland, Illinois to
6. be Superintendent of the Department of Registration and Education
7. for a term expiring on the 3rd Monday of January, 1975 as was
8. submitted in the Governor's message of May 17th.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senate...on the motion...

11. SENATOR OZINGA:

12. John B. Hayes.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. On the motion of Senator Ozinga, the question shall be shall
15. the Senate advise and consent to the appointment of Mr. Hayes sub-
16. mitted by the Governor's report to become the Director of Registra-
17. tion and Education, and upon that question the Secretary will call
18. 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, Ozinga,
26. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
27. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
28. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
29. Wooten, Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Daley, aye. The result of the vote of the Senate on the
32. question put a majority of the Senate by a record vote of 53
33. yeas, and no nays have concurred in the Governor's nomination
and do advise and consent to the appointment of Mr. Hayes to be
the Director of Registration and Education.

1. SENATOR OZINGA:

2. Now, Mr. President, from the Governor's message of April
3. the 13th, I would move that the Senate do advise and consent
4. to the nomination of Joe Craggs of Taylorville, Illinois to
5. be a member of the State Mining Board for a term expiring on
6. the 3rd Monday of January, 1975.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. The question is does the Senate advise and consent to the
9. appointment of Joe Craggs to the State Mining Board of the State
10. of Illinois. On that question the Secretary will call the roll.

11. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Shapiro, aye. Glass, aye. Daley, aye. The result of the
24. vote of the Senate on the question is 52 yeas and no nays. A
25. majority of the Senators elected concurring by record vote the
26. Senate does advise and consent to the nomination of...to John
27. Craggs to the State Mining Board of the State of Illinois.

28. SENATOR OZINGA:

29. Now, Mr. President, from the Governor's message of May
30. 11th, I move the Senate advise and consent to the nomination
31. of Robert J. Williams of Mill Shoals to be the Director of the
32. Department of Agriculture for a term expiring on the 3rd Monday
33. of January, 1975.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. If there is no further discussion the question shall be
3. put shall the Senate advise and consent to the appointment of
4. Robert J. Williams, Department of Agriculture of the State of
5. Illinois. No discussion? Upon this question the Secretary
6. will call the roll.

7. SECRETARY:

8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
10. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
11. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
12. Latherow, McBroom, McCarthy,

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. McCarthy, aye.

15. SECRETARY:

16. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
17. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
18. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
19. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
20. Walker, Weaver, Welsh, Wooten, Mr. President.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. The result of the vote on this question is 54 yeas. No
23. nays. A majority of the Senators elected concurring by record
24. vote the Senate does advise and consent to the Governor's nomination
25. of Robert J. Williams, Department of Agriculture.

26. SENATOR OZINGA:

27. Now, Mr. President, from the Governor's message of April
28. the 13th, I would move that the Senate advise and consent in
29. the nomination of Mr. Peter A. Kotsos of Chicago to be Assistant
30. Director of the Department of Registration and Education for a
31. term expiring on the 3rd Monday of January, 1975.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. If there is no discussion the question will be put. Does
the Senate advise and consent to the Governor's nomination of

1. Peter A. Kotsos the Assistant Director of the Department
2. of Registration and Education of the State of Illinois. Upon
3. that question the Secretary will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
6. Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
8. Hynes,

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Hynes.

11. SENATOR HYNES:

12. Before I cast my vote which is aye, I'd like to acknowledge
13. the presence of Mr. Kotsos and his wife Mary Ellen in the
14. balcony. I ask if they would rise. Be acknowledged by the
15. Senate. I vote aye.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Votes aye.

18. SECRETARY:

19. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
20. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
21. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
22. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
23. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
24. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. The result of the vote of the Senate on that question
27. is 54 ayes and no nays. A majority of the Senators elected
28. concurring by record vote the Senate does advise and consent
29. to the Governor's nomination of Peter A. Kotsos to be Assistant
30. Director of the Department of Registration and Education.

31. SENATOR OZINGA:

32. Now, Mr. President, we are breaking one of our own
33. precedents as we have previously set where we were trying

1. get all of the boards in toto or at one time. We, last
2. night, heard five out of the nine members to the Parole and
3. Pardon Board. And first, from the Governor's message of
4. March the 27th, I would move that the Senate advise and
5. consent to the nomination of Joseph J. Longo of La Grange
6. Park to be a Member and Chairman of the Parole and Pardon
7. Board for a term expiring on the 3rd Monday of January, 1975.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. There's no discussion, the question will be put. And
10. the question is shall the Senate advise and consent to the
11. nomination of Joseph J. Longo to be Member and Chairman of
12. the Illinois Pardon and Parole Board. Upon that question
13. the Secretary will 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, Ozinga,
21. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
22. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
23. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh,
24. Wooten, Mr. President.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Am I recorded, Mr. Secretary? Voting aye. The result
27. of the vote of the Senate on this question was 55 yeas, no
28. nays. A majority of the Senators elected concurring by
29. record vote the Senate does advise and consent to the Governor's
30. nomination of Joseph J. Longo to be Chairman and Member of the
31. Illinois Pardon and Parole Board.

32. SENATOR OZINGA:

33. And now, Mr. President, also from the Governor's message
of March 27th, I move the Senate advise and consent

1. to the nomination of Marguerite F. Sturgis of Chicago to be
2. a member of the Parole and Pardon Board for a term expiring
3. on the 3rd Monday of January, 1977.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. No further discussion? The main question will be put
6. shall the Senate advise and consent to the appointment...
7. to the nomination of Marguerite F. Sturgis to be a member
8. of the Pardon and Parole Board. On that question the
9. Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. The result of the vote of the Senate on the question was 55
23. yeas, no nays. A majority of the Senators elected concurring by
24. a record vote the Senate does advise and consent to the appointment
25. of Marguerite F. Sturgis to be a member of the Pardon and Parole
26. Board of the State of Illinois.

27. SENATOR OZINGA:

28. And now, Mr. President, the Governor's message of April
29. the 13th, I move the Senate advise and consent to the nomination
30. of Max J. Steinhauser of Chicago to be a member of the Parole
31. and Pardon Board for a term expiring on the 3rd Monday of January,
32. 1979.

33. PRESIDING OFFICER (SENATOR GRAHAM):

There is no discussion? The question shall be does the

1. Senate advise and consent to the nomination of Max J.
2. Steinhauser to be a member of the Pardon and Parole Board.
3. Upon that question the Secretary will call the roll.

4. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. The result of the vote of the Senate on this question
17. is 52 yeas and no nays. A majority of the Senators elected
18. concurring by a record vote the Senate does advise and consent
19. to the Governor's nomination of Max J. Steinhauser to be a
20. member of the Pardon and Parole Board. Senator Ozinga.

21. SENATOR OZINGA:

22. Mr. President, from the Governor's message of March the
23. 27th...in accordance with the rules of the Senate, I must move
24. that the Senate advise and consent to the nomination of Mr.
25. William J. Doyle of Lockport to be a member of the Parole and
26. Pardon Board for a term expiring on the 3rd Monday of January,
27. 1975. Now, Mr. Chairman...Mr. Chairman or Mr. President, this
28. was a bit of controversy and as you all know we spent considerable
29. time and argument within the committee. This did not come out
30. of the Committee with a unanimous roll call. It came out with
31. a roll call of 14 yeas and 7 yeas. However, the big discussion
32. was over the basic qualifications of this young man, and I'm sure that
33. there will be others who will want to talk on this nomination, however
I would be inclined to move at this time and forced to move

1. by rules of the Senate do advise and consent to this nomination.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The question is shall...does the Senate advise and
4. consent to the appointment of William J. Doyle to be a
5. member of the Illinois Pardon and Parole Board. If there
6. is no discussion on the question...Senator Bartulis.

7. SENATOR BARTULIS:

8. Thank you, Mr. President, members of the Senate, I sat
9. in on the Executive meeting last night and from what I gather,
10. I'm not an attorney, I've never read the rules but I think there
11. are five years experience to qualify to be a member of the Parole
12. and Pardon Board. And from what I gather he had...Mr. Doyle has...
13. graduated from Southern Illinois University in 1971 and worked
14. for the Department of Corrections as a guard from January to
15. November of '72. And a counselor from November to March of this
16. year. And no way do I see five years experience, therefore I wish
17. to vote no.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Sours.

20. SENATOR SOURS:

21. Mr. President, Ladies and Gentlemen of the Senate, being
22. a member of the Pardon and Parole Board is not an insignificant
23. position in the administrative law of this State. As long as
24. we have confinement for long terms, we will require just that
25. kind of a board to deal with the problems of those who at
26. sometime or other have been unable to conform to the demands
27. and requirements of civilized society. Now, the young man who's
28. name was submitted by the Governor, six or seven years ago in
29. this month was undoubtedly a high school senior; thereafter he
30. attended a junior college for two years; thereafter he attended
31. Southern Illinois University for two years acquiring a bachelor,
32. undergraduate degree with the concentration in sociology. A little
33. more experience as a guard, short term. A little more experience
for a few months in a penal institution. Now, I for one

1. believe that we should either strip the statute books of
2. fixing any qualifications or we ought to follow the requirements
3. and the demands of the law. And I say that because everyone whose
4. duty it is to vote upon this proposition now has to hold up
5. his right hand and swear that he will obey the law of this
6. land and the State of Illinois. Now the State of Illinois
7. fixes these qualifications and they're not to be circumvented,
8. they're not to be avoided because a young man makes a reasonably
9. good presentation and appearance. I say, Mr. President, we
10. either ought to follow the law or strip the statute books of
11. the requirements. Now this young man unfortunately for him,
12. and maybe fortunately for the State of Illinois just honestly
13. and fairly by any standards does not have the statutory
14. qualifications. I think all of us should look to the spirit
15. the intent of the law. The spirit and the intent of the law
16. would prohibit us from having just anybody, just any John Doe
17. or Mary Doe. The law sets up the requirements. I believe it
18. can be honestly said that regardless of the other qualifications
19. this young man may present he just does not have the statutory
20. qualifications. And consequently if we are going to be fair
21. with ourselves and if we are going to do what our consciences
22. tell us to do, and mind you our consciences always tell us
23. to do the right thing, but never give a road map or a diagram.
24. The right thing to do is to not confirm this young man. If we
25. have any regard whatsoever of the legal requirements for this
26. position which is important and pays a fairly high salary...

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Partee.

29. SENATOR PARTEE:

30. Down in Washington, D.C., there is a group of lawyers,
31. nine in all, called the United States Supreme Court. If you
32. look at their decisions, you'll find more often than not that
33. there will be five of them on one side of the question and

1. four on the other. Lawyers have a tendency to disagree.
2. The lawyers who work in the Governor's office who looked at
3. this statute prior to making this nomination felt equally
4. as strong that the statute is complied with in the nomination
5. of this young man. I met this young man last night and saw
6. him and was impressed with his sincerity, he answered the
7. question forthrightly that he thought his schooling plus his
8. other experiences in combination gave him this five year
9. experiential requirement. It's interesting how much we
10. are hung up on requirement for a job like the Pardon and
11. Parole Board and so less interested in requirements for
12. membership in this Body. Look at your Constitution and it
13. doesn't say anything at all about what a man has to be to
14. be a member of the Senate or the House except that he must
15. be 21 years of age and he must have resided for two continuous
16. years in the district from which he was elected. This young
17. man grew up in Joliet where his father was connected with
18. in a work capacity first a guard and later a officer of some
19. stature in the penitentiary. Knows intimately the nomenclature
20. of penitentiaries. Knows intimately what this is about and
21. gave four years in the field of sociology. It seems to me that
22. a person of his age with that kind of background can make a
23. very healthy contribution to the Parole Board. I would move
24. you, Mr. President, and those who are within the orbit and sound
25. and influence of my voice would advise and consent the appointment
26. of this young man.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Clarke. Senator Clarke and then Senator Merritt.
29. SENATOR CLARKE:

30. Members of the Senate, I heard some of the same remarks
31. last night and I feel compelled despite the fact that the vote
32. of the Committee last night indicated this gentleman will be
33. confirmed to answer some of the sophistry of the legal mind

1. as just espoused by our Minority Leader because this issue
2. has nothing to do with the issue of requirements for the
3. elections of General Assembly. Those are also set out by
4. Constitution and Statute and those are man made as are the
5. statutes, the requirements for this position. It's not a
6. matter of being hung up on anything. It's a matter of
7. integrity in terms of that oath that Senator Sours spoke
8. about when we first came down here. Are you going to follow
9. the law or aren't you? And Senator Sours didn't quite go
10. into the specifics but I think we should because the law
11. says that a member shall have at least five years of actual
12. experience in the field and I don't think that means on the
13. edge of the field or around the field or in the family of
14. the field but it means in the field of penology. Correction
15. work. Law enforcement. And I think that this means actual,
16. active, expertise developed in those disciplined sociology,
17. law, education, social work, medicine, psychology and other
18. behavioral sciences or a combination thereof or at least two
19. years previous experience on the Board. Now I think that
20. is fairly explicit for a reason that this is so important
21. that they felt that people in these various disciplines should be
22. gathered together and the fact that a person is a nice person
23. or has a pleasing personality or makes a nice appearance or
24. is young or is a woman has nothing to do with the fact that
25. this is the law and we swore to uphold it.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Merritt and Senator McBroom, then Senator Knuppel.

28. SENATOR MERRITT:

29. Mr. President, members of the Senate, I don't want to
30. be redundant but I, like Senator Clarke, share many of his
31. feelings toward this. I too, sat till 2:15 this morning
32. down in Room 212 with about 3 hours sleep coming back to
33. this Body once again. I won't complain about that. This...

1. this fine young man had a fine hearing there and he is an
2. outstanding young man. I was much impressed with him. As
3. Senator Sours has pointed out, he was in high school about
4. five or six years ago. He has a great future ahead of
5. him but no experience to speak of. Not certainly, in
6. terms of the members qualifications on the Parole and
7. Pardon Board under the revised statutes, Chapter 127,
8. paragraph 5.11A. And I'm happy, Senator Walker, at least
9. referring to me as a layman last said perhaps maybe he was
10. admitting me to the bar to some extent. The only thing, Senator
11. Walker, you haven't yet paid me a retainer. Yet on the
12. serious side though, and Senator Clarke was alluding to it
13. when it says under the Chapter, I quoted here, "each member
14. appointed to the Board shall have had at least five years of
15. actual experience in the field." Now get these certain areas,
16. penology, correction work, law enforcement, sociology,
17. law, education, social work and medicine or a combination thereof.
18. Now, to me as a layman, I have no right perhaps to pursue the
19. point of law being just a layman but to me it is that simple.
20. Actual experience in the field of these various areas means
21. to me for instance in the field of education not as a student
22. not getting my bachelor's or my master's degree but actually
23. serving for instance as a professor. Not in the field of law
24. as a law student but as a practicing lawyer. Not in the field
25. of medicine being in medical school but being as a practicing
26. physician. This is an outstanding young man by any means of
27. comparison, but he just does not meet the five year experience
28. qualification, sad to say. Now, as far as this Senator is
29. concerned, we're either going to live within the statutory
30. qualifications or else let's scrap them lest during this
31. Session if we can get leave of the Body, repeal the law and
32. do something else but until that's done, here's one State's
33. Senator who intends to live within these qualifications even

1. though sometimes you have to hurt a younger person who,
2. given a few more years, would be qualified.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. Mr. President, I'd like to ask Senator Clarke a question.
7. And that question is a very simple one. Has the bill been
8. researched? Has it ever been passed on as to its constitutionality?
9. The...the law that you have cited.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Clarke, are you prepared to answer that question?

12. SENATOR CLARKE:

13. I don't know. Does that matter?

14. SENATOR KNUPPEL:

15. Yes. I think it does matter because in there you say
16. something about somebody's qualified because he's had five
17. years in the law. Well, listen, let me tell you that there's
18. a lot of guys that are lawyers who have never handled a
19. criminal case and most of all have never had to handle a
20. case that has to do with probation or with parole. This is
21. a field of sociology. As I understand, this young man's degree
22. is in that. As I understand it, he grew upon the grounds of
23. a prison. I'll tell you I'd rather take a 25 year old guy
24. that grew up on a farm and drove a tractor than somebody that
25. grew up in the city, spent 25 years trying to learn how. I
26. don't think many of the lawyers that I know of that have been
27. appointed to Parole and Pardon Board or to any other Board
28. that deals with this were qualified just because they've
29. been a probate lawyer or have a license to practice law. And
30. I feel very strongly that this law probably makes unreasonable
31. classifications in saying that a lawyer with five years ex-
32. perience is in anyway qualified. I don't think the law is a
33. good law. It may be the law, but I personally support, when I...

1. I was doubtful until I heard that this young man had grown
2. up on the grounds of a prison, was completely familiar with
3. the nomenclature and the procedure there. I...I'm going to
4. support him for that reason and that reason alone because
5. I know that people that are born and raised, they may not
6. have a formal education, but a man that's born and raised on
7. a farm doesn't need to go to Argiculture College to know. This
8. young man has more than that, and some of those who have it
9. never learn and couldn't learn no matter how many schools you
10. sent them to.

11. SENATOR MCBROOM:

12. ...Mr. President, and members of the Senate, I was going
13. to direct this question to Senator Partee but I see he's off
14. the Floor, perhaps his associate Senator Rock could answer me
15. on this or Senator Hynes. If I understood Senator Partee to
16. ...there's Senator Partee perhaps he can answer this question.
17. If I understood you correctly, Senator Partee, you said that the
18. members of the Supreme Court frequently disagree and many of
19. their decisions are on a five to four basis was that correct?
20. Now, Senator Partee, would you know if most...or all of the
21. members started their careers in some State Senate throughout
22. this nation?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Partee.

25. SENATOR PARTEE:

26. I'm sorry, I didn't hear the last question.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator McBroom, repeat the question.

29. SENATOR MCBROOM:

30. I said based on what you said that the attorneys on the
31. Supreme Court frequently disagree. I wonder if you know if
32. most of them started out their careers as State Senators?

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Partee.

1. SENATOR PARTEE:

2. That varies from time to time, some of them are picked
3. for political reasons right out of law firms. Sometimes
4. they come from law schools. Sometimes they do come from
5. legislative bodies. Sometimes they come from the Supreme
6. Courts of other states. They come from various places.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator McBroom.

9. SENATOR MCBROOM:

10. Thank you for your answer. I move the previous question,
11. Mr. Chairman.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. You've heard the motion of Senator McBroom moving the
14. previous question. All in favor will signify by saying aye.
15. Opposed? The ayes have it. The motion carries. The main
16. question has been put and upon that question the Secretary
17. will call the roll.

18. SECRETARY:

19. Bartulis, Bell,

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Bell.

22. SENATOR BELL:

23. Mr. President, members of this Senate, last night I had
24. the privilege of acting as a sponsor of Bill Doyle before
25. the Executive Committee and I really felt quite privileged
26. to present this young man to that Committee. I feel quite
27. privileged to stand up in his behalf this afternoon. I think
28. there's been a lot of rhetoric discussed in reference to the
29. question about his experience. I think it's been addressed
30. but I'd like to reiterate the point that the Executive Committee
31. kicked that particular question around and around and around
32. and it came out of there with a 14 to 7 Do Pass vote. And my
33. question here this afternoon is what do you have to have to
get the advice and consent of the Senate? Do you have to be

1. an ex-legislator? Or do you have to have 40 years stomping
2. around this Capitol? Now, sometimes I kind of wonder about
3. that particular question. This young man happens to hail
4. from my district, he was raised as you've heard in testimony
5. in reference to the question of penal reform. The Governor
6. saw in him a need to have somebody that has a youthful view-
7. point sit on the Parole Board to deal with young people that
8. are incarcerated in prisons. And I say to you that I think
9. that Bill Doyle's got that capability by background, by his
10. very nature and from what I observed last night in the
11. way he stood up and very respectfully addressed himself to
12. the Senators of that august Body. Now I would like to see
13. this Senate advise and consent to this young man. He has
14. a great opportunity. I feel certain he's got the capacity
15. to address himself to this in a meaningful way and be a
16. real leader in that field over the years. I vote aye.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Continue the roll.

19. SECRETARY:

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

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Walker.

30. SENATOR WALKER:

31. I hate to rise to explain a vote so I'll be brief. But
32. there was a remark made that the lawyers in the Governor's
33. office looked at the statutes. I would like to comment that it

1. was probably the same attorneys, I don't have too much
2. respect for attorneys in government service unless they're
3. a member of the Legislative Branch. I figure if they
4. know what they're doing they would be in active practice.
5. But I assume it was this same group of attorneys down on
6. the second floor in the Governor's office who passed on
7. Kirk's first nomination as a Director and then discovered
8. that he was ineligible. As I recall it, because
9. he was a precinct committeeman and I don't recall the
10. department, Finance, Revenue or whatever it was but I
11. assume it was those same lawyers and I assume it was the
12. same group down there that passed on Angelos for Director
13. of Insurance without reading the statutory requirements
14. that you couldn't have any connection with a liquor license.
15. So I don't think just because they have a few attorneys
16. down there that all the advice that they're giving Governor
17. Walker is good. I vote no without any hesitancy. I'm
18. satisfied in my own mind and I'm not even going into stat-
19. utory requirements because my newly appointed attorney Tommy
20. Merritt is taking care of that. But if this young man isn't
21. confirmed he isn't going to have any problems. Leahy didn't
22. have any problems. Fogel didn't have any problems. The
23. Governor will find a spot for him somewhere perhaps for
24. thirty grand instead of twenty-five, the salary this
25. would pay. I vote no.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Continue the roll.

28. SECRETARY:

29. Weaver, Welsh, Wooten, Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. The result of the vote of the Senate on the question is
32. 39 yeas, 12 nays. A majority of the Senators elected concurring
33. by record vote. The Senate does advise and consent to the

1. appointment of William J. Doyle to be a member of the
2. Pardon and Parole Board of the State of Illinois.
3. Senator Ozinga.
4. SENATOR OZINGA:

5. And now, Mr. President, from the Governor's message
6. of March the 27th the last member considered for the Board
7. of Pardon and Parole last evening was Mr. John M. Nolan
8. of Calumet City. The Executive Committee after a long, lengthy
9. hearing on this gentlemen came out with a final vote of 10 to
10. 9 at which time it was positively shown that there were no
11. proxies voted on the Republican side and the question
12. was asked, was this a partisan vote, which was by no means
13. a fact. And on top of that was his rehabilitation any part
14. of the record that made it, we tried to eulogize the fact
15. that this was a part of the decision that was all in his
16. favor. That we tried to adhere to and tried to give
17. him full benefit of the doubt for; however, after due consid-
18. eration and roll call was had there was a vote of ten votes not
19. to confirm him as against nine votes to confirm that nine consist-
20. ing of one proxy. Therefore, Mr. President, under the rules of
21. the Senate, I am constrained to make the motion that the Senate
22. advise and consent to the nomination of John M. Nolan of
23. Calumet City as a member of the Pardon and Parole Board.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Is there any discursion before we put the question?
26. Senator Partee.

27. SENATOR PARTEE:

28. Let me just say very simply, Mr. President and members of
29. the Senate, that this proved to be as the media predicted a
30. controversial nomination. And I suppose it was controversial
31. for the principle reason that it represented something new and
32. something progressive. The fact of the matter is John Nolan
33. is a man who served over eight years of his life in a

1. penitentiary, in a Federal penitentiary, in the East for a
2. bank robbery. During the time he was there he commenced to
3. rehabilitate himself and got out of a twenty-five year sentence
4. at the earliest possible parole time which was eight and one-
5. third years. Since he has been out of the penitentiary, he has
6. given an inordinate amount of his time talking with and dealing
7. with persons who had the misfortune to go awry of our laws and
8. who found themselves in penitentiaries. He worked night and day
9. in helping people to find jobs. Helping them to restructure
10. and reguide their lives toward productive activity. He has
11. had many citations from many governmental agencies and from
12. many penal institutions for his good and salutary work in
13. this field. He has been involved for the last few years on a
14. work-a-day basis with a union. We sat last night until 2 o'clock
15. this morning and heard an awful lot of testimony most of which
16. was hearsay. We heard the diatribe of a loser, the man who was
17. in the same election with him when Mr. Nolan was elected, the
18. president of the particular local union. It is a fact that
19. after that election there was a statement made by the losers
20. and their cohorts that there was something wrong or untoward
21. with this election. As a result of those statements, following
22. the natural m.o. or modus operandi that is available to them,
23. this matter went through the regular channels of legal and
24. union activity to a point where the international union said
25. that they found nothing wrong with the activities of this
26. election. Subsequent to that time the same dissidence, the
27. same losers filed; incidentally, they all live in Indiana,
28. filed an action or caused an action to be filed in the Federal
29. Court in Chicago and that action is now pending with a hear-
30. ing set date for August 16th. And this is not, I emphasize
31. the negative, it is not an action against the nominee. It is
32. an action against the nine people who by union law and regulation
33. were selected to run that election. And the result of that case

1. which is now pending will in no way inure to the disbenefit
2. of the nominee. The only thing that the court could say would
3. be that the nine persons who ran the election made some kind
4. of an error. It would not alter the results except they may
5. suggest that there be a new election but it would not mean
6. that the nominee was in any way a participant in whatever was
7. wrong. He is not even a party to that action. Now the
8. statement was made and I appreciate the apprehension of some
9. members of the Committee who suggested that this matter
10. should be deferred until after a determination is made, in that
11. case in the Federal Court. I listened with care to their
12. suggestions but as you think about it and realize that if he is
13. not a party to it, if it does not affect him as a person whatever
14. the decision is, there is no logical reason to defer this
15. nomination. I was sort of proud and you have here today voted
16. for three other persons to serve on that Parole Board and with
17. a person who is in the posture of a ex-felon on such a Board
18. who understands what goes on in the minds of persons who are
19. incarcerated having experienced it himself, who know what this
20. is about is able to make a real contribution to the Board. His
21. judgment, his intelligence, his reliability was buttress in
22. depth. Not only by a person who work with him on a day to day
23. basis but by the leaders of his union in that area. By the
24. representative of management, the Ford Motor Company where he
25. works and by people who work with him on a day to day basis.
26. The only people who had anything untoward to say about him
27. were those who were in the camps of the losers the people who he
28. had beaten in the election. And I daresay that if either one
29. of you went into your district today whoever you beat in the
30. primary or in the general election is not aesthetic about you
31. as a person. People have a tendency to not be overly happy
32. about someone who wins. To be vanquished is not a happy role
33. and they are likely to say some things that not only are
untrue, one man came in and said well this man

1. is under indictment which was an absolute false-
2. hood, mendacious statement, fabrication. It was a
3. damn lie that's really what it was. Now we found out and
4. finally he had to apologize for coming in to mislead us.
5. I say to you that with the broad scope of persons from
6. various fields of endeavor there's a woman we have just
7. appointed here today, we've advised and consented to who's
8. a black woman from Rockford, Illinois, who's a college professor
9. there with a great deal of experience and background and training
10. she will pour into this end product. This young man with whom
11. we have just finished from Joliet or Lockport who can make his
12. contribution at a different level who can help to understand
13. all of the problems, the nuances of this kind of an everyday
14. situation before the Parole Board. And a gentleman from
15. Chicago who was a former police captain in Chicago with an
16. excellent record who knows that side of the coin. And now
17. a man who has actually been in the penitentiary and who
18. served. Now everybody said we believe in rehabilitation. I
19. hope to God we believe in rehabilitation because we spend millions
20. and millions of dollars of the taxpayers money to rehabilitate
21. people and it seems to me after they have been rehabilitated
22. themselves, have shown that they recognize the error of their
23. ways and are now channelizing their energies and activities
24. toward productive activity certainly they ought to be given
25. a chance. Not only as for this man as an individual, but for
26. all of the other people who find themselves in a like situation.
27. Who are in a kindred kind of position. It seems to me a mag-
28. nificent thing for the State of Illinois to say to every person
29. who has committed a crime and who is out there on those streets
30. now we believe that you can be rehabilitated, and when you show
31. us that you have been rehabilitated there is a place for you in
32. society. I certainly feel, Mr. President, that this gentleman
33. should be advised and consented. I think this will be one of the

1. most progressive steps forward that this State could ever
2. take in this field. We've just passed the new Department
3. of Corrections, we've just passed a new Corrections bill.
4. Let's implement what we said and what we mean, and let's
5. get on with the business.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Mr. President, Senator Harris.

8. SENATOR HARRIS:

9. Mr. President, it's difficult for me to vote for rejection
10. of John Nolan as a member of the Parole and Pardon Board. I
11. believe very strongly in the concept of rehabilitation, a concept
12. that has taken on a new meaning in Illinois in recent years with
13. an enlightened corrections programs emphasizing rehabilitation.
14. I'd like more than anything to confirm a rehabilitated person to
15. serve as a member of the Parole and Pardon Board. However, as
16. was evidenced in the Executive Committee last night, there presently
17. is a question as to whether Mr. Nolan is that person. There's a
18. legal cloud hanging over his head that just cannot be ignored.
19. The fact that he is involved directly or indirectly in a lawsuit
20. now under adjudication prevents me from casting an affirmative
21. vote at this time. I was impressed with most aspects of Mr. Nolan's
22. testimony before the Committee last night, particularly his
23. concern for rehabilitation of ex-offenders and his ability to
24. communicate the need for greater effort in this direction. For
25. this reason I suggested that we postpone action on his nomination
26. until the matter pending in court has been decided. If the finding
27. of the court is adverse in relation to Mr. Nolan and the associates
28. with him in that matter, his effectiveness as a member of the
29. Pardon and Pardon Board will be diminished. But if that
30. adjudication is not adverse then it is further testimony to the
31. fact that this rehabilitated man is under no question and under
32. no cloud. My suggestion for delay or postponement was rejected
33. by the administration or the leadership thereof and for that reason I

1. have no choice at this time but to vote to reject this nominee
2. with the legal question still unresolved. This determination
3. is not at all based upon the question of whether this idea of
4. the appointment of a rehabilitated person is new and progressive.
5. That concept is acceptable and I applaud its suggestion
6. on the part of the Governor. The great misfortune is that
7. the determination to implement that policy which I ascribe
8. to was chosen to be implemented by a person of rehabilitative
9. achievement under a legal cloud. For this reason, I urge
10. the Senate to support the action of the Executive Committee
11. and reject this nominee.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Savickas.

