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78th GENERAL ASSEMBLY

May 25, 1973

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1. PRESIDENT:

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

5. (The prayer given by Reverend Ellerbrook).

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Thank you, Reverend. His prayers must have had some
8. impact because we've had a tremendous amount of work happen
9. here this week and we thank him. For the record and in the
10. confusion last night the Chair attempted to get this in the
11. record yesterday. And in case they didn't we'll get it in
12. the record now. On the Agreed Bill List where SB 611 is
13. shown on the Agreed Bill List there was a printer's error
14. in that respect and the bill should be 633. And the sponsor
15. is Senator Howard Mohr. Senator Rock, where 611 is shown
16. that's a 2 million dollar flood control bill. I hardly
17. think it belongs there and it should be 633 in its stead.
18. The reading of the Journal...I'll do it. Senator Karl Berning
19. moves that we postpone the reading of the Journals of May
20. 21st, 22nd, 23rd, and 24th...24th until the printed Journals
21. have arrived. All in favor of the motion will signify by
22. saying aye. Opposed? The ayes have it. The motion carries.
23. Committee Reports.

24. SECRETARY:

25. (Secretary reads Committee Reports.)

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. We have some congratulatory resolutions and are the
28. sponsors here? Senator Newhouse is here on two of them.

29. SECRETARY:

30. Senate Resoltuion 176...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Congratulatory?

33. SECRETARY:

1. ...By Senator Newhouse and it's commendatory.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Commendatory. Senator Newhouse asks for leave of the
4. Senate to suspend the rules for the immediate consideration
5. of this amendment...resolution, I'm sorry. All in favor will
6. signify by saying aye. Senator Newhouse now moves for the
7. immediate adoption of Senate Resolution 176. All in favor of
8. the motion will signify by saying aye. Opposed. The ayes
9. have it and the resolution is adopted.

10. SECRETARY:

11. Senate Resolution 177 by Senator Newhouse. And it's
12. congratulatory.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Newhouse asks for leave of the Body to suspend
15. the rules for the immediate consideration of...of...

16. SECRETARY:

17. Senate Resolution 177.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. ...Senate Resolution 177. All in favor signify by
20. saying aye. Opposed. The ayes have it. The rules are suspended.
21. Senator Newhouse now moves for immediate consideration of
22. Senate Amendment 177. All in favor will signify by saying aye.
23. Opposed. The ayes have it and the resolution is adopted.

24. SECRETARY:

25. Senate Joint Resolution No. 39.

26. (Secretary reads Senate Joint Resolution).

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Merritt moves the adoption of the adjournment
29. resolution. All in favor signify by saying aye. Give them
30. the times again, Mr. Secretary. There...they want the times.

31. SECRETARY:

32. When the two houses adjourn on Friday, May 25, they
33. stand adjourned until Tuesday May 29, 1973 at 10 o'clock a. m.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. They didn't say what time they're going to adjourn
3. today though, did they, Mr. Secretary? Messages from the
4. House.

5. SECRETARY:

6. (Secretary reads messages from the House).

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Secretary's desk. We will now proceed to the order
9. of House Bills on first reading. It's not here yet, is it?
10. I don't know, if it is we'll... ..First, the first one
11. will be the Secretary will read the bill starting at 349
12. and Senator Partee wants that bill.

13. SECRETARY:

14. House Bill 349. Representative Londrigan.

15. (Secretary reads House Bill).

16. 1st reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Partee.

19. SENATOR PARTEE:

20. I'd like to move this bill to 2nd reading without
21. reference to Committee. Mr. Chairman, we have another bill
22. very similar to that that's already on 2nd reading and some
23. of these bills we're going to try to move like that so that
24. we can sort of unclog ourselves.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. I... Did you have a motion on 349? And your motion
27. was...

28. SENATOR PARTEE:

29. Suspend the rules to move it to 2nd reading without
30. reference to Committee.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. We didn't act on that motion. Did we? The motion is
33. by Senator Partee that SB 349 be placed on the order of 2nd

1. reading without reference to a Committee. All in favor...
2. Senator Regner and Senator Shapiro...

3. SENATOR REGNER:

4. Yes, Mr. President, we had a...a very similar bill
5. in as this, in fact, it was my bill, SB 99, and when that
6. and other similar bills regarding sales tax or income tax
7. were heard in Revenue they were put in a subcommittee
8. Chaired by Dr. Dave Shapiro and he had several hearings
9. on it was my understanding that all such similar bills
10. were going to all be put in the same subcommittee of the
11. Revenue Committee.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Partee I think we have an objection. Several.

14. SENATOR PARTEE:

15. They are objecting?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Yes.

18. SENATOR PARTEE:

19. Let it go to Committee then, I don't have the votes here.

20. SECRETARY:

21. SB 444. Representative Fennessey.

22. SB 464...House Bill, I'm sorry.

23. House Bill 444. (Secretary reads title of bill).

24. 1st reading of the bill.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Who was the sponsor of that?

27. SECRETARY:

28. Nlmrod. SB 464...or House Bill 464. House Bill 496,
29. Representative Douglas. House Bill 501, Representative
30. Rayson. House Bill 509, Representative...

31. House Bill 501. (Secretary reads title of bill).

32. 1st reading of the bill.

33. House Bill 509. House Bill 510. House Bill 540,
Representative D. L. Houlihan. House Bill 541, Representative

1. Blades. House Bill 544, Representative Rayson. House
2. Bill 546...House Bill 579, Representative Rayson. House
3. Bill 580, Representative Rayson. House Bill 616, Representative
4. Kelly. House Bill 617, Representative Matijevich. House
5. Bill 6...House Bill 630, Representative Gibbs.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Dougherty will take 617. Thank you, Senator.

8. SECRETARY:

9. House Bill 617. (Secretary reads title of bill).

10. 1st reading of the bill.

11. House Bill 630, Representative Gibbs. House Bill
12. 668, Representative R. L. Dunne. House Bill 710, Representative
13. Leinenweber.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Rock, do you want that entire series of
16. Representative Leinenweber. Ah, take them all.

17. SECRETARY:

18. House Bill 710. (Secretary reads title of bill).

19. 1st reading of the bill.

20. House Bill 721, Representative Leinenweber.

21. House Bill 722, Representative Leinenweber.

22. House Bill 741, Representative R. K. Hoffman.

23. House Bill 780, Representative Brummet.

24. House Bill 841, Representative Calvo.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Dougherty.

27. SECRETARY:

28. House Bill 841. (Secretary reads title of bill).

29. 1st reading of the bill.

30. House Bill 937, Representative McClain.

31. House Bill 947,

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Saperstein, you wanted what? 937, Senator Saperstein.

1. SECRETARY:

2. House Bill 937. (Secretary reads title of bill).
3. 1st reading of the bill.

4. House Bill 947, Representative Barry.
5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Shapiro, for what purpose do you arise?
7. SENATOR SHAPIRO:

8. ...Mr. President, I'm going to pick up 947 and 948
9. but before it's read a first time I have to consult the
10. leadership on both sides of the aisle. So, if you can go
11. past it for the present and then come back to it later on
12. I'll pick them both up.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Thank you, Senator.

15. SECRETARY:

16. House Bill 972, Representative Day.
17. House Bill 973, Representative Berman.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Shapiro.

20. SECRETARY:

21. House Bill 973. (Secretary reads title of bill).
22. 1st reading of the bill.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Saperstein, for what purpose do you arise?
25. Senator Shapiro had indicated his sponsorship. Is there a
26. conflict of interest in this bill? It's unusual. Sometimes
27. we can't find sponsors and then we get two. Senator Saperstein.
28. Use your microphone, Senator, I couldn't hear you. What...
29. what message were you trying to impart?

30. SENATOR SAPERSTEIN:

31. I just responded because this was a School Problems
32. Commission Bill...

33. PRESIDING OFFICER (SENATOR GRAHAM):

I see.

1. SENATOR SAPERSTEIN:

2. ...and I'm on the school....

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. I understand. Senator Shapiro has decided then he will
5. remain as a sponsor? ...You two better flip. Go to
6. Saperstein, all right.

7. SECRETARY:

8. House Bill 1008 and 1009, Representative R. K. Hoffman.

9. House Bill 1082, Representative Tipstword.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Course.

12. SECRETARY:

13. House Bill 1082. (Secretary reads title of bill).

14. 1st reading of the bill.

15. House Bill 1134, Representative Tuerk.

16. House Bill 1204, Representatitve Stedlin.

17. House Bill 1218, Representative Bradley.

18. House Bill 1240, Representative R. K. Hoffman.

19. House Bill 1462, Representative Juckett.

20. House Bill 1501, Representative Harpstrite.

21. House Bill 1624, Representative Bradley.

22. 1625, Representative Bradley.

23. House Bill 1672, Representative Sangmeister.

24. House Bill 1924, Representative Barry.

25. House Bill 1928, Representative Matijevich.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. ...Have any of the recently assembled Senators observed
28. their... Senator Conolly, observed their Calendar the first...
29. on first reading. Don't you have some bills you want to pick
30. up there? If you don't, try to find a couple. Senators look
31. at first reading bills and if you see one you desire to
32. sponsor will you please notify the Chair? I thought perhaps
33. Senator Conolly you might want to pick 1501 that would be

1. going to your Committee anyway. It's Representative Harpstrite's
2. bill. Senator Conolly indicates that he will be the Senate
3. sponsor of 1501.

4. SECRETARY:

5. House Bill 1501. (Secretary reads title of bill).
6. 1st reading of the bill.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Sours is not here. Senator Course, for what
9. purpose do you arise, Sir? Senator Course.

10. SENATOR COURSE:

11. Mr. President, I picked up 1082 and that's a misprint
12. there. That's not plates, it's plats. Relation to plats,
13. so I don't want the bill. I don't know anything about plats.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. We thought you were in the restaurant business. Senator
16. Course has declined as the Senate sponsor on House Bill 1082.
17. So it will be left on the order of House Bills 1st reading.

18. SENATOR COURSE:

19. And while I'm...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. ...Motion will be taken out of the record.

22. SENATOR COURSE:

23. While I have the mike, Mr. President, has anybody
24. picked up 616?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. My Calendar shows that no one has.

27. SENATOR COURSE:

28. I'll...I'll take that one...

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Course will be the Senate sponsor of House Bill
31. 616. I'll get to the gentlemen...

32. SECRETARY:

33. House Bill 616.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. ...in a little while.

3. SECRETARY:

4. (Secretary reads title of bill).

5. 1st reading of the bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Vadalabene, I see you asking for recognition...

8. SENATOR VADALABENE:

9. Yes.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. ...and you have.

12. SENATOR VADALABENE:

13. Mr. President, did anyone pick up Representative Harpstrite's
14. bill, 1501?

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. I...there wasn't anyone that picked it up. I suggested
17. that Senator Conolly do and he did. It goes to his Committee.
18. Well, you two agree, up to now Senator Conolly has it. Thank
19. you. The next order of business and it seems not to be too
20. interesting, Senator Rock... Ladies and Gentlemen, we'll
21. have three minutes of silence for visiting and then we'll
22. continue the business of the Senate. Senator Rock...there...
23. any problem that you see going to Senate Bills 2nd reading?
24. There isn't much business on that portion of the Calendar
25. but I presume that... There are appropriation bills and they
26. really don't have to be dealt with today. SB 1165 is still
27. on the exempted list as result of the need for the printing
28. of consideration of a new amendment. Senator Shapiro has
29. SB 1185. You would want it read a second time? Senate
30. Bills on 2nd reading. Secretary will read SB 1185 a second
31. time.

32. SECRETARY:

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

1. 2nd reading of the bill. No Committee Amendments.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Are there any amendments from the Floor? 3rd
4. reading. Senator Saperstein has indicated that she
5. will sponsor HB1928. Thank you, Senator.

6. SECRETARY:

7. House Bill 1928. (Secretary reads title of bill).
8. 1st reading of the bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. To continue the business of the Senate, we have
11. one order of business and Ladies and Gentlemen of the
12. Senate I should like to inform you that we are rapidly
13. approaching our deadline. And there will be little
14. chance after we go through the Senate Bills on 3rd reading
15. today of us returning to this order of business again. So
16. those Senators who have Senate Bills on 3rd reading or if
17. you're... Will we take our conferences at least out of the
18. Senate Chambers if you can't be a little more quiet. If you
19. don't respond today to your bill there's little chance that
20. it will be heard in this Session of the General Assembly.
21. So today is the day and we're starting with SB 879 where we
22. left off last night. We hope we'll get around, back to
23. that Calendar. If you have a bill on there we'll be able
24. to keep you here Senator. The first...Senator or Mr. Sergeant
25. at Arms...we have four years. Mr. Sergeant at Arms will you
26. please ring the bell? ...Senators every opportunity to
27. present themselves on the Senate Floor for this very important
28. day in the lives of some. Senator Shapiro has asked leave of
29. the Body to return to the order of House Bills on 1st reading
30. and that point in time leave is granted to the Senator from
31. Amboy to make a motion. Senator Shapiro.