14. SENATOR SAVICKAS:

15. Well, Mr. President, gentlemen of the Senate, I feel that
16. many of us here are laboring under a misapprehension. First of
17. all there is no legal cloud or any cloud at all hanging over
18. the head of Mr. Nolan. Mr. Nolan is not involved in any legal
19. problems. It is the international union that is involved, not
20. the local, not the officers that Mr. Nolan represents and this
21. was brought out in testimony by both the opponents to Mr. Nolan
22. and by Mr. Johnson that the Federal...Federal legality here is
23. involving with the international union. Now when we talk about
24. an election contest I'd like to explain a few things here. There
25. are 3500 members of Local 551 and these members themselves elect...
26. they elect an Election Committee to hold an election. This Election
27. Committee held an election. Mr. Nolan and his officers were
28. elected. The losers contested this election to the international
29. union. They were denied. They went further and the question now
30. is whether the international union should have held a new election,
31. not whether Mr. Nolan had any involvement or if there is any
32. question of Mr. Nolan's involvement. He is not even named in
33. the suit. Neither are any of the officers. So, I think

1. this is just a sham when they try to say that there is a legal
2. cloud over his head. He is not under any court order,
3. neither are his officers, this is just a coverup to probably
4. vote against the nomination of a rehabilitated man. I...I
5. can't see any adverse verdict that would be applied to Mr. Nolan
6. if this court suit is successful for the losers. There is no
7. way in the world that any adverse verdict can be applied to
8. Mr. Nolan or any of his officers of his union. It would be
9. applied to the international union. So again I think this
10. is a matter that should be clarified. We cannot judge a
11. man on innuendos. I think we either have to judge him on him,
12. himself as a rehabilitated person, as man who has worked...
13. worked with the people of his union and social programs, as a
14. man who is sensitive to the needs of our citizenry of Illinois
15. when he is determining on the paroles of our convicts and I think
16. we have a man in Mr. Nolan. And I think he should be judged on
17. this and not on innuendos about some union problems and some
18. dissidents that are dissatisfied with a union election. I would
19. urge you to support Mr. Nolan and confirm his nomination as
20. a member of the Parole Board.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Soper, for what purpose did you seek recognition
23. or have you withdrawn? Senator Rock. Gentlemen, if there
24. is no further discussion reminding you that day after tomorrow
25. is the last day for Senate bills. Senator Chew.

26. SENATOR CHEW:

27. I rise in support of the nomination. We have in this
28. country institutions and according to our judicial system if
29. one is convicted of a crime there are laws that set penalties
30. and when that penalty is paid that individual has a constitutional
31. right to be returned to society because that is commonly known
32. having paid his debt. Now, when are we as men and women to set
33. in judgment on another individual and be fair in the judication?

1. Let me tell you something else. I doubt seriously whether there
2. is one of us sitting in this Senate who has not been guilty
3. of some type of crime but fortunately we have not been caught.
4. Now, that is what we would consider lucky. Why don't we go
5. on and give the Governor his appointee and stop assailing the
6. character of what we consider a rehabilitated individual and
7. give him a chance. And if he doesn't function properly there
8. are means of removing him from that office. But let us not
9. set in judgment like we are gods. Give that man a chance.
10. I'm going to support the nomination.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Any further discussion? Senator Nimrod.

13. SENATOR NIMROD:

14. Mr. President, I am very surprised at the remarks that
15. I hear from the other side of the aisle. Evidently, most ears
16. were closed when our President spoke on this subject. He
17. said that he not only asked but he pleaded because he felt
18. there was a just cause here. That this question not be con-
19. sidered and this be postponed. And it's the other side of the
20. aisle who has forced the issue while this cloud hangs. And
21. if they're the ones that really want it, they know what action
22. they have to take.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Rock. Gentlemen, can we be brief, we've been
25. almost...

26. SENATOR ROCK:

27. Well, Mr. President, I think that deserves an answer because...

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. You're recognized for that purpose.

30. SENATOR ROCK:

31. The Senator was not, frankly, present at the Executive Com-
32. mittee meeting last night...over and over and over this. There is,
33. I think, a legitimate difference...opinion. I'm not...not that
we didn't listen to Senator Harris, we heard it quite at length last

1. night and then again this afternoon. He speaks about a
2. legal cloud and in our judgment there is no legal cloud.
3. The suit was brought by the Department of Labor under the
4. Labor Relations Act. It's against the international union
5. and it seeks to set aside their judgment. Their judgment
6. upholding the Election Committee of this local union. And
7. the only question is was this election held in conformity
8. with the bylaws and constitution of that union. Now neither
9. you nor I have read those bylaws. Neither you or I have
10. read that Constitution. The fact of the matter is, Mr. Nolan
11. is not a party and whether or not the judgment of the inter-
12. national union is upheld or not there is frankly simply is no
13. cloud of any kind against Mr. Nolan.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Ozinga, for what purpose...

16. SENATOR OZINGA:

17. Mr. President, I think we can go on, we sat until almost
18. 2:15 last night and I think we could go on and on and on with
19. the pro and con both ways. I would move the previous question
20. and let's have a roll call.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. You've heard the motion of Senator Ozinga. All in favor
23. will signify by saying aye. Opposed. The ayes have it, then
24. the question shall be put. Does the Senate advise and consent
25. to the Governor's nomination of John M. Nolan to be a member
26. of the Pardon and Parole Board of this State. And upon that
27. question the Secretary will call the roll.

28. SECRETARY:

29. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
30. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. I'm sorry Senator Dougherty.

33. SENATOR DOUGHERTY:

Mr. President and members of the Senate, as the Senate

1. sponsor of Mr. Nolan, I would make this observation that this
2. Body has absolutely no business interfering or taking into
3. consideration the internal affairs of the local union of the
4. United Automobile Workers. There was an election. Mr. Nolan
5. was elected by a rather fair majority. And this election is
6. now being contested by his former opponent. This is none of
7. our business. Rather we should take into consideration the fact
8. that since 1959, upon his release from Lewisburg, Mr. Nolan has
9. spent all of his time that he could devote away from his work,
10. to attempt to rehabilitate and to work with those people who
11. have found to be afoul of the law. He is sensitive to the needs,
12. the desires and what these people, offenders, are working with.
13. He is aware of their frustrations. He has sought and achieved
14. employment for many of them. He is truly...he does follow the
15. statutory requirements of more than five years in penology, even
16. though it's amateur penology. And it is a sensitive penology.
17. He deserves and the Governor made a wise choice in his
18. diversification of the membership of the Parole Board. And this
19. diversification and the selection of Mr. Nolan is most laudable.
20. I urge those members on the other side of the aisle, at least
21. one or two of them to take into consideration the fact that
22. this man is more than eligible for this job. I vote aye.

23. SECRETARY:

24. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,
25. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
26. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
27. Newhouse, Nimrod,

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, I am deeply sorry that my vote for Mr.
32. Nolan was forced to be withheld and the men on the other side
33. of the aisle keep speaking about how qualified he is and yet

1. they held up an appointment...another appointment here that
2. was just recently turned down for one or two months, there
3. would have been nothing wrong with holding up this appointment.
4. I say it's sheer hypocrisy that they force this kind of an
5. issue and I have to vote present.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Continue the roll.

8. SECRETARY:

9. Nudelman, Ozinga, Palmer, Partee,

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Partee.

12. SENATOR PARTEE:

13. Before I cast my vote I think I owe it to Senator McBroom
14. to give him a full answer on the question he asked me about
15. where the Supreme Court Justices came from. We've done a
16. little research since you asked me the question and we find
17. that one comes from a place called Kankakee, Massachusettes.
18. I vote aye.

19. SECRETARY:

20. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
21. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
22. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Johns. For what purpose do you arise?

25. SENATOR JOHNS:

26. Mr. President, we spend billions of dollars every year
27. and we don't do anything with it. I think what the Governor
28. has done is offer us...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Are you explaining your vote Senator?

31. SENATOR JOHNS:

32. Yes, I am, Mr. President. Mr. President, what I was
33. trying to say is that what the Governor has offered us is

1. a very unique Parole Board made up of all segments of
2. society. Experience, black, white, youth and a man who has
3. served eight and a half years in prison. Mr. President, I
4. can see that this is not going to succeed and so I move that
5. we postpone consideration as President Harris has suggested.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. The question is, is the Senator's motion in order and I
8. will rule on that shortly. Going back to the original motion
9. for a call of the absentees, I attempted to rule correctly on
10. the first point. That is only the sponsor of the motion on a
11. question or on a bill shall make such a motion as you pro-
12. posed to put. In that ruling and it is...it is the decision
13. of the Chair that the Senator from Marion is out of order and
14. the only gentleman who can make a motion for postponement is
15. Senator Ozinga. I would suggest that you read Rule 42.

16. Senator Partee.

17. SENATOR PARTEE:

18. Well, Senator Dougherty is a sponsor. ...Would that
19. motion be out of order. From Senator Dougherty?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Ozinga is the person putting the motion to
22. advise and consent as a result of the action of the Committee
23. on Executive.

24. SENATOR PARTEE:

25. I don't quarrel with who's putting the motion, the
26. question is who is the sponsor. Not quarreling with who
27. is putting the motion.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The sponsor of the motion, the Chair rules is Senator
30. Ozinga.

31. SENATOR PARTEE:

32. Well, now Mr. President, now just think through that for a
33. moment, cogitate it. Any motion then relating to any person

1. who has been in the Executive Committee could then only be
2. spoken to by the Chairman of Executive. I don't think any
3. rule would have that interpretation to foreclose the rest
4. of the membership from making a motion with respect to an
5. activity of that Committee. Now it's a part of the rules
6. which makes it that the Chairman of the Committee has to
7. give the motion. That doesn't give him any proprietary
8. interest in the motion nor does it make him the sponsor of
9. the motion. Pursuant to rules it is axiomatic that the
10. Chairman has to put the motion but that doesn't give the
11. motion to him, he has no possessory rights in it.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. I think, Senator, the question has to be resolved
14. around the interpretation of Rule 45 which says, after a
15. roll call has been started only a motion by the principle
16. sponsor to suspend the roll call shall be considered. A
17. motion to postpone further consideration or suspend a roll
18. call on a bill or proposition may not be made more than
19. once on a same bill or proposition.

20. SENATOR PARTEE:

21. Well, then Mr. Chairman, let me ask you...Mr. President,
22. let me ask you this, what role then does Senator Dougherty
23. play when he is given the identification before the Committee
24. as being the sponsor of the nominee? He is the sponsor, the
25. only sponsor and that is almost in all cases a person who
26. represents the district from which the nominee comes. He
27. is the sponsor of the nomination.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I am not disputing the fact that Senator Dougherty was
30. chosen by the Governor's office to introduce this gentleman
31. to the Executive Committee. I think that is a matter of
32. record. I think the rule applies itself to the person making
33. the motion that will precipitate the action with regard to

1. what the Senate may or may not do with regard to the question
2. which has been put. And in that event I am ruling that the
3. only person that can make that motion to precipitate that action
4. must be the Senator who made the motion...made the motion as the
5. result of the Executive Committee and I am ruling that that was
6. Senator Ozinga. If he chooses to postpone consideration, the
7. Chair rules that he is in order to do so. Senator Harris.
8. I recognize Senator Harris.

9. SENATOR HARRIS:

10. Well, Mr. President, I just wanted to respond to the
11. question raised by Senator Partee on the matter of sponsorship
12. of the nominee. I think that's a matter that applies to the
13. activity of the Committee and only the Committee. The motion
14. that is before us was put by Senator Ozinga. I think you have
15. appropriately ruled under the rules that Senator Ozinga is
16. the only person who can make this motion to postpone once the
17. roll call is started.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Mohr. Howard Mohr.

20. SENATOR MOHR:

21. Mr. President, if my memory serves me right, last evening
22. before there was a vote taken on this candidate, this opportunity
23. was afforded or presented to the members of the other side. We
24. suggested that they hold off, they chose to go this route. Now
25. let them go the route. I've never seen such a Body that can
26. waste so much time, the end result is going to be the same
27. regardless as to how much time we spend on it so I would suggest
28. we let the issue drop. It's been voted on twice and it can
29. be voted on four more times and the end result is going to
30. be the same. Let's get on with our business.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Chew.

33. SENATOR CHEW:

1. I want this for my personal information and this is
2. not to appeal your motion.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. You have that right.
5. SENATOR CHEW:
6. I have a bill in my hand which I am the principle sponsor.
7. I did not offer this bill but it was requested of me to handle
8. it. This bill goes to Committee where the Committee has a
9. Chairman, regardless as to what action is taken in that
10. Committee I still have the right as the sponsor of that
11. bill to make the request. Now the Chairman does not
12. control this bill, and the same thing applies to the
13. nominee, and you know your ruling is...
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Gentlemen, stay in your seats, I'll recognize you
16. from there. And you are out of order, Senator.
17. SENATOR CHEW:
18. I asked for this recognition and you know the same
19. thing...
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. You're out of order Senator. You are not speaking to
22. the question and you are out of order. I'll recognize...
23. Senator Hall was up first and Senator Carroll and Senator
24. Partee and I think somewhere along the line we should make
25. an appropriate motion. Senator Kenneth Hall. Are you
26. yielding to the Senator...the leader on your side? Senator
27. Kenneth Hall.
28. SENATOR KENNETH HALL:
29. I'll yield to Senator Partee.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Senator Kenneth Hall yields to Senator Partee.
32. SENATOR PARTEE:
33. I don't want to make a big, big issue on this...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. I want to remind us that we are still out of order.

3. We are on roll call.

4. SENATOR PARTEE:

5. Yes. I don't want to make a big issue out of this but

6. I just want to protect the integrity of our rules. We had

7. a rule which was number 9 last year which is number 7 today.

8. And the second paragraph of that rule is the significant

9. part of it. And it says, it's talking about...talking about

10. nomination subject to confirmation. And the second paragraph

11. reads on considering the report of the Executive Committee

12. on a nomination the presiding officer shall put the following

13. question, does the Senate advise and consent to the nomination

14. just made. Which is to say that Senator Ozinga has no role

15. in the putting of the question as a Chairman of a Committee

16. he is but a conduit to bring to the attention of the Body the

17. action as taken by the Committee. He makes a report which is

18. the action taken by the Committee and the only person who puts

19. the question is the President. Now when the President puts a

20. ...a question every member of the Body would have a right to

21. ask for a call of the absentees for a postponed consideration

22. because Senator Ozinga doesn't make the motion. Hence he is

23. not the person who can make the decision as to whether or not

24. there shall be a call of the absentees or whether there shall

25. be a call for a postponement. I read you the rule, this is

26. our rule and there can be but one interpretation and that is

27. the presiding officer shall put the question.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. The Chair has ruled and you're trying to suggest, Senator

30. Partee, that I am the only one that could ask for a postponement

31. and I do not so choose. Continue with the roll. Oh, I'm

32. sorry. Senator Carroll, for what purpose do you arise?

33. SENATOR CARROLL:

1. This, too, was on that parliamentary inquiry Senator
2. Graham if I may...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. State your point.

5. SENATOR CARROLL:

6. I...following up on Senator Partee that Rule 7 says
7. the presiding officer doesn't say he's the sponsor. It says
8. he's the presiding officer who puts the motion. Rule 42
9. talks in terms of during a roll call no motion except a motion
10. to postpone shall be in order. It doesn't say who has to
11. make that motion. 45 talks about a motion to suspend the roll
12. call which as we all know is totally different than a motion
13. to postpone. Postpone and suspend are not the same thing.
14. I think Senator Partee's point taken in light of also Rule
15. 42 and Rule 45 that the President makes the motion...makes
16. the question does the Senate advise and consent. That any
17. member can make the motion to postpone. That a motion to
18. suspend is different from a motion to postpone. And both
19. Senator Dougherty and Senator Partee and I would join and
20. that would make the motion to postpone the vote on the
21. advise and consent.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The Chair has ruled that the officer of the Executive
24. Committee inasmuch as there is no sponsor of a bill or a
25. proposition pending is an elected Senator of the State of
26. Illinois, Senator Ozinga. And the Chair has ruled that
27. Senator Ozinga is the only man in that...as an agent of that
28. Committee that can make a motion to postpone much as he did
29. last night. That's the ruling of the Chair. Senator Partee.

30. SENATOR PARTEE:

31. You give me no choice but to make a motion to appeal
32. the ruling of the Chair.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Partee appeals the ruling of the Chair. He is
2. joined by...he is joined by sufficient number of Senators.
3. A motion has been made to appeal the ruling of the Chair to
4. sustain the motion by Senator Par...Senator Harris.
5. SENATOR HARRIS:
6. Parliamentary inquiry. Has the roll call been completed?
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. It has not been completed.
9. SENATOR HARRIS:
10. Well, I would suggest that the appropriate procedure is
11. to continue the roll call and at that point recognize Senator
12. Partee for his inquiry and then his motion to appeal.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Before the roll is announced?
15. SENATOR HARRIS:
16. That is correct.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Your point is well taken and we will continue the roll.
19. We cannot hang in limbo it seems to me in the middle of a
20. roll call to debate a parliamentary question with regard to
21. a motion that can be put after the roll call has been completed
22. and before it is announced. Senator Partee.
23. SENATOR PARTEE:
24. Just logically. How could one make a motion to postpone
25. after the roll call had been announced?
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. We...
28. SENATOR PARTEE:
29. The motion has to come before it is announced.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. That's what we agreed Senator.
32. SENATOR PARTEE:
33. ...Otherwise it means nothing.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. We agreed that we would not announce the roll call until
3. you were recognized for the purpose of making the motion.
4. Continue the roll. Senator Johns was explaining his vote
5. and how do you vote, Senator, so we can complete the roll.

6. SENATOR JOHNS:

7. I vote aye.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Roll been completed? Have all the Senators voted who wish
10. to vote? And let's get on with the show. Senator Palmer.

11. SENATOR PALMER:

12. I would like the motion to suspend the rules and entertain
13. a motion for postponed consideration. That's the proper motion
14. I believe.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Palmer...what is your motion again Senator?

17. SENATOR PALMER:

18. I move to suspend the rules and for this Body to entertain
19. a motion for postponed consideration.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. You move for unanimous consent of the Senate to suspend
22. the rules. Senator Harris on a point of order.

23. SENATOR HARRIS:

24. Not on a point of order, to make a substitute motion.

25. I move to Table that motion.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Harris moves to Table the motion by Senator
28. Palmer. All in favor of the motion of Senator Harris will
29. signify by saying...there will be a roll call on the motion
30. to Table Senator Palmer's motion. On that question the
31. Secretary will call the roll. Senator Welsh. Gentlemen
32. I think we might be purposely attempting to do what we're
33. purposely attempting to do and I'm warning you. Senator,

1. Senator Welsh, for what purpose do you arise?

2. SENATOR WELSH:

3. Parliamentary inquiry.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. State your point.

6. SENATOR WELSH:

7. Mr. President, how many votes are required on this
8. motion to pass or defeat this motion?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. How many votes are required to defeat the motion? A
11. majority of...

12. SENATOR WELSH:

13. To act upon...to act upon this motion.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. A majority of the Senators voting. The motion is to Table.
16. Secretary will call the roll. The motion...the motion by
17. Senator... Let's get straight with the Secretary. First,
18. Senator Palmer made a motion to suspend the rules for the
19. purpose of us entertaining a motion to postpone consideration.
20. Senator Harris then moved to Table the motion made by Senator
21. Palmer and it's upon Senator Harris' motion to Table that the
22. 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,

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Fawell, this motion is nondebatable. Senator...
29. for what purpose do you arise? We're on roll call to
30. Table Senator Palmer's motion on a motion by Senator Harris
31. to Table Senator Palmer's motion to suspend the rules for
32. the purpose of entertaining another motion to postpone the
33. further consideration of John Nolan. And I'm going to have
that down pat.

1. SENATOR FAWELL:

2. Well, I...I would like to explain my vote. Can I do
3. that even?

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. This is nondebatable and nonexplanatory. This is
6. a nondebatable motion.

7. SENATOR FAWELL:

8. Well, I realize that...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. The Motion to Table...

11. SENATOR FAWELL:

12. Can't you explain your vote?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. The Chair has ruled that we do not explain our vote.
15. And we do not debate a motion to Table.

16. SENATOR FAWELL:

17. All right, no.

18. SECRETARY:

19. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
20. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
21. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
22. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
23. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
24. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
25. Walker, Weaver, Welsh, Wooten, Mr. President.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. On this question the yeas are 29. The nays are 29. The
28. motion by Senator Harris does not prevail. Senator Palmer.
29. The motion would recur back to your motion I believe to suspend
30. the rules. And that motion is not debatable. Senator, how
31. many, you are all standing...Senator Harris.

32. SENATOR HARRIS:

33. Mr. President, I call for a verification of those voting

1. in the negative.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. He has requested a verification of those voting in
4. the negative on the motion made by Senator Harris. A
5. verification of the roll call will be had of those voting
6. in the negative and will the Senators please be in your
7. seats. Will the Senators please be in your seats?

8. SECRETARY:

9. The following voted in the negative: Bruce, Buzbee,
10. Carroll, Chew, Course, Daley, Donnewald, Dougherty, Fawell,
11. Kenneth Hall, Hynes, Johns, Keegan, Knuppel, Kosinski,
12. McCarthy, Netsch, Nudelman, Palmer, Partee, Rock, Romano,
13. Saperstein, Savickas, Smith, Swinarski, Vadalabene, Welsh,
14. Wooten.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. The verification has been had and the roll call...
17. There has been a request by the gentleman from Breese for
18. a roll call of those voting in the affirmative. The motion
19. by Senator Donnewald has been withdrawn. We are now
20. entertaining the motion by Senator Palmer to suspend the
21. rules for the purpose of making a future motion. The motion
22. pending before the Body is now to suspend the rules.
23. Senator Welsh. Senator Welsh.

24. SENATOR WELSH:

25. Parliamentary inquiry, Mr. President.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. State your point.

28. SENATOR WELSH:

29. How many votes does it take?

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. It takes 30 votes to suspend the rules and the motion
32. is nondebatable. All those in favor of the suspension of the
33. rules will signify by saying aye. Opposed? A request has

1. been made for roll call. I suspicioned that before. A roll
2. call will be had.

3. SECRETARY:

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

11. Senator Partee.

12. SENATOR PARTEE:

13. Now this is a motion to suspend the rules so that the...

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Nondebatable as you know.

16. SENATOR PARTEE:

17. Consideration can be...just ask a question. This is
18. what you wanted to do last night, is that right? So, I know
19. you still want to do that, don't you?

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. We're on the motion to suspend the rules.

22. SENATOR PARTEE:

23. Vote aye.

24. SECRETARY:

25. Regner, Rock, Roe, Romano, Saperstein, Savickas,
26. Schaffer, Scholl, Shapiro, Smith, Sommer, Soper, Sours,
27. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
28. Mr. President.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Graham, no. Vadalabene, ayé. Almost missed it, Sam.
31. Senator Partee, what purpose do you arise?

32. SENATOR PARTEE:

33. Well, I'm going to say that it would now revert to my

1. motion to appeal the ruling of the Chair. I'm not going to...

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. We have not...

4. SENATOR PARTEE:

5. All right. Go ahead.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. We have not completed this motion, Senator. On the
8. motion of Senator Palmer to suspend the rules, the yeas
9. are 29. The nays are none. And the rules are not suspended.
10. The nays are none. The nays are 20, I'm sorry. Senator
11. Partee.

12. SENATOR PARTEE:

13. I have now pending a motion to overrule the ruling of
14. the Chair. We've spent a considerable time on this question
15. and it is obvious to me now what the consensus of this
16. Body is in terms of the appointment of this gentlemen. I'm
17. going to withdraw that motion so that we can get on with
18. other business in a responsible way, but I'm going to journalize
19. my protest with reference to the ruling of the Chair and
20. that will do just as well.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Partee withdraws his motion. The result of the
23. vote of the majority of the Senate on the question previously
24. put with regard to nomination is 29 yeas, 18 nays, one voting
25. present. A majority of the Senators elected having refused to
26. give their advise and consent by a record vote the Senate
27. rejects the Governor's nomination of John M. Nolan to be a
28. member of the Pardon and Parole Board of the State of Illinois.
29. Senator Ozinga.

30. SENATOR OZINGA:

31. Now, Mr. President, I would move to the Governor's
32. message of January 15th and also of March the 6th wherein
33. he nominated Mr. Nolan B. Jones of Cairo, Illinois to be

1. the Director of the Department of Personnel for a term ex-
2. piring on the 3rd Monday of January 1975 and I would move
3. that the Senate advise and consent in this appointment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. You have heard the motion. If there's no discussion
6. the question will be put. Does the Senate advise and
7. consent to the nomination of Nolan B. Jones to be the
8. Director of the Department of Personnel and upon that
9. question the Secretary will call the roll. The Secretary
10. will call the roll.

11. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The result of the vote of the Senate on the question
24. before the Body was 52 yeas and 1 nay. A majority of the
25. Senators elected concurring by record vote the Senate does
26. advise and consent to the nomination of Nolan B. Jones to
27. be the Director of the Department of Personnel. Senator
28. Ozinga.

29. SENATOR OZINGA:

30. And now, Mr. President, we come to the final nomination
31. of the Governor as of January 29th and March the 6th. This
32. was the one that we considered at the very last and until
33. almost quarter after 2 this morning and after a long and

1. lengthy debate with reference to activities of this
2. nominee the vote was finally had. And the motion of the
3. Committee to confirm was 13 to 9 not to confirm her
4. nomination but under the rules of the Senate, I am
5. constrained to move that the Senate do confirm the nom-
6. ination of Miss Beverly Addante of Chicago as Assistant
7. Director of the Department of Personnel. Now I think
8. this has been thoroughly voiced in the Committee last
9. night and after a long and lengthy debate with re-
10. ference to her activities, qualifications and etcetera
11. and everything concerned, I would urge a roll call
12. at this time.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Is there further discussion? Senator Knuppel.

15. SENATOR KNUPPEL:

16. I wasn't...I wasn't in that Committee meeting until
17. 2:30 this morning and I'd like to know something about
18. who I'm voting on here and what it's all about. You just
19. say you want a roll call and if you were there until 2:30
20. doesn't help me a bit.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. You...you addressing that to Senator Ozinga? Senator
23. Ozinga. Senator Ozinga, did you reply? Senator Harris.

24. SENATOR HARRIS:

25. Well, Mr. President, Miss Addante appeared before the
26. Committee and while I recognize it was late in the day, I
27. concluded after her appearance and her response to questioning
28. that she should be denied confirmation by the Senate. I'll
29. state some of the reasons I conclude that way. It seems to
30. me that one engaged in political activity of which Miss
31. Addante was involved during Governor Walker's campaign
32. demonstrates an abruption of the requirement in the Civil
33. Administrative Code of Illinois that the State law

1. provides that a person serving in the position of one of
2. the executive officers of the Department of Personnel should
3. not be an officer or a member of a committee of any partisan
4. political group or organization. Miss Addante was a
5. regional director of the campaign to elect the Governor and
6. a person in this sensitive position of Assistant Director
7. of the Department of Personnel are the reasons for the
8. statutory qualification. Further, the Civil Administrative
9. Code of the State of Illinois requires that the chief execu-
10. tive officers of the Personnel Department have practical working
11. experience in personnel administration. Miss Addante's back-
12. ground, by no stretch of the imagination, demonstrates a
13. fulfillment of that statutory requirement. The Department
14. of Personnel recently underwent reorganization which...in
15. which greatly increased powers were vested with the Assistant
16. Director. A greater number of persons now report to this
17. Assistant Director. Many of them employees with highly
18. technical expertise. The practical effect then is that
19. this position has been given greater power but it is being
20. recommended to be filled by a person without the qualification
21. to fulfill those increased powers. Despite the fact that
22. she worked in the Governor's campaign and despite the fact
23. that she has never held a position in the field of personnel
24. management, she did tell the Committee that her appointment
25. was nonpolitical. Well, a person who worked in a \$11,000 a
26. year political position last year in my judgment clearly
27. does not qualify to become the \$27,000 a year Assistant
28. Director of Personnel this year. I find no trouble in voting to
29. reject this nominee and I urge the Senate to uphold the vote of
30. the Committee on Executive and that the Senate do not advise
31. and consent to the appointment of an unqualified political
32. campaign worker to an important and highly sensitive position
33. in the Department of Personnel.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Netsch. ...Seek recognition and I gave the
3. lady preference over Senator Knuppel.

4. SENATOR NETSCH:

5. I thought you would recognize Senator Knuppel first.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. He objected.

8. SENATOR NETSCH:

9. That's very gracious of Senator Knuppel. Especially
10. of Senator Knuppel. I may have started on a light tone but
11. my remarks are very serious. I suppose it is...will come
12. as no great surprise to anyone that the confirmation of
13. Beverly Addante is in serious trouble. I don't think within
14. anyone's memory that a Governor of the State of Illinois has
15. ever been treated with such hostility and such contempt by
16. the Members of the Senate of this State. Everyone that I
17. have heard speak on any of these appointments has always
18. paid lip service to the theory that the Governor should have
19. the appointees of his choice. Those who reflect his point
20. of view and who will serve him in the way that he chooses
21. in carrying out the functions of the Governor of the State.
22. Everyone pays lip service to that but time and time again
23. now, this year in the Senate, the Senate has refused to
24. give the Governor the people whom he has chosen to carry
25. out those functions. Rarely, maybe a couple of times, but
26. rarely has it ever been based on the lack of qualifications
27. of the person involved. It's true that in a few cases, someone
28. has been objected to as is true in Miss Addante's case that he
29. or she is young or inexperienced or both. But I would suggest
30. to you that all of us started somewhere sometime and probably
31. the first time that we ran for public office or held a public
32. position, we were as young or inexperienced or both as is
33. suggested in the case of Beverly Addante and others. But

1. apart from that and beyond that it seems to me that if the
2. Governor believes that State Government requires people who are
3. new who have fresh ideas and fresh approaches that that indeed
4. is his prerogative. That is as much a part of giving the
5. Governor his choice as any of the other standards that might
6. have been suggested. And that is what the Governor has said.
7. Beverly Addante is not a professional in personnel work. That
8. also is true. But she is a highly intelligent person. She
9. is hard working and energetic and in the space of a few short
10. months she has already mastered a great deal of the intricacies
11. of the Personnel Department. And indeed some of the Senators
12. who had occasion to work with her have commented on the fact
13. that they have been impressed with her grasp and her ability
14. to handle her job. I am convinced that her rejection if it
15. is to occur comes about because, true, she gave the wrong
16. answer to a have you stopped beating your wife recently question
17. that was propounded to her by members of the Senate Executive
18. Committee. It is also true that she does have some friends
19. in the, what is known as, the independent political movement
20. in the City of Chicago. I would submit to you that neither
21. of those is an appropriate reason to place on her the stigma
22. of having been rejected by the Senate of this State. Neither
23. is a reason for holding her unqualified to serve in a high
24. public position. And neither is a reason for denying to the
25. Governor the choice which he has made for this position. I
26. would urge you to approve Beverly Addante. Do what you have
27. been saying right along is the proper thing to do. Let the
28. Governor have the appointments of his choice. Put aside your
29. political reasons for rejecting his appointments time after
30. time.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Knuppel.

33. SENATOR KNUPPEL:

1. The unbelievable has occurred, I yield to Senator
2. Partee. Twice this afternoon.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. You are turning out to be quite great.