32. SENATOR SHAPIRO:

33. Mr. President, members of the Senate, I would like...the

1. consent of the Senate to suspend the rules for the reading
2. of HB 1924 for a 1st time and then move to 2nd without
3. reference to a committee. This is a bill that...allows a
4. lateral transfer in the Board of Regents Northern Illinois
5. University Appropriation to provide enough money for a
6. State...mandated incinerator at Northern. They didn't
7. appropriate enough money for the job and this has been
8. cleared with both sides of the aisle.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. You have heard the motion of Senator Shapiro has
11. asked leave of move HB 1924 to 2nd reading without
12. reference to committee. All in favor signify by saying
13. aye. Opposed. The ayes have it. The bill is now on
14. 2nd reading. He asks to read the bill now...

15. SECRETARY:

16. HB 1924 (Secretary reads title of bill)
17. 1st reading of the bill.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Secretary just made it official. It's now on 2nd reading.
20. Once again, Gentlemen, there's a good...very good chance that
21. this is it for this Session. So the first Senate Bill continuing
22. on from where we stopped last will be SB 897, Senator Conolly.
23. You do not wish to call your bill, Senator? Next bill will be
24. SB 880. He wishes the bill read a 3rd time? SB 880, Senator
25. Conolly. We will read the bill. Please, please, please.

26. SECRETARY:

27. SB 880 (Secretary reads title of bill)
28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. ...Senator Conolly.

31. SENATOR CONOLLY:

32. This, Mr. President, is a...I feel a very noncontroversial
33. bill. It defines a State employee to include those who are

1. working at full-time, contractually. And by that, one example
2. of that would be the Secretary in our home district paid
3. contractually. Some of them work full-time, 40 hours a week
4. or a total of...under...this bill, this would have to work
5. 900 dollars...900 hours a year to be considered a full-time
6. employee, then they would be subject...would be able to
7. participate in the life insurance program of the State of
8. Illinois as well as the pension plan. And I would think if
9. somebody worked twenty years contractually which is a
10. possibility they actually are employees of the State of
11. Illinois except they are paid contractually through the way
12. we're doing business now. Personnel and pension laws amended
13. it...have no Personnel and Pension Committee had no objection
14. to it and I think it's a good bill. It's...really is not
15. that important except that I think it's a good bill for
16. having high quality secretaries in our home district or
17. anywhere else if a person is working contractually.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any further discussion? Ladies and Gentlemen of the
20. Senate we are now on passage stage of the first bill of this
21. 25th day of May. If there is no further discussion the motion
22. will be put. Shall SB 880 pass? And the Secretary will
23. call the roll.

24. SECRETARY:

25. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
26. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
27. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth 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, Savickas, Schaffer,
32. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
33. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Gentlemen, we just had a little difficulty. If your name
3. doesn't appear on the roll call its probably perhaps is because
4. the Secretary couldn't hear you. While we're totaling this
5. roll I'd like to call to the attention of the membership that
6. the bills appearing on the Calendar on Agreed List are also
7. shown on the Calendar on the order of regular business. So
8. I would suggest that those people check carefully on your bill.
9. See if they are on the Agreed List and in that event there
10. would be no need to call them on the regular Calendar but
11. they show them on both places. Senator Mitchler, for what
12. purpose do you arise?
13. SENATOR MITCHLER:
14. While you're making announcements, while we're on roll
15. call I was trying to get your attention...
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. We're not on roll call.
18. SENATOR MITCHLER:
19. ...I wanted...how I was...how I was recorded on the
20. last roll call.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. You are recorded as voting aye.
23. SENATOR MITCHLER:
24. I'd like to explain my vote...and I would like to for
25. this reason. I voted in favor of this legislation...
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. ...the roll call has been completed, Senator, you are
28. out of order...
29. SENATOR MITCHLER:
30. ...This is a typical on the type of legislation that
31. will be reported back by that great Senator...
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. You are out of order.

1. SENATOR MITCHLER:

2. ...Commission he established by...

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. You are out of order. Senator, you are out of order.

5. The roll call was completed, and you were recorded as voting

6. aye. On that question the yeas are 37, the nays are 1.

7. The bill having received the constitutional required majority

8. is therefore declared passed. SB 884, Senator Fawell.

9. SECRETARY:

10. SB 884 (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Fawell will explain his bill.

14. SENATOR FAWELL:

15. Mr. President, members of the Senate, SB 884 makes a
16. number of...

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Gentlemen, one of your colleagues is attempting to

19. explain his bill. Please. Are we going to have one of

20. those days? Just wait Senator, we are going to get some

21. order in this Senate before we proceed and we're going to

22. get the order now. We're going to start off that way if

23. it takes all morning. We want the Senate to be in order.

24. There's a Senator explaining his bill. If there's a chance

25. we could hear you will you continue?

26. SENATOR FAWELL:

27. Thank you Mr. President. This bill is a bill that

28. has a number of detailed changes but not a great deal of

29. change insofar as substance is concerned. It pertains to

30. the manner of organizing community unit school districts

31. and it...attempts, simply, bring back statutes up to date.

32. It places the final review of both the affirmative and

33. negative decisions as requested by the Education Committee,

1. in the Superintendent of Public Instruction. I think that
2. unless people have any specific question that is the
3. summary of the bill. It simply brings it up to date so
4. that these hearings can be conducted with amendments and
5. so that problems in regard to pleadings will not be fatal
6. defects in regard to those hearings and that in substance
7. is what the legislation does do. I would ask for the
8. favorable roll call.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Any discussion? If not, the question is shall...

11. Senator Hynes.

12. SENATOR HYNES:

13. Mr. President, as amended, I think this is a desirable
14. piece of legislation. It's an attempt to facilitate re-
15. organization of districts and to facilitate movement from dual
16. to unit districts. I think it is good legislation.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any further discussion? The question is shall SB 884
19. pass. 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 GRAHAM):

32. On this question the yeas are 45. The nays are none.
33. The bill having received the constitutional majority required
is therefore declared passed. Senator... Been a request

1. that we hold 885 and that entire series up to and including
2. SB 890. So the next bill...that includes 889. The next
3. bill will be SB 891. Next bill...

4. SECRETARY:

5. SB 891. (Secretary reads title of bill).

6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Saperstein.

9. SENATOR SAPERSTEIN:

10. Thank you...Mr. President, Ladies and Gentlemen of the
11. Senate. This is again a very serious attempt to attack the
12. saviour of learning to read in our schools. This will allow
13. them to set up reading centers in not more than three or four
14. parts of the State. This is no additional funds...the funds
15. for this are already in the budget of the OSPI. I urge your
16. support.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Is there any further discussion on SB 891? SB 891.

19. Senator Berning.

20. SENATOR BERNING:

21. ...I'd just like to clarify the statement of the sponsor.
22. ...When you say there is no funds needed and yet it's in the
23. OSPI budget, if it wasn't in the budget for this it could be
24. for something else then, could it not?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Saperstein.

27. SENATOR SAPERSTEIN:

28. ...Senator Berning, I said no additional funds. It is
29. already a line item the right to read...in the present budget
30. of the Superintendent of Public Instruction.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Berning.

33. SENATOR BERNING:

1. Well, I don't want to be picayunish about it...but if
2. there is an appropriation for something new like this in
3. the OSPI budget it is additional money and it takes money
4. that could be used for normal education. And it seems to
5. me that the hew and cry has been that we don't supply...
6. adequate funding for the schools. And that's what the
7. schools are for to teach reading. If the schools would
8. concentrate on the 3 R's we would have no need for all
9. these extraneous activities. I just can't quite understand
10. the idea here. If we're going to set up a separate
11. institution for every educational concept there is we're
12. not going to have anything in the way of a real school,
13. it seems to me, but a lot of satellite operations. I
14. would much prefer to see the school concentrate on its
15. major responsibilities and put the emphasis there and
16. keep it there.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Saperstein.

19. SENATOR SAPERSTEIN:

20. Do you wish me to close?

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Saperstein.

23. SENATOR SAPERSTEIN:

24. The inferences that Senator Berning is putting on this
25. is correct that the...this bill will provide a part of the
26. 3 R's. And if you recall, from time to time, we have
27. had special emphasis on the whole problem of learning to
28. read. And we recall, Senator Laughlin had a bill in the
29. ...for the similar kind of work. The question is shall we
30. utilize the educational dollar to the fullest extent. And
31. we must devise ways and means of teaching children to read
32. lest we waste the money we are allocating for education.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. ...Any further discussion? Senator Bartulis.

2. SENATOR BARTULIS:

3. ...Senator, would you yield? Today I think that
4. some of our public schools now are having these programs.
5. In fact, I have a daughter who is going to...summer school.
6. Reading classes. Special. And I don't see any need for
7. having more. They're already putting these into our public
8. schools now.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Saperstein.

11. SENATOR SAPERSTEIN:

12. This is true, Senator Bartulis, but all schools do not
13. do this and this will give the Office of Public Instruction
14. an opportunity to set up these reading centers in those districts
15. that do not have an emphasis on reading.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Bartulis. Senator Latherow.

18. SENATOR LATHEROW:

19. ...Mr. President, I just caught a short statement of
20. Senator Saperstein's there at the last that they do not
21. emphasize reading. What do they emphasize in the school any more,
22. that's the question I'd like...Here we have special reading, we
23. have special something else, special something else and...do
24. they emphasize in school anyhow?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Saperstein.

27. SENATOR SAPERSTEIN:

28. Reading, writing, arithmetic are the basic things and
29. other...subject matters that will develop good citizenship.
30. But again I want to emphasize that our weakness in our educational
31. system is in reading. And when a child learns to read he will
32. readily absorb the education offered him in our schools.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Latherow.

2. SENATOR LATHEROW:

3. How many centers are to be established under this
4. legislation?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Saperstein. The Senator could not once again
7. hear the question put by Senator Latherow. ...We have some
8. order. And will you please restate your question. Senator
9. Latherow.

10. SENATOR LATHEROW:

11. How...how many centers are to be established under
12. this program this year?

13. SENATOR SAPERSTEIN:

14. ...I am told around three or four in this State.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Have two more Senators seeking recognition. Senator
17. Fawell and Senator Hall. Senator Fawell.

18. SENATOR FAWELL:

19. I...I simply want to say this is in reality very much
20. like SB 912 of the last Session that Senator Ev Laughlin
21. and Senator John Gilbert sponsored. I think that it does
22. put its emphasis upon an area where we can well afford to
23. put more emphasis and that is the ability of children to
24. read. And it does divide it in basic categories, secondary,
25. elementary schools. I think it's a sound program. The
26. Education Committee felt so and I would rise to support of the
27. same.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Kenneth Hall.

30. SENATOR KENNETH HALL:

31. Thank you, Mr. President. I just wanted to say this is
32. a very needed bill that you know that the statistics show that
33. 25% of the 11 year old children in the United States reads below

1. the level of illiterates. So, even in our own State,
2. approximately 2% of the State's own population. And this
3. is a very needed bill. I hope everyone will support it.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any further... Senator Roe.

6. SENATOR ROE:

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

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Roe moves the previous question. All in favor
10. of the motion will signify by saying aye. Opposed. The ayes
11. have it. The main...Senator Saperstein may close debate or
12. the main question will be put. The question is before the
13. Senate shall 891 pass. And upon that question the Secretary
14. will call the roll.

15. SECRETARY:

16. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
17. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
18. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
19. Hynes, 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. Daley, aye. Course, aye. Davidson, aye. Carroll, aye.
27. On this question the yeas are 35. The nays are 3. The bill
28. having received the constitutional majority is therefore declared
29. passed. For what purpose does Senator Newhouse rise?

30. Senator Newhouse.

31. SENATOR NEWHOUSE:

32. Mr. President, I rise on a point of personal privilege.
33. I wonder if I could get the attention of the Senators.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. State your point and I'll try to get the attention
3. in the meantime.

4. SENATOR NEWHOUSE:

5. Thank you, Mr. President...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Gentlemen, gentlemen. Please.

8. SENATOR NEWHOUSE:

9. ...I will try to be brief. Mr. President, yesterday
10. there was a vote on confirmation of appointments by the
11. Governor. As you know, I was not on the Floor. I want to
12. say to this Body that I was in Chicago taking care of some
13. personal family business. However, I had expected that
14. matter to come up today. I certainly intended to be here.
15. I want it known for the record that I intended to support
16. John Nolan. That I had adequate and very personal reasons for
17. supporting John Nolan and I simply want to make that statement
18. here and apologize to the Body for my absence in that very
19. important vote. Thank you, Mr. President.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. ...Next bill will be SB 898. 898. And may we have
22. some order please. Ladies and Gentlemen, please. It's going
23. to be a long day. Senator Partee.

24. SECRETARY:

25. SB 898. (Secretary reads title of bill).
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Swinarski may explain his bill, and I'll tell you...

29. SENATOR SWINARSKI:

30. Mr. President, members of the Senate, SB 898 raises the
31. minimum salary for county sheriffs, coroners...not corners on
32. the amendment, striking out coroners, treasurers, clerks,
33. clerks of the Circuit Court, recorders of the Circuit Court

1. and orders. The bill does not change any of the maximum
2. salaries. The last change in the minimum scale was approved
3. in 1967. The minimum scale has not been changed in the past
4. six years. If any county is still below the proposed level
5. in the bill they...they will be able to raise their officers
6. and salary under this bill. I ask for a favorable roll
7. call.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Is there further discussion? Senator...Jack Knuepfer.