5. SENATOR PARTEE:

6. Certainly a real gentleman. I appreciate it. As I
7. listened to my dear friend, Senator Harris, give his reasons
8. I thought about something my father told me many years ago.
9. There are two reasons for everything. A good reason and
10. a real reason. Let me point out to you that the only thing
11. that I can see is that these denials or some of them are
12. bottomed malevolence or malice, I don't know which. Let me
13. tell you what happened just two years ago and I know you
14. have not forgotten it but there is a thing called history
15. and two years ago in this Senate a man was presented by
16. the name of Alan Draczek who served in this same Department
17. of Personnel. He had been active in the Young Democrat
18. and the Young Republican Party. He had been a precinct captain
19. in Chicago and under those situations was absolutely a partisan
20. and had been involved in politics. In 1969 they appointed him
21. Assistant Director. We knew that he'd been in politics.
22. We knew that he was active in the Young Republicans.
23. But he seemed like a person of quality so we appointed him.
24. And then in 1970 when Mr. Vanderbosse quit, they then could
25. not make him the Director because he did not...had not been
26. out of politics for two years and he was appointed acting
27. director and we...we've approved his appointment as acting
28. director and he sat in that position for another year.
29. So he was there for two years under the rules that you now
30. so jealousy guard improperly - but we gave him to your
31. Governor because your Governor wanted it. And he's not the
32. only one. Frank Resnik in General Services was in the same
33. kind of political position and we gave you him. We gave you

1. Ray Anderson in the Department of Aeronautics on the same
2. basis. He'd just been defeated in the Legislature, had been
3. an active political worker and partisan, and we gave you him
4. in the position which he was assigned. So, if you're going
5. to give a reason for not going with this lady in terms of
6. her confirmation, give us the reason. Don't give us a good
7. reason because the reason you gave us is not a good one.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. I'd call attention to the fact and to the lawyers in this
12. Body that all our judges are elected on a partisan ticket.
13. And they are immediately expected to become nonpartisan.
14. And they do a pretty good job of it. I think that it is an
15. asset to a person that they believe in something and work
16. for it. I would have very little confidence. I'm a partisan.
17. I believe...I believe in working for what I believe in and I
18. do work for it. I know that Senator Harris is a partisan and
19. I know that the people who hold the leadership on your side
20. of the aisle are the people who supported Senator Harris in
21. the caucus before we convened here. And I don't blame him.
22. I applaud him. I think that's what works about the American
23. system; that those people receive the positions who support
24. the victors. I believe, yet, that there is too much of that
25. that has disappeared. I think that it is possible for a
26. person to leave the partisan era as our judges do and enter
27. into a status where they can judge things and can act dis-
28. passionately. I feel that this is not a reasonable nor a
29. fair reason to subscribe to your votes; not to sustain or
30. not to approve and consent and advise on behalf of this to
31. this young woman. I kind of agree with what Senator Bell had
32. to say earlier this afternoon. I haven't been here a great deal
33. of time but I know that former members of the General Assembly,

1. whether they be House members or Senate Members seem to
2. receive ready, almost unanimous, approval for anything
3. they are appointed to. That's the part...they're part
4. of the fraternity and that maybe is good but our...our system
5. is not progressing. It is not going forward as it should.
6. I think that we should bring new ideas and some ingenuity
7. into government and I'm afraid that we haven't done this and
8. that this young woman might be one of the steps in the
9. right direction as I felt was true. I...I feel that if
10. there's anything Governor Walker has done is to at least
11. put a different slant on government and our people to-
12. day haven't got much confidence in us...and I think we
13. politicians are rated just ahead of used car salesmen.
14. And the people elected Governor Walker; they must have
15. believed in what he said. I think he should be given an
16. opportunity to prove that and to see if he can infuse
17. new blood and new ideas into government and this young
18. woman, I think if the political arguments are to be used against
19. her, is not being fairly treated. I would ask all of you,
20. as Senator Bell said a little bit ago, let's get some-
21. body who isn't, who hasn't grown hidebound, who hasn't
22. grown hard and callous by the political system we have.
23. Maybe we can learn from them. It's been my experience
24. when I move into a new community that the people who have
25. lived there for a long time, they see the good things in the
26. community, they never see the faults. It takes someone who moves
27. in from outside to see the faults and how to improve the
28. community because the people who are there are provincial.
29. They're proud of their community and they look only for
30. the good things. Maybe some new blood and new ideas will
31. help our government. I say that we should support the
32. young woman.

33. PRESIDING OFFICER (SENATOR GRAHAM):

No further discussion? The question will be put.

1. And that question is does the Senate advise and consent
2. to the appointment of Beverly Addante to be the Assistant
3. Director of the Department of Personnel and upon that
4. question the Secretary will call the roll.

5. SECRETARY:

6. Bartulis, Bell, Berning,

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Berning.

9. SENATOR BERNING:

10. Well, just briefly, Mr. President, I think some of
11. the comments from the other side deserve just a bit of
12. refutation. I'd like to submit that there were appointments
13. made today on which certainly there was no unanimous agreement
14. and contrary to what Senator Netsch has stated, we have not been
15. arbitrary completely and have given approval to people that
16. there has been great reservation about. And why is this, why
17. do we challenge appointments? Simply because that is our
18. duty. We are elected to represent the best interests of the
19. citizens as we determine it just as the Governor is elected
20. and yet I have said many times, the Governor should be entitled
21. to his appointees insofar as they have the qualifications
22. and do not subvert the best interests of the citizens insofar
23. as I can determine. And may I submit to you that President
24. Nixon has not been successful in all of his appointees. In
25. this case it is my humble opinion that this candidate does
26. not have the qualifications. And I vote no.

27. SECRETARY:

28. Bruce, Buzbee, Carroll, Chew, Clarke, Conolly, Course,
29. Daley, Davidson, Donnewald, Dougherty, Fawell, Glass, Graham,
30. Harber Hall, Kenneth Hall, Hynes, Johns, Keegan, Knuepfer,
31. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,
32. Mitchler,

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Mitchler.

2. SENATOR MITCHLER:

3. Now, Mr. President and members of the Senate. There's
4. been discussion this afternoon about how we should react to
5. a Governor's appointment, whether we should just accept them
6. carte blanche whether...no matter who they are. Whether
7. they meet the qualifications if they are the Governor's
8. appointments, we should approve them because that's what the
9. Governor wants, that's the way he wants to run the State of
10. Illinois and the Executive branch of government. May I point
11. out that that is the very reason that the statutes provide
12. in certain instances that the certain appointments by the
13. Executive branch of government must be confirmed by Executive
14. Committee and the Senate as a whole. I would imagine that
15. many other members of the Senate have been like I have in
16. the two Sessions, that I have had the privilege of serving on
17. the Executive Committee of this Body. Even under a Governor
18. of my political party, I had to put my tongue in my cheek
19. many times when I cast my vote because I did not think that
20. the individual was a proper individual for the job and I
21. went along. I have done this on a number of occasions during
22. the current administration. I've given affirmative votes to
23. individuals who I would have preferred to give a negative vote
24. because I reacted in the affirmative because I believe that
25. that is what the Governor wants. But in certain instances in
26. my good conscience, I could not go the full extent and confirm
27. those appointments. And I might say that I have experienced
28. one of the most unusual forms of lobbying by the Governor's
29. office on the Floor of the Senate and off the Floor of the
30. Senate and even outside the area of Springfield in which to
31. ...he...obtain votes and influence people in casting their
32. vote. To the Governor if you're listening and I hope you are,
33. I hope that you cease and do not have any more of that type of

1. lobbying as far as this Senator is concerned. And for that
2. reason, I am very proud to cast a negative vote on your
3. appointment.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Continue the roll.

6. SECRETARY:

7. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
8. Nudelman, Ozinga, Palmer, Partee, Regner, Rock, Roe,
9. Romano, Saperstein, Savickas, Schaffer,

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Schaffer.

12. SENATOR SCHAFFER:

13. I'd like to respond to a couple of comments from the
14. other side. Senator Partee, I believe you made reference
15. to a couple of Governor Ogilvie's appointments having
16. activity in the Young Republicans, and as the past State
17. Chairman of that organization; I wish to assure you that any
18. connection between that organization and any political...
19. party is purely coincidental. I was not at that 2 o'clock
20. meeting last night, consequently what went on at that late
21. hour had...does not influence my vote. I've had a lot of
22. reports on this young lady. And quite frankly, they haven't
23. been good. And quite frankly if this is what an independent
24. from the City of Chicago looks like, you regular Democrats
25. are looking better to me. I vote no.

26. SECRETARY:

27. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
28. Vadalabene, Walker, Weaver, Welsh, Wooten.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Wooten.

31. SENATOR WOOTEN:

32. One last gasp in explaining my vote. I would like to
33. add a chapter to Senator Fawell's favorite continuing series reports

1. from Charlie Chan. It is truly amazing the way patterns have
2. developed this afternoon and I feel privileged to have
3. been present at a truly historic event. We are declining
4. three of the Governor's nominations in one day bettering
5. the records of any past Session of the Senate. And there
6. are some people who are insensitive enough who might attribute
7. some of the motivations in these votes to things such as
8. revenge, obstinancy or pique. But I choose not to view it
9. that way. I think that we are exercising due degree of delib-
10. eration. I think it is a lesson we all ought to learn and that
11. the business of advise and consent perhaps ought to be taken
12. a good deal more seriously from this point on than has been
13. the case in the past. I vote aye.

14. SECRETARY:

15. Mr. President.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The result of the question is, yeas 20, nays 23. A
18. majority of the Senators elected having refused to give their
19. advise and consent record vote the Senate rejects the Governor's
20. nomination of Beverly Addante to be the Assistant Director of
21. the Department of Personnel. Senator Ozinga.

22. SENATOR OZINGA:

23. Mr. President, I would like to take this time just at
24. this one minute to thank from the bottom of my heart all the
25. members of that Committee who sat through a thorough and grueling
26. seven hours last night listening to all of the debate except
27. for a couple of members that got too mad and walked off but other
28. than that, the Senate today, I realize, has a long schedule and
29. we'll probably outdo it tonight by being here they tell me
30. until 4 a.m. instead of 2 a.m. So with that, Mr. President, I
31. would move that the Senate Executive Session do now arise.

32. PRESIDENT:

33. All in favor of the motion to arise from Executive Session

20
10634
3rd reading

1. signify by saying aye. Contrary no. Motion carries. So
2. ordered. Next order of business if I can have your attention.
3. Will the members please give the Chair the attention, we
4. will proceed with our planned action on the multiple bill
5. passage procedure that we have discussed. Will the members
6. please be in their seats? I am certain that we are all
7. thoroughly familiar with the procedure that has been under
8. discussion here for the last week. Is there unanimous consent
9. for the Senate to consider the final passage of the following
10. bills by one roll call the vote of each Senator to be entered in the
11. Journal on each bill according to his or her vote on this
12. roll call. Is there unanimous consent? The Secretary will
13. read the list of bills. Senate Bills on 3rd reading.

14. SECRETARY:

15. SB 29 (Secretary reads title of bill).

16. SB 83 (Secretary reads title of bill).

17. 3rd reading of the bill. 3rd reading of SB 29.

18. SB 246 (Secretary reads title of bill).

19. 3rd reading of the bill.

20. SB 254 (Secretary reads title of bill).

21. SB 255 (Secretary reads title of bill).

22. SB 281 (Secretary reads title of bill).

23. SB 282 (Secretary reads title of bill).

24. SB 289 (Secretary reads title of bill).

25. SB 294 (Secretary reads title of bill).

26. SB 296 (Secretary reads title of bill).

27. ...298 (Secretary reads title of bill).

28. SB 322 (Secretary reads title of bill).

29. SB 342 (Secretary reads title of bill).

30. SB 343 (Secretary reads title of bill).

31. SB 347 (Secretary reads title of bill).

32. SB 425 (Secretary reads title of bill).

33. SB 426 (Secretary reads title of bill).

1. SB 427 (Secretary reads title of bill).
2. SB 433 (Secretary reads title of bill).
3. SB 435 (Secretary reads title of bill).
4. SB 451 (Secretary reads title of bill).
5. SB 454 (Secretary reads title of bill).
6. SB 473 (Secretary reads title of bill).
7. SB 481 (Secretary reads title of bill).
8. SB 490 (Secretary reads title of bill).
9. SB 504 (Secretary reads title of bill).
10. SB 505 (Secretary reads title of bill).
11. SB 506 (Secretary reads title of bill).
12. SB 507 (Secretary reads title of bill).
13. SB 508 (Secretary reads title of bill).
14. SB 509 (Secretary reads title of bill).
15. SB 519 (Secretary reads title of bill).
16. SB 523 (Secretary reads title of bill).
17. SB 524 (Secretary reads title of bill).
18. SB 525 (Secretary reads title of bill).
19. SB 526 (Secretary reads title of bill).
20. SB 527 (Secretary reads title of bill).
21. SB 528 (Secretary reads title of bill).
22. SB 529 (Secretary reads title of bill).
23. SB 530 (Secretary reads title of bill).
24. SB 533 (Secretary reads title of bill).
25. SB 539 (Secretary reads title of bill).
26. SB 546 (Secretary reads title of bill).
27. SB 547 (Secretary reads title of bill).
28. ...557 (Secretary reads title of bill).
29. SB 558 (Secretary reads title of bill).
30. SB 571 (Secretary reads title of bill).
31. SB 575 (Secretary reads title of bill).
32. SB 576 (Secretary reads title of bill).
33. SB 577 (Secretary reads title of bill).

SB 634

- 1. SB 581 (Secretary reads title of bill).
- 2. SB 584 (Secretary reads title of bill).
- 3. SB 587 (Secretary reads title of bill).
- 4. SB 588 (Secretary reads title of bill).
- 5. SB 596 (Secretary reads title of bill).

6. 1st reading of the bill.

- 7. SB 599 (Secretary reads title of bill).
- 8. SB 600 (Secretary reads title of bill).
- 9. SB 601 (Secretary reads title of bill).
- 10. SB 602 (Secretary reads title of bill).
- 11. SB 603 (Secretary reads title of bill).
- 12. SB 604 (Secretary reads title of bill).
- 13. SB 605 (Secretary reads title of bill).
- 14. SB 606 (Secretary reads title of bill).
- 15. SB 607 (Secretary reads title of bill).
- 16. SB 613 (Secretary reads title of bill).
- 17. SB 627 (Secretary reads title of bill).
- 18. ✓ SB 634 (Secretary reads title of bill).
- 19. SB 639 (Secretary reads title of bill).
- 20. SB 637 (Secretary reads title of bill).
- 21. SB 638 (Secretary reads title of bill).
- 22. SB 639 (Secretary reads title of bill).
- 23. SB 640 (Secretary reads title of bill).
- 24. SB 646 (Secretary reads title of bill).
- 25. SB 647 (Secretary reads title of bill).
- 26. SB 656 (Secretary reads title of bill).

27. 1st reading of the bill.

- 28. SB 672 (Secretary reads title of bill).
- 29. SB 676 (Secretary reads title of bill).

30. 1st reading of the bill.

- 31. SB 690 (Secretary reads title of bill).
- 32. SB 695 (Secretary reads title of bill).

33. 1st reading of the bill.

1. SB 696 (Secretary reads title of bill).
2. ..707 (Secretary reads title of bill).
3. SB 708 (Secretary reads title of bill).
4. SB 709 (Secretary reads title of bill).
5. SB 710 (Secretary reads title of bill).
6. SB 714 (Secretary reads title of bill).
7. SB 746 (Secretary reads title of bill).
8. SB 747 (Secretary reads title of bill).
9. SB 754 (Secretary reads title of bill).
10. SB 755 (Secretary reads title of bill).
11. SB 782 (Secretary reads title of bill).
12. SB 783 (Secretary reads title of bill).
13. SB 798 (Secretary reads title of bill).
14. SB 799 (Secretary reads title of bill).
15. SB 805 (Secretary reads title of bill).
16. SB 817 (Secretary reads title of bill).
17. SB 820 (Secretary reads title of bill).
18. SB 833 (Secretary reads title of bill).
19. SB 896 (Secretary reads title of bill).
20. SB 910 (Secretary reads title of bill).
21. SB 926 (Secretary reads title of bill).
22. SB 927 (Secretary reads title of bill).
23. SB 933 (Secretary reads title of bill).
24. SB 940 (Secretary reads title of bill).
25. SB 957 (Secretary reads title of bill).
26. SB 999 (Secretary reads title of bill).
27. SB 1012 (Secretary reads title of bill).
28. SB 1079 (Secretary reads title of bill).
29. SB 1095 (Secretary reads title of bill).
30. SB 1145 (Secretary reads title of bill).

31. PRESIDENT: 3rd reading of the bill.

32. Now will the members please be in their seats. The
33. Chair wishes to make an intervening announcement. We will

1. continue working right straight through and the Office of
2. the President has ordered an ample supply of chicken that
3. will be delivered here about 7 o'clock for us. So we'll
4. keep moving here and dispose of the business before us.
5. Now will the members please be in their seats. Is there
6. any objection to the consideration of the final passage
7. of these bills by this roll call. The vote of each Senator
8. to be entered in the Journal on each bill according to his
9. or her vote on this roll call. Hearing no objection the next
10. roll call will be on the final passage of the bills just read
11. by the Secretary. Is there any discussion? The question is
12. shall this series of bills pass and on that question the
13. Secretary shall call the roll.

14. SECRETARY:

15. Bartulis,

16. PRESIDENT:

17. Senator Clarke.

18. SENATOR CLARKE:

19. Just for clarification though, an aye vote is except for
20. the bills we may have indicated we want....

21. PRESIDENT:

22. Right. Right. That is correct. That is correct.

23. The Secretary shall 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 Hall,
28. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
29. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
30. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
31. Regner, Rock, Roe, Romano, Saperstein, Sayickas, Schaffer,
32. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
33. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

1. PRESIDENT:

2. There has been a request for a call of the absentees.
3. There has been a request for a call of the absentees. The
4. Secretary will call the absentees.

5. SECRETARY:

6. Knuepfer, McCarthy, Newhouse, Palmer, Savickas, Swinarski.

7. PRESIDENT:

8. Now will any Senator that desires to change a vote on
9. any bill notify the Secretary. Has every Senator notified
10. the Secretary? This series of bills having received a
11. constitutional majority by record vote is declared passed.
12. The record vote of yeas and nays for each bill passed shall
13. be entered in the Journal. Now I want to repeat the announcement
14. that I made earlier. We are going to continue to work right
15. straight through. We will have some chicken arrive around
16. 7 o'clock. There should be enough for everyone and those of
17. you who have an aversion to chicken if you would let Mrs. McBride
18. know in my office, we'll make some arrangements for some hamburgers
19. for those of you who want something other than chicken. SB 800.

20. SECRETARY:

21. SB 800

22. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Regner.

26. SENATOR REGNER:

27. Yes, Mr. President, members of the Senate, SB 800 repeals
28. the section of the act that requires cities, villages, in-
29. corporated town clerks to print...list the registered voters and
30. to post them five days before a municipal election. This is a
31. section of the Code that's hardly ever used any more and villages
32. and municipalities have requested that this be repealed as they
33. do use the county printed poll sheets and would save them

1. considerable money if they didn't have to print their own
2. poll sheets. Request a favorable roll call.

3. PRESIDENT:

4. Is there discussion? Senator Netsch.

5. SENATOR NETSCH:

6. Mr. President, one question of the sponsor if he will.
7. I haven't had a chance at this moment to check the bill,
8. does this apply to the City of Chicago?

9. PRESIDENT:

10. Senator Regner.

11. SENATOR REGNER:

12. No, it applies mainly to the small municipalities and it
13. was because Chicago is in a different section of the municipal
14. code.

15. PRESIDENT:

16. Is there further discussion? The question is shall
17. SB 800 pass and on that question the Secretary will call the roll.

18. ACTING SECRETARY (MR. WRIGHT):

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

28. PRESIDENT:

29. On that question the yeas are 41. The nays are none.
30. SB 800 having received the constitutional majority is declared
31. passed. SB 801.

32. ACTING SECRETARY (MR. WRIGHT):

33. SB 801. (Secretary reads title of bill).

1. 3rd reading of the bill.

2. PRESIDENT:

3. Senator Regner.

4. SENATOR REGNER:

5. Mr. President, members of the Senate, what SB 801 does
6. is transfer or conveys about 10 acres of property that are
7. held by the Department of Children and Family Services to
8. the Northwest Educational Co-op for use by the Kirk Center
9. which is a center that trains and helps handicapped children.
10. Now what they want to do is take over this campsite.

11. PRESIDENT:

12. Is there further discussion? Senator Bruce.

13. SENATOR BRUCE:

14. Well, I would like to hear Senator Regner's explanation
15. of why we're transferring State land to private individuals.
16. Maybe we can converse afterwards but if it wouldn't bother
17. everyone maybe he can continue with his explanations.

18. PRESIDENT:

19. Senator Regner.

20. SENATOR REGNER:

21. Yes, the property is the...initial contact was made to me
22. by the Center which is conducting a school for handicapped. They
23. have some 260 children at this particular center. The campsite
24. has not been used for the last several years. It's in a
25. completely rundown condition at the present time. The Kirk
26. Center and this parent's organization that is active out there
27. has solicited funds on their own and also the various help that
28. they need from local people to improve and upgrade this campsite.
29. It had been estimated by the Department of Children and Family Service
30. to put it in any kind of shape at all would take some \$200,000.
31. And through local efforts they have these monies available at
32. this time. There is a clause in the bill that if within or after
33. a five year period the land is...the campsite is not being used for

1. these purposes of training and working with the handicapped
2. children in these schools that are within the Northwest
3. Educational Co-op, the land will revert back to the State.

4. PRESIDENT:

5. Is there further discussion? The question is shall
6. SB 801 pass and on that question the Secretary will call the
7. roll.

8. ACTING SECRETARY (MR. WRIGHT):

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

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Mitchler, aye. McBroom, aye. On that question the
20. ayes are 43 and the nays are none. SB 801 having received a
21. constitutional majority is declared passed. 802.

22. ACTING SECRETARY (MR. WRIGHT):

23. SB 802. (Secretary reads title of bill).
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Regner.

27. SENATOR REGNER:

28. Mr. President, members of the Senate, over the last several
29. years there have been many bills introduced requiring zoning
30. and particular land usage and that they have invariably gone down
31. to defeat. What the...which means the members of the General
32. Assembly recognize the need that something has to be done in
33. these areas. And one way to do it would be to have a land

1. use commission. One of the objections to these various
2. proposals in the past the local governments would not be
3. represented in these decision making processes. To some-
4. what compensate for that the makeup of this commission
5. would be two legislative members appointed by each of the
6. four leaders in the House and Senate, two public members
7. appointed by the Governor and then five mayors and five
8. members of county boards appointed by each one of the
9. five appointee authorities. One of the main needs of this
10. is we know we're getting more and more Federal legislation
11. right now that is pending and there's going to be a need
12. in order to...for the State to receive these funds that the
13. Federal legislation doesn't override anything that we're
14. doing. That it does have some unit in the State to...to
15. coordinate these Federal operations.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? Senator Bruce.

18. SENATOR BRUCE:

19. Yes. I wonder if Senator Regner would yield to a question?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. He indicates that he will.

22. SENATOR BRUCE:

23. I would...I would ask Senator McBroom's attention. Since
24. we talk a great deal about staff analysis of these bills. I
25. wonder if you would care to elaborate the statute...a relatively
26. in depth analysis of this particular piece of legislation..Many
27. of the members who do not sit on the Appropriations Committee
28. are not aware of that and I wonder if you could tell us the
29. staff reason for their recommendation for funding and creation of
30. this particular commission because I...I believe it is probably
31. the best reason I've ever seen for creating a commission. And I
32. am generally opposed, as you know, to the creation of a commission.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Regner do you refuse?

2. SENATOR REGNER:

3. Well, not completely but Senator...but I...I will say
4. that after Senator Partee read the first staff analysis he
5. thought it was such exemplary purposes of this Commission
6. that he did move Do Pass on it.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Buzbee.

9. SENATOR BUZBEE:

10. Yes. Mr. President, I notice that the Appropriation
11. Bill...the companion bill as the one right following this and
12. I was just wondering why that appropriation wasn't larger
13. so that we could get more legislative members on the Com-
14. mission to participate also.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Wooten.

17. SENATOR WOOTEN:

18. And I would like to volunteer to be a minority representa-
19. tive on that Commission.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Latherow. Senator Latherow.

22. SENATOR LATHEROW:

23. Mr. President, I just wondered about the unusual question
24. that we usually have... As who...who wants this bill, that's
25. what I want...

26. SENATOR REGNER:

27. After the first staff analysis went out, Senator Latherow,
28. I know 58 Senators and I haven't been able to talk to you
29. since then though.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Latherow.

32. SENATOR LATHEROW:

33. Well, I might admit I haven't been too available but then

1. I...I think we're on speaking terms. I just would want to
2. say once again I wonder why you put on this last amendment.
3. Amendment No. 2 in here. Were you fearful that you wouldn't
4. be able to get cooperation from all these departments and...
5. there an amendment...Amendment No. 1 from all the Departments
6. of the State...commissions and jurors and agencies and offices
7. and divisions and so on. Were you fearful you wouldn't get
8. cooperation from them?

9. PRESIDENT:

10. Is there further discussion? Senator Regner.

11. SENATOR REGNER:

12. I've answered Senator Latherow...in the...in the past
13. this particular cause...clause or one similar to that has been
14. put in various commission bills to assure cooperation and I
15. remember a couple years ago on an insurance commission I was on
16. I was delighted that we had that clause because about half depart-
17. ments ignored our questionnaire in the first place and we had to re-
18. mind them of this particular clause in the commission bill.

19. PRESIDENT:

20. Is there further discussion? The question is shall
21. SB 802 pass. The Secretary will call the roll.

22. ACTING SECRETARY (MR. WRIGHT):

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

33. PRESIDENT:

On that question the yeas are 41. The nays are 6. SB 802

1. having received the constitutional majority is declared pass.
2. 803.

3. ACTING SECRETARY (MR. WRIGHT):

4. SB 803. (Secretary reads title of bill)
5. 3rd reading of the bill.

6. PRESIDENT:

7. Is there further...Senator Regner.

8. SENATOR REGNER:

9. Mr. President, Members of the Senate, this is the appro-
10. priation for the commission bill and I urge a favorable vote.

11. PRESIDENT:

12. Is there discussion? On that...the question is shall
13. SB 803 pass. Secretary will call the roll.

14. ACTING SECRETARY (MR. WRIGHT):

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,

22. PRESIDENT:

23. Senator Rock.

24. SENATOR ROCK:

25. I have seen the staff analysis of this and I hope it's
26. going to be fully funded. I vote aye.

27. ACTING SECRETARY (MR. WRIGHT):

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

31. PRESIDENT:

32. On that question the yeas are 43. The nays are 1. SB 803
33. having received the constitutional majority is declared

1. SB 806.

2. ACTING SECRETARY (MR. WRIGHT):

3. SB 806. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Vadalabene.

7. SENATOR VADALABENE:

8. Thank you, Mr. President, Members of the Senate. This
9. bill is designed to correct an injustice which I believe has
10. been imposed on those citizens who operate airplanes in the
11. State of Illinois. The State has taken advantage of a set
12. of circumstances which allows the imposition and collection
13. of a tax without any intention of permanently retaining the
14. receipts. I believe this is a poor way of business and I
15. would appreciate a favorable vote.

16. PRESIDENT:

17. Is there discussion? The question is shall SB 806 pass.

18. And on that question the Secretary will call the roll.

19. ACTING SECRETARY (MR. WRIGHT):

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. PRESIDENT:

31. Nudelman, aye. Regner, aye. On that question the yeas
32. are 43. The nays are none. SB 806 having received the
33. constitutional majority is passed. SB 809.

ACTING SECRETARY (MR. WRIGHT):

1. SB 809 (Secretary reads title of bill)

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Johns.

5. SENATOR JOHNS:

6. Mr. President, Members of the Assembly, this bill has no
7. other purpose than to authorize the Department of Transportation
8. Division of Water Resources to make a study of the causes of
9. flooding along the tributaries that were mentioned Contrary
10. and Hawk Creeks in Hamilton County. It is designed this
11. legislation is by John Guillou in order to aid us in the study
12. of this problem. It cost no money other than just the authority
13. to have the work force of that Department to do the job.

14. PRESIDENT:

15. Is there further discussion? The question is shall SB 809
16. pass and on that question the Secretary will call the roll.

17. ACTING SECRETARY (MR. WRIGHT):

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

28. PRESIDENT:

29. On that question the yeas are 48. The nays are none.
30. SB 809 is declared passed having received the constitutional
31. majority. SB 824.

32. ACTING SECRETARY (MR. WRIGHT):

33. SB 824. (Secretary reads title of bill)

3rd reading of the bill.

1. PRESIDENT:

2. Senator Saperstein.

3. SENATOR SAPERSTEIN:

4. Mr. President, Ladies and Gentlemen of the Senate, the
5. following eight bills starting with 824 through 830 and 943
6. are result of a year's study and investigation of conditions
7. in our mental health institutions. These bills were approved by
8. the Illinois Mental Health Commission. We worked for nearly
9. a year on perfecting them. We have been working with the
10. Department of Mental Health to reconcile our differences and
11. as a result we are presenting you with a series of bills
12. which I sincerely hope will bring improvement in our mental
13. institutions and a great degree of improved care and treatment
14. for those who are unfortunate enough to find themselves con-
15. fined in our mental institutions. House Bill 824...I'm sorry
16. my glasses were caught on my sweater...824 provides that a
17. psychiatrist must concur with the discharge of any one patient.
18. The Superintendent must notify the petitioner of a discharge
19. 24 hours prior of the discharge and next of kin can only be
20. notified if the patient agrees. I believe this a good bill.
21. I know of no opposition. It has been endorsed and all of the
22. bill have been endorsed in the interest of time. I might tell
23. you all of the bills have been endorsed by the Mental Health
24. Association of Greater Chicago, The Chicago Mental Health...
25. The Community Mental Association of Chicago, The Psychiatrist
26. Association, The Psychologist Association and various groups
27. interested in mental health. I urge your support.

28. PRESIDENT:

29. Senator Ozinga.

30. SENATOR OZINGA:

31. Senator, I realize you're trying to cut corners but this
32. is not a package. This deals with individual subject matter
33. all the way. Now you are on roll call with SB 824 and the way

1. this reads is that it would need a psychiatrist. Now this
2. is an impossibility and you know it's an impossibility to do
3. as such. Now you did put an amendment on here that Dr. Levitt
4. agreed to. What was that amendment?

5. SENATOR SAPERSTEIN:

6. This part of the requirement that a psychiatrist shall
7. sign a discharge was not amended. What we amended...what we
8. added to this was that for a discharge of a mentally retarded
9. person one would need a physician.