10. SENATOR KNUEPFER:

11. ...I hesitate to ask but I...does this apply to downstate
12. officials?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Swinarski.

15. SENATOR SWINARSKI:

16. Yes, it does, Senator.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Harris, for what purpose do you rise? Senator
19. Jack Knuepfer.

20. SENATOR KNUEPFER:

21. I...I was kind of afraid of that. Whenever I see a bill
22. introduced by somebody from the City of Chicago, I'm almost
23. certain to believe that it applies downstate. ...Speaking for
24. one downstate Senator, I don't object to raising the maximums
25. but I do very much object to raising minimums. You may not be
26. aware but in our downstate areas our county governments...
27. are in bad shape because we lost the...cost of collection.
28. I don't even know what officers this bill applies to but it
29. is a very serious bill for downstate finances if you're going
30. to tell us that we've got to raise the prices...the cost...or
31. the salaries of our county officials. ...That ought to be up
32. to county boards and you should leave it that way the same as
33. it is in that great home rule county, Cook County.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Harris.

3. SENATOR HARRIS:

4. Well, I join Senator Knuepfer in observing that this
5. is a very serious piece of legislation to the downstate
6. counties that are in real difficult shape financially as
7. a result of the operation of the new Constitution and other
8. adverse court decisions and I would just point out that you
9. have the situation here where you are raising the minimums.
10. If the counties themselves want to make the determination
11. on the basis increasing the maximums but leaving the
12. minimums alone, okay. But this mandates from this General
13. Assembly and increase in the minimums. I certainly don't
14. intend to support this bill and I just caution the members
15. of the seriousness of the effect of this legislation on
16. downstate counties that are in terrible shape financially.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any further discussion? Senator Johns.

19. SENATOR JOHNS:

20. To my good friend and colleague Don Swinarski, the
21. concept is admirable and that you'd like to help us but
22. some of my counties are in debt the first time in twenty
23. years. And they will be in debt maybe 200,000 dollars.
24. We're in...we're in bad shape, Senator Swinarski, I would
25. hope that...I had hopes that during this Session we would
26. address ourselves to aiding the counties and recovering
27. some type of income that would aid us in holding the line on
28. indebtedness for plunging deep into it. I...I beg of you
29. to give serious consideration towards holding this bill. It
30. would wreck havoc with our counties.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Any further discussion? Senator Mitchler.

33. SENATOR MITCHLER:

1. I just want to point out that this again is the type
2. of a report that would come from that special, wonderful
3. blue ribbon committee that we were attempting to create
4. with House Bill 831 last night where they would recommend
5. these minimum increases to the General Assembly and if
6. you didn't do anything with it in sixty days it would
7. become mandatory. And I hope that we defeat SB 898.
8. It's putting a burden on the downstate counties that they
9. can't afford to pay.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any further discussion? If not, Senator Swinarski
12. will close debate. Oh, Senator Latherow.

13. SENATOR LATHEROW:

14. Well, Mr. President, members of the Senate, I hate to
15. belabor things a whole lot but I do want to repeat the fact
16. I'm not going to be in a position to have any county board
17. members tell me that he...the people that he had to raise
18. the salary of the county officers because of what the
19. members of the Legislature did. Now this is just exactly
20. what this bill is intending to do. If you all remember
21. last year when we refused to raise these minimums many of
22. us went home and caught the devil from one person in each
23. office almost in the county. And that was the county office
24. holder. I had...want you to know...had one county officer
25. holder in one of my counties that wouldn't even speak to me
26. because I didn't support the raising the minimum in this
27. Legislation. Now I think it's the duty of the county officials
28. to prove to the county board their salary setting agency
29. what they are worth. And to me, I'd just as soon see the
30. minimum taken off entirely rather than to see it raised.
31. I don't care where you put the maximum, take the minimum
32. clear off and let the county board have that authority and
33. let them take the heat. Don't have them going out and say

1. the...the State Legislature demanded it. I...I want to
2. be recorded no.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Any further discussion? If not, Senator Swinarski
5. will close debate.

6. SENATOR SWINARSKI:

7. Gentlemen, it's true that it is raising the minimum
8. salary. However, it's been six years in an inflationary spiral
9. that we're in today. Six years since any of these gentlemen
10. have been able to get any type of raise. Certainly, as many
11. of you know, the people serving in the position of clerk of
12. the court, the people serving as treasurers, they're greatly
13. underpaid and dedicated people. However, in many cases, they're
14. getting 8500 and 9,000 dollars a year. This is raising that
15. but not substantially. We're only talking about five offices
16. and I think you'll find that the cost to the county for their
17. service will be very minimal. The increase only per employee
18. approximately 4,000 dollars. In taking that over the five
19. it would cost the county approximately 20,000 dollars. I
20. ask for a favorable roll call.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. The question is, shall SB 898 pass. Secretary will
23. call the roll.

24. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Schaffer. Please.

1. SENATOR SCHAFFER:

2. I know it's early in the morning and it's going to
3. be a long day but I...I can't help point out a little
4. piece of hypocrisy that's going on in this room right
5. now. I've listened to all of my fellow Senators here
6. decry the financial plights of the counties and yet, I
7. believe with only one or two exceptions, each of the
8. people who have spoken in this fashion has voted against one
9. to three possible financial solutions. And it's interesting
10. to me that you...some people care only to recognize this
11. crisis when a bill of this nature comes up. I will concede
12. though, it's difficult for me to understand how we can
13. possibly raise the officials salaries even though they
14. deserve it when the counties are in such tight financial
15. conditions. I would hope that some of the people who have
16. spoken here will remember their speeches when Senator
17. Harber Hall calls his bill back from postponed consid-
18. eration. I vote no.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Continue the roll.

21. SECRETARY:

22. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
23. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Scholl, no. On this question the yeas are 7. The nays
26. are 21. 1 voting present. The bill having failed to receive
27. the required constitutional majority is therefore declared
28. lost. Senator Chew, for what purpose do you arise?

29. SENATOR CHEW:

30. ...Would I be in order to ask permission from the Chair
31. and the Body to call Senate Bill back from 3rd back to 2nd
32. for the purpose of an amendment?

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. We are not on the order of motions at this time, Senator.

2. SENATOR CHEW:

3. That's why I'm asking permission.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Well, if you could wait until we're on that order we
6. would rather do it that way. The Secretary would rather.

7. SENATOR CHEW:

8. Fine.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. The Chair doesn't really care.

11. SENATOR CHEW:

12. Fine.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. SB 900. Senator Don Moore.

15. SECRETARY:

16. SB 900. (Secretary reads title of bill).

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Moore will explain his bill.

20. SENATOR MOORE:

21. Thank you, Mr. President, members of the Senate. SB 900
22. is a Department of Public Aid bill, it's been approved by the
23. Legislative Advisory Committee on public assistance. ...What
24. the bill does, it allows the Department of Public Aid to make
25. advance payments to health maintenance or other health care
26. organizations for services to be rendered to public aid
27. recipients. ...The health maintenance organization is an
28. organization not only insures payment for medical care such
29. as a health insurance policy would do but also provides for
30. medical care that is promised. One of the big advantages
31. of this bill it allows the Department of Public Aid to forecast
32. exactly how much their Medicaid budget will be during a given
33. year. There are also fiscal incentives to keep medical cost

SB 901
5/25/1978

1. down and the recipients happy. The bill was amended on
2. an amendment by Senator Knuepfer that stated that any
3. contracts with a health service or health maintenance
4. organization shall be restricted to organizations which
5. have been certified as being in compliance with standards
6. promulgated pursuant to the laws of this State governing,
7. establishing and maintenance of...of...health service or main-
8. tenance organizations. I'd appreciate a favorable roll call.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Any further discussion? If not, the question will
11. be put. Shall SB 900 pass? On that question the Secretary
12. 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 GRAHAM):

25. Johns, aye. Romano, aye. Carroll, aye. Conolly, aye.
26. Berning, aye. Roe, aye. On this question the yeas are 42.
27. The nays are none. The bill receiving constitutional majority
28. therefore is declared passed. SB 902. Do you want to call
29. 901 now, Senator? I can't hear, Senator. All right, 901.

30. SECRETARY:

31. SB 901. (Secretary reads title of bill).
32. 3rd reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

Senator Moore will explain his bill.

1. SENATOR MOORE:

2. Thank you, Mr. President, again this is a Department
3. bill that's also been endorsed by the Legislative Advisory
4. Committee on Public Aid. What this bill does it provides
5. the statutory authorization for the Department of Public Aid
6. to shift from an individual standard of need to a flat grant
7. system which is used in the other...many of the other states.
8. The flat grant approach to the computation...computation
9. of need is probably...certainly a system of simplification
10. of management of administration. We presently have some
11. 130 specific items that a caseworker has to go through in
12. order to determine the amount of eligibility that a recipient
13. is entitled to. This would sort of blanket in groups of
14. recipients and there would be a flat amount that would be
15. given to them. I think that this is a good bill. That there
16. will be a tremendous savings in the administration of this
17. program if we release the time of our caseworkers and get
18. rid of a lot of the paper work that they are presently bogged
19. down with. And they can actually put them out in the field
20. where they should be doing a job. I respectfully request
21. a favorable roll call.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? Senator Partee.

24. SENATOR PARTEE:

25. ...Mr. President and members of the Senate. This is
26. indeed a new concept, a flat grant concept. Now I'm impressed
27. and although I don't know nor does anybody know in authority
28. whether or not this is going to save money or not, I'm willing
29. to take that chance. I think though that as it has been
30. structured and as the results in a couple of other states
31. show, if it is done properly it does seem to me that this
32. will be a real milestone in the field of...financing public
33. aid. ...First of all, I think it has as its most significant

1. feature the kind of operation that's entailed here will mean
2. that there will be ample time to remove from the rolls
3. those persons who are ineligible. The inordinate amount of
4. time that is spent formulizing now can be used in another
5. way. And I do think that this is the way to go and that
6. it will bring about the kind of results that we expect. We
7. will certainly examine it rather carefully and watch its
8. operation. But as for this Senator, I think I'm certainly
9. going to vote for it and I would hope that those on this
10. side of the aisle vote for it because I think it is the
11. solution to a vexing Gargantuan kind of problem.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Moore.

14. SENATOR MOORE:

15. Thank you Senator Partee for the study you have made
16. insofar as this new concept is concerned. I might add that
17. yesterday I did receive the assurance from the Director,
18. the Acting Director of the Department of Public Aid that
19. before any plan was put into effect he would come to the
20. Legislative Advisory Committee on Public Aid for their
21. prior approval. I would request a...if there are no other
22. questions...

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Senator Johns.

25. SENATOR JOHNS:

26. Mr. President and to Senator Don Moore, it is my under-
27. standing that educational programs will be tied into this to
28. help people plan and study home management and you know economy
29. and operations of their homes. Isn't that true that there will
30. be an educational type program to go along with this toward the
31. management of this money on a flat grant basis.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Don Moore.

1. SENATOR DON MOORE:

2. No...I don't believe so but I think the basic concept
3. of this bill, Senator, is to determine the basic need that a
4. recipient family would be entitled to. So much for food,
5. so much for clothing, so much for shelter, if they have to
6. have transportation to work, items of this nature. They
7. would be covered in a group rather than on an individual
8. basis where we presently have to check some 130...I mean
9. the caseworker has to check some 130 specific items why
10. we can sort of blanket them in under, depending upon the
11. area, depending upon the area of the State, cost more
12. for fuel up in the northern part of the State and in
13. Chicago than it does down in southern Illinois. Consider-
14. ations like this can be taken into account and we can go
15. into a flat grant by areas.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Johns.

18. SENATOR JOHNS:

19. I'm going to support the bill but I...I just had hopes
20. ...we would continue to offer to the people who desparately
21. need this type of aid guidance in home management and food
22. courses, and so forth.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Any further discussion? Senator Fred Smith.

25. SENATOR SMITH:

26. Merely rise to agree with the explanation that Senator
27. Moore has made with regards to this bill. It might be of
28. service for me to state that as late as...what is today,
29. Friday? As late as one week ago I was in Washington and we
30. took up with the Department this particular issue. As of
31. now there are only two states in the United States that does
32. have the flat grant method of taking care of their clients.
33. Connecticut is one of the states, the State of California

1. Now you will probably find that if there is any complaint
2. once this method gets into operation it will be from the
3. clients, those who are receiving their monthly checks from
4. the Department. It would be altogether impossible however
5. to set this plan into operation. The one thing that
6. troubled me was as to whether or not the Federal Government
7. would allow us this right and privilege. I have here a
8. list of the many commodities that would be placed under the
9. flat grant method of payment...of payment. And it's true
10. that in many instances the amounts that the clients will
11. receive will be perhaps considerably less. There will be
12. many complaints. I know that I will be confronted by many
13. who will be displeased. But we think that in the effort
14. to save monies this is the proper method to pursue. By the
15. times that this plan gets into operation which could not be
16. prior to July or August at the very earliest the Department
17. will have to some extent scan the rolls for the purpose of
18. taking off the rolls many of those who do not comply with
19. the rules and regulations. This is a good bill. It's one
20. that we've been trying to get through for some time, the
21. Department of HEW in Washington notwithstanding. And I...
22. I merely want to coincide with what the Senator said and
23. to plead with the members on this side to support the bill
24. knowing full well that they will have many complaints
25. coming to them from those that are now on public welfare.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Is there further discussion? If not, the question
28. before the Body is, shall SB 901 pass? Upon that the
29. Secretary will call the roll.