10. SENATOR OZINGA:

11. Senator, would you not agree then that this is an impos-
12. sibility at a lot of our mental institutions on the basis
13. that there isn't a psychiatrist on the grounds.

14. PRESIDENT:

15. Senator Saperstein.

16. SENATOR SAPERSTEIN:

17. ...Mr. Ozinga, the law, the statute of the State of
18. Illinois says that any doctor working at least one year in
19. a mental institution may call himself qualified as a psychiatrist.

20. PRESIDENT:

21. Senator Ozinga.

22. SENATOR OZINGA:

23. Senator, that's real cute. But may call himself, now,
24. how do you define that in a statute book, may call himself a
25. psychiatrist? I'm sure that the definition of a psychiatrist
26. doesn't say, may call himself a psychiatrist.

27. PRESIDENT:

28. Senator Saperstein.

29. SENATOR SAPERSTEIN:

30. I believe the bill reads, I did not go into minute detail
31. in the interest of time, but if you have read the bill, the
32. bill was amended to say a psychiatrist as qualified in the
33. mental health code.

1. PRESIDENT:

2. Is there further discussion? The question is shall
3. SB 824 pass. And on that question the Secretary will
4. call the roll.

5. ACTING SECRETARY (MR. WRIGHT):

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

15. PRESIDENT:

16. Senator Carroll, aye. Saperstein, aye. Conolly, aye.
17. Vadalabene, aye. Donnewald, aye. Senator Ozinga.

18. SENATOR OZINGA:

19. Mr. President, I haven't voted on this bill and I'm
20. going to withhold my vote for the simple reason that I don't
21. care whether this bill passes or not. That isn't the idea.
22. What we are going to do, we're going to tie up a lot of
23. innocent people in some of these institutions where they do
24. not have psychiatrists and this even though it might have
25. been agreed to be a doctor that would sign it and that's
26. what I thought the amendment was supposed to have been amended
27. to so that it would be a doctor not a psychiatrist. And this
28. is going to really hinder the institutions. I vote present.

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. How am I recorded?

33. PRESIDENT:

1. You are not recorded. Senator Knuppel.

2. SENATOR KNUPPEL:

3. I'm going to vote present also. And I'm very disturbed
4. I'm afraid the bill is unconstitutional in the sense that it
5. can confine a person without meeting the constitutional guarantees
6. of...that are required for a person to be out of a hospital
7. when they're entitled to be. I know that some fellow went
8. in the hospital over in Danville or someplace and he was
9. perfectly sane, he went in just to make a survey and he had
10. a heck of a time getting out. How would you...anyone of you
11. the members of this Body convince a psychiatrist if you were
12. in a mental institution without having been put there. How
13. would you convince them that you were perfectly capable of
14. getting out. Most of the psychiatrist I've talked to need
15. a psychiatrist to analyze them...a psychologist too. If you
16. go in to talk to them about a case, the first thing they do
17. is start telling you about their troubles. Most of them are
18. subjective. If you have a person that has to have a psychiatric
19. examination for a divorce or something, they are not objective.
20. You ask for an objective examination and they can't give
21. it to you without having a lot of subjective facts and
22. background. I'm afraid there's a shortage of them and I'm
23. afraid what Senator Ozinga says is true. That you're going to
24. have a lot of people who deserve to be out of mental institutions
25. who will be waiting around for a psychiatric examination and
26. won't get the freedom or the right that they're entitled to.
27. I certainly, and I'm sincere about it, the Chicago Tribune says
28. I ought to be there and I don't know how in the hell I'd get
29. out of someplace if I was in it and had to have a psychiatrist.

30. PRESIDENT:

31. On that...on that question the yeas are 37, the nays are 4,
32. those voting present 2. SB 824 having received the constitutional
33. majority is declared passed. SB 825.

1. SECRETARY:

2. SB 825. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDENT:

5. Senator Saperstein.

6. SENATOR SAPERSTEIN:

7. ...825, Ladies and Gentlemen, deals with the problem
8. of after-care. The conditional discharge applies only to the
9. mentally retarded and the Department offers visitation. This
10. bill would provide that the Department would visit a conditional
11. discharge person in a home facility, a private home facility
12. in his own home for one year. This is to guarantee that there
13. is some degree of after-care. And after one year if the
14. Department decides that no further visits are necessary, they
15. can end them. But if the Department decides that there needs
16. to be some additional after-care, they may extend it for one year.
17. The...this bill also, and I might tell you the background, that
18. in visiting some of the institutions we found there had been very
19. serious thefts of equipment, food, etc, etc...of drugs and that
20. they were not making inventories frequently enough and this
21. calls for more thorough inventory of equipment, of drugs, etc.
22. I urge your vote.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. Members of the Body, members of the Senate, I implore you
27. turn to your digest. Read it. Look at it. This is ridiculous.
28. These are things that the Department...now Senator this is
29. your administration. In order to keep peace in the family, the
30. Department of Mental Health have said we'll go along, we don't
31. like it. It's just a lot of extra baloney that they're being
32. forced to do. But look at this. It amends the powers and
33. duties of the Mental Health Department. Sets the time

1. limitation for a conditional discharge. Provides a psychiatrist
2. again shall act, not a doctor, a psychiatrist. And it...visit
3. to consult all patients other than those at least every 30 days.
4. That's once a month. Requires Superintendent of each institution
5. to conduct and report a composite inventory of food, equipment,
6. supplies at least semi-annually. And the next sentence, in-
7. ventory of drugs...they're doing this, they're doing it monthly.
8. We're making it now go to a lot of extra people. You're...
9. you're causing a real headache on the Department where they
10. have said they will do it. It's your administration. You are
11. the ones that are creating it, and on top of that, you're asking
12. that they be sent to a lot of other agencies including the
13. Commission on Mental Health. What's this? So you can make
14. some big newspaper stand or something?

15. PRESIDENT:

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Now, Mr. President, I am a little puzzled by the objection
19. to these bills. ...On this particular series of bills I had
20. some discussion with the people in my area. Those that were
21. formerly in the Department of Mental Health and was quite
22. sceptical of the way the Department was run in many respects.
23. We have a comprehensive community mental health center for
24. Rock Island and Mercer County. A fairly large citizen involvement.
25. It was my understanding that this series of bills as amended
26. was an excellent step in the right direction. And this was
27. the consensus on the part of professionals and as I say interested
28. citizens. I'm a little surprised at the expression of
29. opposition to it the objections...the only objections that
30. were raised to me and were answered in Committee with the
31. amendments. And on that basis, the information I received in
32. my community, I'm certainly in support of this series of bills.

33. PRESIDENT:

1. Senator Knuppel.

2. SENATOR KNUPPTEL:

3. The same argument as before if...if this Body had to
4. visit psychiatrist, they'd confine six of you and keep you
5. there. We're told one out of every ten people is suffering
6. from mental illness. Now, I'll..I'll confess that I'd be
7. one of the six but I'd like to know which...I'd like to
8. know which...which the...who the other five are because
9. when I watch what goes on here, I'm afraid that we're way
10. above the percentage. And...and as I say my experience in
11. cases, criminal cases and divorces, doesn't convince me that
12. a person absolutely needs a psychiatrist for this. I think
13. you're going to pass some bills here that if somebody brings
14. a writ of habeas corpus and challenges the constitutionality
15. of this the requirement that a psychiatrist pass on somebody
16. being discharged that you're going to have an unconstitutional
17. bill.

18. PRESIDENT:

19. Senator Graham. Senator Graham.

20. SENATOR GRAHAM:

21. Mr. President, I think I can help Senator Knuppel out
22. in finding the other five. If you'll stick around and listen
23. to the extraordinary amount of wrong kind of argument between
24. now and tomorrow night you'll find them. They're here.

25. PRESIDENT:

26. Is there further discussion? Senator Saperstein may
27. close the debate.

28. SENATOR SAPERSTEIN:

29. Roll call.

30. PRESIDENT:

31. The question is shall SB 825 pass? And on that question
32. the Secretary will call the roll.

33. SECRETARY:

Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,

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

10. PRESIDENT:

11. Donnewald, aye. Johns, aye. Senator Chew, aye. There's
12. been a request for a call of the absentees. The Secretary
13. will call the absentees.

14. SECRETARY:

15. Bartulis, Bell, Clarke, Conolly, Graham, Harber Hall,
16. Keegan, Kosinski, McBroom, McCarthy, Mitchler, Howard Mohr,
17. Don Moore, Newhouse, Nimrod, Palmer, Regner, Roe, Romano,
18. Saperstein,

19. PRESIDENT:

20. Senator Saperstein.

21. SENATOR SAPERSTEIN:

22. I'd like to explain my vote, please. I think of all of
23. the series, this is one of the best in the series because it
24. establishes what is greatly needed in our mental health procedure
25. and that is a guarantee for some after care. One of the things
26. that we found and I want to say this that these weaknesses that
27. we found in the procedures existed in both administrations and
28. it does not designate or bring to fault anyone ...any one adminis-
29. tration. This is as...as many of you know that the discharges in
30. our State institutions is accelerating and what we need to do
31. for the patients that are discharged is to give them some degree
32. of support in the community. And this is what...mainly what
33. this bill concerns itself with is the after-care in the community.
And if we want to discharge patients from the hospitals, we

1. have a moral obligation to provide after care in the institutions.
2. Therefore I vote aye.

3. SECRETARY:

4. Schaffer, Scholl, Shapiro, Sommer, Sours, Walker, Weaver.

5. PRESIDENT:

6. Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. I wish to postpone consideration.

9. PRESIDENT:

10. Senator Saperstein moves to postpone consideration. All
11. in favor signify by saying aye. Contrary no. Motion carries.

12. SB 826.

13. SECRETARY:

14. SB 826. (Secretary reads title of bill).

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. Mr. President and Ladies and Gentlemen of the Senate. This
20. bill mainly deals with the problem of drug administration in our
21. mental institution. Perhaps I ought to take time in telling you
22. what we found at some of these institutions so that you would
23. better understand why we are introducing these bills. And may I
24. also impress upon you that these bills were unanimously
25. approved by the Commission according with the interim report
26. recommendations that was distributed to every member of the
27. Legislature. But I am afraid that we did not give the new
28. Senators copies of the interim report. We found an extraordinary
29. amount of drugs were being administered to patients to keep
30. them quiet to the better able to control them. Now the administration
31. of drugs is excellent but not indiscriminately as we found in
32. many institutions patients lying on the floor, lying in their
33. bed, in a stupor and certainly with no opportunity for therapy

1. for treatment, etc. Now this bill would provide that there
2. should be no indiscriminate distribution of drugs only by those
3. individuals who are licensed by the State to distribute drugs.
4. The bill also provides that the Director shall furnish a
5. list of drugs that may be administered in any facility. We
6. ask that the...the Director of the Department of Mental Health
7. also recommend the psychotropic drugs and narcotic drugs that
8. should be used. Now this bill brings some sense into the
9. medical administration of our hospitals and I urge you to vote
10. for it.

11. PRESIDENT:

12. Senator Ozinga.

13. Senator ozinga:

14. All right, here we go again. Now all that the Senator says
15. with reference to the...being advertised and headlines in the
16. newspaper about people laying on the floor and all that was
17. correct. That is absolutely correct. No question about it.
18. But it wasn't because of anything that wasn't in the bills. Now, here,
19. this would require the Director to make a list of drugs that can
20. be administered. It establishes the maximum dosages. Unlisted
21. drugs may be administered only as part of research and with prior
22. written consent of the Director. Now, that's ridiculous, the
23. Director is here in Springfield. Prohibits departmental
24. physicians from signing prescriptions. This is one Tinley Park
25. went crazy on. Somebody had a couple hundred blank forms and
26. they were blank and they were laying around and some newspaper
27. man came out and found them there. There was an order from the
28. Department that says you can't use an old form, they were two
29. years old. But they printed it on the front pages of all of the
30. local papers that these were available in Tinley Park. Okay, so
31. now we're going to put in the statutes that you can't use a
32. blank form. Well this is right unless there's a signature of
33. a doctor on the darn thing, they don't issue medicine. So now

1. we come up with...requires that all medication administered
2. to any patient shall be administered only by those persons
3. legally qualified under to do so by the laws. Well that's what
4. is being done right now. But if you get a poor patient in there
5. that needs a nurse's aid or maybe has to have an aspirin, look
6. out, you're going to have a question mark here. Provides that
7. no medication shall be prescribed until a physical and mental
8. examination have been completed or unless extenuating cir-
9. cumstances. Now you're going to put something in here that's
10. going to tie the hands of these people that are handling these
11. people personally. For you people who were on the Executive
12. Committee last night you heard me require and ask and plead with
13. the Department of Personnel. Would you please examine this to see
14. that we've got adequate personal contact, personnel to help these
15. people. They can't help themselves. I implore you to...this is
16. just another added attraction to heckle the administration.

17. PRESIDENT:

18. Senator Wooten.

19. SENATOR WOOTEN:

20. I'm sorry Senator Ozinga, there must be something here
21. that I'm missing completely. I am hearing you read things
22. in what seems to be in an accusatory tone that are absolutely
23. laudable. I really don't understand this at all. I have been
24. involved in...in my former profession in dealing with the
25. Department of Mental Health in the area...in this particular
26. area for about twelve or thirteen years. As I say I had some
27. serious questions about these bills and took them to people in
28. my community who could give me answers and who were critics.
29. The only objections that were raised were by and large answered
30. in amendment. As far as I can see there's nothing unreasonable
31. in any of these bills and I am simply...there must be some factor
32. here that I'm missing completely because my best information from
33. those who have been in the Department of Mental Health and those

1. in the private practice of medicine, those who are involved
2. on a volunteer basis the...the whole Commission study, it all
3. seems to make good sense and it all seems to be perfectly
4. straightforward. Laudable objectives and a psychiatrist must
5. be involved in all of these transactions or it simply is not
6. patient care. It's all a sham. And to expect less than that
7. is simply to make a farce of the whole system and...the
8. regulations on drugs are wholly reasonable in my best judgment.
9. And I am frankly at a loss to understand your opposition to
10. these bills.

11. PRESIDENT:

12. Senator Saperstein.

13. SENATOR SAPERSTEIN:

14. ...Mr. President and Ladies and Gentlemen. I don't know
15. whether I failed to tell you or I am inadequate to tell you
16. that these bills have been worked over with the Department of
17. Mental Health. At the beginning we did have different positions
18. but we reconciled our differences and they approve everyone
19. of these bills. They are willing to assume whatever other
20. people call additional duties in...for the best interest of
21. the patients in our mental institutions. These are not un-
22. reasonable requests. I can only tell you what one commentator
23. told me when these bills were publicized. He said is this
24. all you're asking for, well they're reasonable. And this is
25. what we're presenting to you the Department did not resist
26. these bills. They were very happy to sit down with the staff
27. their law staff and our legal staff and work these bills out
28. to their advantage.

29. PRESIDENT:

30. Senator Clarke...Senator Fawell.

31. SENATOR FAWELL:

32. Well, just briefly. There was a very full hearing on
33. this in the Public Welfare Committee and I...I must confess

1. that I don't have the background that some have necessarily in
2. understanding intricacies but the Illinois Mental Health Society
3. was there in support, the Illinois Association for the Mentally
4. Retarded. And as it is right now as I recall the testimony, we
5. don't have these regulations. We're dealing with dangerous
6. drugs here and you can have a physician give his prescription
7. then he's gone five or six days and you have these dangerous
8. drugs that then just are continuously prescribed and given.
9. I think that these are bills that have had a great deal of
10. study and I have the confidence too in the various groups that
11. have spent a great deal of time in reviewing them. I think
12. that it's a sound bill and I would rise to support them.

13. PRESIDENT:

14. Is there further discussion? The question is shall SB 826
15. pass? And on that question the Secretary will call the roll.

16. SECRETARY:

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

27. PRESIDENT:

28. Daley, aye. Course, aye. Carroll, aye. Senator
29. Saperstein, aye. On that question the yeas are 37. The
30. nays are 2. SB 826 having received a constitutional majority is
31. declared passed. The Chair wishes to announce that the vittles
32. are in the President's office on kind of a buffet basis so
33. those of you who wish to avail yourselves, just feel free to
go in and help yourself.

1. SECRETARY:
2. SB 827. (Secretary reads title of bill).
3. 3rd reading of the bill.
4. PRESIDENT:
5. Senator Saperstein.
6. SENATOR SAPERSTEIN:
7. Yes. Yes Sir, Mr. President and Ladies and Gentlemen
8. of the Senate. This provides that a patient must receive a
9. statement either in writing or orally in a language he under-
10. stands that shall explain the status of his admission. It
11. shall be received within 12 hours of his admission unless no
12. person who can communicate in a language he understands other-
13. wise it can be submitted to him within 36 hours. I urge your
14. support.
15. PRESIDENT:
16. Senator Ozinga.
17. SENATOR OZINGA:
18. Question first. What's the penalty if they don't do it?
19. PRESIDENT:
20. Senator Saperstein.
21. SENATOR SAPERSTEIN:
22. There are no penalties. There are no penalties in any
23. of these bills.
24. PRESIDENT:
25. Senator Ozinga.
26. SENATOR OZINGA:
27. What happens if a...if a guy comes in paralyzed drunk
28. about ten o'clock at night and they can't sober him up before
29. noontime tomorrow and now they're in violation are they not?
30. Have we got a headlines then that they are failing to comply?
31. PRESIDENT:
32. Senator Saperstein.
33. SENATOR SAPERSTEIN:

1. Excuse me.

2. PRESIDENT:

3. Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. If the man is incoherent and he is under the influence
6. of liquor, they hand him a written statement or put it in his
7. pocket so when he gets up the next morning, he has the written
8. statement.

9. PRESIDENT:

10. Senator Ozinga.

11. SENATOR OZINGA:

12. They can't determine. He may be a diabetic instead.
13. Seek the reason that I ask these questions, they sound ridicu-
14. lous but what you're really doing is you're just putting addi-
15. tional burden on the Department. Now, to put him in there,
16. they've got to give him a written statement of his condition
17. within 12 hours either verbally or in writing is just some more
18. heckling of the Department. I, again, say this is an unnecessary
19. bill; all it is is a matter of heckling. It's your Department
20. this time around.

21. PRESIDENT:

22. Senator Saperstein.

23. SENATOR SAPERSTEIN:

24. If I use the word condition, they cannot determine, quote,
25. "a condition", immediately but they give him the statement
26. written or orally of the status of his admission.

27. PRESIDENT:

28. Is there further discussion? The question is shall
29. SB 827 pass. The Secretary will call the roll.

30. SECRETARY:

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

1. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
2. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
3. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
4. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
5. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
6. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
7. Weaver, Welsh, Wooten, Mr. President.
8. PRESIDENT:
9. Senator Saperstein.
10. SENATOR SAPERSTEIN:
11. Call the absentees.
12. PRESIDENT:
13. Request for a call of the absentees. The absentees
14. will be called. You withdraw that request.
15. SENATOR SAPERSTEIN:
16. I recall it. I vote aye.
17. PRESIDENT:
18. On that question the yeas are 33. The nays are 2.
19. SB 827 having received a constitutional majority is
20. declared passed. SB 828.
21. SECRETARY:
22. SB 828. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDENT:
25. Senator Saperstein.
26. SENATOR SAPERSTEIN:
27. ...We found in our visitation that there are no qualifications
28. educationally or in experience for state superintendents. This
29. gives the Director of the department of Mental Health the right to
30. set up qualifications educationally and experience for the
31. position of superintendent of a hospital. That's all this
32. does.
33. PRESIDENT:

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. I have a question. Can the Director not now since
4. there are no regulations hire whomever he wants?

5. PRESIDENT:

6. Senator Saperstein.

7. SENATOR SAPERSTEIN:

8. Yes, he does. But you see some Directors do not do
9. this and this will force him to set standards for the
10. superintendents. We found that one superintendent had
11. no qualifications at all and was a former grocer and he
12. was superintendent of one of the most sensitive institutions
13. in the State of Illinois. You see sometimes we feel that
14. an administrator will do certain things, some will and some
15. won't. I remember when I was in the house and we...and we
16. got a letter from a woman who had two children on the waiting
17. list. She attempted suicide...she could not cope with the
18. question and the problem and we...went to the Director of
19. Mental Health at that time, Dr. Gerty. And we said what do
20. you provide families who have children on waiting lists.
21. Well, he said not very much. And I said wouldn't it be well
22. if we could provide some homemakers cares and maybe some
23. counseling, some guidance and things like that that would
24. ease the burden of families that has children on the waiting
25. list. Oh, he said, we'll do it. But that isn't good enough
26. the willingness to do it. We must put it in the statutes so
27. that every succeeding Director knows that one of his
28. responsibilities is to set standards.

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. I'm not going to ask any more questions, I learned my
33. lesson but I say if he's got a right to make standards he's
got a right to amend them. He could set them wherever he

1. wants to. He can hire who the hell ever he wants to just
2. like he does now. This is busy work and it's necessary.

3. PRESIDENT:

4. Senator Harber Hall.

5. SENATOR HARBER HALL:

6. Mr. President, I rise to caution the Senators on this
7. particular bill and what is otherwise a very mediocrity...a
8. group of mediocre bills but 827 is especially bad because I think
9. when we talk about mental health, we automatically think a psy-
10. chiatrist is going to be a good administrator. I, personally,
11. think that the Director of the Department of Mental Health need
12. not be a psychiatrist, he needs to be a good administrator. And
13. sometimes that director is not...shown any ability at all as an
14. administrator. When it becomes a question of the superintendent,
15. I feel the same way. We need a good superintendent and psychiatrist
16. in that particular agency but I don't think we have to require
17. high degrees in psychiatry and I recommend a no vote.

18. PRESIDENT:

19. Senator Course.

20. SENATOR COURSE:

21. Yes, Mr. President, would the sponsor yield to a
22. question?

23. PRESIDENT:

24. She indicates she will. Senator Course proceed.

25. SENATOR COURSE:

26. Senator Saperstein, what are all these extra services
27. going to cost the State of Illinois?

28. PRESIDENT:

29. Senator Saperstein.

30. SENATOR SAPERSTEIN:

31. None at all. I think when you see the budget that was
32. drawn up that none of these services, in fact, will cost

1. extra money. In fact the question of the visitation came
2. up and I think Senator Knuepfer can speak to that when we...
3. in one of the bills that we passed on the after-care or was
4. that was postponed, that we...that would permit the Depart-
5. ment to visit. She said this would cost less because they
6. can cease visiting after one year. As it is now they have
7. to go on and on and on. And I want to say while I'm on
8. my feet that I couldn't agree with Senator Harber Hall anymore
9. than what he expressed. I agree with you. We don't have to
10. have a psychiatrist. This bill is not meant to set a psychia-
11. trist as the head of a hospital. But it only sets standards...
12. standards so that we don't have another grocer the head of
13. an institution.

14. PRESIDENT:

15. Senator Course.

16. SENATOR COURSE:

17. Well, Senator Saperstein, you answered my question but
18. I can go back about 12 years and I was on the Welfare Com-
19. mittee at that time and you sponsored a bill for a pilot pro-
20. gram for a day care center and I asked you at that time what it
21. was going to cost in two or three years, a million dollars, a
22. million and a half dollars and you said not it would never
23. cost over a hundred thousand dollars. Now, I believe we're up
24. to around \$23,000,000 for day care center.

25. PRESIDENT:

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Just in response to Senator Harber Hall's statement.
29. I can remember about...I think it was 15 years or more ago
30. the superintendent of one of our state schools was selected
31. who was not a psychiatrist was not a doctor really and it was a
32. precedent setting move. That was disastrous. Since then we
33. have had nonmedical superintendents but they have been people

1. chosen with great care. Personally I am as sceptical of
2. the managerial mystique as anyone else would be if the
3. managerial abilities of a psychiatrist. Because I think that
4. is vastly over inflated and our confidence is badly misplaced
5. many times because they actually complicate matters quite
6. often. But the thing is this does...this does give the
7. Department flexibility. I think there are times when
8. you should have a nonmedical superintendent but that must
9. be very, very carefully regulated. It's an extremely
10. sensitive area and the history of the Department along these
11. lines has been rather spotty. It is important to set
12. strong standards.

13. PRESIDENT:

14. Senator Kosinski.

15. SENATOR KOSINSKI:

16. I move the previous question.

17. PRESIDENT:

18. Senator Kosinski has moved the previous question. On
19. that question, all in favor signify by saying aye. Contrary no.
20. Motion carries. Senator Saperstein may close the debate.

21. SENATOR SAPERSTEIN:

22. I think all of us have from time reviewed bills
23. that lowers professional standards and I think from
24. time to time we have resisted it. I remember the time that
25. there was a bill to allow laboratories to practice dentistry
26. and we resisted it. This...we resist every ...any lowering of
27. the medical standards and this bill does exactly that. It
28. just sets standards for superintendents. It allows the
29. Department, not us, the Department of Mental Health to set
30. standards for those who wish to be superintendents of the
31. hospitals. That's all this bill does. I really solicit
32. your support.

33. PRESIDENT:

1. The question is shall SB 828 pass. Senator Sours,
2. the previous question has been put. Secretary will call
3. the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke,

7. PRESIDENT:

8. Senator Clarke.

9. SENATOR CLARKE:

10. Mr. President, I find myself in the happy situation of
11. agreeing with Senator Knuppel for once. This is busy work
12. and let me tell you I say that because we are, I think, about
13. our 30th bill and we don't have nearly the load the House has
14. and this going to mean that two or three weeks from now if you
15. think this is a crush, you don't know what's coming. These
16. kind of bills, though, I would suggest to Senator Saperstein
17. is basing her experience of having visited Reed and Chicago
18. and Tinley Park and there are an awful lot of institutions
19. around this State. I really think these are busy work bills
20. that should be done by regulation. Certainly if they're not...
21. have not been setting standards for the superintendents, then
22. they should have been impeached. The Governor should have
23. thrown them out and I vote no.

24. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Sours.

1. SENATOR SOURS:

2. Here we are setting standards, and Senator Partee, I'm
3. inclined to agree with you. Are you here? Why don't we just
4. simply fix the age at 25 and have a county of residents. I
5. saw this group today completely mortify and just eviscerate
6. credentials and qualifications for someone to serve on the
7. Pardon and Parole Board and here we are now diddling around
8. having a little more of that requirement foolishness. I'm
9. going to vote no, and Senator Saperstein, if the de minimis
10. doctrine ever applied, it would be to all these miserable,
11. little nothing bills you have here tonight.

12. SECRETARY:

13. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
14. Mr. President.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Daley, aye. Senator Saperstein. Senator Saperstein.

17. SENATOR SAPERSTEIN:

18. Mr. President...Mr. President.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Saperstein.

21. SENATOR SAPERSTEIN:

22. How am I recorded?

23. PRESIDING OFFICER (SENATOR WEAVER):

24. You are not recorded.

25. SENATOR SAPERSTEIN:

26. I'd like to explain my vote. I'm sorry if our...I am
27. taking what you think too much time but I think you must
28. admit I'm not taking as much time as many of you have. Maybe
29. to some people these are miserable little bills but they're
30. not miserable little bills to our people in mental institutions.
31. I have never called anyone's bill a miserable bill and many of
32. us have had bills that...that others have thought but have never
33. expressed it. I think every bill is important to every sponsor,

1. otherwise they would not introduce it. I vote aye.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. On that question the ayes ...Senator Saperstein.

4. SENATOR SAPERSTEIN:

5. Please call the absentees.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Request for the absentees. The absentees will be
8. called.

9. SECRETARY:

10. Bartulis, Bell, Berning, Conolly, Course, Graham,
11. Knuppel, McBroom, McCarthy, Mitchler, Howard Mohr,
12. Don Moore, Newhouse, Regner, Roe, Schaffer, Scholl,
13. Shapiro, Sommer, Soper, Swinarski, Walker, Mr. President.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. On that question the ayes are 29. The nays are 7.
16. SB 828 having failed to receive the constitutional majority
17. is declared lost. 829.

18. SECRETARY:

19. SB 829. (Secretary reads title of bill).
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Saperstein. Senator Saperstein, do you wish to
23. explain the bill? Senator Saperstein.

24. SENATOR SAPERSTEIN:

25. MR. President, Ladies and Gentlemen of the Senate, I
26. don't know whether many of you know that in the State of
27. Illinois all public and private hospitals in order to be licensed
28. must be inspected. That our standards are set up by the
29. Department of Public Health and the Fire and Safety Act.
30. This bill provide that...for annual inspection of the
31. hospitals by the Department of Public Health by standards that
32. will be worked out between the two departments. This is all
33. this bill does. I...

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any discussion? The question is shall
3. SB 829 pass. And on that question...Senator Ozinga.

4. SENATOR OZINGA:

5. ...I am the co-sponsor on this bill. And this is
6. right, the Senator is absolutely correct and I can't
7. understand why she abandoned her equal rights position.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator...

10. SENATOR OZINGA:

11. The...the under this bill now if...if you'll remember
12. I've been heckling the Department over the last years for
13. cleanliness and patient care and what not. Now this..this
14. part of the bill is okay as far as the regular inspections
15. by the Department of Mental...Department of Public Health.
16. Okay that creates a lot more work, I've got to go along
17. with the Senator but the Department of Public Health have
18. promised us in the Commissions that they would do this.
19. Now when it comes to the separation of the sexes...equal
20. rights, Senator. I...I don't know, this is where the rapes
21. come in, I guess, but it's with consent. Now this is a
22. serious problem fellas when it comes to the identification
23. of personnel vs visitors. Senator, are you listening? You
24. weren't listening.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Saperstein.

27. SENATOR OZINGA:

28. Would you yield to a question?

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Will you yield Senator?

31. SENATOR SAPERSTEIN:

32. Senator Ozinga, like every other legislator, I have a 3rd
33. ear.

1. SENATOR OZINGA:

2. Where? Senator, I'm sorry...

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Ozinga, do you have a question to the sponsor?

5. SENATOR OZINGA:

6. Yes, I do, Senator. I have one question and I will
7. advocate the passage of this bill. I'm trying to help you
8. Senator, but... I'm not trying to be facetious. Senator
9. you and I had quite a conversation the other day and we
10. talked about identification of personnel. Now is it my
11. understanding, would you tell this august Body, would you
12. consider a security person's uniform identification?

13. PRESIDENT:

14. Senator Saperstein.

15. SENATOR SAPERSTEIN:

16. Yes, Mr. Ozinga.

17. SENATOR OZINGA:

18. Why then do you object to a uniform security man being
19. on the premises of the mentally ill? Now, I...I have been
20. advocating the security police...the security people at all
21. of these institutions have uniforms so that they can be
22. recognized and discipline order. On top of that I am in full
23. favor of identification badges of employees so that if they
24. are guilty of misconduct then they should suffer the consequences
25. of such misconduct. But, Senator, I would very much appreciate
26. that you tell this august Body why you disagree with me when
27. it comes to security uniforms?