30. SECRETARY:

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

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

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Upon this question the yeas are 48. The nays are none.
9. The bill having received the required consitutional majority
10. is therefore declared passed. SB 903, Senator Moore.

11. SECRETARY:

12. SB...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. 902, I'm sorry.

15. SECRETARY:

16. 2?

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. No, we did...902 is the one we just...902.

19. SECRETARY:

20. SB 902. (Secretary reads title of bill).

21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Moore will explain his bill.

24. SENATOR MOORE:

25. Thank you, Mr. President, this is a very simple bill.
26. It basically limits the amount the State shall reimburse the
27. Cook County Department of Public Aid for payments made to the
28. County as the employer share of insurance premiums for Cook
29. County Department of Public Aid employees. We presently
30. reimburse the County of Cook their...what we pay for a State
31. employee is more than what the Cook County Department Plan
32. calls for. This allows them to come up to reimburse the
33. County of Cook for an amount not to exceed that which it cost

1. a State employee on a per capita basis. The bill was
2. requested by the Director of Public Aid in the County of
3. Cook. I might add that if the bills that we have previously
4. passed here that make the Cook County Department of Public
5. Aid an instrumentality of the State. That they should pass and
6. become law by this bill there would be no need for this
7. bill but we're going to go ahead with it. The bill may
8. ultimately be Tabled in the House. I'd request a favorable
9. roll call.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Is there further discussion? Senator Dougherty
12. ...Senator Dougherty's microphone is not...hold the phone.
13. Senator Dougherty.

14. SENATOR DOUGHERTY:

15. What Senator Moore has said is correct. I urge
16. approval of this bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Further discussion? If not, the question is shall
19. SB 902 pass? 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 GRAHAM):

32. Donnewald, aye. Netsch, aye. On this question the
33. yeas are 41. The nays are none. The bill having received the
constitutional required majority there is declared passed.

1. SB 903.

2. SECRETARY:

3. SB 903 (Secretary reads title of bill)
4. 3rd reading of the bill.

5. SENATOR MOORE:

6. Thank you Mr. President and Members of the Senate.
7. SB 903 is another bill from the Department. It has been
8. approved by the...Legislative Advisory on Public Assistance.
9. What the bill does, it grants or creates in the Department
10. of Public Health a commission on health facilities, accounting
11. and costs reporting to develop and prescribe cost accounting
12. for all hospitals and nursing homes that receive Department
13. of Public Aid for medical and nursing services rendered to
14. recipients. ...This bill also has the endorsement of the
15. Health Licensure Study Commission. It has bipartisan support
16. as I said before. I'd appreciate a favorable roll call.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Any discussion? The question is shall SB 903 pass.
19. 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 GRAHAM):

32. Johns, aye. Upon this question the yeas are 43, the
33. nays are none. The bill having received the required con-
stitutional majority therefore is declared passed. SB 905,
Senator Fawell. We'll...

1. SECRETARY:

2. SB 905.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Just a moment...Mr... Senator Fawell.

5. SENATOR FAWELL:

6. ...Mr. President, these series of bills, SB 905-909,
7. we do have several agreed amendments that Senator Hynes is
8. working on and I would ask for leave of the Senate if we could
9. just bypass these and then when the amendments are ready we
10. could return to them. I would appreciate that, but I'm not
11. quite ready at this point.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. You have heard the request from the Senator from
14. Naperville. That is, shall we pass over these bills up
15. through 909 until the amendments are prepared and at that
16. time we will come back to these for their...in the proper
17. order of business. Leave is granted and we shall come back
18. to them when your amendments are ready. That would leave
19. us with 916 being the next bill. 916, Senator Newhouse.
20. Read the bill a third time.

21. SECRETARY:

22. SB 916 (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Newhouse will explain his bill.

26. SENATOR NEWHOUSE:

27. ...Mr. President, Senators, this is a bill that was
28. requested by the Department and will allow the Juvenile
29. Authorities to have custody over a child in those circumstances
30. where there is a necessity to maintain it even though they
31. reach age 18. I'd appreciate a favorable roll call on this.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Is there further discussion? The question is shall

1. SB 916 pass. Secretary will call the roll.

2. SECRETARY:

3. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
4. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
5. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
6. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
7. McBroom, 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, Sommer, Soper, Sours, Swinarski,
11. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Buzbee, aye. On this question the yeas are 37.
14. The nays are none. The bill received the constitutional re-
15. quired majority therefore is declared passed. SB 917,
16. Senator Newhouse. We will read the bill a 3rd time.

17. SECRETARY:

18. SB 917. (Secretary reads title of bill).
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAMAM):

21. Senator Newhouse explain your bill.

22. SENATOR NEWHOUSE:

23. This bill, gentlemen, provides funding for the private
24. junior colleges in the same fashion that it does the private
25. senior institutions. That is to say that the second year
26. class gets funded on the same basis that the junior and
27. senior classes in private colleges. And I move for a
28. favorable roll call.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Further Discussion? Senator Fawell.

31. SENATOR FAWELL:

32. I...I have just one question...I had a notation Senator
33. Newhouse about Senator Glass asking about an amendment. Do

1. you recall that? I...I...had that been put on?

2. SENATOR NEWHOUSE:

3. No it has not Senator. Admiral Weber was to bring me
4. something. We didn't agree as to what the amendment would
5. contain, the private...the junior colleges preferred to
6. go with this one rather than to agree to his but there
7. was no agreement as to the amendment Senator. It was
8. never presented.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Fawell. Further...Senator Newhouse.

11. SENATOR NEWHOUSE:

12. I was hold..Senator Fawell...Senator Fawell. I was holding
13. it for that purpose, but there was never an agreement.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Any further discussion? Senator Fawell, you seem...

16. SENATOR FAWELL:

17. I...the...the only point Senator Glass is not on the
18. Floor and that's...that's the only...

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any further discussion? The question is shall SB 917
21. pass... Oh, you're going to hold the bill. I'm sorry.
22. Take it out of the record. SB 918, Senator Buzbee. It's
23. on the Agreed List so we'll... SB 9...I'll bet this is
24. not on...SB 921. It's on the Agreed List. SB 924, the
25. gentleman from Rochelle, Senator Sommer. We'll read the
26. bill a third time, Senator.

27. SENATOR SOMMER:

28. I'd like to make an inquiry of the Chair. We've
29. skipped a lot of bills and at the present time there are
30. a number of members who are not on the Floor and I wonder
31. if we pass the bill are we going to get back to it today or not.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. I could not guarantee that Senator Sommer. The last

1. group that we passed was this bond construction series of
2. bills by agreement because there are amendments pending on
3. those and appropriations attached to them. I would not
4. assure you we'd ever get this far down the list.

5. SENATOR SOMMER:

6. But we skipped other bills...

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. I wish I could, I just can't assure you that...

9. SENATOR SOMMER:

10. But it's not...you don't have an opportunity Mr. President
11. when you're missing...

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Sommer. Are you yielding to the Senator from
14. Chicago? Senator Scholl.

15. SENATOR SCHOLL:

16. Mr. President, I'm going to ask that the leadership on the
17. Republican side hold a caucus because I'd like to know what's
18. going on.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Are you joined by four other Senators? There has been
21. a request...Who joins Senator Scholl in a request for a caucus?
22. You're not joined by sufficient number...Gentlemen, let's...
23. Senator Scholl.

24. SENATOR SCHOLL:

25. I want the...members to know that I have more than four
26. Senators that are interested in a caucus and we don't need
27. Senator Buzbee on our side.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I can't see on the other side. ...If you'll just with-
30. hold your motion for a couple of minutes Senator Scholl and
31. finish your coffee we'll make some kind of a decision. Senator
32. Walker is always a good time saver. Could we have some order
33. please? The gentleman from Lansing is desiring acknowledgement

1. and he is acknowledged. Senator Walker.

2. SENATOR WALKER:

3. ...Thank you, Mr. President. I think that Senator
4. Sommer has asked a rather pertinent question there. I
5. tried to play with a short deck here the other day and it
6. didn't work. What if he passes his bill now, does he has
7. some assurance it's going to be called before we adjourn?

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. If we wait till the 4th of July to adjourn I imagine...
10. I can't give you that assurance. Senator, I just...we're
11. trying to have a meeting, a quick meeting of the minds in
12. that regard. I wish I could assure you...I wish I could tell
13. you we'd be through at 3 o'clock and wouldn't need to do this.
14. But if we continue, we won't be through at 3 o'clock, in the
15. morning. Senator Newhouse, for what purpose do you arise?

16. SENATOR NEWHOUSE:

17. ...Mr. President, I held 917 for Senator Glass, and
18. he's back on the Floor. I wonder if we could call that
19. at the next order of business...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Well we really haven't accomplished anything since then
22. so that seems the logical thing to do until we solve whatever
23. problem we're trying to solve. SB 917 will be read a third
24. time.

25. SECRETARY:

26. SB 917 (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Newhouse will explain his bill.

30. SENATOR NEWHOUSE:

31. Thank you Mr. President. That synopsis explains the
32. bill. I was holding it for Senator Glass to come back on
33. the Floor and I'd appreciate a favorable roll call on it.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Any discussion? The question is shall SB 917 pass.
3. On 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,
11. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
12. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
13. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
14. Weaver, Welsh, Wooten, Mr. President.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Knuepfer, aye. McCarthy, aye. Latherow, aye. No.
17. Latherow seeks recognition. Senator Latherow for what
18. purpose do you arise?

19. SENATOR LATHEROW:

20. Well, Mr. President, I just wonder if I'm recorded.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Is Senator Latherow recorded?

23. SENATOR LATHEROW:

24. Well, I would like to state what my question is before I
25. cast my vote. It looks to me like with this bill, if I understand
26. it and the Illinois Scholarship Commission everytime we send some-
27. body to school with an Illinois...to junior college here with
28. an Illinois Scholarship as a freshman and plus what we give
29. them we're going to turn around and give them one hundred
30. dollars more and then when that person who happens to hold
31. a scholarship is a sophomore then we're going to give that
32. institution two hundred dollars more for each one of those
33. scholarship provisions. Now I think that if we want to
increase the position of what we're doing with scholarships

1. I think we ought to get at it in a way to say what we're
2. going to do with all of them. But I don't think it's right
3. to go to these junior colleges and say for each one we send
4. there on scholarship we're just going to hand you for a full-
5. time freshman a hundred dollars more and a fulltime sophomore
6. two hundred dollars more. Now, if this is what this does
7. I want to be recorded no.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Latherow wants to be recorded as voting no.
10. Been a request for a call of the absentees. Senator Welsh,
11. for what purpose do you arise?

12. SENATOR WELSH:

13. Mr. President, how am I recorded?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. How is Senator Welsh recorded?

16. SECRETARY:

17. He is not recorded.

18. SENATOR WELSH:

19. Vote me aye, please.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Welsh voting aye.

22. SECRETARY:

23. Bartulis, Bell,

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Shapiro wants to be recorded aye.

26. SECRETARY:

27. Bartulis, Bell, Berning, Carroll, Chew, Clarke, Daley,
28. Donnewald, Harber Hall, Keegan, Knuppel, McBroom, Mitchler,
29. Howard Mohr, Netsch...Netsch, Nimrod, Nudelman, Romano,
30. Savickas, Soper, Sours, Weaver, Mr. President.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. He's got them hasn't he? Nudelman, aye. Daley, aye.

33. On this question the yeas are 32. The nays are 6. Voting present 1.

1. The bill having received the constitutional majority is
2. therefore declared passed. And the Senate...the Chair
3. recognizes the President of the Senate, Senator Harris.

4. SENATOR HARRIS:

5. Well, if I might have the attention of the Senate,
6. I want to inform you of our procedure for the remainder
7. of the day. We intend to work until noon, recess until
8. 1:15. And I would hope that the members would make
9. judicious effort to be back on the Floor at 1:15. We
10. will continue to work and at 2 o'clock we will complete
11. whatever order of business is under consideration at
12. that time and then move to the Agreed Bill List as
13. close to 2 o'clock as we can. We will then stay into
14. Session until we complete our work. Getting completely
15. through third reading Senate Bills that are called. Now
16. we will arrange again to have food brought in around
17. 6 or 6:30 but we will not recess for an evening meal.
18. So we will work until noon now and come back in at 1:15
19. and then at 2 o'clock deal with the Agreed Bill List
20. in the meantime staying in Session until we complete the
21. call of the Calendar. Now there...Senator Weaver does
22. have an announcement to make. Beyond that...