28. PRESIDENT:

29. Senator Saperstein.

30. SENATOR SAPERSTEIN:

31. I don't disagree with you.

32. PRESIDENT:

33. Is there further debate? The question is shall SB 829

pass. Secretary will call the roll.

1. ACTING SECRETARY (MR. WRIGHT):

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

8. PRESIDENT:

9. Senator Ozinga.

10. SENATOR OZINGA:

11. Mr. President, these bills are all right. The only
12. trouble is that the Department and the new Department heads
13. have already agreed to...to comply with practically all of
14. these regulations that are called for. Therefore I do say
15. that the bill is unnecessary but being a co-sponsor I will
16. vote aye.

17. ACTING SECRETARY (MR. WRIGHT):

18. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
19. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
20. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
21. Mr. President.

22. PRESIDENT:

23. On that question the yeas are 31. The nays are 3.
24. SB 829 having received the constitutional majority is de-
25. clared passed. SB 830.

26. ACTING SECRETARY (MR. WRIGHT):

27. SB 830. (Secretary reads title of bill).
28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Saperstein.

31. SENATOR SAPERSTEIN:

32. Mr. President, Ladies and Gentlemen, when I started to
33. explain 829, I inadvertently explained part of 830 and

1. Senator Ozinga finished the explanation of 829 and this one
2. is the one that provides for the annual inspections and
3. standards are to be established by both departments. Let
4. me tell you of a for instance, please, and so that you don't
5. believe that this is frivolous, we went to Tinley Park twice
6. and by the admission of the Superintendent there he admitted
7. that they had more than 250 fire violations. 250. Now this
8. would never happen if you had annual inspections. I urge that
9. you support this bill and I thank you.

10. PRESIDENT:

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Members, there is another bill floating around somewhere
14. that will require stricter stringent necessities as far as
15. the Department. I think this bill is a little premature. A
16. little premature on the basis that the new administration is
17. making the rounds right now. They are setting up standards
18. and to set a mandatory provision in this at this time will
19. positively hamper the good that may come out of the new
20. administration. I would say that on this bill I don't think
21. that it should pass and there is another bill that is floating
22. around from the House that will call for hospital standards
23. more rigid than what this one calls for.

24. PRESIDENT:

25. Senator Wooten.

26. SENATOR WOOTEN:

27. Once again of the series of bills that I sent around to
28. people whose opinion I respect, this is one piece of legislation
29. they all characterized as indispensable and I urgently solicit
30. your positive vote on this.

31. PRESIDENT:

32. Is there further discussion? Senator Saperstein.

33. SENATOR SAPERSTEIN:

1. I do believe that the bill that Senator Ozinga to be licensed
2. a licensure bill. A bill that would license the state
3. hospitals. I do not think it has to do with the very same
4. subject and on the question of premature. It is never
5. premature to set up health and safety and welfare standards.
6. There is no other bill that does what this bill does.
7. I urge your support.

8. PRESIDENT:

9. The question is shall SB 830 pass. And on that question
10. the Secretary will call the roll.

11. SECRETARY:

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

21. PRESIDENT:

22. Bruce, aye. Netsch, aye. Buzbee, aye. Daley, aye.
23. Vadalabene, aye. Kenneth Hall, aye. Senator Saperstein, aye.
24. Request for a call of the absentees has been made. The
25. Secretary will call the absentees.

26. SECRETARY:

27. Bartulis, Berning, Carroll, Clarke, Clarke, Conolly,
28. Course, Davidson, Donnewald, Dougherty, Graham, Knuppel,
29. Latherow, McBroom, McCarthy, Mitchler, Howard Mohr, Don
30. Moore, Newhouse, Nimrod, Regner, Roe, Schaffer, Scholl,
31. Shapiro, Sommer, Weaver.

32. PRESIDENT:

33. On that question the yeas are 33. The nays are 5.

1. SB 830 having received the constitutional majority is
2. declared passed. SB 831.

3. SECRETARY:

4. SB 831. (Secretary reads title of bill).
5. 3rd reading of the bill.

6. PRESIDENT:

7. Senator Glass.

8. SENATOR GLASS:

9. Mr...Mr. President and Senators, SB 831 would create
10. the State Officer Compensation Commission Act. It would be
11. a commission composed of seven members which would set
12. salaries for all of the state officers including judges,
13. the governor and executive officers and legislators. This
14. Commission would as I say be composed of seven members...
15. two appointed by the Governor, two appointed by Chief
16. Justice of the Supreme Court and two by the leadership of
17. the Legislature and the seventh appointed by the first six.
18. I ask your support.

19. PRESIDENT:

20. Senator Wooten.

21. SENATOR WOOTEN:

22. ...Senator Glass, I'm sure this is a measure to be
23. looked on with some favor but we really ought to speak
24. frankly, this is a device to secure raises without having
25. to go through the painful process of voting. And I would...
26. I would prefer to...to stand the test of publicity and
27. any pay raise for myself. I know this is done at the Federal
28. level, the Commission okays the raise if you don't act within
29. 60 days or whatever it is then it's automatic. I think,
30. really, that the sixty day provision in here would be a little
31. better if it were sixty legislative days, now maybe that's the
32. case. Did you change it to that, sixty legislative days?

33. PRESIDENT:

1. Senator Glass.

2. SENATOR GLASS:

3. ...Senator Wooten, it is...it goes into effect sixty
4. days after submission, the report is due not later than
5. February the 15th of each year, recommendation. ...That
6. was discussed in Committee and I have felt that since the
7. Legislature is in Session continuously that this is not
8. necessary. However, in further response to your question,
9. when you say there is no vote by the General Assembly,
10. this is true. However, the General Assembly may act and
11. it would be up to any legislator who wished to bring the
12. matter up for a vote of the Legislature with regard to
13. the recommendation.

14. PRESIDENT:

15. Senator Wooten.

16. SENATOR WOOTEN:

17. Please understand me, I believe this job is, in
18. the short time I've been down here, this is the hardest
19. work I've ever done and I must admit I had no idea how
20. grossly underpaid Legislators were for the effort that is
21. involved. But still, I just don't think this is the most
22. direct way to go about it. I really believe we ought to...
23. ... to be able to face the consequences of voting ourselves
24. raises. And I must oppose it on that ground.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. ...I have a question or two, Mr. President or Senators,
29. I'd like to ask the sponsor, will he yield?

30. PRESIDENT:

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

32. SENATOR SOURS:

33. Senator, this sort of legislation would insulate you and

1. me both from probably any criticism by the press. Isn't
2. that it's design?

3. PRESIDENT:

4. Senator Glass.

5. SENATOR GLASS:

6. ...No, Senator Sours, I don't believe it would insulate
7. us from the press. I don't think...I don't know anything
8. that would. As I indicated to Senator Wooten there... still
9. is within the legislation, the role of the Legislature to act
10. on the recommendation.

11. PRESIDENT:

12. Senator Sours.

13. SENATOR SOURS:

14. Well, then we get the eternal question. Who wants this?

15. PRESIDENT:

16. Senator Glass.

17. SENATOR GLASS.

18. Well, it's hard to list the different people who are interested in
19. it. I would suggest to you that a number of the judges, the
20. Illinois Bar Association, different members of this Body. I...
21. I can't...I can't give you an itemized list of the people
22. interested in it.

23. PRESIDENT:

24. Senator Sours.

25. SENATOR SOURS:

26. Well, Senator Glass, this is a subterfuge with a capital
27. S and I'd like to ask you one more question and then wind up
28. my comments. Are you satisfied with your present honorarium
29. now to the extent of \$27,500? Just a yes or no.

30. SENATOR GLASS.

31. Yes.

32. SENATOR SOURS:

33. All right. That being the case, what is the necessity

1. for this bill because I think most people here would be
2. inclined to agree with you. Now when you mention judges,
3. the judges have been here constantly with both hands out
4. and the tin cup in each hand. Now actually the...the
5. lawyer members are a little fatigued, weary with the matter
6. of judicial salaries. Now it's rather interesting, too, that
7. this is the indirect method, Mr. President, as the President
8. well knows of increasing a Legislator's salary. Now I
9. have voted on those bills to increase the Legislator's salary
10. and I'm prepared to vote again. Now I think this is a sneaky,
11. deceitful, surreptitious, phony, fraudulent, indirect, cir-
12. cumventive method of digging down into the taxpayers pocket.
13. Now, I'm not known for being subtle either. This is a bill
14. that is strictly a self-interest bill and I'm not prepared,
15. I'm ashamed I even see it on the Calendar. Now that's how
16. I feel about this bill. Now that's no comment with reference
17. to the sponsor. I think he has a good heart but like some
18. others, I differ with him when it comes to being candid and
19. laying it on the line.

20. PRESIDENT:

21. Senator Chew.

22. SENATOR CHEW:

23. Mr. President, and the good, honest members of this Body,
24. everytime something comes up about money, I hear the distinguished
25. Senator from Peoria having a hell of a lot to say about it. I
26. wonder would the sponsor accept an amendment? And if he will,
27. the amendment will read those that do not support the bill and
28. in the event raises are recommended that they not be allowed
29. to get paid. Now, there will be a further amendment that if
30. the Comptroller makes the mistake and pays them and they
31. refrain from refunding it, let's put a ten year sentence on
32. them. And furthermore, I have been down here and I'm going
33. to charge this Legislature with gross discrimination because

1. I don't make \$27,000. Now maybe he does. I make \$17,500
2. and I don't know where the other money is...it's not paid
3. to me in a salary so I...I got the amendment ready whenever
4. you want it.

5. PRESIDENT:

6. Senator Merritt. Senator Merritt.

7. SENATOR MERRITT:

8. ...Mr. President, members of the Senate, I couldn't
9. agree more with Senator Wooten and Senator Sours. I happen
10. to be a member of the Senate Executive Committee when this
11. was heard and just so you'll all know what it really is, it's
12. the neatest little trick devised. It's exactly for getting
13. salary increases, it's exactly what's used down in Washington.
14. And all of a sudden you'll come in here someday when the report
15. is submitted back, nobody's going to do anything about it and
16. sixty days later you've gotten the salary increase. Well
17. the people back in my district haven't forgotten yet when it
18. went from \$12,000 here in the Senate to \$17,500 over a forty
19. percent increase and don't forget the working man that was
20. even getting a 5% cost of living index in those years. He
21. hasn't forgotten it. We better think twice before you pass
22. this bad legislation.

23. PRESIDENT:

24. Senator Knuppel.

25. SENATOR KNUPPEL:

26. A question of the sponsor please? Will he yield?

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. I notice here that we have two people appointed by the
31. Governor, two appointed by the judges, and one by the leader
32. in the House and one by the leader in the Senate and then
33. all those get together and appoint another one. I was

1. wondering who was going to be appointed here to represent
2. the people?

3. SENATOR GLASS:

4. Well, Senator Knuppel, I might preface my remark saying
5. I was very disappointed this did not get on the Agreed Bill
6. List. I thought it was uncontroversial but...in response to
7. your question, I submit to you that all of the people on the
8. Commission will have...will represent the people.

9. PRESIDENT:

10. Senator...Senator Knuppel.

11. SENATOR KNUPPEL:

12. I'm afraid that I don't very often agree with Senator
13. Sours and when we do agree, I think everybody says that's
14. a good position. I agree with everything he said. I think
15. the people are entitled to be represented and I, too, am
16. disgusted with us doing it in this sneaky, as he says, way.

17. PRESIDENT:

18. Senator McBroom.

19. SENATOR MCBROOM:

20. Well, Mr. President, I presume as you and Senator Partee
21. have indicated to me many, many times, the speeches on this
22. Floor don't change too many votes and I agree with both of
23. you. But I think someone should at least briefly answer some
24. of the comments that have been made this evening by some of
25. the people who have spoken against this proposal. I don't
26. think that Senator Glass has a perfect bill by any means here.
27. I haven't witnessed too many perfect bills. Most of them were
28. result of compromise. And if anyone thinks our present system
29. is a...is a happy position for anyone to be in, I would like
30. them to explain to me sometime before we adjourn on July 1st
31. what is so wonderful about the way we proceed now. Where dif-
32. ferent individuals bring in...get their favorite Senator or their
33. favorite House member to sponsor a bill to increase the salaries
of sheriffs,

1. increase the salaries of treasurers, increase the salaries of
2. circuit clerks. This...this member of the Legislature has
3. had experience from time to time since I've been here that
4. I don't think is particularly unique. I've had individuals
5. in my Senate district call me, on the phone, visit me at my
6. place of business, write me letters and tell me to try to...
7. I think Senator Vadalabene had a bill...a year or two ago
8. where there was a lot of dialogue on whether there should be
9. a floor on...on individual salary. And I don't know if it's
10. county treasurer or not, it's irrelevant which particular
11. office it was. There were pros and cons on that. The thought
12. behind it was that there were no floor and that the county boards
13. wouldn't increase their salaries or whatever it might be. The
14. position is after these various county officials have contacted
15. me and someone stops them on the street, says, how come you got
16. a raise? They say, gee, I don't know anything about it...talk
17. to Ed McBroom, he voted for it. These same people who have
18. written me and called me and asked me to support various pieces
19. of legislation. I don't see anything wrong with what Senator
20. Glass is trying to do here. I think it's an improvement over the
21. situation that we're living under. I hope that some of these speeches
22. and I'm sure that all of them were made sincerely, I'm sure that none
23. of them have anything to do with forthcoming campaigns. This is
24. not a pleasant situation for any of us to be put in. And I
25. think it's an infinite improvement over the..over the rules
26. and guidelines in the way that we've been conducting ourselves in
27. the past. I'm going to...very happy to vote aye for you, Senator
28. Glass, on roll call.

29. PRESIDENT:

30. Senator Donnewald.

31. SENATOR DONNEWALD:

32. Yes, Mr. President, I would address myself to Senator
33. Sours and Senator Merritt and would like to ask them if they've

1. cashed their checks since the time we used to make \$6,000
2. then to \$7500 then to 9 then to 12 and ultimately to 17,5...
3. That's the first question. They can answer this when they
4. get their time. The second question is if we reduce our salary
5. back down to \$6,000 a year, they would...they still run for
6. office? And then in...in the next question to that if they
7. answer that in the affirmative I'm going to ask them why.
8. I'm going to vote for the bill.

9. PRESIDENT:

10. Senator Mitchler.

11. SENATOR MITCHLER:

12. Mr. President, members of the Senate, I believe you
13. should take a look at the bill. You've heard a lot of talk
14. about what has been done in the past...what we were doing
15. and what we're talking about. Take a look at the bill on
16. page 1. First of all this Act is going to be known as the
17. State Officer Compensation Commission. Now this is not the
18. first time that such a commission or blue ribbon committee
19. was established. You know the last Session, or the Session
20. before, I can't quite remember, I believe it was the Illinois
21. State Chamber of Commerce that established a committee that
22. was going to report back and try to establish the proper
23. salary structure not only for the Legislature but for all
24. of the different State offices, the Code Departments and
25. government. You know how that was received in the Legislature.
26. With a thud. Because we are the fellows that are still going to
27. have to appropriate the necessary money by taxation to meet
28. these increases and there certainly aren't going to be any
29. decreases, gentlemen and ladies. For whatever salary structure
30. they have, no matter whether it be in the Executive, the Judicial
31. or the Legislative branch of government. Now first of all,
32. let's look at this Commission and see what it's composed of
33. because this is important. Two members, first of all there's

1. going to be seven members. Now six of these are going to
2. be appointed as follows: Two by the Governor. Now those
3. two that are appointed by the Governor are going to take care of
4. the Executive branch in any of the pay increases that
5. they would like to have. Now the of Mental
6. Health, you want to get that up, well, you've got your
7. pipeline right from the Governor there with his two appointees.
8. For all the Code Departments, the assistant directors and
9. on down the line. Now, I think that they are high enough
10. right now. A few years ago..the last term we upped those to 35,000
11. to 30,000, 27...and the idea was you know gentlemen and ladies
12. why we did that. That was so we could attract a higher
13. calibre of individual. And what do we do? We find that they're
14. so lousy that we're turning them down; we're almost up to five or six
15. of the Governor's appointments already to those very high, honorable
16. positions where we'd be attracting the very finest in this State.
17. ...Now we go on to the next. Two by the Chief Justices
18. of the Supreme Court of Illinois. And Hudson Sours, Senator
19. Sours, I suppose you would agree with me more than anybody. You
20. know they tell me back in my district, the judges, that they
21. dislike very much for the circuit judges to be getting
22. \$30,000 a year when the States Attorney gets \$32,500. And
23. they can't find anybody to replace the judges when one retires
24. or when one dies because attorneys earn much more than \$30,000
25. a year if they've got anything on the ball. So these two that
26. are appointed by the Chief Justice of the Supreme Court will
27. be the pipeline for the Judiciary instead of coming to the
28. General Assembly every year to this step by step and here and
29. there. That's what will get the Judiciary up around the
30. 60 to \$80,000 bracket where they should be for all of their
31. wisdom and the way they have to live and all of their problems
32. that they have to deal with. And they 're in competition,
33. they can't afford to be attorneys anymore. The attorneys

1. are making 60, 70 so they have to make a little more.
2. That's their pipeline for the Judiciary branch. Then you've
3. got one from the Speaker and one from the President. Now
4. these are the ones that will take care of the Legislative
5. Branch. Now what are they going to do? Well, it's not
6. only your salary, gentlemen. Let's go over to page 2. No,
7. take time on this, I've got quite a file. I knew this would
8. come some day and I wanted to wind it up with some comments.
9. Now in Section 4 of page 2, this is what the Commission is
10. supposed to do. The Commission shall make an exhaustive
11. study of the salaries emolument...is that it Senator Sours?
12. Emoluments, oh, the retirement benefits, oh, we're going
13. to increase the ret...I thought we had a pensio...committee
14. that we paid a lot of attention to and I remember Senator
15. Groen over here and he got us plenty. We don't have to have any
16. Committee come up, you know what your pension rights are
17. but they're going to come up with your retirement benefits.
18. Whoa-ho hang on taxpayer. Mileage, Mileage. You get 15¢
19. a mile, the State employees get 10¢ but here they're going
20. to come in and they're probably going to get you up to 20
21. and 25. They're going to be the ones to tell you, the
22. per diem. Well, they got that in there already. A couple
23. of years ago we never heard of per diem down here but now
24. we get \$32 a day. We can rent apartments, we're down
25. here all week long. Then we got travel. We got travel and
26. other expense allowance. Now that's what I want to point
27. out what they do in Washington. You know it gets around
28. Christmas time and I'm quoting from the Chicago Tribune,
29. December 3rd, 1970...thank you, Senator. Now here, here's
30. what the members of Congress got, you know this Committee
31. come in...

32. PRESIDENT:

33. For what purpose does Senator Latherow arise?

1. SENATOR LATHEROW:

2. Mr. President, just a point of inquiry. Is that clock
3. broke that's running those lights or are the lights bad?

4. PRESIDENT:

5. I hope not.

6. SENATOR LATHEROW:

7. It must be.

8. PRESIDENT:

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Now here we go with what they did in Washington. You
12. know Congress has had this for a long time that's why they're
13. up to 42,5. Why they got the Rayburn Building and all these
14. expenditures. Come Christmas time, December 2nd, dateline
15. Washington, Chicago Tribune, Thursday, December 3rd, boy
16. they jumped on that right away. Members of the House voted
17. themselves a \$500 increase in their stationery allowance and
18. today, you know what they had to do? I'll...I'll make it
19. brief, you know it was so close to January 1st that they
20. didn't have time to draw the stationery so they could go down
21. and get the checks and I could read you the amount they got
22. in the check. They all went out and bought their wives a
23. Christmas present. That's what you're going to get from this
24. Commission once it gets going. Now let's see, oh yeah,
25. reimbursements of all elected or appointed state officers.
26. Gentlemen, gentlemen, if you want...

27. PRESIDENT:

28. For...for what purpose does Senator Partee arise?

29. SENATOR PARTEE:

30. Two questions. Do you have any more Coca-Cola in your
31. office for him? And the other one is. Do you mind being
32. here all day Saturday if this keeps on?

33. PRESIDENT:

1. Well, I will stay as long as this Body has a quorum
2. then, will work. You make a valid point Senator Partee.
3. We have debated this bill for over 35 minutes. Now we are
4. under serious problem. Senator Mitchler may proceed.

5. SENATOR MITCHLER:

6. I'll take your comments and line them up early.
7. This is bad legislation because it takes away from you,
8. the legislator, the power to regulate and control salaries
9. and all of these other benefits that go to any of the officers
10. and there's nothing in here that says there's anything
11. for the guy that pays it and that's the poor Sweeney on
12. the street, the poor stiff, the taxpayer. And this would
13. let a wide open thing. And I urge a no vote.

14. PRESIDENT:

15. Senator Scholl.

16. SENATOR SCHOLL:

17. Mr. President, I'd like to get permission to ask Senator
18. Glass a question.

19. PRESIDENT:

20. He indicates he'll yield.

21. SENATOR SCHOLL:

22. Senator Glass...I'm sorta on the line on this bill and I
23. ...I just would like to know, is this your first bill?

24. PRESIDENT:

25. Senator Glass.

26. SENATOR GLASS:

27. Senator Scholl, fortunately it is not.

28. SENATOR SCHOLL:

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

30. PRESIDENT:

31. Senator Scholl has moved the previous question. All in
32. favor will signify by saying aye. Contrary, no. The motion
33. carries. Senator Glass may close the debate.

1. SENATOR GLASS:

2. Well, very briefly, members of the Senate. Despite
3. all of the vitriolic attacks on this bill, I think it is an
4. excellent bill. The Commission would make a study of the
5. salaries of all of the State officers and do it in a unified
6. manner which I submit to you, the Legislature never has done.
7. The arguments in favor of the bill were well expressed, I
8. believe, by the Senators here. I know of no one to my knowledge
9. in State government who has refused to cash his paycheck. I
10. think it's a good bill and would urge your support.

11. PRESIDENT:

12. The question is shall SB 831 pass. Secretary will
13. call the roll.

14. ACTING SECRETARY (MR. WRIGHT):

15. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
16. Chew,

17. PRESIDENT:

18. Senator Chew.

19. SENATOR CHEW:

20. I want to explain my vote. Yes.

21. ACTING SECRETARY (MR. WRIGHT):

22. Clarke,

23. PRESIDENT:

24. Senator Clarke.

25. SENATOR CLARKE:

26. Mr. President, very briefly, one point that hasn't been
27. brought out is the fact that this, a Commission of this very
28. nature, in effect, except it's advisory to the Legislature. And
29. it did operate last fall and helped us in the raises that we
30. made. I think the important point here from a practical stand-
31. point is that we should not delegate and give away our responsibility
32. even though it may be hard to some other group and say well,
33. we may come back and veto them. I think that is a terrible
principle to put into effect. I think we should meet our

1. responsibilities and the way things are going, I'm ready
2. to vote for another pay increase. I vote no.

3. ACTING SECRETARY (MR. WRIGHT):

4. Conolly, Course, Daley, Davidson, Donnewald,

5. PRESIDENT:

6. Senator Donnewald.

7. SENATOR DONNEWALD:

8. I'm going to vote aye on this bill but between the
9. time that I'm voting now and the time that Senator Mitchler
10. votes, I'd like to have him figure up what it costs for Resolutions
11. he has throughout the year to the taxpayers to the State of
12. Illinois.

13. ACTING SECRETARY (MR. WRIGHT):

14. Dougherty, Fawell, Glass, Graham, Harber Hall,
15. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel,
16. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
17. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,

18. PRESIDENT:

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Mr. President, I would explain my vote. My vote will
22. be aye. And for answer to my good friend, Senator Hudson
23. Sours, his services to the State of Illinois are worth
24. more than 17,5. The 10,000 in expense money aids him to do
25. that job. I think the members of this Assembly should be will-
26. ing to acknowledge their worth and I don't think anybody in
27. this Chamber is worth as little as we get. I would be willing to
28. vote for this bill which I am and I would be willing to vote
29. because I think the people of the State of Illinois would
30. understand the need for a raise to go into effect; I would
31. vote now for a raise to go into effect at the beginning at the
32. next term and be willing to run on that vote. My vote is aye.

33. ACTING SECRETARY (MR. WRIGHT):

1. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
2. PRESIDENT:
3. Senator Rock.
4. SENATOR ROCK:
5. Yes, Mr. President, my vote is aye. To characterize
6. this legislation as an abdication of legislative responsibility
7. simply bespeaks that one has not read the bill. Vote aye.
8. ACTING SECRETARY (MR. WRIGHT):
9. Saperstein, Savickas, Schaffer,
10. PRESIDENT:
11. Senator Schaffer.
12. SENATOR SCHAFFER:
13. My first real experience with the Legislative process was
14. last fall when I came down to watch this General Assembly, the
15. previous General Assembly play that little game we played before
16. Christmas, gentlemen. I saw good legislation get tied up in
17. pay raise bills and go down the chute. I don't know what that
18. special Session cost the taxpayers of this State but I would
19. suspect it would fund pay raised in all categories for several
20. years. Gentlemen, the old system doesn't work. This is a
21. new idea. We ought to try it. I vote aye.
22. ACTING SECRETARY (MR. WRIGHT):
23. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
24. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.
25. PRESIDENT:
26. Aye. Daley, aye. Harber Hall, no. Senator Glass.
27. SENATOR GLASS:
28. I would request a poll of the absentees, Mr. President.
29. PRESIDENT:
30. Request for the absentees has been made. Secretary will
31. call the absentees.
32. ACTING SECRETARY (MR. WRIGHT):
33. Bartulis, Berning, Carroll, Keegan, McCarthy, Howard Mohr,

1. Don Moore, Netsch, Newhouse, Ozinga, Smith, Weaver.

2. PRESIDENT:

3. On that question the yeas are 31. The nays are 21.
4. SB 831 having received a constitutional majority is declared
5. passed. Senator Chew...moves to reconsider. Senator
6. McBroom moves to Table. On the motion to Table, all in favor of the
7. motion to Table signify by saying aye. Contrary no. Motion
8. to Table prevails. SB 854.

9. ACTING SECRETARY (MR. WRIGHT):

10. SB 854. (Secretary reads title of bill).
11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Saperstein.

14. SENATOR SAPERSTEIN:

15. Mr. President, Ladies and Gentlemen of the Senate,...
16. this Senate Bill will allow the Chicago Board of Education
17. to self-insure on claims under \$25,000. They will carry
18. individual insurance on claims over \$25,000 to an aggregate
19. of one...of a half a million dollars. Their records as
20. produced in the...in the Committee hearing...reveals that
21. they have never had a single claim...an individual claim
22. over \$15,000. This bill will save the...

23. PRESIDENT:

24. For what purpose does Senator Rock arise?

25. SENATOR ROCK:

26. Well, just to urge a favorable roll call, Mr. President,
27. members of the Senate. What this bill does it make the
28. Chicago Board of Education a self-insurer for claims under \$25,000.
29. It's an economic benefit to the Chicago Board of Education.
30. They have the legal staff to handle these claims and I would
31. ask a favorable roll call.

32. PRESIDENT:

33. Is there further discussion? The question is shall
SB 854 pass. The Secretary will call the roll.

1. ACTING SECRETARY (MR. WRIGHT):

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

12. PRESIDENT:

13. On that question the yeas are 39. The nays are none.
14. 1 voting present. SB 854 having received the constitutional
15. majority is declared passed. SB 320.

16. ACTING SECRETARY (MR. WRIGHT):

17. SB 320. (Secretary reads title of bill).
18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Schaffer.

21. SENATOR SCHAFFER:

22. SB 320 provides for 15 days notice before a layoff and
23. the right for a hearing within 30 days after laid off. Quite
24. frankly, gentlemen, there have been several recent court
25. hearings which provide for even stiffer requirements than this
26. but I still feel this is needed legislation. And I would
27. yield to Senator Rock's question.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Mr. President, members of the Senate, I don't think
32. any questions are necessary. Anybody who's read this bill
33. knows what it's about. We sat for over 2 1/2 hours last
evening in the Senate Executive Committee and heard the

1. new Director of Personnel explain his very far reaching
2. and progressive rights of employees. This bill is absolutely
3. regressive. It sets the Personnel Code back about a hundred
4. years. It will tie up State government. I think we should
5. all be...all be on a bipartisan basis opposed to this bill
6. in the interest of good government.

7. PRESIDENT:

8. Is there further discussion? Is there further discussion?
9. The question is shall SB 830...the Secretary...Senator Schaffer.

10. SENATOR SCHAFFER:

11. Mr. President,

12. PRESIDENT:

13. You want to take the bill out of the record?

14. SENATOR SCHAFFER:

15. No I don't. I just want the throng in front of my desk
16. to break up a little bit. This bill, quite frankly, will not
17. set Personnel back a hundred years. This bill merely enacts what
18. the rights that the employee should have. We've had
19. around the State what I call the 5 o'clock firings. Gentlemen,
20. these are wrong. They should not happen. An employee is
21. entitled to more than just 5 minutes notice that he's going to be
22. fired or laid off. If he were fired he'd have those rights.
23. This merely gives the people who are laid off the right to 15 days
24. notice. And I would point out to the other side of the aisle
25. that we have a situation in this State where I might add, partisans
26. of both parties are suffering this fate. This is not a partisan
27. issue. I think that an employee, particularly an employee of 20
28. years service in this State is entitled to more than 15 minutes
29. notice that his job has been terminated. I don't think that this
30. is a partisan issue. I don't think it should be. I think this
31. is a good bill. I think it would be a good bill if Governor
32. Ogilvie were still sitting on the second floor. Oh, that it would
33. be. But I don't think this is a partisan issue and I sincerely
hope that I'll have some support on the second...other side

1. of the aisle because this is a good bill for all people of
2. all parties.

3. PRESIDENT:

4. Senator Wooten.

5. SENATOR WOOTEN:

6. It is recognized practice of all good management that if
7. you decide to let an employee go, you'll let him go and be
8. done with it. To have an employee hang around when he knows
9. his job is terminated makes nothing but trouble. It's true
10. in the State as well as in private business.

11. PRESIDENT:

12. Is there further discussion? The question is shall
13. SB 320 pass. On that question the Secretary will call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
16. Chew, Clarke, Conolly, Course, Dàley, 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. PRESIDENT:

26. Request is made to call the absentees. The absentees
27. will be called. Secretary will call the absentees.

28. SECRETARY:

29. Kenneth Hall, Hynes, Keegan, Knuppel, McCarthy, Netsch,
30. Newhouse, Nudelman, Palmer, Schaffer.

31. PRESIDENT:

32. Senator Schaffer.

33. SENATOR SCHAFFER:

I want to assure Senator Rock that I have not lost the

1. ability to count although perhaps the ability to keep track
2. of 30 people. I would like to compliment Mr...Senator Rock
3. and those members of the regular Democratic Party. I commend
4. you on the consistency of your philosophical stand and if
5. that's an indictment of any of the nonregular Democrats on
6. the other side of the aisle, then so be it. Mr. Chairman,
7. I'd like to ask for postponed consideration.

8. PRESIDENT:

9. All...Senator Schaffer has moved to postpone consideration.
10. All in favor signify by saying aye. Contrary no. The motion
11. carries. SB 855.

12. SECRETARY:

13. SB 855. (Secretary reads title of bill).
14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Glass.

17. SENATOR GLASS:

18. Thank you, Mr. President, despite the way that the
19. Calendar has listed my name under this bill, I am the sponsor.
20. SB 855 is a relatively simple bill but I think an important
21. one. It would provide that when any corporation or any
22. business provides information to the EPA that is confidential
23. information and I might add that the statute already provides
24. that they may submit confidential information to the EPA. When
25. they do so if it is disclosed illegally, that is a misdemeanor.
26. This is a provision that parallels Federal law. There were no
27. dissenting votes in the Agriculture Conservation Ecology
28. Committee, I don't believe; there may have been one present. I
29. would ask for your support.

30. PRESIDENT:

31. Senator Nudelman.

32. SENATOR NUDELMAN:

33. ...Sponsor yield for a question?

1. PRESIDENT:

2. Indicates he'll yield. Senator Nudelman.

3. SENATOR NUDELMAN:

4. What sort of information are we talking about?

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Senator Nudelman, this is primarily trade secret informa-
9. tion. There was a...all right.

10. PRESIDENT:

11. Is there further discussion? The question is shall
12. SB 855 pass? The Secretary will call the roll.

13. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Johns, aye. Chew, aye. On that question the ayes are
26. 48. The nays are none. SB 855 having received the constitu-
27. tional majority is declared passed. Senator Walker.

28. SENATOR WALKER:

29. ...Mr. President, I have seen this rule invoked once
30. in the House ten or twelve, fourteen years ago. I'm going to
31. call the membership's attention to Rule 26, absentees, then
32. I'm going to make a motion. Upon the call of the roll or any
33. question the names of Senators shall be called by Secretary
of the Senate and the absentees noted. After which names

1. of such absentees shall once again be called if such action
2. is requested by the sponsor. Those absentees for whom in the
3. opinion of the majority of Senators present no excuse or
4. insufficient excuse is made may be taken into custody as he
5. or they appear or he or may...or he or they may be sent for
6. and take into custody and brought forth with the Senate Chamber
7. Sergeant at Arms of Senate when so ordered by the majority
8. of Senators present. Now we're on third readings in the Senate.
9. I don't know who is absent... I have a hunch. We're all draw-
10. ing the same salary...

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Walker, what year was that rule book printed?

13. SENATOR WALKER:

14. This is 1971 and I think we'll find it in the rules in
15. the big pages here in the desk drawer that haven't been printed.
16. I don't think the rule has been changed, if so I stand to be
17. corrected but I'd still like to pursue my point. There is no
18. excuse on third reading Senate Bills for any Senator to be
19. absent from the Floor of this House without being excused.
20. And if this rule is still in full force and effect as I think
21. it is, I think we have to go down to the last Section, if a
22. majority of us order the Senators absent to be brought back
23. I would like to so move.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Thank you, Senator Walker. Senator Buzbee. 857.

26. SECRETARY:

27. SB 857. (Secretary reads title of bill).

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President, members of the Senate, this is
33. a bill that would change the publication requirements which change the

1. school code, the publication requirements of the statement
2. of affairs in school districts. What this basically does is
3. to allow the school districts to publish their breakdown of
4. the certified personnel to be shown by name listing each
5. employee in different pay categories. And then also non-
6. certified personnel would also be shown and different categories.
7. What it basically does is to allow the school district to make a
8. more simplified report and instead of breaking each teacher down
9. by degree and so forth they simply would be listed by category.
10. It's a bill that was asked for by the Superintendent of Public
11. Instruction and I would ask for a favorable roll call.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Is there any discussion? Senator Latherow.

14. SENATOR LATHEROW:

15. Did I understand you to say Senator Buzbee that this was
16. asked for by the Superintendent of Public Instruction?

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Buzbee. Senator Buzbee.

19. SENATOR BUZBEE:

20. Yes, that's right Senator Latherow.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Latherow.

23. SENATOR LATHEROW:

24. Mr. President and members of the Senate, I don't think there's
25. one thing wrong with the G.I. taxpayer knowing what goes into
26. the salaries and so on of the educational system of the State
27. of Illinois. And I think this is just a mere effort to add a
28. little deception to the salaries as so printed. I vote to be
29. in opposition to this bill.

30. SENATOR WEAVER:

31. Any further discussion? Senator Buzbee may close debate.

32. SENATOR BUZBEE:

33. Well, yes, Mr. President, very briefly, we're not trying

1. to hide any salaries here of any personnel. They would all
2. be listed. They would simply be listed by category. The
3. category being under 5,000. And the second 5 to 9999. Third
4. 10 to 14 and so forth. And not trying to hide anything. It
5. will save about approximately 20 hours in each school district
6. and administrative work in compiling the list.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. The question is shall SB 857 pass? And on that question
9. the Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Savickas, aye. Buzbee, aye. Kosinski, aye. Rock, aye.
23. On that question the ayes are 34. And the nays are 3. SB 857
24. having received a constitutional majority is declared passed.
25. 858, Senator Harber Hall.

26. SECRETARY:

27. SB 858. (Secretary reads title of bill).

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Harber Hall.

31. SENATOR HARBER HALL:

32. Mr. President, fellow Senators, 858 addresses itself to
33. manufacturers and business people who are required by the EPA
to install certain anti-pollution facilities. With the
certifications, this bill would provide that up to a maximum

1. of 15% of the cost could be a direct...credit against their
2. income tax so long as it did not exceed 50% of the amount
3. owing in one year. We know that throughout the State of
4. Illinois, the Environmental Protection Agency has caused great
5. distress among many businesses. In some cases we have manu-
6. facturing companies and elevators, farm elevators, actually
7. having to go out of business because they could not provide
8. the type of pollution control facilities that are required,
9. needed and required, I might say, and this would give some
10. relief through a credit against the income tax. This bill
11. in Committee was thoroughly supported and discussed and
12. argued and supported by the Illinois State Chamber, the Chicago
13. Association of Commerce and Industry, Illinois Manufacturer's
14. Association, the Illinois Agriculture Association and it was
15. testified to in Committee by the Environmental Protection
16. Agency that they favor this concept. It would mean more work
17. for them and they might have to...insuing years have a increase
18. in personnel to administer this part of the law. I believe that
19. it's time we aid business instead of continually stomping on
20. them and this would be one good way. Now other states have
21. provided the same type of relief and help. It encourages the
22. following of the EPA standards. It actually would initiate
23. many standards without the Agency receiving complaints and
24. instituting their requirements. I think it would benefit our
25. important industrial complex in the State of Illinois where we
26. manufacture so many goods that are sent throughout this nation
27. and overseas. The only objection to this bill would, of course,
28. be a decline in a certain amount of revenue to the State. In
29. the long run it's going to mean more revenue by keeping industry
30. here. Keeping it active and viable and certainly it's going to
31. be a big help to the coal manufacturing industry in Southern
32. Illinois and to the farmers up and down the State. I would
33. certainly solicit your wholehearted support of the bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Course.

3. SENATOR COURSE:

4. Thank you, Mr. President and members of the Senate.

5. You can imagine my surprise May the 8th when after a bill

6. I had been waiting for to appear on the Revenue Committee

7. suddenly appeared on the Calendar as coming out of the

8. Agriculture Committee, I was wondering why. And now I know

9. why. And I know...don't wonder why the Illinois Manufacturer's

10. Association...Association of Commerce and Industries and other

11. related associations are in favor of this bill. But the

12. sponsor of the bill, he was correct. He said it would allow

13. a 15% credit. 15% credit, ladies and gentlemen, against your...

14. a direct credit against your income tax. That is from

15. manufacturers and coal miners to coal operators to... There was

16. a...similar bill introduced the 77th General Assembly and I

17. believe it was the same sponsor. At that time the Department

18. of Revenue came up with a figure...the fiscal 1972 loss would

19. be \$28,000,000. They later revised this estimate it was

20. \$46,000,000. Now we're into '73, ladies and gentlemen, and '73

21. the tax loss will be close to a \$100,000,000. In 1974 it will

22. be \$98,000,000. 1975 it will be 107,000,000 dollars. In 1976

23. it will be 115,000,000 dollars. These are estimates of course.

24. But what the sponsor didn't tell you, we not only deal with

25. the facilities now, the air pollution facilities, now we're

26. also going into related materials. Chemicals, fuels are

27. exempt, parts, repairs used in pollution control facilities.

28. And these are...they call them...end used...end consumption

29. use items. They're now exempt to some extent. They're exempt

30. in the Retailer's Occupation Tax Act and related taxes. That

31. is on noise and sonic vibrations control facilities among other

32. things to water and air pollution. Now, ladies and gentlemen,

33. these companies are all crying for relief but what they don't

1. tell you,...there are other assistance programs to which
2. they can go. The Environmental Development Act, they can
3. get money there. Small Business Administration they can get
4. low interest loans there. Industrial Development Bonds which
5. enable large companies to save one and a half to two percent
6. points on the interest rates in financing pollution control
7. equipment. Accelerated depreciation companies investing in
8. pollution control equipment are allowed to depreciate the first
9. 15 years of the depreciable life of that equipment in five years.
10. Investment tax credit, first installment...I've got some competi-
11. tion over here, Mr. President. As I was saying investment tax
12. credits, firms installing pollution control equipment can deduct
13. 7% of the value of the investment from their taxes during the
14. first year of installation. Further they may elect to use either
15. their accelerated depreciation or the investment credit but not
16. both. This is really something for them. Retail occupation tax
17. and used tax exemption in this State which as stated above covers
18. water and air pollution control facilities but not material used
19. as consumption...consumed in operating such facilities. But
20. now we go into the...the materials that are going to be used.
21. Also, ladies and gentlemen, what they haven't told you what the
22. sponsor hasn't told you if you don't have enough income in the
23. first year, well, you can go back three preceding years, use the
24. three preceding years. Or you can use the remaining of it...in
25. the taxable years to come. Now, ladies and gentlemen, this is,
26. this is bad legislation. It's legislation that is...at this time
27. we can't afford in the State of Illinois. If we want to embarrass
28. the Governor, let's just come out and say we want to embarrass you,
29. Mr. Governor. We're going to pass this thing, sign it and be
30. short of a hundred million dollars this year in your...in your...
31. a hundred million dollars more in your budget. Ladies and
32. gentlemen, this isn't responsible legislation. And I'd urge
33. all the colleagues on this side of the aisle to oppose this

1. bill. Thank you.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Glass.

4. SENATOR GLASS:

5. Mr. President and Senators, I rise in support of this
6. bill. As one who is firmly in favor of improving our
7. environment and fighting water and air pollution. I'm aware
8. of the cost of doing this is being heaped upon businesses.
9. We are asking them to clean up their operations. To stop
10. polluting the air and water and yet we, as the Legislature,
11. and we, as the people in the State, aren't willing to share
12. in any of the cost of doing it. Now Senator Hall's bill
13. would take a significant step toward spreading that burden
14. around where it ought to be. If we really mean we want to
15. clean up the air and water, then let's participate in the
16. effort to do it. Let's not heap the entire cost upon the
17. businessman. I think this bill goes in the right direction.
18. It's a good bill and I would urge the entire Senate to
19. support it.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Clarke.

22. SENATOR CLARKE:

23. Mr. President, members of the Senate. I'd just like to
24. make a few comments because if this bill had come to the
25. Revenue Committee, I think it might have had a different result.
26. Let me point out that the people representing the largest
27. association representing business in this State talked to me
28. about this bill and I indicated to them my feeling about the
29. income tax. If you pass this kind of a credit for business,
30. you might as well pass every other type of credit for individuals
31. because they sure deserve it. Let me point out that on the
32. income tax of this structure we pay, as individuals, on our
33. gross income and business deduct everything. They deduct

1. their membership in the clubs and the rest of their expenses
2. and then they pay the State income tax and now they want to
3. come in with this kind of a bill. The reason in case the
4. sponsor doesn't know why the estimate went up from 25,000,000
5. 100,000,000,000 is very easy. If you look in the bill, there
6. is a carry back and a carry forward for three years, I believe.
7. And that makes one heck of a difference because they can take
8. this expense and if they can't use it all in one year they can
9. go back three years or they can carry it forward. And that
10. makes the cost tremendously more expensive to the State. But
11. just on the basis of fiscal responsibility a hundred million
12. dollars, gentlemen. We had a recommendation out of a Commission
13. for another hundred and fifty million dollar loss to the State
14. in sales tax. And we're passing bills out for appropriations
15. like they're going out of style. And I suggest to you that this
16. is a bill that ought to stay right here until we know where we're
17. going.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Partee.

20. SENATOR PARTEE:

21. I congratulate Senator Clarke for that kind of logic. He's
22. absolutely right. And let me say to you that this bill is not
23. the first kind of bill that created some kind of help for corporate
24. enterprises that had difficulty with pollution. I passed a
25. bill last year which said that if a corporation was having
26. trouble keeping up with the pollution standards, the State would
27. lend them the money. And there was created a fund from which
28. corporate enterprise could borrow money if they needed to to do
29. what was necessary so that we could keep them in the State. Now
30. they come back, they're not satisfied with that. They come back
31. rapaciously and gluttonously asking now for this kind of relief
32. and I think it's absolutely unfair to the other taxpayers of this
33. State. It's a bad bill.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there any further discussion? Senator Hall may
3. close the debate.

4. SENATOR HARBER HALL:

5. Well, Mr. President, I have to answer some of the
6. direct objections that were voiced on...in the Senate Floor.
7. First of all, it's been alluded to about some mythical amount
8. of money that the...that the Treasury will lose. I would tell
9. you that Maurice Scott, the Executive Secretary of the Taxpayers
10. Federation, told me that it's estimated between five and eight
11. million dollars and that eight would be on the high side in
12. his opinion. Last year they estimated the Department of
13. Revenue under the Ogilvie administration estimated that it
14. would be twenty million dollars. They later said they really
15. didn't have any way to figure out how much it would be. But
16. they...they stuck to their figure of twenty million dollars
17. in an effort to defeat this. Certainly there's going to be
18. an immediate loss to the revenue of the State. In the long
19. run it's going to be very beneficial and I would suggest to
20. you just to name a few states that have found it so: Arizona,
21. California have similar laws. The State of Connecticut,
22. Massachusetts, Minnesota, Oklahoma, Oregon, New York and
23. New York City. There's two of them in New York, not to
24. mention Wisconsin, Virginia and Rhode Island. Now other
25. States are recognizing that if we're going to clean up our air,
26. if we're going to clean up our water, we're going to have to do
27. it on a grand scale. And most businesses are not financed to
28. do it on a grand scale without some help. We're suggesting
29. here that only 15% of the cost, remember ladies and gentlemen
30. and Senators, we are talking about a maximum of fifteen per-
31. cent of the cost of something that is otherwise not involved
32. in a productive capacity for that business. It's entirely
33. extraneous to the business that the company is involved in.

1. It would not otherwise be needed at all and yet we're going
2. in to a small elevator and telling that elevator operator, you've
3. got to have fans and water...system to take the dust out of your
4. operation here and that will cost you thirty thousand dollars
5. to...to...just to get that. They don't make five thousand
6. dollars a year in profit in that operation but we're telling them
7. to spend thirty thousand dollars to clean up the air. We want
8. the air cleaned up. Yes, we do. But if they...if we can
9. encourage them by a...a direct tax credit in this fashion we're
10. going to keep them in business and in the long run, we're going
11. to make money for the State of Illinois by encouraging business
12. and industry and getting on with the job of environmental pro-
13. tection at the same time. So I believe that we should pass this
14. bill. It's been adequately argued. None of us like to see the
15. loss of revenue and yet how much revenue are we going to lose
16. when a sample survey of industries that have gone out of business,
17. just this year, fourteen of them in number including some businesses
18. that you may be aware of. And when they were talked to and inter-
19. viewed they confessed that this was the large measure of their
20. decision. Companies like the Container Corporation and Lake Shore
21. Paper Board Mill of Chicago. The Pekin Foundry and Manufacturing
22. Company in Pekin. Now are we going to continue to be on the backs
23. of business...forever. When we come up it's easy to pass the EPA
24. laws. Yes. But how are we treating the people that come under
25. their thumb and under their directive? I say give them a break.
26. I move for...I...I would ask for your support on this bill.

27. PRESIDENT:

28. The question is shall SB 858 pass? The Secretary will
29. call the roll.

30. SECRETARY:

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

1. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
2. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
3. PRESIDENT:

4. Senator Latherow.

5. SENATOR LATHEROW:

6. Mr. President, members of the Senate, I hate to belabor
7. the point but I think we should look back just a few years and
8. also not look back very far and see what the Agency that we passed
9. a few years ago has created a great burden on many people in
10. the fields of industry and agriculture. Now the power to borrow
11. doesn't mean anything if you don't have the power to pay off.
12. The position many of these people have been put into includ-
13. ing some few small industries that I can mention the fact
14. not that they couldn't go borrow the money. The fact you put
15. them in an economic position where they cannot pay off what they
16. could borrow if they were able to. I think we need to give an
17. economic value to these people who have to make these major ex-
18. penditures. You may be in the position if this legislation doesn't
19. pass that, for instance, in the field of agriculture people will cease
20. to be in a particular element of it because they cannot foresee
21. the benefits of a major expenditure. People who are nearing the
22. age of 65 or 60 in the field of agriculture, not thinking about
23. making other major expenditures, they're thinking about looking
24. for retirement age. And if they don't have a family to follow
25. in their footsteps to help keep the business going, they're not
26. going to make major expenditures if they can't get some type of
27. credit in a write-off. I think this is exactly what is happening
28. and more so in industry which is having to spend millions and
29. millions of dollars because of what we have caused them to do
30. with the Environmental Protection Agency. I'm not saying that
31. the Agency is wrong. I'm just saying we, as Legislators,
32. have put them in this position. And I think we, as Legislators,
33. should be able to get in the position to give some credit. I
vote aye.

1. SECRETARY:

2. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
3. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
4. Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
5. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer,
6. Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
7. Welsh, Wooten, Mr. President.

8. PRESIDENT:

9. Senator Hall.

10. SENATOR HARBER HALL:

11. Mr. President, despite the obvious absence of some
12. members I...I'm not going to call for the roll on this.
13. We'll just let this die but I would like to just...
14. state now that when we lose a lot of employees of companies
15. that go broke because they can't carry this kind of a load
16. that is completely aside from their main business...you'll
17. be back and I'll support you to see that we get the relief
18. that we need to do the things that we're requiring. We're
19. requiring it from...the people are requiring it through us.
20. And we're helping the people. And the people have got to
21. pick up a part of that cost and that's what we're trying to
22. do here.

23. PRESIDENT:

24. On that question the yeas are 21. The nays are 18.
25. SB 858 having failed to receive a constitutional majority
26. is declared lost. Senator Course, for what purpose do you arise?

27. SENATOR COURSE:

28. A point of personal privilege, Mr. President.

29. PRESIDENT:

30. Senator Course.

31. SENATOR COURSE:

32. I agree with Senator Hall. If this were to help the small
33. people, I'd be with it...be for the bill a hundred percent.

1. But deep down in my heart I know like it is...Senator Hall knows
2. that it is going to benefit the large corporations and...that's
3. what I'm opposed to. Thank you.

4. PRESIDENT:

5. SB 860.

6. SECRETARY:

7. SB 860. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Knuepfer.

11. SENATOR KNUEPFER:

12. This is a bill that applies to only two counties in the
13. State of Illinois, DuPage County and Lake County. It's a self-
14. help bill. At the rate we are presently getting funding for
15. the various creeks that are creating problems in these two
16. counties, and we are highly urban counties with very, very
17. serious flooding problems. At the rate we're presently getting
18. funding it's going to take us a 150 years to ever complete our
19. job. We figure we can't count on the State to provide any real
20. help and this bill simply says, well, let us help ourselves
21. anyway so we can get the job done. I would appreciate a favor-
22. able roll call. It only applies to two of us, DuPage and Lake.

23. PRESIDENT:

24. Is there further discussion? The question is shall
25. SB 860 pass? 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 MOHR):
5. Mitchler, aye. Merritt, aye. Swinarski, aye. Sommer,
6. aye. On that question the yeas are 41. The nays are none.
7. SB 860 having received a constitutional majority is declared
8. passed. SB 869, Senator Conolly.
9. SECRETARY:
10. SB 869. (Secretary reads title of bill).
11. 3rd reading of the bill.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Senator Conolly.
14. SENATOR CONOLLY:
15. Mr. President, this provides the county superintendent
16. of highways to be responsible for construction and maintenance
17. of all roads in the counties where road districts is established.
18. This bill was requested by the Illinois Association of Superin-
19. tendents of Highways. This bill would allow the township
20. commissioners to institute proceedings for vacation alteration
21. of roads by filing a certain certificate similar to what the
22. Department of Transportation does now.
23. PRESIDING OFFICER (SENATOR MOHR):
24. Any further discussion? The question is shall SB 869
25. pass. And on that question 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 MOHR):
5. Glass, aye. Bartulis, aye. Shapiro, aye. On that
6. question the yeas are 43. The nays are none. SB 869 having
7. received the constitutional majority is declared passed.
8. SB 871. SB 871, Senator Conolly.
9. SECRETARY:
10. SB 871. (Secretary reads title of bill)
11. 3rd reading of the bill.
12. PRESIDING OFFICER (SENATOR MOHR):
13. Senator Conolly.
14. SENATOR CONOLLY:
15. Mr. President, this bill also is requested by the Illinois
16. Association of Superintendent of Highways. The present statute
17. provides highway agencies with the authority to contract with
18. any other highway agency for transfer of maintenance, construction,
19. administration, engineering but not jurisdiction. This amend-
20. ment just adds the word jurisdiction. I would appreciate
21. another favorable roll call.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Any further discussion? Senator Don Moore.
24. SENATOR MOORE:
25. Why do we need this bill, Senator Conolly?
26. PRESIDING OFFICER (SENATOR MOHR):
27. Senator Conolly.
28. SENATOR CONOLLY:
29. The superintendents of highways of the various counties
30. feel they need this bill.
31. SENATOR MOORE:
32. Aren't we going to have a hodge-podge of highway authorities
33. determining who has jurisdiction over what highway, one township
to another, one city or village to another and so forth?

PRESIDING OFFICER (SENATOR MOHR):

1. Senator Conolly.

2. SENATOR CONOLLY:

3. It is my understanding that will not take place.

4. SENATOR MOORE:

5. Well from the appearance of the bill, I think that
6. it might. I think that through intergovernmental coopera-
7. tion, they could accomplish the same thing that they're doing
8. here. I don't believe this bill is necessary. I think it's
9. a bad bill, Mr. President.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Latherow.

12. SENATOR LATHEROW:

13. Well, Mr. President, I just wonder if the sponsor would
14. yield to a question?

15. PRESIDING OFFICER (SENATOR MOHR):

16. He indicates that he will.

17. SENATOR LATHEROW.

18. All right. I do notice this bill has some good sponsors
19. but I'd like to know what are you really adding to this bill
20. when you're using the word jurisdiction?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Conolly.

23. SENATOR CONOLLY:

24. The County Superintendents feel that they would like, besides
25. the other powers, the word jurisdiction. It seems very technical
26. and I'm sure there's nothing in it that really causes anybody
27. any problems.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Latherow. Senator Wooten.

30. SENATOR WOOTEN:

31. Mr. President, I was a sponsor of similar legislation
32. which I Tabled when I found that this was in the works because
33. mine had a couple of things that really were not necessary.

1. I'm glad to support the legislation, we already make it
2. permissible to share things like maintenance, administration,
3. engineering and improvement. This gives a share in jurisdiction.
4. It gives a...some control over roads. The counties want to
5. take them over, this makes it possible. In our county we're
6. kind of interested in this.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Any further discussion? Senator Merritt.

9. SENATOR MERRITT:

10. Mr. President...Senator Conolly, would you yield to a
11. question? I'm...

12. PRESIDING OFFICER (SENATOR MOHR):

13. He indicates he will, Senator.

14. SENATOR MERRITT:

15. I'm told back in my county, at least, that perhaps this
16. might tend to bring about a situation when these various
17. intergovernmental units are contracting may be giving complete
18. jurisdiction, one unit taking over maintenance of another one
19. to the place where the State through the Department of Trans-
20. portation might not anytime know in future years just who had
21. control or jurisdiction because there's no way they have to
22. report it. Now that's at least what I'm told and I'd like
23. to hear your comments.

24. SENATOR CONOLLY:

25. All I know is the county superintendent of the neighboring
26. county to you was down here testifying in favor of this bill.
27. And they feel there's no problem with it whatsoever.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Could I just point out that this is permissive and it
32. requires a written contract between both parties. So there's
33. nothing untoward or subversive or hidden about this. You
enter into a written agreement...

1. may do it if you so wish. And under those terms I really
2. don't think it's anything to be afraid of.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Any further discussion? Senator Conolly may close
5. the debate.

6. SENATOR CONOLLY:

7. I'd appreciate another favorable roll call please.

8. PRESIDING OFFICER (SENATOR MOHR):

9. The question is shall SB 871 pass. And on that
10. question the Secretary will call the roll.

11. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR MOHR):

22. Donnewald, aye. Course, aye. Request to call the
23. absentees.

24. SENATOR CONOLLY:

25. Had one more vote, I wouldn't have to call the absentees.

26. PRESIDING OFFICER (SENATOR MOHR):

27. How is Senator Swinarski recorded?

28. SECRETARY:

29. Not recorded.

30. PRESIDING OFFICER (SENATOR MOHR):

31. On that question the yeas are 30. The nays are 3.
32. SB 871 having received the constitutional majority is declared
33. passed. SB 872, Senator Conolly.

1. SECRETARY:

2. SB 872 (Secretary reads title of bill).

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Conolly.

6. SENATOR CONOLLY:

7. This is...the bill was requested once again by the
8. Illinois Association of Superintendent of Highways. But it
9. affects only one county and that's DuPage. And the Superin-
10. tendent of DuPage County was here to testify for the bill. It
11. just lowers the arbitrary figure for federal aid matching tax
12. and the corporate bridge fund from one million inhabitants down
13. to five hundred thousand inhabitants. It just shows how
14. counties are getting larger and they were lowering that amount.
15. Probably in a few years it will affect Lake County also. I'd
16. move a favorable roll call.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Any further discussion? The question is shall SB 872 pass?
19. And on that 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. PRESIDING OFFICER (SENATOR MOHR):

32. Bartulis, aye. On that question the yeas are 41. The
33. nays were none. SB 872 having received the constitutional
majority is declared passed. SB 873, Senator Conolly.

1. SECRETARY:

2. SB 873. (Secretary reads title of bill).

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Conolly.

6. SENATOR CONOLLY:

7. This bill will take a minute. It just changes the
8. ...broadens the misdemeanor for obstructing, hindering
9. delay in...and other, et cetera and other people in State
10. highways to include any highway within the State. Now the
11. words State highway, this will cover county highways and
12. et cetera and I move the adoption of this bill.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Any further discussion? The question is SB 873 pass.
15. And on that question the Secretary will call the roll.

16. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. Regner, aye. Glass, aye. Course, aye. Savickas, aye.
28. On that question the yeas are 45. The nays are none. SB 873
29. having received the constitutional majority is declared passed.
30. SB 875, Senator Conolly.

31. SENATOR CONOLLY:

32. Once again this bill is requested by the Illinois
33. Association of Superintendents of Highways. The present statute

1. allows a broad interpretation of the meaning of the
2. temporary closing of a township or district road. Also,
3. the statute the Highway Commission...Commissioner to
4. be fully responsible for the reviewing plans and sureties.
5. The proposed amendment limits the period of temporary
6. closing. In addition the amendment provides for the public
7. with general information of temporary closing and it also
8. provides the Commissioner assistance of the County Superin-
9. tendents plans and sureties. I move the adoption of this bill.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator, I know that you're anxious to pass another bill
12. but we're going to have the Secretary read it first.

13. SECRETARY:

14. SB 875. (Secretary reads title of bill).
15. 3rd reading of the bill.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Don Moore.

18. SENATOR MOORE:

19. Yes, would the sponsor yield to a question or two, Mr.
20. Chairman...or Mr. President?

21. PRESIDING OFFICER (SENATOR MOHR):

22. He indicates he will.

23. SENATOR MOORE:

24. In the synopsis it says that if the highway commissioner
25. provides at least 10 days notice...that the roads may be
26. temporarily closed for a period not to exceed three years. Is
27. that correct?

28. SENATOR CONOLLY:

29. My understanding that this is basically gravel roads in
30. downstate very slightly used and ...I...we have talked to a few
31. township officials and Troy Kost has looked at it...he isn't quite
32. sure, he hasn't really. And Bill Dart today talked to Troy and
33. I don't know if they came to any understanding.

PRESIDING OFFICER (SENATOR MOHR):

Any further discussion? The question is shall...

Senator Latherow.

1. SENATOR LATHEROW:

2. I just want to question one part about this whether
3. or not you're taking away from the township road commissioners
4. the right to close the road and giving it to the county
5. superintendent of highways? Just one thing that bothers me
6. with this and you're requiring a publication in the newspaper
7. where in cases many townships, they merely have to post through-
8. out the area at the place where the highway is that it's going...
9. they're going to have a hearing for anticipated closing. And
10. after hearing the commissioner can make his decision. Are you
11. eliminating that aspect for the township government?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Conolly.

14. SENATOR CONOLLY:

15. This is tightening up actually the closing of any roads
16. and it was very broad. Now it's actually tightening up the
17. closing of any road is why I understand it downstate. And
18. I'm doing that at the request of the Superintendents of High-
19. ways which have been in close conjunction and discussing this
20. with the township officials.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Merritt.

23. SENATOR MERRITT:

24. Just one brief question, Senator Conolly. It seems like
25. to me in here and we have a good many of those areas throughout
26. Vermilion County in my district. I'm referring to some strip
27. mine areas where the road is closed, in some instances for a
28. mile or two. Well, under this I understand it could be closed
29. for a maximum period of three years. Is that correct?

30. SENATOR CONOLLY:

31. That would be the maximum I understand in those strip
32. mining areas, I understand, sometimes it's closed for
33.

1. much longer times. This would allow it to be open.

2. SENATOR MERRITT:

3. But it could be three years. Well I happen to see
4. one map and you could...the people that lived in that
5. area that were affected in some instances had to drive
6. 8, 10, 12 miles to get...