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. The Chair recognizes Senator McBroom.

25. SENATOR MCBROOM:

26. Mr. President, members of the Senate, the gallery to
27. the left is the Limestone School from Herscher, Illinois.
28. I would appreciate it if they would rise and be recognized
29. by the Senate.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. The Chair recognizes the Senator from Urbana, Senator
32. Weaver.

33. SENATOR WEAVER:

1. Mr. President, I would like a twenty minute recess
2. for the purpose of a Republican caucus.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. The Senate will stand in recess for twenty minutes for the
5. purpose of a Republican caucus in his office.

6. AFTER THE RECESS

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. The Senate will be in order and we temporarily bypassed
9. a series of bills starting with SB 905. The motion, I think
10. now, there's going to be some amendments considered at this
11. time. Senator Fawell will make the appropriate motion pertaining
12. to SB 905.

13. SENATOR FAWELL:

14. Yes, Mr. President, the amendments are only in regard
15. to one of these bills and that is in regard to SB 908. So
16. therefore in regard to SB 908, I would ask for unanimous
17. consent for the purpose of moving this particular bill back
18. to the order of 2nd reading for the purpose of affixing an
19. amendment.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Fawell asks leave of the Senate to have SB 908
22. returned to the order of 2nd reading for the purpose of
23. considering an amendment. All in favor will signify by saying
24. aye. Leave is granted and the bill is now on the order of
25. 2nd reading and Senator Fawell will explain the amendment.
26. And the Secretary, do you have a copy? Senator Hynes or
27. Senator Fawell. Senator Hynes will explain the amendment.

28. SENATOR HYNES:

29. There are two amendments, Mr. President. First amendment
30. which is Amendment No. 3 permits...deals with the debt service
31. grant portion of this package and permits these grants to be
32. utilized for principle and interest payments and if it is so used
33. the amounts so applied will then be used by...the tax...

1. the local taxes will be reduced by the county clerk by that
2. amount. There will be in effect an abatement of local taxes
3. by the amount of the payment of principle and interest on
4. outstanding bonds. That is the essence of the amendment and
5. I would move its adoption.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Discussion, any discussion on the amendment? Senator...
8. Senator Hynes you said it...are you sure that we don't have
9. to Table any of the amendments that is on this bill?

10. SENATOR HYNES:

11. No. No we do not.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. This is Amendment No. 4, I believe.

14. SENATOR HYNES:

15. This is Amendment No. 3.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. It is. Where are they.

18. SENATOR HYNES:

19. ...It is not necessary to Table any of these...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Then Senator, I wasn't checking your...I was just
22. wondering if we were...forgetting anything. Senator Hynes
23. now moves the adoption of Amendment No. 3 to SB 908. All
24. in favor will signify by saying aye. We should have quiet
25. all the time. What? Opposed. The ayes have it the amendment
26. is adopted. Are there further amendments from the Floor?
27. Senator Hynes.

28. SENATOR HYNES:

29. I would offer Amendment No. 4, Mr. President, which
30. does essentially two things. First, it...in terms of a
31. definition of a construction project, it includes rehabilitation
32. so that substantial rehabilitation will also be treated as a
33. construction project that qualifies. And secondly, it changes

1. the grant index to...permit better allocation of construction
2. grants to school districts of varying wealth and at the same
3. time it ensures that no district will receive less than 20%
4. nor more than 70% of State assistance. I think this adds
5. greatly to the flexibility of this bill and I think the
6. combination of this amendment with the prior one will make
7. State assistance available to every school district in this
8. State in a very equitable fashion. I move the adoption of
9. Amendment No. 4.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Any discussion on the amendment? Senator...You've heard
12. the motion of Senator Hynes. All in favor of the adoption
13. of Amendment No. 4 to SB 908 will signify by saying aye.
14. Opposed. The ayes have it. The amendment is adopted. Any
15. further amendments? 3rd reading. Are you prepared on SB 905,
16. Senator Fawell? SB 905 will be read by title a third time.

17. SECRETARY:

18. SB 905. (Secretary reads title of bill).

19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Fawell.

22. SENATOR FAWELL:

23. Yes...Mr. President, members of the Senate, these bills
24. and actually my explanation in order to save time will refer
25. actually to all five of the bills in the series from SB 905 to
26. 909. They are a series and that includes 908 which has just
27. been amended. These bills that introduce a new concept to
28. Illinois, they are important bills because what they do is
29. to bring the concept to Illinois of the State aiding our local
30. school districts in the funding of all capital facilities.
31. These bills are in reality the Ogilvie bills of the last
32. Session with several amendments but not of a substantive
33. nature and it simply and in as brief a summary as I can give

1. enables the State to pay a portion of all capital construction
2. of our local school districts in the future. It is based on
3. a formula that Senator Hynes just referred to and this formula
4. guarantees that at least 20% of all new construction of school
5. facilities in the future will be supplied by the State and no
6. more than 70%. So that based upon the assessed evaluation per
7. student in average daily attendance one would determine the amount
8. of the matching funds which a school district might be entitled
9. to. Obviously the poorer districts would have a greater amount
10. of aid. Bear in mind that the local school district however must
11. have its own matching fund and as a practical matter what that
12. means is that a referendum must be held by the local school district
13. in order to be able to raise the funds to enable it to have its
14. matching funds. I would point out too that the Illinois Building
15. Commission which has now been incorporated into the
16. Capital Development Board has been not funded by the
17. Governor this year so that those fundings actually will be
18. through the facilities of this Capital Development Board
19. concept that is set forth in this legislation. There is one
20. other very important aspect to the bill and that is that debt
21. service refunds. For all of those districts that have engaged
22. in a great deal of construction since 1969 up through the todate
23. of the passage of this bill they, too, will have a right to
24. apply for debt service refunds. And the grant index, the
25. ratio that is determinative of the amount of capital facilities
26. aid will also be utilized in the determination of the ratio
27. of aid or matching funds that each district would get as a
28. refund on each years' particular obligation for the payment
29. of principle and interest on outstanding bonds. Thus, if a
30. district had, let us say, \$24,000. in principle and interest
31. due on a given year under the formula they would be entitled
32. to a basic 50% grant which in turn would vary with the
33. ratio of wealth of that particular district. This, in

1. essence, is the substance of the bill as I've said the
2. new concept that is long overdue in Illinois. We fully
3. fund our facilities for higher education and we...we actually
4. fund 50% of our junior college capital construction. Most
5. important of all education, elementary and secondary schools
6. we have not aided at all except through the Illinois School
7. Building Commission which is only really alone and not
8. any type of a matching grant. Mr. President, members
9. of the Senate, I would ask for a favorable roll call on
10. SB 905.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Is there further discussion? The question is...

13. Senator Hynes.

14. SENATOR HYNES:

15. To simply, very briefly add to Senator Fawell's comments.
16. This is an extremely important series of bills. This is a
17. significant new concept in this State and one which I think
18. the State is very wise to embark on. We do provide assistance
19. for the day to day operations of our school districts but the
20. State has with very limited...very limited exception of the
21. School Building Commission not been involved in the area of
22. capital construction assistance. This will bring the State
23. into that area and will provide substantial and much needed
24. assistance to districts around the State. One important factor
25. to note is that 25 million dollars in this package is ear-
26. marked for debt service so that school districts that may not
27. presently plan on adding to their physical facilities will
28. still be able to participate in the program in the sense that
29. the State will contribute toward paying the outstanding principle
30. and interest obligation on existing bonds. And if the monies
31. are so applied there will be a corresponding reduction in
32. local taxes so that all districts whether they need immedi-
33. ately the addition of new facilities or whether they feel

1. at present they have adequate facilities will be able to
2. participate in this program. And I think it's very desirable
3. legislation and I would urge all members to support it.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. The question is shall SB 905 pass. On that question
6. the Secretary will call the roll. Gentlemen, we are on
7. passage stage.

8. SECRETARY:

9. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
10. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
11. Dougherty,

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Gentlemen, we're having a hard time again hearing
14. the call of the roll. Continue.

15. SECRETARY:

16. 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,
21. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
22. Weaver, Welsh, Wooten, Mr. President.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Carroll, aye. Netsch wanted to be on that roll call
25. voting aye. On that question the yeas were 43. The nays
26. were 2. The bill having received the constitutional required
27. majority is therefore declared passed. SB 907, with...
28. appropriations are exempt so...can we call them next week
29. with the others? Senator Fawell.

30. SENATOR FAWELL:

31. Yeah. If we could just send them all out together it
32. just might be very helpful. It's simply a 9 million dollar
33. appropriation which is the appropriation from General Revenue.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. SB 906, but it would be...I think it just might save
3. some time is all.

4. SECRETARY:

5. SB 906. (Secretary reads title of bill).
6. 3rd reading of the bill.

7. SENATOR FAWELL:

8. That is the explanation. This is simply the general
9. funding to pay the principle and interest for the next
10. ensuing fiscal year.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. The question is shall SB 906 pass, and on that question
13. the Secretary will call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning...Berning, Bruce, Buzbee, Carroll,
16. Chew,

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. We're on passage stage, gentlemen...

19. SECRETARY:

20. Clarke,

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. If we could answer the roll the first time around.

23. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Sours, no.

1. SECRETARY:

2. Mr. President.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Rock, aye. Buzbee, aye. No, Buzbee, no. Netsch, aye.
5. McBroom, aye. Bruce, no. On this question the yeas are 43.
6. The nays are 4. Voting present 1. The bill having received
7. its constitutional required majority is therefore declared
8. passed. SB it will be 907 and Senator we are not going to
9. call 909 when we get to it. SB 907.

10. SECRETARY:

11. SB 907. (Secretary reads title of bill).

12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Fawell will explain his bill.

15. SENATOR FAWELL:

16. Yes. Just as the syllabus indicates this establishes
17. in the State Treasury the School Construction Fund and the School
18. Construction Bond Retirement and Interest Fund. I move
19. ...I ask for a favorable roll call.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. And no further discussion the question shall be does
22. 907...SB 907 pass. And on that question the Secretary will
23. call the roll.

24. SECRETARY:

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

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Knuppel, aye. On this question the yeas are 44. The
3. nays are 2. The bill therefore is declared passed.

4. Senator Fawell, SB 908. We will read the bill by title a
5. third time.

6. SECRETARY:

7. SB 908. (Secretary reads title of bill).
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Fawell.

11. SENATOR FAWELL:

12. Yes. I have given the explanation of this bill. This
13. is the one that was amended by Senator Hynes. It sets forth
14. the concept we have discussed in the Capital Development Bond...
15. Capital Development Board Act. I ask for a favorable roll call.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The question is shall SB 908. On that question the
18. Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning,

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Berning.

23. SENATOR BERNING:

24. Mr. President, I just want to explain my vote. As I
25. view this, admirable as its objectives are, this is lending
26. assistance to school districts where they have not seen fit to
27. meet their own responsibilities. In my district where we
28. have continually built and built and built and taxed and
29. taxed and taxed now will be required to contribute via this
30. Bond Act to those areas where they have not done likewise
31. and my people will be taxed doubly. Therefore, I have to
32. vote no.

33. PRESIDING OFFICER (SENATOR GRAHAM):

Continue the roll.

1. SECRETARY:

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

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Course, aye. Glass, aye. A little late, Senator. On
13. this question the yeas are 37. The nays are 6. The bill
14. having received the constitutional required majority is there-
15. fore declared passed. And the Senate stands in recess until
16. 1:15. Gentlemen, let's attempt to be back here on time be-
17. cause it is important to all who have bills on this Calendar.
18. Senate stands recessed until 1:15. No appropriations.
19. What, 909? I've been requested to not call it today because
20. other people will want to do the same thing, Senator.

21. AFTER THE RECESS

22. PRESIDENT:

23. Will the Senate please come to order? We'll do a
24. little housekeeping until the members arrive. Senator Newhouse
25. we have on the Secretary's desk a congratulatory resolution.
26. Do you wish to call that? On the order of resolutions,
27. Senator Newhouse.

28. ACTING SECRETARY (MR. WRIGHT):

29. Senate Resolution 178, Senator Newhouse, and it's
30. congratulatory.

31. SENATOR NEWHOUSE:

32. ...Unanimous leave, Mr. President.

33. PRESIDENT:

1. Senator Newhouse moves to suspend the rules for the
2. immediate adoption and consideration of the resolution.
3. All in favor signify by saying aye. Contrary, no. The
4. motion to suspend is carried. So Senator Newhouse moves
5. to adopt Senate Resolution 178. All in favor signify
6. by saying aye. Contrary, no. Senator Newhouse.

7. SENATOR NEWHOUSE:

8. ...Mr. President, Senators, I notice that there are
9. not too many Senators on the Floor but this to Cyrus Colter
10. who is leaving the Interstate Commerce Commission after a
11. number of years. He's a successful author and he's going
12. to retire to one of the colleges as a professor in the
13. Romances and I would certainly invite all Senators to join
14. with me on this resolution.

15. PRESIDENT:

16. Is there leave for all Senators to join as co-sponsors.
17. So ordered. On the motion to adopt all signify by saying
18. aye. Contrary no. The motion carries and the resolution
19. is adopted. Senator Knuepfer has a housekeeping matter.

20. SENATOR KNUEPFER:

21. Mr. President, I have a motion on the...oh, excuse
22. me. ...Is there a Page here? On the...on the Secretary's
23. desk I am bringing a motion. The motion is as follows:
24. I hereby move to take House Bill 389 from the Table and
25. to put it on the order of 2nd reading. This was a bill
26. that was reported out with a Do Not Pass motion. We have
27. resolved the problems we have and I will amend it on the
28. order of 2nd reading and I have talked to Senator Mohr
29. and Senator Davidson and we have agreed on a compromise
30. on it.

31. PRESIDENT:

32. Senator Partee... Senator Partee.

33. SENATOR PARTEE:

1. Well, the explanation really didn't tell us what the
2. bill was about and...

3. SENATOR KNUEPFER:

4. ...I...I talked to Senator Vadalabene about this
5. bill earlier, but perhaps I should have talked to you. It
6. is a bill providing for county board elections downstate to
7. have their...giving them the permission to have their election
8. at the same time as the regular primary and the general
9. election. It...it's actually Representative Giorgi's bill.

10. SENATOR PARTEE:

11. Well, you're going to bring it out then we'll get a
12. chance to look at it. You're going to amend it, right?

13. SENATOR KNUEPFER:

14. Yes, I'm going to amend it.

15. SENATOR PARTEE:

16. Fine. All right, I have no objection.

17. PRESIDENT:

18. Is there further discussion? Senator McBroom, did you
19. wish recognition? Senator McBroom.

20. SENATOR MCBROOM:

21. Ah. No. Not really, thank you.

22. PRESIDENT:

23. ...Senator Knuepfer has moved to...Senator Knuepfer
24. has moved to take from the Table House Bill 389 and place
25. on the order of 2nd reading. All in favor signify by
26. saying aye. Contrary no. The motion carries...Senator
27. Scholl.

28. SENATOR SCHOLL:

29. Mr. President, I move to reconsider the vote by which the
30. Committee on Amendment 1 was adopted for purposes of offering
31. a substitute amendment...

32. PRESIDENT:

33. ...Now you wish to order 953 back from the order of

1. 2nd reading.

2. SENATOR SCHOLL:

3. That's right.

4. PRESIDENT:

5. Yes. Is there leave? SB 953 is ordered to 2nd reading
6. for the purposes of an amendment. Senator Scholl.

7. SENATOR SCHOLL:

8. SB 953 now has one amendment which was put on in
9. Committee. Through an inadvertent...there was a significant
10. typographical error on page 1, line 2 of that amendment.
11. Line 2 now reads, by deleting line 1 through 28 and inserting
12. in lieu thereof. The typographical error is with regard to
13. number 1 which should have read 7. I would like to offer a
14. substitute amendment which makes no change to Committee
15. Amendment No. 1 except to change on page 1, line 2 to number 7
16. for the number 1. The effect of the typographical error was
17. to delete both the title of the bill and the enacting clause.
18. Obviously, both are essential to the bill and I would like
19. the support of the members to permit me to correct this
20. typographical error.

21. PRESIDENT:

22. Senator Scholl moves to reconsider the vote by which
23. Amendment No...No. 1 was adopted. All in favor signify by
24. saying aye. Contrary no. The motion carries. The amendment
25. is now before the Body. Senator Scholl moves to Table
26. Amendment No. 1. All in favor signify by saying aye.
27. Contrary no. The motion to Table carries. Senator Scholl.

28. SENATOR SCHOLL:

29. Third reading.

30. PRESIDENT:

31. Yes. Now he moves the adoption of Amendment No. 2.
32. Senator Scholl moves...for what...Senator Rock.

33. SENATOR ROCK:

1. Yes. Mr. President, I had discussed this matter with
2. Senator Scholl. The original amendment was, in fact, defective
3. and I suggested an alternative amendment and I was just wondering
4. this...apparently is not the amendment I suggested. Is that
5. correct?

6. PRESIDENT:

7. Senator Scholl.

8. SENATOR SCHOLL:

9. I'm just correcting a typographical error on my bill.

10. PRESIDENT:

11. Senator Rock.

12. SENATOR ROCK:

13. Typographical error was that you've stricken the
14. enacting clause.. Now the question I asked was, are you
15. accepting the amendment which I submitted to you or is
16. this your own with that put back in?

17. SENATOR SCHOLL:

18. I'm accepting my own.

19. PRESIDENT:

20. All in favor of the motion to adopt Amendment No. 2
21. signify by saying aye. Contrary no. The motion carries.
22. Amendment No. 2 is adopted. 3rd reading. Senator Saperstein.

23. SENATOR SAPERSTEIN:

24. An in...Mr. President, an inquiry. Is this the time
25. to request a bill to move to 2nd reading from consideration
26. postponed for the purpose of an amendment?

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You've heard the motion of Senator Saperstein. All
29. in favor signify by saying aye. Recall 825 to the order of
30. 2nd reading for the purpose of considering an amendment.
31. Leave is granted. It's on consideration postponed, I'm sorry.

32. SECRETARY:

33. Amendment No...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Saperstein, the bill is now on 2nd reading.

3. Will you explain your amendment please.

4. SENATOR SAPERSTEIN:

5. ...This amends House Bill...Senate Bill 825 to add
6. the word after...psychiatrist or a physician licensed to
7. practice medicine in all its branches.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Is there further discussion?

10. SENATOR SAPERSTEIN:

11. I move the adoption.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. I'm sorry. Senator Saperstein moves the adoption
14. of Amendment No. 2. Is there further discussion? All in
15. favor of the adoption will signify by saying aye. Opposed.
16. The ayes have it. The amendment is adopted and the bill
17. will be returned to the order...any further amendments?
18. The bill will be returned to the order of consideration
19. postponed. We will now return to the order of Senate
20. Bills on third reading. The first bill is SB 924.

21. SECRETARY:

22. SB 924. (Secretary reads title of bill).

23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Sommer.

26. SENATOR SOMMER:

27. Mr. President, fellow members, this bill regulates the
28. licensed auctioneers, however, it's no auctioneers bill. There's
29. no grandfather clause in this one. It's been amended such that
30. a member of the House and a member of the Senate will sit on
31. the auction board, also members of the public and the auctioneers
32. will not control that board. It...it's a device to protect the
33. public in rural areas where we have many, many auctions. I

1. would entertain any questions you have and ask for a favorable
2. roll call on it.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Is there discussion? Senator Wooten.

5. SENATOR WOOTEN:

6. ...More in the nature of a comment, Mr. President, that
7. I sit on the committee that heard this bill although I must
8. confess I did not hear the testimony on this particular bill.
9. I've been limited to a reading of it. ...I feel that most of
10. the licensing we do is perhaps unfortunate because I'm convinced
11. that most of it serves a special interest and has limited
12. application to the interest of the consumer. This bill, to
13. be very blunt, reduces it for me, to something of an absurdity.
14. I just don't see the need of this bill. The fact that it does
15. not have a grandfather clause actually weakens it. I know that
16. in Sessions past this is...a bill of this sort is the occasion
17. for great hilarity in the House and perhaps if we provided for
18. them from this...from this Body we might be doing them a public
19. service in presenting something of a diversion. But I really think
20. that this is an unnecessary bill. It is, for me, it is pointless.
21. I don't think this is an activity which needs licensing at all
22. and because of that I...I oppose this legislation.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Further discussion? Senator Course.

25. SENATOR COURSE:

26. Senator Sommer did I understand that there was no grand-
27. father's clause in this here...act?

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Sommer.

30. SENATOR SOMMER:

31. ...That, Senator Course, that's the way I read it. There
32. is none.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Course.

2. SENATOR COURSE:

3. Well, I'll still support the bill. But I think it should
4. have a grandfather's clause otherwise we're going to run into
5. complications later on.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Walker.

8. SENATOR WALKER:

9. ...Thank you, Mr. President. I had the same question.
10. I'm happy, I'll join with Senator Course. I've discussed
11. this with the sponsor...I'll go along.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Is there further discussion? If not, the question is
14. shall SB 924 pass. Secretary will call the roll.

15. ACTING SECRETARY (Mr. Wright):

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

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Latherow.

22. SENATOR LATHEROW:

23. Mr. President, I know I'm just a little late but I'd
24. like to explain to Senator Sommer my vote.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. You are recognized.

27. SENATOR LATHEROW:

28. Would you permit me to ask him a couple of questions?

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. It's not in order, but I will.

31. SENATOR LATHEROW:

32. How many auctioneers are there in the State of Illinois, Sir?

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Sommer.

2. SENATOR SOMMER:

3. Senator Latherow, it's difficult to tell because we
4. don't have a licensing act and you can't put a count on
5. them. Currently, currently, you and I could be auctioneers
6. if we want to.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Latherow.

9. SENATOR LATHEROW:

10. Would...does this have a grandfather's clause in it?

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Sommer.

13. SENATOR SOMMER:

14. No, it does not.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Latherow.

17. SENATOR LATHEROW:

18. You aren't taking care of the present auctioneers in
19. this bill, is...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Sommer.

22. SENATOR SOMMER:

23. Senator Latherow, this is not a captive bill. I'm not
24. taking care of the present auctioneers. I'm going to take
25. care of the public on this.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Latherow.

28. SENATOR LATHEROW:

29. I'd just like to recognize...I'd just like to recognize
30. the fact here, Mr. President, that here are some men who have
31. been in business for many years in their lifetime and lo and
32. behold they'll wake up July 1, 1974, I think it is, and find
33. out the fact that now in order to go out and cry a sale and by

1. cry that's a term for an auctioneer's activity, they're going
2. to have to deposit with the State of Illinois one hundred and
3. fifty dollars and take an examination which after 30 years or
4. 40 or maybe 50 years of practice they find out they can't pass
5. and if they do happen to pass, they will have to give a hundred
6. dollars per year to operate for the first year. This is a
7. successful auctioneer. Now let me, if he can pass the examine,
8. now let me tell you what happens next year. Along comes a young
9. man who has followed this registered auctioneer for two years
10. and he decided he wants to become an auctioneer and he comes
11. in and he has to put down his fifty dollars and take the exam-
12. ination and if he doesn't pass then he has to wait, take
13. it again a year later. Now, along with that, let me tell you
14. this, there are many auctioneers working in the rural communities
15. of the State of Illinois who many not cry more than 2, 3 or 4
16. sales a year. This bill is a bill to eliminate a lot of these
17. fellows and make them come in under the position and the positive
18. spot of the auctioneer who works year around in his business.
19. Moonlighters are out. Is my time up, Mr. President.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. I can't see. My clock is not working.

22. SENATOR LATHEROW:

23. I vote no.

24. ACTING SECRETARY (MR. WRIGHT):

25. McBroom, McCarthy, Merritt, Mitchler...Mitchler,

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Mitchler, aye. We need some order, gentlemen.

28. ACTING SECRETARY (MR. WRIGHT):

29. Howard Mohr.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Gentlemen, please. We can't hear your responses.

32. ACTING SECRETARY (MR. WRIGHT):

33. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,

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

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Howard Mohr, aye. Scholl, aye. Vadalabene, standing.
6. Senator Sommer, did you vote? On this question the yeas
7. are 35. The nays are none. The bill having received the
8. constitutional majority is therefore declared passed. Senator
9. Buzbee, for what purpose do you arise?

10. SENATOR BUZBEE:

11. ...Yes, Sir. A point of parliamentary inquiry, Mr.
12. President. You just announced that roll call as 35 to none.
13. I voted no and I would like for my vote...

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. I'm sorry, I announced the wrong roll call. Let me
16. retract that. There were 9 nays.

17. SENATOR BUZBEE:

18. Thank you.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. 35 yeas and 9 nays. The bill having received its con-
21. stitutional majority required is therefore declared passed.
22. Senator Latherow, for what purpose do you rise?

23. SENATOR LATHEROW:

24. ...Mr. President, I just wanted to have a few of you
25. recognized. This is a bill for eight years that has passed
26. out of the House and I've had the privilege of sitting on...
27. for eight years over here. It was given to me and Senator
28. Sommer got it away from me this time so it's gone.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Sommer, SB 925. Will be read a third time by
31. title.

32. SECRETARY:

33. SB 925...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. We don't have to read this. ...Mr. Secretary, it's an
3. appropriation bill, we can hold it. We're holding all
4. appropriation bills are exempt. SB 931, Senator Latherow.

5. SECRETARY:

6. SB 931. (Secretary reads title of bill).
7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Latherow will explain his bill.

10. SENATOR LATHEROW:

11. Mr. President, I have an amendment for 931. I'd like
12. to move it back to 2nd for purposes of an amendment.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Latherow has asked leave of the Body to return
15. SB 931 to the order of 2nd reading for the purpose of considering
16. an amendment. Is leave granted? Leave is granted. The bill
17. is now on the order of 2nd reading and...