7. SENATOR CONOLLY:

8. It is my understanding that if there's any objection
9. at all to these bills, it would be by the people who
10. operate the strip mines.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Merritt.

13. SENATOR MERRITT:

14. I...I'm not thinking of the people who operate the
15. strip mines at all. I'm thinking of the people in the
16. area who are inconvenienced.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Conolly.

19. SENATOR CONOLLY:

20. I agree and that's why I'm saying this bill is drafted to
21. protect those people. And from what Bill Dart of the Profession-
22. al Engineers told me that any objections would be from quarry
23. operators and strip miners. And this is the protectiveness.
24. It gives public notice that your neighbors around you would
25. know for sure if these roads...were to be closed and there
26. would be public hearings from the publication.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Any further discussion? The question is shall
29. SB 875 pass? And on that question the Secretary will
30. call the roll.

31. SECRETARY:

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

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

9. PRESIDING OFFICER (SENATOR MOHR):

10. Palmer, aye. Weaver, aye. Carroll, aye. Kenneth
11. Hall, aye. Tom Hynes, aye. Schaffer, aye. On that question
12. the yeas are 30. The nays are 4. SB 875 having received a
13. constitutional majority is declared passed.

14. PRESIDENT:

15. SB 876.

16. SECRETARY:

17. SB 876. (Secretary reads title of bill).

18. 3rd reading of the bill.

19. PRESIDENT:

20. Senator Conolly.

21. SENATOR CONOLLY:

22. Mr. President, this bill affects only the North Shore
23. Sanitary District. As you know the people in the district
24. voted \$35,000,000 referendum to build new capital construction
25. then the courts asked us to do more. The State has to
26. put in \$24,000,000 more dollars and the Federal Government has
27. matched that with \$66,000,000. And we now are...by 1975
28. we're going to have a fantastic sewer operation, many plants
29. and so forth but no money to operate. We have...we...
30. figure we're going to triple the number of employees and
31. therefore we have asked that this tax be raised to 25¢ and
32. up to 35¢ by referendum. There is no...it only affects the
33. people of the North Shore Sanitary District. We have the...
had a cost of operation and I would appreciate your favorable
vote to help us out in the North Shore Sanitary District.

1. PRESIDENT:

2. Is there further discussion? Senator Rock.

3. SENATOR ROCK:

4. Well, I...I just, Mr. President, want to rise in
5. support of this legislation and ask our members to support
6. it. That Sanitary District has embarked on a major over-
7. haul and I think they are entitled to this legislation.

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. What Senator Rock has said, this bill was given a
12. thorough hearing in Local Government. Recommend a Do Pass
13. and I urge a favorable vote.

14. PRESIDENT:

15. Is there further discussion? The question is shall
16. SB 876 pass? Secretary will call the roll.

17. SECRETARY:

18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly,

20. PRESIDENT:

21. Senator Clarke.

22. SENATOR CLARKE:

23. Mr. President, I just like to comment. This is a
24. substantial increase without referendum. I have always
25. believed and I know you can say these are unusual circumstances
26. but I think there is a serious question as to whether this
27. kind of an increase without a referendum is justified twenty-
28. five percent. I vote no.

29. SECRETARY:

30. Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
31. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
32. Keegar, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
33. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,

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

5. PRESIDENT:

6. Romano, aye. Harber Hall, aye. On that question
7. the yeas are 33. The nays are 3. SB 876 having received
8. a constitutional majority is declared passed. 878.

9. SECRETARY:

10. SB 878. (Secretary reads title of bill).

11. 3rd reading of the bill.

12. PRESIDENT:

13. Senator Conolly.

14. SENATOR CONOLLY:

15. Mr. President, the purpose of this bill is to create
16. a State Board authorized to resolve conflicts between local
17. regulation of utility construction and the interest of the
18. general public in receiving adequate service. The bill
19. creates a board comprised of the Chairman of the Illinois
20. Commerce Commission, the Pollution Control Board and the
21. Director of the Department of Local Government Affairs.
22. It's been long the policy of this State as well as
23. most every other State the regulation of public utilities
24. must be entrusted to agencies with a Statewide authority
25. which prevails over conflicting local regulation. This
26. bill is not designed to take away from units of local
27. government any authority they now have but is intended to
28. provide a procedure which conflict between local interest
29. and general public interest may be resolved. In the time of
30. our energy crisis, I think this is very necessary legislation
31. and I would urge the adoption of this bill.

32. PRESIDENT:

33. Is there further discussion? Senator Rock.

1. SENATOR ROCK:

2. Mr. President, members of the Senate, I rise in
3. support of this. As everybody knows the Public Utility
4. Company serves a large geographical area with integrated
5. transmission and distribution. And it must endeavor to
6. meet the requirements of numerous local governmental units.
7. At the present time there's no adequate means of resolving
8. the disagreements that inevitably arise. This legislation
9. is a vehicle to solve that and I urge a favorable vote.

10. PRESIDENT:

11. Senator Knuepfer.

12. SENATOR KNUEPFER:

13. Well, I...I'd like to ask Senator Rock if he's so much
14. in favor of this bill why did he amend Cook County out of it?

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Well, Cook County was not amended out. That's the way
19. the bill was presented, Sir.

20. PRESIDENT:

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. Would you be in favor of putting an amendment on
24. putting Cook County into the bill?

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. Well, the fact of the matter is in the City of Chicago,
29. there's just no room for one of these plants. If you really
30. want to get right down to it so that you're talking you know...
31. something that's not needed. And to put in our local govern-
32. mental officials when there's no chance that there's going to
33. be any generating plant being put into that area just seems
kind of nonsensical.

1. PRESIDENT:

2. Senator Wooten. Oh, I'm sorry. Senator Knuepfer.

3. SENATOR KNUEPFER:

4. ...Now back to Senator Conolly. Senator Conolly, I...

5. I am unable to understand just what the necessity for this
6. is. I...I realize that there have been some delays caused
7. by EPA, caused by citizen's groups. Does this kind of a
8. bill attempt to resolve all of those delays and let...allow
9. a board to make a decision?

10. PRESIDENT:

11. Senator Conolly.

12. SENATOR CONOLLY:

13. This is correct. The only other remedy they would have
14. would be to go to Court. If they went to Court they would
15. have a yes decision or a no decision. They could not work
16. out with any local authority any changes in the location,
17. arbitration and so forth. So this way we have a working way
18. to get large generating plants. We're not talking about
19. the neighborhood situation, we're talking about large generation
20. plants, transmission lines. It has three agencies, the
21. Environmental Pollution Agency, The Commerce Commission
22. which is in charge of handling the regulation of utilities and
23. the Department of Local Government who should represent local
24. government.

25. PRESIDENT:

26. Senator Knuepfer.

27. SENATOR KNUEPFER:

28. Well, I'll be very brief. I'll just say that I sincerely
29. have some real serious reservations about this kind of a bill.
30. I think it has the tendency to take away the right of the citizen
31. to complain about a utility, to complain that there may be one
32. in his backyard and when you again earlier this afternoon...we
33. were discussing the bill that affects only Chicago and doesn't

1. affect anybody else. Well here's one in the reverse situation.
2. It only affects the rest of us but somehow nobody else is
3. affected. I...I don't think this is a desirable idea.

4. PRESIDENT:

5. Senator Wooten.

6. SENATOR WOOTEN:

7. A point of information. Would this Board have authority
8. to set aside decisions or judgements made by the EPA, the
9. Commerce Commission. In other words, does it have power
10. superior to theirs?

11. PRESIDENT:

12. Senator Conolly.

13. SENATOR CONOLLY:

14. Pardon me, I...what was the question?

15. PRESIDENT:

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Would this Board in effect outrank EPA, the Commerce
19. Commission and other such agencies?

20. PRESIDENT:

21. Senator Conolly.

22. SENATOR CONOLLY:

23. It would be able to arbitrate the differences between
24. local government and a large utility. There would have to
25. be a hearing presented so all parties could come before and
26. they would be able...it would be...a...administrative agency
27. with the purpose of harmonizing the aims of local regulations
28. with the need of the general public for adequate utility
29. service.

30. PRESIDENT:

31. Senator Glass.

32. SENATOR GLASS:

33. If the sponsor would yield for a question.

1. PRESIDENT:

2. Oh, I'm sorry. Senator Wooten.

3. SENATOR WOOTEN:

4. In effect then, it does have...in other words, its
5. decision would...would bind EPA, Commerce Commission and
6. so on. Is that correct? In other words, when it
7. arbitrates its decisions are final?

8. PRESIDENT:

9. Senator Conolly.

10. SENATOR CONOLLY:

11. That is my understanding. And the heads of those
12. agencies are there each to respect...take care of their
13. own interests.

14. PRESIDENT:

15. Senator Glass.

16. SENATOR GLASS:

17. I...I would like to ask Senator Conolly a question.
18. Senator Conolly, I'm a little confused, I thought that in
19. the area of utilities the Illinois Commerce Commission in
20. effect did this job. I mean they certificate areas that
21. utilities can operate in. I...I'm at a loss, frankly,
22. to know what kinds of disputes we're concerned about here.
23. If you could enlighten me into that.

24. PRESIDENT:

25. Senator Conolly.

26. SENATOR CONOLLY:

27. There could be location, zoning...the size of plant...
28. many other situations. This has been met in other States,
29. Massachusetts, New Jersey, New Hampshire, Connecticut,
30. Pennsylvania and Ohio by letting the...just the one utility
31. do it. I think this is a more...long range situation and
32. as I said, New Jersey already has this...legislation.

33. PRESIDENT:

1. Senator Glass.

2. SENATOR GLASS:

3. Well, I...can understand generally, I guess, the
4. objective but it seems to me the Illinois Commerce
5. Commission as I indicated earlier is the Body that...
6. that does this now. Do they want this bill? Are they
7. in favor of it?

8. SENATOR CONOLLY:

9. I...I am not...I...pretty confident they are, I
10. have not heard objections to it from them. They did not
11. oppose it in our Committee and also there is a great
12. effort to have the Environmentalist involved in the
13. decision making of power supply.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. I would hope that Senator Conolly would not mind my
18. making a couple of suggestions because I think this is an
19. excellent piece of legislation. And I think some of the
20. answers to the questions have left some misunderstanding. I
21. think first of all, you have to know who's on the Board. The
22. Board is composed of a Chairman of the Illinois Commerce
23. Commission in the first instance, the Chairman of the
24. Pollution Control Board, the Director of the Department
25. of Local Governmental Affairs. And the Illinois Commerce
26. Commission supplies the secretarial and consultant services.
27. That's who...that's who is on the Board. And the questions
28. that arise, arise when a public utility seeks to build a
29. new unit in a local area. And to answer Senator Knuepfer's
30. question the reason Cook County, or Chicago, is not in it,
31. it isn't likely that there's any space in which to build. These
32. plants are necessarily out in large areas where they can
33. buy land. And the proceedings that was done by petition

1. to this Board. Now this just happens to be an intelligent
2. and progressive way of approaching it. So that the utility
3. can go to a board which has among its components by way of
4. members, persons representing the three branches of government
5. that would affect most the operation of the construction
6. of that plant. There's a nine month period with plenty of
7. provision, notification to all people affected before the
8. hearing...before the final judgment is made. And even after
9. that judgment is made there is right of appeal. It's a
10. very salutary piece of legislation. It's not the first
11. state in the country that's passed it. Several other states
12. have passed it and it works quite well. It's very much
13. needed.

14. PRESIDENT:

15. Is there...Senator Fawell.

16. SENATOR FAWELL:

17. Well, I'm sorry that I didn't have any information on
18. this which is my fault I'm sure. But there are a lot of
19. questions I have about it. I'll just read one portion where
20. it points out that this newly created board...this newly
21. created...this newly created board...and I'm...I'm quoting
22. here directly, shall have the power to exempt from the opera-
23. tion of any ordinance of any unit of local government, that
24. means any downstate city or county except it doesn't have that
25. power if it pertains to Cook County or the City of Chicago.
26. And it can therefore allow any facility that is any public
27. utility which is proposed to be used to come in and just
28. take precedence over any local zoning ordinance or any other
29. ordinance which the city or county may have. Now, I
30. recognize that there have been some court cases that have
31. held that some of your zoning ordinances of your county or your
32. city will not preclude a public utility coming. And...frankly
33. this may be beneficial...at this point I'm afraid I don't know

1. enough about it to be able to vote for it. And I've got a
2. lot of questions because obviously it will give this state
3. board complete power and authority which is over and above
4. your local ordinances of any of your downstate communities.
5. And I...I would think that we would want to have the
6. reaction of our local communities. As it is right now,
7. for instance in locating your sewage disposal plants, your
8. EPA and your Commerce Commission have a million and one
9. rules which are set into being in order to...to create
10. various regions at least in our area and quite a lot
11. of problems have arose over it. I...I'd have a lot of
12. questions, there's a lot of authority, a lot of power
13. which is being granted to this statewide entity and I
14. at least at this point, I certainly couldn't support the
15. legislation and I have a lot of questions about it-

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. Senator, obliquely, I think, you put your finger on
20. what the real problem is for a person who desires to construct
21. one of these plants. There are many, many laws that relate
22. to it and many, many jurisdictions that would have one
23. opinion in one jurisdiction and another in another if it
24. overlaps from one or two townships and you'd have many,
25. many opinions and they could never get a building built.
26. We're talking about an energy crisis and we ought to be
27. able to permit a building be built where there can be one,
28. on determination as to what the rules are for this building.
29. You have people in every village who come up with different
30. interpretations as to what the law is and here you have the
31. virtual authority from those three boards, on this board, who can
32. make a decision and you can get something done. Outherwise these
33. many, many laws that you talk about just frustrate any

1. attempt to build.

2. PRESIDENT:

3. Senator Fawell.

4. SENATOR FAWELL:

5. I...Senator Partee, I think you're very correct. I
6. just want to point out that public utility, for instance,
7. can mean the Chicago Sanitary District. And it would mean
8. that they would be able to locate a facility in a downstate
9. county or city without...and have it...have the State simply
10. overrule any of the local ordinances that might be in being.
11. It may be good but I think it's a...quite a...quite a concept
12. and I...I...just wish I'd had the opportunity to have...to
13. have reviewed the legislation before this because...

14. SENATOR PARTEE:

15. I do too because I would hope that your lack of mis-
16. understanding or really your lack'of having had the opportun-
17. ity to look at it in depth would not deprive your voting for
18. it because it's a good piece of legislation.

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well, Mr. President, members of the Senate, I don't be-
23. lieve that Senator Fawell has obliquely discovered what is
24. involved. I think he's put his finger precisely on what
25. is going to occur in all the State, all the counties in the
26. State outside of Cook. And that is on line placement where
27. city ordinances can say the manner in which lines are going
28. to be placed. I learned Senator Mitchler, I believe, had this
29. very problem in his district last year. They can determine
30. where lines and how lines are going to be placed in contra-
31. vention to local ordinances, either of the city or the county.
32. I'm reluctant to give up the authority of the Commerce Commis-
33. sion and the local units to say how power lines are going to be

1. placed in new suburban areas and how they're going to be
2. placed in my small communities. I don't know what the
3. function of the Board will be but I know that it says it
4. has overall functions. And if they can operate in any
5. decision they make, if it contravenes a local ordinance,
6. county ordinance, the local county or city is out of
7. business. They can do anything they want to. I am
8. reluctant to give that authority to any board. I'm
9. reluctant the Commerce Commission does it but I don't
10. know whether we ought to give yet another Board to it
11. to have that real broad authority in the downstate areas.

12. PRESIDENT:

13. Senator Partee.

14. SENATOR PARTEE:

15. Senator, there are times when...

16. PRESIDENT:

17. Your point is well taken until...

18. SENATOR PARTEE:

19. I thought it was a question. I wanted to answer,
20. that's what I thought, it was a question. I thought it was
21. a question...but I would just simply suggest that this is not
22. the first time that we in this Legislature have said that the
23. State has a paramount interest in the operation of a branch
24. of government. Last year we had a long, long battle here on
25. this Floor about the State pre-empting rights of municipalities
26. or cities. The President is smiling. We had that debate last
27. year on the very same question and now Senator Fawell, you are
28. ...don't remember that, but the State does in some instances,
29. in the best interest of operation of business, do that kind
30. of thing and you have supported that kind of legislation.

31. PRESIDENT:

32. ...Senator Knuepfer.

33. SENATOR KNUEPFER:

1. On a point of order now. There's a limited number
2. of times that we're not allowed to speak on any bill. It's
3. late enough this evening without having a colloquy between
4. 2, 3 or 4 Senators. Make your peace, make your pitch, sit
5. down, please. Thank you. I don't mean any offense, Senator, but
6. I'm just as edgy...and as anxious to get home as anybody else.

7. PRESIDENT:

8. Is there further discussion? The question is shall
9. SB 878 pass. The Secretary will call the roll.

10. SECRETARY:

11. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
12. Clarke, Conolly,

13. PRESIDENT:

14. Senator Conolly.

15. SENATOR CONOLLY:

16. Mr. President, I did not close debate but I would like
17. to say in explaining my vote that we are in an energy crisis.
18. It is about time that we speed forward in providing clean
19. energy for our people in the State of Illinois. While these
20. are being tied...these cases are being tied up in court, where
21. how and when to build a big nuclear plant or something like
22. that, the utility companies have to build fossil fired plants
23. which can be put on line about half as quick and therefore are
24. causing more pollution...and this is an attempt to solve this
25. problem to provide us energy before we have the brownouts and
26. blackouts like they have in New York City. Let Illinois once
27. again be ahead and do something about this energy crisis. We
28. should, in this Legislature, be leading the fight not holding
29. it up.

30. SECRETARY:

31. Course, Daley, Davidson, Donnewald, Dougherty, Fawell,
32. Glass, Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
33. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy, Merritt,

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

6. PRESIDENT:

7. Glass, no. Netsch, aye. Senator Conolly.

8. SENATOR CONOLLY:

9. Will you poll the absentees please?

10. PRESIDENT:

11. Request for the absentees has been requested. Secretary
12. will call the absentees.

13. SECRETARY:

14. Berning, Chew, Donnewald, Fawell, Harber Hall, Kenneth
15. Hall, Johns, Keegan, McBroom, McCarthy, Mitchler, Don Moore,
16. Newhouse, Nimrod, Ozinga, Regner, Saperstein, Schaffer,
17. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Vadalabene,
18. Walker, Weaver.

19. PRESIDENT:

20. Scholl, aye. Sommer, no. On that question, Senator
21. Conolly.

22. SENATOR CONOLLY:

23. I move to postpone consideration of this bill.

24. PRESIDENT:

25. All in favor of the motion to postpone signify by saying
26. aye. Contrary, no. Motion carries. Now the Chair wishes to
27. announce that the joint leadership has been working since the
28. roll call this afternoon. We have developed a supplemental
29. list of agreed bills. I believe that list has been passed out
30. to you, there are 19 of them on that list. Now, I...Mr.
31. Sweeney will distribute them. When we adjourn tonight, take
32. this list home and develop your instructions to the Secretary.
33. Turn in your request to the respective leadership on the part of...

1. pardon? By 9 tomorrow morning. Now it is the intention of
2. the Chair now to proceed to Senate Bills on 2nd reading and
3. when we complete that order of business, we will adjourn.
4. Senator Bruce.

5. SENATOR BRUCE:

6. Yes, Mr. President, I don't want to complain because I
7. don't have staff but I stayed in the building here until
8. quarter 'til two this morning. I know the Executive Committee
9. stayed that long too. I had to prepare my list to turn in.
10. I understand 26 Senators took the time to do that. Now that
11. is a laborious task and to have these done by 9 o'clock in
12. the morning when we're here after 9 o'clock tonight seems to
13. be unreasonable for those of us who are going to have to read
14. these bills. I would ask that that be extended either till
15. noon, or 1, or 2 or 3 or something to give some of us a chance
16. to get some sleep and be back in here.

17. PRESIDENT:

18. Senator Partee.

19. SENATOR PARTEE:

20. Just so the record will be clear, Senator Bruce said that
21. only 26 Senators took the time to do that. I think that what
22. he ought to have said is that only 26 Senators turned them in.
23. Now that indicates that only 26 Senators felt that there were
24. bills that they wanted to vote against and I don't think we should
25. clog the record with anything that might be an inaccuracy.

26. PRESIDENT:

27. The Chair just responds to say that I've checked with the
28. Secretary. He will have time to process the requests if they
29. are received not later than noon tomorrow. So if you will turn
30. in the respective suggestions and your responses to this list of
31. 19 bills by noon. On the part of the Democrats if you will turn
32. them in to Senator Donnewald. On the part of the Republicans
33. if you will turn them in to Senator Weaver. They will then

1. organize them and deliver them to the Secretary's office.

2. Senate Bills on 2nd reading.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Gentlemen, Ladies, on the order of 2nd reading I think
5. it is the desire of the leadership to also at this time
6. consider any motions to move Senate Bills on the order of
7. 3rd back to 2nd for the purpose of considering amendments so
8. we can have this Calendar in position for tomorrow. We'll
9. go on 2nd reading first. And as soon as we are through with
10. that we will go to motion, so we are not confusing each other
11. and at that point we will start moving our bills back to the
12. order of 2nd reading. I don't think we have to worry about
13. that. ...The Secretary has his desk in order. We will now
14. be on the order of Senate Bills on 2nd reading. Please pay
15. attention to your Calendars so that we may execute this with
16. a minimum amount of delay.

17. SECRETARY:

18. Senate Bills 55 and 57. Senator McBroom.

19. SB 150. Senator Conolly.

20. SB 191. Senator Berning.

21. SB...

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. ...It's been suggested that we do not call appropriation
24. bills because they're exempt and we don't have to move those
25. tonight.

26. SECRETARY:

27. SB 566, Senator Sours. SB 597, Senator Latherow.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Latherow. I think it's on the order of 3rd
30. reading now.

31. SECRETARY:

32. I'm sorry, I'm calling the...I'm sorry. SB 731.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Read the bill and then I'll recognize you Senator.

2. SECRETARY:

3. SB 731. (Secretary reads title of bill).

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator McBroom.

6. SENATOR MCBROOM:

7. We're going to get into some time on this one,

8. Mr. President.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. I hope not.

11. SENATOR MCBROOM:

12. Well, we are. I thought we...I thought we had something

13. worked out on this to wait a few days.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. I'm trying to find out where we are Senator. 731, yes, I...

16. SENATOR MCBROOM:

17. One of the sanitary bills.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Yes, I realize... Senator Rock.

20. SENATOR ROCK:

21. Well, the suggestion, Mr. President, came from the suggestion

22. of the President of the Senate, that we move all nonexempt bills

23. to 3rd reading so that tomorrow which is going to be the last

24. day we can do what we please with them.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator McBroom.

27. SENATOR MCBROOM:

28. Well, I...I understood Senator Rock from leadership that

29. all of Senator Savickas' bills were on metropolitan sanitary

30. district were exempt until next Thursday.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Is that your understanding Senator Harris and Mohr?

33. Senator Mohr... Howard Mohr.

1. SENATOR MOHR:

2. Yes, Mr. President, I thought our agreement was to hold
3. all these bills until next week. I would think they could be
4. moved Wednesday or if...if Senator McBroom would object to
5. moving them today...I would have to sustain his objection but
6. I...I think, maybe I'd ask Senator McBroom to let them go to 3rd
7. with the understanding if they will agree to that, they won't be,
8. won't be called until Thursday. Will that be agreeable Senator?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Savickas. I think we're trying to save you from
11. yourself.

12. SENATOR SAVICKAS:

13. Well, I want to move these I've held them here...They've
14. been on 2nd reading for almost a month now. I've held them here.
15. Now it's the last day of the Session. Now we can move them and
16. we can discuss them tomorrow...in the last day. They've been
17. sitting here for a month on 2nd reading.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Your...conversation, you're not proving anything,
20. Senator Mohr.

21. SENATOR MOHR.

22. I would say that I would...would respectfully ask the
23. Senator to hold them even if he would put them in position to-
24. night, they sure aren't going to pass tomorrow, Senator. It's
25. as simple as that. Now we're going to try and work out something
26. that will be agreeable to both sides and the only way it's
27. going to be done very frankly...put it to you very bluntly you
28. aren't going to get a vote from this side, tomorrow. Now if
29. you want to...if you want to proceed, proceed.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Partee.

32. SENATOR PARTEE:

33. Well, I know what's going on the...they have opposite

1. set of bills, they want to keep them on 2nd reading, they
2. want to hold them until next week. They probably can work
3. out their differences but it doesn't profit anyone to keep
4. the bills on 2nd reading. Let him move them and Senator
5. McBroom can move his...his... Well, let's put them all on
6. 3rd reading and they're not going anywhere unless you do
7. work out something. So what's the difference. Why...what...
8. by what reason could anyone prevent him from moving his
9. bills from 2nd to 3rd. They're his and he wants to move
10. them. It doesn't mean he's going to pass them but he has
11. to move them if he wants to stay in the ball game.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator McBroom.

14. SENATOR MCBROOM:

15. Well, Senator Graham, members of the Senate, the ball
16. game isn't until next Thursday. Now I have here from Senator
17. Mohr and I presume, Senator Partee, that you knew about it...
18. Senators McBroom, Bell, Mitchler and Schaffer. Please be
19. advised that I have met with the leadership and SB 928 which
20. is our sludge bill and Senator Savickas' sanitary district
21. bills will be put on the exempt list. In order to accommodate
22. your people we will hold these bills until next Thursday, June 7th
23. at which time they will be called on 3rd reading. I would hope
24. ...that this would meet with your approval. ...Now the rea-
25. son we want them on 2nd reading Senator Partee, is that we
26. have a series of amendments for each and everyone of those
27. bills. I...I don't care to deport myself this way but I
28. unfortunately have to respond to Senator Savickas who is my
29. friend and I hope to retain his friendship in the same manner
30. that the metropolitan sanitary district has...has responded
31. to the four Senators that I just mentioned. And if we're go-
32. ing to get into them we're going to be here a long, long time
33. tonight.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Senator Partee.
3. SENATOR PARTEE:
4. I'm not going to be here a long time tonight, believe...
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. I'm not either.
7. SENATOR PARTEE:
8. ...cause I was here until 2 o'clock last night and I'm
9. not going to be here a long time tonight. If the bills go
10. to 3rd reading, and the thing that bothers me is that these
11. aren't my bills. These are Senator Savickas' bills and he's
12. the gentleman who has to make the decision. I can't tell
13. him what to do with his bill nor can I make an agreement
14. with you or anybody else about his bills unless that agreement
15. has his approval. It obviously does not have his approval.
16. Now the simple thing to do is move the bills to 3rd reading.
17. I think Senator Savickas will say to you that he won't move
18. the bills until there's been every chance to work out the
19. agreement. And that ought to take place soon because it's
20. been going on a long time now and I...whatever he wants to
21. do I'll support him.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Senator Harris, do you have an observation? This may
24. be the first time I've ever heard a request for a roll call
25. to move bills from 2nd to 3rd.
26. SENATOR HARRIS:
27. Mr. President, would Senator Savickas agree that if the
28. bills are advanced tonight that at the request of Senator
29. McBroom, Schaffer, Bell or Mitchler that he would recall the
30. bills to the order of 2nd reading.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Senator Savickas.
33. SENATOR SAVICKAS:

1. Well now I'm glad somebody's finally got around to
2. talking to the sponsor on these bills. All these deals
3. that have been going around with the leadership now we
4. finally sit down...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. I think that...

7. SENATOR SAVICKAS:

8. ...I have no objection, I've held these bills for a
9. month. I have no objection to bringing them to 3rd holding
10. them therefore and bring them back to 2nd for possible
11. amendment at either one of the four Senators request.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. This could be answered yes or no and we could save some
14. time, if...

15. SENATOR SAVICKAS:

16. ...I would be very happy to bring them back on either
17. one of the four Senators...

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. We said that he will bring them back. Senator McBroom.

20. SENATOR MCBROOM:

21. Any one of the bills, Senator Savickas? Any one of
22. the metropolitan sanitary district bills any...

23. SENATOR SAVICKAS:

24. Any one.

25. SENATOR MCBROOM:

26. ...or all that we would ask you to bring back.

27. SENATOR SAVICKAS:

28. Any one even the pension bills.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Any or all. He has said that he will agree to bring any
31. one or all of them back and...

32. SENATOR MCBROOM:

33. Senator...

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. ...and we hope and we know that he is a man of honor
3. and his word good and with that understanding may we move
4. those bills from 2nd to 3rd reading...And we...read...731
5. a...2nd time, Mr. Secretary.
6. SECRETARY:
7. SB 731. (Secretary reads title of bill)
8. 2nd reading of the bill. No Committee amendments.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Any amendments from the Floor? 3rd reading.
11. SECRETARY:
12. SB 737. (Secretary reads title of bill)
13. 2nd reading of the bill. No Committee amendments.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Any amendments from the Floor? 3rd reading.
16. SECRETARY:
17. SB 738. (Secretary reads title of bill)
18. 2nd reading of the bill. The Committee on Executive
19. offers one amendment.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Savickas moves the adoption of Amentment No. 1
22. to SB 738. All in favor signify by saying aye. Opposed?
23. The ayes have it. The amendment is adopted. Any further
24. amendments from the Floor? 3rd reading.
25. SECRETARY:
26. SB 739. (Secretary reads title of bill)
27. 2nd reading of the bill. No Committee amendments.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. SB 739...shown on the Calendar as amended.
30. SECRETARY:
31. No amendments. It can't be.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Any amendments from the Floor? Senator Savickas.

1. SECRETARY:
2. SB...
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Savickas were you addressing yourself to 739?
5. SENATOR SAVICKAS:
6. Yes, there were amendments to extend the...there was a
7. change of name from board of trustees to board of commissioners
8. and there was a Floor amendment and it just...went into detail
9. where these changes were made and that was all...
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Well, let's get the record straight. However, the
12. Secretary's office shows there were no amendments...
13. SECRETARY:
14. The amendment had previously been adopted and held on 2nd.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Yes...Yes.
17. SENATOR SAVICKAS:
18. It was held on 2nd.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. 740. No further amendments from the Floor? 739 will
21. be on the order of 3rd reading.
22. SECRETARY:
23. SB 740. (Secretary reads title of bill)
24. 2nd reading of the bill. No Committee amendments.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Are there amendments from the Floor? 3rd reading.
27. SECRETARY:
28. SB 150, Senator Conolly. SB 150. (Secretary reads
29. title of bill). 2nd reading of the bill. Committee on
30. Transportation and Public Utilities offers two amendments.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Senator Conolly moves the adoption of Amendment No. 1
33. to SB 150. All in favor signify by saying aye. Opposed?