18. SENATOR LATHEROW:

19. Mr. President and members of the Senate, Amendment No. 2
20. which is this amendment, I think, will strike all the language
21. on page 4 line 21, all the new language. Otherwise this says
22. that for any reason temporarily unable to discharge the duties
23. of his office the Chief Environmental Engineer shall serve as
24. acting director. That is eliminated. So I'd move the adoption
25. of Amendment No. 2.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Latherow moves the adoption of Amendment No. 2 to
28. SB 931. All in favor will signify by saying aye. Opposed. The
29. ayes have it. The amendment is adopted. The bill is back on
30. the order of 3rd reading and we will take it up in the regular
31. order of business after some more has transpired. Senator Wooten,
32. for what purpose do you arise?

33. SENATOR WOOTEN:

1. In the absence of the printed amendment could I ask
2. about that, Senator Latherow, about that amendment? Does
3. that start at line 19?

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Latherow.

6. SENATOR LATHEROW:

7. It starts on line 21, in the event, and strikes all
8. new language thereafter.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Wooten has a copy of the amendment now.

11. Any further discussion? The amendment is adopted. The bill
12. is on the order of 3rd reading. We will now consider Senate
13. Bills ...937. Senator Howard Mohr.

14. SECRETARY:

15. SB 937. (Secretary reads title of bill).

16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Mohr will explain his bill.

19. SENATOR MOHR:

20. Yes, Mr. President, members of the Senate. This bill
21. would permit the municipal authorities and real estate developers
22. to agree, an written annexation agreement, to any effective period
23. up to ten years. It now calls for five years. We're merely ex-
24. tending it...the agreement from five to ten years. This is wanted
25. by the City of DesPlaines and probably some others. Happy to answer
26. any questions.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any discussion? Senator Wooten.

29. SENATOR WOOTEN:

30. Senator Mohr, why do you need this change?

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Mohr.

33. SENATOR MOHR:

1. Well, I...I don't need it Senator. It was requested
2. by the City of DesPlaines who have large tracts of land and
3. in order to better negotitate with developers they're able
4. to do a better job of negotiating they feel on a long term basis
5. it's currently now five years and they would extend it to ten
6. years it's a written...written agreement.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Wooten.

9. SENATOR WOOTEN:

10. Well, I was wondering, you know, that kind of trans-
11. action negotiations would necessitate such an extended period
12. of time. It would seem, at least on the surface, that five
13. years would be ample to conclude all such arrangements.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Mohr.

16. SENATOR MOHR:

17. Would you...I didn't hear that.

18. SENATOR WOOTEN:

19. Didn't hear my question. ...I was wondering why this
20. doubling of time is necessary because on the surface, at least,
21. it would appear that five years is ample time for such agreements.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Mohr.

24. SENATOR MOHR:

25. Well, Senator...in that particular area they have some
26. very large developments that are going to overall take longer
27. than the five year period to develop.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Wooten.

30. SENATOR WOOTEN:

31. I...I...guess I'm just failing to understand. We're
32. talking about annexation, right? You don't annex it in one
33. section at a time?

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Mohr.

3. SENATOR MOHR:

4. ...As I understand it, Senator, this particular instance
5. and I can see it in other municipalities where they do have
6. large acreage or large tracts available to them...they feel
7. that it takes longer than the five years to complete the
8. project. That's...that's just the purpose of it.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Which? Senator Wooten or Senator Mohr, who is... Is
11. there further discussion? Senator Glass.

12. SENATOR GLASS:

13. Mr. President, I'd like to add a word of support for
14. this bill. I think it is tremendously important for the
15. municipalities to have the flexibility to extend these agreements
16. longer than five years. In my experience that does put some
17. undue pressure upon municipalities when they do have to limit
18. themselves to the five years. And I think this is an excellent
19. bill. There's no reason why an agreement shouldn't extend
20. beyond that period and I think it will protect the people in the
21. various municipalities and would urge the support of this bill.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Mohr.

24. SENATOR MOHR:

25. Mr. President, Senator Rock just informs me that he has
26. an amendment he'd like to put on there. I have no objections
27. to it...would bring it back to the order of 2nd reading.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Mohr ask leave of the Body to have 937 returned
30. to the order of 2nd reading for the...we have to take the motion
31. to move the bill out of the record and Senator Mohr now moves that
32. SB 937 be returned to the order of 2nd reading for the purpose
33. of adopting amendment. Is leave granted? Leave is granted.

1. and the bill is now on the order of 2nd reading. Senator
2. Kenneth Hall, for what purpose do you arise?

3. SENATOR KENNETH HALL:

4. ...Are you going to put an amendment on it? I'd like
5. to know what that amendment is.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Ask Senator Rock. He has the amendment.

8. SECRETARY:

9. Amendment No. 1 by Senator Rock.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Rock will explain the amendment.

12. SENATOR ROCK:

13. Yes. Mr. President, members of the Senate. I apologize
14. for the late arrival of the amendment. I thought it was on
15. already. This bill is an amendment to the Cities and Villages
16. Act and Amendment No. 1 merely reiterates the language of our
17. Constitution and says this Amendatory Act of 1973 is not a
18. limit upon any municipality which is a home rule unit. And
19. I would move its adoption.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any discussion on the amendment? Senator Bruce.

22. SENATOR BRUCE:

23. Yes, Mr. President and members of this Body. I stand in
24. opposition to this amendment. It appears to me that if the bill
25. is defective in some way to amend it so that the City of Chicago
26. or Cook County is not affected or any home rule unit just forces
27. upon us who have no home rule unit the effects of the law. Now
28. a problem in Cook County and Will and DuPage that these people can
29. not get their annexations done within five years does not seem to
30. make good sense to exempt Cook County. It seems to me the bill
31. is on the merits, up or down. I don't believe we ought to exempt
32. anybody. If we have problems with the agreements let's have them
33. apply ten years to anybody. It shouldn't be just some people

1. that it applies to and some people it does not.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. For what purpose does Senator Daley rise?

4. SENATOR DALEY:

5. ...On a point of personal privilege, Mr. President.

6. I would like to introduce a group of students down from my

7. district from Hedges School, up in the balcony.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. The Chair recognizes Senator Rock. Could we have some
10. order please, Ladies and Gentlemen. Please. Senator Rock.

11. Just a moment, Senator.

12. SENATOR ROCK:

13. Well, Mr. President, members of the Senate. I don't

14. know now if Senator Bruce is being swayed by some of the

15. Neanderthal thinking around here. The fact of the matter is

16. we do have a new Constitution and in that new Constitution it

17. gives home rule units certain powers. There are some 65 home

18. rule units in the State of Illinois. I'm sorry that he does

19. not happen to have one in his particular area. All this

20. amendment says it that this Act, if adopted, is not a limit on

21. any home rule power. And if it...a limit it is preemptive and

22. it requires a three-fifths vote. I would move the adoption

23. of this amendment.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Any further discussion? Senator Knuepfer.

26. SENATOR KNUEFFER:

27. This is going to end up like Dave Regner...Senator Regner's

28. Arlington Heights Fire Cadet Bill. DesPlaines is a home rule unit,

29. you've now put on an amendment that really means nothing as far as

30. I'm concerned. Now either DesPlaines needs the legislation or they

31. don't need the legislation. If they need it, leave the amendment off.

32. If it isn't necessary then the bill isn't necessary but DesPlaines

33. and Chicago are in the same position. They're both home rule units

1. under the new Constitution.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Mohr.

4. SENATOR MOHR:

5. Senator Rock was under the impression

6. amendment put on here and...there wasn't an amendment put on

7. I didn't have any agreement with them to my knowledge. I did

8. agree to bring it back and let him try to amend it. I would

9. have to oppose the amendment and let it go up or down. I...

10. ask for a roll call on the amendment.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. ...Any further discussion? Senator Rock has a move...

13. has moved the adoption of Amendment No. 1 to SB 937. Senator

14. Mohr has risen in opposition and request a roll call. And a

15. roll call will be had. Those in favor of Senator Rock's motion

16. will vote aye. Those sustaining Senator Mohr will vote in the

17. negative.

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 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 GRAHAM):

27. Senator Rock.

28. SENATOR ROCK:

29. Apparently misunderstanding is rampant this afternoon.

30. Senator Bruce seems to be in somewhat fit of pique because of

31. the applicability or the fact that Chicago is a home rule unit.

32. If somebody would bother to read the bill. The bill is

33. It says the corporate authorities may do this. The fact of the

1. matter is that if the City of Chicago wanted to enter into
2. an agreement like this for twenty years they could do it
3. because they are in fact a home rule unit. All this per-
4. missive bill says and this amendment attempts is do is say
5. cities and villages are now permitted to extend for ten
6. years however it is not a limit on any home rule unit if
7. in fact a home rule unit wants to do it for twenty they
8. have that power under the Constitution. I vote aye.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Continue the roll.

11. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. On this question the yeas are 16. The nays are 25.
17. And...those supporting Senator Mohr are 25 and Amendment No. 1
18. as proposed is declared lost. The bill will now be returned
19. to the order of 3rd reading. If there are no further amendments...
20. Senator Rock.

21. SENATOR ROCK:

22. We are now at the point where it's at passage stage?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. It is now at passage stage.

25. SENATOR ROCK:

26. Well, then my question is one parliamentary inquiry,
27. Mr. President. As I now read this bill it is totally
28. preemptive and as such requires under our Constitution a
29. three-fifths vote and I would ask for a ruling from the
30. Chair.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Unless you give me substantial evidence that your
33. suggestion is correct the Chair will rule that it takes 30

1. votes to pass this bill when we call it on 3rd reading.
2. And we are now at that point now. The Secretary will
3. read the bill a 3rd time.

4. SECRETARY:

5. SB 937. (Secretary reads title of bill).
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. This...the question before the Body is, shall SB 931
9. pass? 937. On that question...further discussion, Senator
10. Rock.

11. SENATOR ROCK:

12. I don't mean to belabor but I think the record
13. ought to be clear. I've asked the Chair to rule under
14. Article 7, Section 6, Subsection G of the Constitution of
15. the State of Illinois that this bill in its present form
16. does, in fact, limit the power of a home rule unit. And
17. I would ask the Chair to rule, as such, it requires a
18. three-fifths vote.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The Chair has ruled and in his opinion it does not
21. and it takes 30 votes to pass the bill. On the question
22. the Secretary will call the roll.

23. SECRETARY:

24. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
25. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
26. Dougherty, Fawell,

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Fawell...I'm sorry, Senator Dougherty.

29. SENATOR DOUGHERTY:

30. I'm in agreement with Senator Rock. I believe this
31. bill requires three-fifths vote whether the Chair has ruled
32. otherwise.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Fawell.

2. SENATOR FAWELL:

3. Well, I wanted to say I think the bill is a very good
4. one because municipalities ought to have the ten year period
5. if they wish to use it on annexation agreement. I must confess,
6. though, I think Senator Rock is correct. That this is, therefore,
7. a limitation upon home rule entities and thus what Senator Mohr
8. is attempting to do may come to naught but I vote aye on the
9. bill.

10. SECRETARY:

11. 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,
17. Weaver, Welsh, Wooten, Mr. President.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Glass, aye. Hall, aye. Bartulis, aye. Daley, no.
20. There has been a request for a call of the absentees, the
21. absentees will be called. On this question the yeas are 30.
22. The nays are 4. The bill having received the constitutional
23. majority is therefore declared passed. We will...we will...
24. Senator Mohr.

25. SENATOR MOHR:

26. Having voted on the prevailing side, I move to reconsider
27. the vote by which that bill passed.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Mohr moves to reconsider the vote by which the
30. bill has passed and Senator Scholl moves to Table the motion
31. of Senator Mohr. All in favor of the motion of Senator Scholl
32. will signify by saying aye. Opposed. The ayes have it and
33. the motion is Tabled. Senator Scholl.

1. SENATOR SCHOLL:

2. Mr. President, members of the Senate, I think it would
3. be real nice if we recognized the fact that a former Senator
4. from this Chamber, Senator Bill Carroll, who is a neighborhood
5. newspaper publisher in my district. Senator Carroll.

6. PRESIDENT:

7. We will proceed with the consideration of the Agreed
8. Bill List. The Chair wishes to announce that the Agreed
9. Bill List has been reduced somewhat in number. If you will
10. give my your attention I will read off the bills now on the
11. Agreed Bill List. SB 225. SB 274. SB 297. SB 414. SB 597.
12. SB 894. SB 921. SB 932. SB 1007. SB 1133. The rest of
13. them that you originally had on the list have been taken from
14. the Agreed Bill List. Now, then, is there unanimous consent
15. for the Senate to consider the final passage of the following
16. bills by one roll call. The vote of each Senator to be entered
17. in the Journal on each bill according to his or her vote on this
18. roll call. And the Secretary will read the bills.

19. SECRETARY:

20. SB 225. (Secretary reads title of bill)

21. 3rd reading of the bill.

22. HB 274. (Secretary reads title of bill)

23. 3rd reading of the bill.

24. HB 297. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. HB 414...Senate Bill, I'm sorry, Senate Bills. 414

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. HB...SB 597. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. SB 894. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. SB 921 (Secretary reads title of bill)

3rd reading of the bill.