1. The ayes have it and the amendment is adopted. Senator
2. Conolly moves the adoption of Amendment No.2 to SB 150.
3. All in favor signify by saying aye. Opposed? Ayes have
4. it. The amendment is adopted. Any further amendments
5. from the Floor? 3rd reading.
6. SECRETARY:
7. SB 1110. Senator Graham.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. SB 1110. The Chair has recognized the Senator from
10. Pontiac -- President of the Senate, Senator William C.
11. Harris.
12. SECRETARY:
13. SB 1110.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. Are you prepared Senator?
16. SECRETARY:
17. (Secretary reads title of bill)
18. 2nd reading of the bill. The Committee on Licensed Activi-
19. ties and Credit Regulations offers Amendments No. 1, 2, 3, and 4.
20. SENATOR HARRIS:
21. Mr. President.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Senator Harris.
24. SENATOR HARRIS:
25. I want to explain as carefully as I can to the members
26. that I now wish to Table these four Committee Amendments and
27. substitute in their place five amendments from the Floor. I
28. believe in one motion I can Table the four Committee Amendments.
29. I move to Table the Committee Amendments No. 1, 2, 3 and 4.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. You've heard the motion by Senator Harris. All in
32. favor of the motion will signify by saying aye. Opposed?
33. The ayes have it and the Amendments 1, 2, 3 and 4 are Tabled.

1. Senator Harris.

2. SENATOR HARRIS:

3. Amendment No. 5 provides that the full-time Board which
4. is contained in the Bill shall be eliminated. This is at
5. the request of the Chairman of the Board and the majority
6. of the members of the Board. And in addition provides for
7. the imposition of a \$100 per day per diem for up to 48
8. meetings per year for the members of the Racing Board. There
9. was a technical deficiency in Amendment No. 1 that originally
10. sought to do this. I move the adoption of Amendment No. 5.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Harris moves the adoption of Amendment No. 5
13. to SB 1110. All in favor of the motion will signify by
14. saying aye. Opposed. The ayes have it and the amendment is
15. adopted. Senator Harris.

16. SENATOR HARRIS: .

17. Amendment No. 6 replaces Amendment No. 2. And it provides
18. the authority to the Board to set racing dates for more than
19. one year at a time, but no more than three years in advance.
20. Now, the allotted dates are subject to the following criteria.
21. They must be subject to conditions which the Board may reasonably
22. impose. And two, that the allocated dates are subject to
23. cancellation by the Board action. This institutes the existing
24. language in the statutes in this new section. And this differs
25. from the fact that in the original amendment there was an unlim-
26. ited authority to assign racing dates in advance. This limits
27. that authority to three years in advance. It has been agreed to
28. by both the horsemen and the industry and it does have the approv-
29. al of the Racing Board. I move the adoption of Amendment No. 6.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. All in favor of the motion by Senator Harris will signify
32. by saying aye. Opposed. The ayes have it and the amendment
33. is adopted. Senator Harris.

1. SENATOR HARRIS:

2. Amendment No. 7 replaces Amendment No. 3. This
3. amendment has been redrawn to clarify some technical
4. problems that were analyzed after we originally adopted
5. them in Committee and it makes consistent with existing
6. language elsewhere in the statutes, the amendments provided
7. for in No. 7. Now, substantively this excludes any question
8. of Sunday racing but it does provide for year around racing
9. as was the case before in Amendment No. 3. It also provides
10. for the authority to the Board to assign charity dates at
11. a period other than the very beginning and the very end of
12. the racing season. This is necessary as a result of this
13. amendment because of the unlimited power to assign racing
14. dates. Additionally, it increases from 60 to 80 in the
15. metropolitan area and from 75 to 90 in downstate, the
16. authority to assign to any one licensee that maximum number of
17. days. Additionally, it provides for the license fees to be
18. maintained at the level of \$100 per day. And it raises the
19. State share of the handle from 27.5 and, in the metropolitan
20. area and 6.5 in the downstate area. It changes the schedule
21. in the breaks to a 50-50 break between the State and Commission
22. allocated to the licensees and it deletes that section
23. applying to the payment by licensees for organizations
24. representing horsemen. I move the adoption of Amendment No. 7.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. You have heard the motion by Senator Harris. All in
27. favor of the motion will signify by saying aye. Opposed.
28. The ayes have it and the Amendment No. 7 is adopted.
29. Senator Harris.

30. SENATOR HARRIS:

31. Amendment No. 8 changes the date from Illinois foaled
32. horses from July...from December 1 to July 1. This will
33. provide for the qualification of Illinois foaled horses for
the regular schedule...the auction schedule which under

1. the existing December 1st date is very difficult to qualify
2. for in many, many instances. It's supported by all phases
3. of the industry and the Racing Board. I move the adoption
4. of Amendment No. 8.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. You have heard the motion by Senator Harris. All in
7. favor of the adoption of the resolution...of the amendment
8. will signify by saying aye. Opposed. The ayes have it
9. and Amendment No. 8 is adopted to SB 1110. Senator Harris.

10. SENATOR HARRIS:

11. Amendment No. 9 has the agreement of all of the parties
12. concerned, the Board, the horsemen, the industry. It deletes
13. the 24 hour limit on the prohibition of the application of
14. medication to horses following racing activities. It is
15. enthusiastically supported by the Board. They have set up
16. a special Medication Committee of the new Board and this was
17. the suggestion of the Board. I move the adoption of Amend-
18. ment No. 9.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. You've heard the motion by Senator Harris. All in
21. favor of the adoption of Amendment No. 9 will signify by
22. saying aye. Opposed? The ayes have it and Amendment No. 9
23. to SB 1110 is adopted. Senator Harris.

24. SENATOR HARRIS:

25. Those are all the amendments I have on 1110. I believe
26. Senator Rock has an amendment to 1110.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Rock.

29. SENATOR ROCK:

30. ...Mr. President, I did have an amendment which I showed
31. to Senator Harris this morning and I will ask this question.
32. Is the Senator in agreement with this amendment or would there
33. be resistance?

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Senator Harris.
3. SENATOR HARRIS:
4. ...Senator, I cannot accept the amendment. What
5. we have attempted, of course, is to fashion an agree-
6. ment between the horsemen and the industry. And this...
7. and let them negotiate the Commissions as to a split between
8. them of what shall be purses. We have deleted that first
9. formula from the bill now. This just opens up...that
10. question...of the six days for charity racing for the
11. horsemen and it is unacceptable in attempting...to
12. fashion an agreement for letting them negotiate their
13. ...share...respective share of the Commission. So I...
14. I will not be able to accept your amendment without re-
15. sistance.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Rock.
18. SENATOR ROCK:
19. Well, in that event, this is of course the amendment
20. I was to offer...was offered by the horsemen and it did
21. concern itself with extra dates for their benefit. I
22. think as long as these negotiations are still going on we
23. had better wait until we get over to the House rather than
24. to get into a hassle...
25. SENATOR HARRIS:
26. Okay.
27. SENATOR ROCK:
28. ...I will not offer it...
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. ...Are there any further amendments to SB 1110?
31. 3rd reading. SB 1111.
32. SECRETARY:
33. SB 1111. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Licensed
2. Activities and Federal Regulations offers Amendments 1 and 2.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Harris.

5. SENATOR HARRIS:

6. Mr. President, I move to Table Committee Amendments
7. 1 and 2.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Motion by Senator Harris to Table Committee Amendments
10. No. 1 and No. 2 to SB 1111. All in favor of the motion will
11. signify by saying aye. Opposed? The ayes have it and the
12. amendments are Tabled. Senator Harris.

13. SENATOR HARRIS:

14. Now, I offer Amendment No. 3 and this provides the same
15. authority in the first amendment adopted to 1110. And that is
16. it permits the Board to assign racing dates in advance for up
17. to three years. Also with the imposition of the same reason-
18. able conditions and provides for cancellation by the Board.
19. I move the adoption of Amendment No. 3.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Harris moves the adoption of Amendment No. 3
22. to SB 1111. All in favor will signify by saying aye. Opposed.
23. The ayes have it and the amendment is adopted. Senator Harris.

24. SENATOR HARRIS:

25. Amendment No. 4 to SB 1111 is the same as Amendment No. 6
26. to SB 1110 provides for year around racing authority to the
27. Board with the Sunday racing exclusion. Permits the licensee
28. to hold more than one harness racing meeting during any one
29. Calendar year add 20 more racing days to the allotment from
30. 60 to 80. It reestablishes the \$100 daily license fee and
31. changes the State's percentage to an increase rather than the
32. allocation of a formula allocating the proceeds of the
33. handle to...I'm sorry, of the takeout to the State and licensee

1. and purses, it now provides for an increase in the State's
2. share and for the allocation of the remainder to the licensee
3. subject to negotiation between the licensee and horsemen for
4. purses. It also provides as differentiated from the bill as
5. introduced that the breaks will be split 50-50 as is the law
6. now rather than the allocation of 40-40-20. I move the adoption
7. of Amendment No. 4.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Harris moves the adoption of Amendment No. 4 to
10. SB 1111. All in favor will signify by saying aye. Opposed.
11. The ayes have it and the amendment is adopted.

12. SENATOR HARRIS:

13. Amendment No. 5 is the same 24 hour medication relief
14. proposal from the Board. It is agreed to by all parties and
15. I move the adoption of Amendment No. 5.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. You've heard the motion by Senator Harris. All in favor
18. will signify by saying aye. Opposed. The ayes have it and
19. Amendment No. 5 is adopted. Any further amendments? 3rd
20. reading. Now if we are through with the Senate Bills on
21. 2nd reading, we will...Senator...Senator Fernandes that's
22. quite correct. Mr. Secretary.

23. SECRETARY:

24. 1165 by Senator Mitchler. SB 1165 by Senator Mitchler.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Read the bill by title a second time...We have to
27. read the bill, Senator.

28. SECRETARY:

29. SB 1165. (Secretary reads title of bill)

30. 2nd reading of the bill. The Committee on Agriculture,
31. Conservation and Ecology offers one amendment.

32. SENATOR MITCHLER:

33. Mr. President, I move to Table the amendment from the

1. Committee. This is a very lengthy amendment and it's going
2. to be replaced by another that's being worked out.
3. I'd like to have Amendment No. 1...Committee Amendment...Tabled.
4. Then I intend to advance the bill to 3rd reading with the
5. understanding I'll bring it back and put on the amendments that
6. will be made up.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. All in favor of the motion of Senator Mitchler to Table
9. Committee Amendment No. 1 signify by saying aye. Senator
10. Latherow.

11. SENATOR LATHEROW:

12. Now, Mr. President, I...I want to know and I don't want
13. to agree to Table Amendment No. 1 until I see the next
14. amendment. Because I think that Amendment No. 1 makes
15. considerable difference in that bill...

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Let's have the attention of the Senate, gentlemen. We
18. have a disagreement. Only one Senator at a time.

19. SENATOR LATHEROW:

20. I'll agree to move it on to third with this amendment
21. on it but I'm not going to without the amendment.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. ...Senator Latherow the reason for Senator Mitchler moving
24. to Table the Committee amendment is that it's a lengthy amendment
25. he is attempting, I believe, to save the printing of that amend-
26. ment. And then it will be up to you to discover what Senator
27. Mitchler desires to do after that point and I would suggest you
28. direct your questions to Senator Mitchler.

29. SENATOR LATHEROW:

30. Well, Mr. President, I just want to recognize the fact
31. that if it hadn't been for that lengthy amendment that bill
32. would have still been down in Committee. That's what I want
33. to bring about. Now I'm not going to...I'm not going to weigh

1. on this but I do want to recognize that. If it hadn't been
2. for that amendment that bill wouldn't have been here.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Merritt.

5. SENATOR MERRITT:

6. ...Mr. President, members of the Senate, I would concur with
7. everything that Senator Latherow has said. In fact Amendment
8. No. 1 there deletes everything after the enacting clause and it's
9. an entirely new bill. And I would also agree with Senator Latherow
10. that no way would that bill in its present form, which is going
11. to happen when you take that amendment off, no way would that
12. bill have moved out of Committee. It would have been totally un-
13. acceptable.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Well, Senator Mitchler's motion to Table is in order. What-
16. ever negotiations have developed after action is taken on
17. his motion to Table will be another portion of legislative
18. action. But the motion to Table Committee Amendment No. 1
19. is in order. Senator Bruce.

20. SENATOR BRUCE:

21. Yes...Mr. Chairman, I don't sit on the Agriculture
22. Committee and most of the members who sit on this side of
23. the aisle who do have gone. But if that is the understanding
24. for letting the bill out of Committee it seems inappropriate
25. now to tell those members who let the bill out with the
26. amendment that you're going to Table the amendment. I...I...
27. doesn't seem to make any sense. If that was the agreement
28. then it ought to stay on and move on to 3rd reading or remain
29. on 2nd reading tonight.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Well, Mr. President, I spoke to the Secretary, Mr. Fernandes,

1. about this and the reason that I thought it best that we
2. Table Amendment No. 1 which does create a new bill and
3. advance it, is just in the matter of saving time. I under-
4. stand that 1165 is on the exempted list but a number of
5. people are trying to work out an amendment to this which
6. would change the Amendment No. 1 and I believe it would
7. have acceptance to everybody and it's with the understanding
8. that I would bring it back to 2nd reading and everybody
9. would have a chance to amend it to the way they want it.
10. I'm not wedded to this thing. I'm just trying to handle
11. it. If we don't get it into the proper form and it never
12. does pass the State of Illinois is going to continue to
13. go on and on and on...

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. May I make...

16. SENATOR MITCHLER:

17. ...this is not my biggie.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. May the Chair make a suggestion? Inasmuch as SB 1165
20. ...if I am correctly advised... is on the exempted list. Then
21. the Chair would suggest that in view of the fact that the
22. members of the Agriculture Committee who were in attendance
23. that night and I happened to be sitting there too, are not
24. on the Floor and that's not the sponsor's fault. However,
25. if an agreement was made for that bill to get out of Committee
26. with the attached amendment and it is accepted I suggest that
27. it stay in its present state on the Calendar until those mem-
28. bers are back and we make a determination then. Is that agree-
29. able? Take it out of the record. Senator Berning. For the
30. purpose of making a motion, if you listen to the motion I
31. probably won't have to repeat it.

32. SENATOR BERNING:

33. Mr. President, members of the Body, I move to discharge

1. the Senate Education Committee from further consideration
2. of SB 853 for the purpose of having it advanced to 2nd
3. reading and read a second time. I should say that when
4. it is on 2nd reading it is going to be amended completely
5. by striking the body of the bill and inserting a new
6. provision which sets up a study commission. This has the
7. tacit approval of the leadership on both sides of the
8. aisle and also the Chairman of the Senate Education Com-
9. mittee...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Well, Senator I don't think we're in a position where
12. you explain your bill. I think your motion as to what dis-
13. position made of the bill...And I think the Chair should
14. suggest that you make the appropriate motion. It is getting
15. late. What do you want to do with the bill? Made the motion
16. to discharge the Committee from further consideration of SB 853,
17. be read a second time and be placed on the order of 3rd reading.
18. 2nd reading. Be placed...be discharged from Committee and
19. read a 2nd time. And gentlemen, I'll be glad to turn this
20. Chair over to you pretty soon. I had it straight...All in
21. favor of the motion will signify by saying aye. That's what
22. I suggested sometime ago, if we'd only listen you'd save us
23. some time. Senator Berning went through quite lengthy dis-
24. cussion suggesting that the Committee be discharged from the
25. consideration of SB 853. That it be read a 2nd time and
26. placed on the order of 2nd reading. Will Senator Berning
27. go carefully through the bill again?

28. SENATOR BERNING:

29. SB 853 is the bill to establish a model school for the
30. deaf and hard of hearing. We want to discharge the Committee,
31. bring it on 2nd reading at which time after it is read I will
32. offer an amendment which will strike the entire bill and estab-
33. lish a study commission. I tried to explain that so as to

1. avoid this very thing.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. I know you did. All in favor of the motion...by
4. Senator Berning will signify by saying aye. Opposed.
5. The ayes have it and the motion carries. The Secretary
6. will read the bill a second time.

7. SECRETARY:

8. SB 853. (Secretary reads title of bill).
9. 2nd reading of the bill. No Committee amendments.
10. Amendment No. 1 by Senator Berning.

11. SENATOR BERNING:

12. ...Bill strikes the entire Body of the orginial...
13. I mean this amendment strikes the entire Body of the
14. original bill and inserts a commission composed of five
15. members of the Senate, five members of the House to study
16. the whole proposition of special education facilities for
17. the deaf and hard of hearing.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. All in favor...

20. SENATOR BERNING:

21. I move the adoption, Mr. President.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. All in favor of the motion of Senator Berning will
24. signify by saying aye. Opposed. The ayes have it. The
25. amendment is adopted. Are there further amendments?
26. Senator Berning.

27. SENATOR BERNING:

28. Now, Mr. President, I ask that the bill be advanced to
29. 3rd reading...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Are there further amendments from the Floor? 3rd reading.
32. Senator Berning.

33. SENATOR BERNING:

1. While I'm on the Floor let me help terminate this
2. day by one happy note. I move to Table SB 191.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. All in favor of the motion of Senator Berning will
5. signify by saying aye. The motion is to Table 191. The
6. ayes enthusiastically have it and the bill is Tabled.
7. We've got several recalls. It would be much easier for the
8. Secretary if we go through them numerically. Anything we
9. can do to lighten the burden at this point in time will be
10. helpful. For what purpose does Senator Glass seek recognition?

11. SECRETARY:

12. SB 866, Senator Partee.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Partee. He wants to move it back? Senator
15. Partee moves to have SB 866 return to the order of 2nd reading
16. for the purpose of the consideration of an amendment. All in
17. favor will signify by saying aye. Opposed. The ayes have it
18. the bill 's on 2nd reading. Senator Partee moves the adoption
19. of Amendment No. 2 and he will explain his amendment.

20. SENATOR PARTEE:

21. Now did we Table the Committee Amendment?

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The Committee Amendment was adopted.

24. SENATOR PARTEE:

25. Yes Sir, we have a...there was an amendment in Committee
26. which we first desire to Table.

27. SECRETARY:

28. But you adopted it this morning.

29. SENATOR PARTEE:

30. Oh...I'm ahead...I'm behind myself then. Well, move
31. to reconsider the vote by which it was...

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Partee moves to reconsider the vote by which

1. Committee Amendment No. 1 was adopted. All in favor will
2. signify by saying aye. Opposed. The ayes have it and the
3. amendment is Tabled. Senator Partee now moves the adoption
4. of Amendment No. 2 and he will explain his amendment.

5. SENATOR PARTEE:

6. The second amendment was suggested by the Department of
7. Local Affairs as well as by several other persons, I think,
8. including Senator Clarke who had some ideas which I thought...
9. would make it a better bill. You recall that Senator Clarke?

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Clarke.

12. SENATOR CLARKE:

13. Yes. I do recall. Do we have an amendment prepared on
14. this...or?

15. SENATOR PARTEE:

16. Oh, yes. We have an amendment prepared in conformity
17. with your suggestion and it...we're about to adopt it.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Partee moves the adoption of Amendment No. 2 to
20. SB 866. All in favor of the motion will signify by saying
21. aye. Opposed. The aye has it and the amendment is adopted.
22. Any further amendments? 3rd reading.

23. SECRETARY:

24. SB 462 on consideration postponed. Senator Harber Hall.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Gentlemen, if you're going to talk to the Secretary's
27. desk, talk to the Assistant Secretary because Mr. Fernandes
28. is busy. For goodness sakes. He's pretty super but he's
29. not that super. Senator Harber Hall.

30. SENATOR HARBER HALL:

31. I request this bill 462 be brought back to the order
32. of 2nd reading for the purpose of an amendment.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Harber Hall asks leave to have SB 462 placed on the
2. order of 2nd reading for the purpose of considering an
3. amendment. All in favor signify by saying aye. Leave is
4. granted the bill is now on 2nd reading. Senator Harber Hall
5. will now offer his amendment.

6. SENATOR HARBER HALL:

7. Mr. President and particularly members of the Democrat
8. Side. This bill has to do with inheritance tax remaining
9. in the county. Originally I have asked for 50%, I had 29
10. votes. I have reason to think that possibly we could pass
11. that but...out of interest of some of the members on the
12. Democratic side, I thought I would reduce it one-half and make
13. this 25%. That's this amendment now I'd like for you to take
14. notice that the bill will now show 25% only to the counties
15. and they need this money, gentlemen. I hope you will agree
16. to this amendment, at least, and get it back on 3rd. I
17. move for adoption.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Hall moves the adoption of the amendment just
20. explained. All in favor...is that the Amendment No. 1?
21. Amendment No. 1 to SB 462 all in favor will signify by saying
22. aye. Opposed. The ayes have it and the amendment is adopted.
23. Any further amendments? Senator Rock.

24. SENATOR ROCK:

25. That amendment having been adopted it now goes back to
26. the order of consideration postponed. Is that correct?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. It will be...I was asking for further amendments.
29. No further amendments? It goes back to the order of post-
30. poned consideration.

31. SECRETARY:

32. SB 195 on the order of consideration postponed. Senator
33. Glass.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Glass moves that 195 now on the order of consideration
3. postponed will be returned to the order of 2nd reading for the
4. purpose of the consideration of an amendment. Is leave granted?
5. Leave is granted. The bill is now on the order of 2nd reading.
6. Senator Glass.

7. SECRETARY.

8. Amendments No. 1 and 2 offered by Senator Glass.

9. SENATOR GLASS:

10. Thank you, Mr. President, Senators, this ia a bill
11. relating to incorporation of municipalities and I believe the
12. amendment that I am going to offer will give an adequate
13. opportunity for objection by the neighboring municipalities
14. but still permit that election to proceed. That is Amendment No.
15. 1 and Amendment No. 2 provides that the bill will take effect
16. upon becoming law.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. ...Senator Glass. Let's work on one amendment at a time.

19. SENATOR GLASS:

20. All right, Mr. President, I would move the adoption of
21. Amendment No. 1.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Glass moves the adoption of Amendment No. 1 to
24. SB 195. All in favor of the adoption will signify by saying
25. aye. Opposed. The ayes have it. The amendment is adopted.
26. Senator Glass.

27. SENATOR GLASS:

28. Mr. President and Senators, Amendment No. 2 provides
29. that the Act shall take effect upon its becoming law. I move
30. for the adoption of Amendment No. 2.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Glass moves for the adoption of Amendment No. 2
33. to SB 195. All in favor will signify by saying aye. Opposed.

1. The ayes have it and the amendment is adopted. Any other
2. amendments? The bill will be returned to the order of
3. consideration postponed.

4. SECRETARY:

5. SB 889. Senator Bruce, recall.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Bruce moves to have SB 889 returned to the
8. order of 2nd reading for the purpose of considering an
9. amendment. Senator Bruce.

10. SENATOR BRUCE:

11. Yes. Mr. President this adds the word advisory on
12. appointments to the State Teachers Certification Board to
13. clarify that any appointments recommended are only advisory
14. to the Office of the Superintendent. I move its adoption.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Bruce moves the adoption of Amendment No. 1
17. to SB 889. All in favor will signify by saying aye. Opposed.
18. The ayes have it. The amendment is adopted. Any further
19. amendments. 3rd reading.

20. SECRETARY:

21. SB 1021, Senator Daley. Recall.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. ...Senator Daley moves...ask leave of the Body to have
24. SB 1021 returned to the order of 2nd reading for the purpose
25. of considering an amendment. Is leave granted? Leave is
26. granted. The bill's on 2nd reading. Senator Daley.

27. SENATOR DALEY:

28. This amendment eliminates the penalty provision per
29. taxpayer organization who fails to notify taxpayer in this
30. statute.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. All in favor of...of the motion of Senator Daley to
33. adopt Amendment No. 1 to SB 1021 will signify by saying aye.

1. Opposed. The ayes have it. The amendment is adopted. Are
2. there further amendments? 3rd reading.

3. SECRETARY:

4. SB 1097. Senator Nimrod. Amendment No. 1 by
5. Senator Nimrod.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. ...Where is 1097.

8. SECRETARY:

9. 3rd reading. It's a recall. I'm sorry.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Nimrod moves...ask leave to have SB 1097 placed
12. on the order of 2nd reading for the consideration of an
13. amendment. Is leave granted? Leave is granted. The bill's
14. on 2nd reading for Senator Nimrod.

15. SENATOR NIMROD:

16. ...Mr. President, this amendment brings the salary for
17. the Director of Labor from \$32,5 which is listed now to 30
18. thousand in line with the other directors and adjusts the
19. Assistant Director's salary from 27,5 to 27 thousand which
20. is similar again to other assistant directors in the State. And
21. I would move for the favorable adoption of this amendment.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Nimrod moves the adoption of Amendment No. 1
24. to SB 1097. All in favor will signify by saying aye.
25. Senator Bruce, for what purpose do you arise?

26. SENATOR BRUCE:

27. Well, I just wonder why are we reducing the salaries of
28. these two gentlemen in particular? Since they've already
29. been confirmed, I believe. And already in office what...what
30. is...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Nimrod.

33. SENATOR NIMROD:

1. ...Senator Bruce, we are not reducing the salaries.
2. The present salaries are less than this and what I'm doing
3. I'm actually we're increasing the salaries to be in line
4. with other department heads so instead of going to 32,5
5. we're in line with other departments at 32 thousand. It is
6. presently at 25 thousand and the assistant director is at
7. 22 thousand we are increasing it to 27 thousand.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Partee.

10. SENATOR PARTEE:

11. There is...there's some substantial concern about this
12. to some of the members on this side and I just wonder if
13. Senator Nimrod would agree to bring this bill back when these
14. members are here because there is some real, real problems
15. with what you're doing here.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Senator Partee, I don't know if there's any real problem.
20. I do know that there's supposed to be another ...another amend-
21. ment that was being presented. Now if you're referring to an-
22. other amendment that I was going to defer to..to have it pre-
23. sented...but if you 're referring that you want it back for
24. further amendment that's a different situation. Do you want it
25. back for another amendment or is there a problem with the bill?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Partee.

28. SENATOR PARTEE:

29. Well, all right. If there's another amendment we'll
30. bring it back.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. All in favor of adoption of Amendment No. 1 to SB 1097
33. will signify by saying aye. Opposed. The ayes have it.

SB 1128
Recall
5-24-73

1. The amendment is adopted. Are there further amendments?

2. SECRETARY:

3. Amendment No. 2 by Senator Savickas.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Savickas will explain his amendment. Will
6. someone be responsible for the explanation of Amendment No. 2
7. to SB 1097? We...Senator Savickas has an amendment and he
8. does not seem to hear me call him. Who is the sponsor of
9. Amendment No. 2? Senator Rock?

10. SENATOR ROCK:

11. No, I am not the sponsor. It is Senator Swinarski, I
12. believe...I would...I understand that there was some agreement
13. between he and Senator Nimrod. We can call it back to 2nd
14. for the purpose of considering an amendment tomorrow when
15. he's here.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. He agrees, Senator. No further amendments? We will take...
18. take that out of the record...Amendment No. 2. Any further
19. amendments from the Floor? They're greedy. Now we have some
20. resolutions. Before we get into them, I think it would be
21. proper... Gentlemen, let us know before we try to go to
22. another order of business. What do you desire to do with 1128?

23. SENATOR KNUEPFER:

24. Would ask leave to bring it back to 2nd reading for the
25. purpose of putting on an amendment.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. There's been a request for leave to bring SB 1128 from
28. 3rd to 2nd for purpose of considering an amendment. All in
29. favor will signify by saying aye. Leave is granted. The bill
30. is now on the order of 2nd reading.

31. SENATOR KNUEPFER:

32. ...This is the...this is the HMO Bill. The purpose of
33. the amendment is to provide some additional restrictions.

1. ...The amendment adds a minimum capital requirement for
2. formation of an HMO. It requires a description of the
3. applicant's procedures for solving grievances and it
4. requires a system of quality control. It...it tightens
5. up in effect the HMO Act. And I would move the adoption
6. of the amendment.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. All in favor of the...motion by Senator Knuepfer
9. will signify by saying aye. Opposed. The ayes have it.
10. The motion is carried. Any further amendments from the
11. Floor? 3rd reading. Senator Bruce, we have a couple...
12. we have a couple of Senators that want to make motions
13. then we will. Senator Bruce.

14. SENATOR BRUCE:

15. ...Yes, Mr. President, members of the Body, I now move
16. that the Senate Appropriations Committee be discharged from
17. further consideration of SB 1184. I've spoken both to the
18. Chairman and to the Minority Leader. It is the bill which
19. gives the emergency appropriation to the Illinois Junior
20. College Board for distribution under the Vocational Techni-
21. cal Educational Grants. They're 200,000 dollars behind.
22. I think it's got approval from both sides but they need the
23. money within the next two or three days. I've talked to
24. Senator McBroom and Jerry Porter. There's agreement on
25. both sides. This bill's got to be discharged.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Latherow, do you... Who is the vice...Senator
28. Weaver? Senator McBroom isn't on the Floor. Any objection
29. to the motion by Senator Bruce. That's SB 1128. ...the
30. number is 1184. The Committee on Appropriations be discharged
31. from further consideration of SB 1184 and it be placed on the
32. order of 2nd...be placed on the order of 2nd reading. It has
33. to be read a 2nd time on the order of 2nd reading.

SENATOR BRUCE:

And advanced to 3rd today.

PRESIDING OFFICER (SENATOR GRAHAM):

1. Well, we'll read it a 2nd time first. Is leave granted?
2. The bill will be read a 2nd time. We have a problem, I hope
3. this is our last order of business that will...that will pertain
4. to the Calendar, if we want a Calendar back here to work on
5. in the morning. Let's don't confuse the issue anymore. The
6. Secretary is going to have to get this work into his office so
7. we can have a Calendar. Is leave granted on 1184? We're wait-
8. ing for that...After this we go to the order of Resolutions and
9. to bed, I hope.

10. SECRETARY:

11. SB 1184. (Secretary reads title of bill).
12. 2nd reading of the bill. No Committee amendments.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Are there amendments from the Floor? 3rd reading.
15. Resolutions. And we would be hopeful that we can act on
16. these Resolutions in a group.

17. SECRETARY:

18. Senate Resolution 175 by Senator Partee and it's
19. congratulatory.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. We'll continue to read them and then...Senator Partee
22. moves for the suspension of the Rules for the immediate
23. consideration of this Resolution. Is leave granted. Leave is
24. granted the rules are suspended. Senator Partee moves for
25. the immediate adoption. All in favor will signify by saying
26. aye. The Resolution is adopted and the Senate stands adjourned
27. until 9 o'clock tomorrow morning. Senator Mohr.

28. SENATOR MOHR:

29. Yes, Mr. President, on the agreed bill list for tomorrow
30. there's one of my bills SB 311. I would like to have that
31. changed to 622. It's the same subject, the same municipality
32. and the same dollars.
33.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Mohr has requested that you change the
3. bill listed as 311 on the Agreed Bill List and insert
4. in lieu thereof 622. The Senate stands adjourned.
5. 9 o'clock tomorrow morning.
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