1. SB 932. (Secretary reads title of bill).
2. SB 1007. (Secretary reads title of bill).
3. SB 1133. (Secretary reads title of bill).

4. 3rd reading of the Senate Bills.

5. PRESIDENT:

6. Is there any objection to the consideration of the
7. final passage of these bills by this roll call? The vote
8. of each Senator to be entered in the Journal on each bill
9. according to his or her vote upon this roll call. Hearing
10. no objections the next roll call will be on the final passage
11. of the bills just read by the Secretary. Is there any dis-
12. cussion? The question is shall this series of bills pass and
13. on that question the Secretary shall call the roll.

14. SECRETARY:

15. Bartulis, Bell, Berning, Bruce, Buzbee,

16. PRESIDENT:

17. Senator Buzbee.

18. SENATOR BUZBEE:

19. Mr. President, a point of parliamentary inquiry. This
20. morning one of my bills that was passed by because I was told
21. it was on the Agreed Bill List, now I see it's been removed.
22. So I'd like to ask permission to go back and pick that up just
23. as soon as we finish this business.

24. PRESIDENT:

25. ...We will get to that bill later on today.

26. SENATOR BUZBEE:

27. ...Yes, Sir, Mr. President.

28. PRESIDENT:

29. ...How do you wish to vote?

30. SENATOR BUZBEE:

31. My vote is aye.

32. PRESIDENT:

33. We are on roll call.

1. SENATOR BUZBEE:

2. My vote is aye and...parliamentary inquiry...

3. PRESIDENT:

4. Proceed with the roll call.

5. SECRETARY:

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

15. PRESIDENT:

16. Savickas, aye. Will...will any Senator that desires
17. to change a vote on any bill notify the Secretary. Senator
18. Sours.

19. SENATOR SOURS:

20. I left a little memorandum in your office. I presume
21. that's sufficient.

22. PRESIDENT:

23. That has been transmitted to the Secretary. Has every
24. Senator notified the Secretary? Senator Conolly, aye. This
25. series of bills having received a constitutional majority by
26. record vote is declared passed. The record vote of the yeas
27. and nays for each bill passed shall be entered in the Journal.
28. For what purpose does Senator Buzbee arise?

29. SENATOR BUZBEE:

30. A point of order, Mr. President. I had a couple of
31. bills on the Agreed Bill List I understand there were taken
32. off. I understand the reason for their being taken off but
33. my point is that about 11:30 this morning we passed over one

1. of these bills because we said it was on the Agreed Bill
2. List and it will be handled at 2 o'clock. What I'm asking
3. now is, is it possible for us to go back and pick up that bill at
4. this time? You said earlier, later today.

5. PRESIDENT:

6. Senator, this same circumstance has occurred with several
7. other Senators. We will not proceed to your bills alone,
8. we will have to go back to all of those that were stricken
9. from the Agreed Bill List, which any Senator has the right
10. to do. And we will, in good time, get to your bill on a
11. procedure that will be fair to everyone. SB 939. Is
12. Senator Fawell on the Floor? ...SB 943, Senator...

13. SECRETARY:

14. SB 943. (Secretary reads title of bill)
15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Saperstein.

18. SENATOR SAPERSTEIN:

19. Mr. President,...Ladies and Gentlemen of the Senate,
20. 943 does exactly what is listed on our Calendar. It provides
21. that the Directors annual report in addition to being sent to
22. the members of the Legislature and to the Governor is sent to
23. the Mental Health Commission. I urge your support.

24. PRESIDENT:

25. Is there further discussion? The question is shall SB 943
26. pass? The Secretary will call the roll.

27. SECRETARY:

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

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

4. PRESIDENT:

5. On that question the yeas are 38. The nays are none.
6. SB 943 having received a constitutional majority is declared
7. passed. SB 939. Senator Fawell.

8. SECRETARY:

9. SB 939. (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDENT:

12. Senator Fawell.

13. SENATOR FAWELL:

14. Yes...Mr. President, members of the Senate, this bill
15. as the synopsis indicates amends the Workmen's Compensation
16. Act to provide for maximum benefits for voluntary law en-
17. forcement officers and firemen who are injured, killed in
18. the line of duty. It grows out of the Palatine disaster and
19. also very much of a tragedy in DuPage County when volunteer
20. firemen were killed in the line of duty. I know of no opposi-
21. tion for those of you who are maybe somewhat concerned Doug
22. Stevenson is in support of the legislation as well as all police and
23. firefighter groups and I would ask for a favorable roll call.

24. PRESIDENT:

25. Is there...Senator Knuppel.

26. SENATOR KNUPPEL

27. Where will it be paid from?

28. PRESIDENT:

29. Senator Fawell.

30. SENATOR FAWELL:

31. Where will...yes, yes, the municipality would be carrying
32. the workmen's comp.

33. PRESIDENT:

Senator Knuppel.

1. SENATOR KNUPPEL:

2. ...Still have to carry workmen's compensation now on
3. voluntary firemen and policemen where they have not before.

4. PRESIDENT: .

5. Senator Fawell.

6. SENATOR FAWELL:

7. No. they...have carried it but the problem is that be-
8. cause they're part time and voluntary they...they're not entitled
9. to maximum benefits if killed or injured in the line of duty.
10. Thus here they're entitled to the maximum benefits. The
11. coverage has been there but as I understand it had been a very
12. minimal coverage as a result of their part time voluntary status.

13. PRESIDENT:

14. Is there further ...Senator Mitchler.

15. SENATOR MITCHLER:

16. ...Mr. President, members of the Senate, this bill
17. involves amendment to the Workmen's Compensation Act. As
18. Chairman of the Industry and Labor Committee we have most
19. of the Workmen's Compensation Act bills referred to our Com-
20. mittee and I wasn't aware of this particular bill until it
21. ...come up on reading here now and I notice that it was assigned
22. to the Education Committee. Does the sponsor advise me why
23. a Workmen's Compensation Bill would be referred to the
24. Education Committee? What's so peculiar about this bill?

25. PRESIDENT:

26. Senator Fawell.

27. SENATOR FAWELL:

28. I, frankly, Senator we wondered that when it appeared. It...
29. does cover...there is this one reference to...individuals who
30. may be injured or killed in the line of duty as guards at school
31. crossings and...that reference is made in the legislation and
32. perhaps that was the basis for the assignment but I frankly was
33. quite surprised when I saw in Education and we went ahead with
it. I probably should have talked to you about it but then

1. again Doug Stevenson has gone over it and I have here a letter
2. from him indicating that he feels that it's very helpful. In
3. fact, I think it probably, everything that this bill does. I'm
4. going to check this out more, is probably accomplished from
5. what I can gather in Senator Hudson Sours' SB 567. I don't
6. know if that went through your Committee or not, I believe
7. it did.

8. PRESIDENT:

9. Senator Mitchler.

10. SENATOR MITCHLER:

11. Well, if this bill is designed to take care of Workmen's
12. Compensation for guards at school crossings then I suppose it
13. was properly assigned to the Senate Education Committee but I
14. look on here, there's one sponsor Senator Fawell and he's
15. Chairman of the Senate Education Committee I don't think that's
16. related in any way but I have no objection to the bill.

17. PRESIDENT:

18. Is there further discussion? The question is shall
19. SB 939 pass. The Secretary will call the roll.

20. SECRETARY:

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

31. PRESIDENT:

32. Senator Carroll, aye. Senator Johns, aye. Nudelman, aye.
33. Partee, aye. Kenneth Hall, aye. Nimrod, aye. Senator Bruce, aye.

1. Senator Sommer, aye. Senator Latherow, aye. On that
2. question the yeas are 39. The nays are none. SB 939
3. having received a constitutional majority is declared
4. passed. SB 931.

5. SECRETARY:

6. SB 931. (Secretary reads title of bill)
7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Latherow.

10. SENATOR LATHEROW:

11. Mr. President, members of the Senate, this bill would
12. require that the Director of the Environmental Protection
13. Agency should appoint a chief environmental engineer who shall
14. be a registered or a professional engineer. Now we have
15. stricken with the last amendment what I think probably is one of
16. the most objectionable parts of that with Amendment No. 2.
17. Now I'd be glad to answer any questions concerning this. He
18. would have to be qualified in at least two fields in the en-
19. vironmental facts they're pollution, public water supply, sewage,
20. solid waste and so, or water pollution. I'd appreciate a
21. favorable roll call.

22. PRESIDENT:

23. Senator Knuppel.

24. SENATOR KNUPPEL:

25. I don't take a long time on debating this...I personally
26. feel they've got about 400 personnel between 4 and 500 personnel.
27. They've got something like about three-fourths of them engineers
28. in the Environmental Protection Agency now. I don't see the need
29. for it. I think it's a sot for the engineering association and
30. it's unnecessary with as many engineers as they have. That's
31. all I have to say.

32. PRESIDENT:

33. Senator Wooten.

1. SENATOR WOOTEN:

2. It is true, Mr. President, that the second amendment
3. removes the most objectionable part of the bill. But the
4. thing bothers me a little bit and it does seem to be a play
5. by professional engineers to move themselves quickly into
6. the position of power. I believe as long as their services
7. are currently available I don't know that we should pass
8. legislation to guarantee engineers a nice spot near the
9. head of this Agency.

10. PRESIDENT:

11. Senator Partee.

12. SENATOR PARTEE:

13. Of course, they said when the man kissed a cow, every
14. man to his own taste but to me I don't see this as engineers
15. looking for any space for themselves or guaranteeing any
16. space for themselves. The fact of the matter is I think the
17. Chairman of the EPA ought to be an engineer frankly. And I
18. see nothing wrong with broadening experience and training on
19. this Board. Now we talked yesterday about the divergents of
20. talent to go on Boards where there are multiple members. I
21. think it makes a better board, a stronger board, and I cer-
22. tainly think with the subject matter being what it is that
23. there ought to be an engineer on this Board. We just passed a
24. bill here this morning to put a farmer on the Board. I think
25. the Board ought to have more than one kind of person. I think
26. it's a good bill and I plan to support it.

27. PRESIDENT:

28. Senator Weaver.

29. SENATOR WEAVER:

30. Well, Mr. President, I, too, rise in support of this
31. bill. The professional engineers of the State of Illinois are
32. very concerned about the matters that come from the Pollution
33. Control Board and the Environmental Protection Agency and I

1. think they certainly should be represented and I would hope
2. that everybody would support this bill.

3. PRESIDENT:

4. Is there further discussion? The question is...
5. Senator Latherow.

6. SENATOR LATHEROW:

7. Well...Mr. President, I just would like to solicit the
8. fact that I think it's time we recognize the fact that in this
9. particular agency there is need at the top for seasoned
10. professional judgment. Thank you, Mr. President.

11. PRESIDENT:

12. The question is shall SB 931 pass. The Secretary
13. 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,
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. Senator Shapiro, aye. Senator Latherow...On that
27. question the yeas are 41. The nays are 5. SB 931 having
28. received the constitutional majority is declared passed.
29. SB 947.

30. SECRETARY:

31. SB 947 (Secretary reads title of bill)
32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Netsch.

2. SENATOR NETSCH:

3. SB 947 was requested by the Department of Corrections.
4. It's designed to deal, at least on an ^{interim} interim basis, with the
5. problem of communities which have no appropriate detention
6. facility for juvenile offenders. And what it does is to permit
7. the Department of Corrections to authorize the use of an institution
8. of the Juvenile Division as a detention facility for minors
9. under 16 when they are ordered into that situation by a court
10. and it fills...attempts to fill that gap. It does specifically
11. provide that juveniles confined by the Department of Corrections
12. under this section must be kept separate from adjudicated
13. delinquents. There was no opposition before the Committee which
14. passed it out unanimously and as I recall several of the Senators
15. on the Committee had indicated that they were familiar with this
16. problem and welcomed this piece of legislation. I think
17. specifically Senator Bell, Senator Schaffer, Senator Roe,
18. as I recall. If there are no questions I would...

19. PRESIDENT:

20. Is there further discussion? The question is shall
21. SB...974 pass. The Secretary will call the roll. I'm sorry.
22. The question is shall SB 947 pass. Secretary will call the
23. roll.

24. SECRETARY:

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

1. PRESIDENT:

2. Senator Palmer, aye. Senator Course, aye. Graham, aye.
3. Hynes, aye. Savickas, aye. On that question the yeas are 40.
4. The nays are none. SB 947 having received the constitutional
5. majority is declared passed. SB 948.

6. SECRETARY:

7. SB 948 (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR NETSCH:

12. Mr. President, SB 948 was requested by the Department of
13. Children and Family Services and deals with the institution
14. known as the Illinois Soldiers and Sailors Children's School.
15. The heart of the bill is contained in two sentences: Children
16. whose parent or parents, including adoptive parents have
17. served in the Armed Forces of the United States shall be
18. given preference. Other dependent or neglected children may
19. be admitted when space is available. The problem that has
20. occurred is that the Institution has been losing population
21. over a period of about ten years. It's population has declined
22. from 170 ten years ago...I'm sorry, from 281 in 1963 to 170
23. now. At the same time the cost per child, not surprisingly,
24. has increased from about \$4500 per child to \$10,000 per
25. child. All that the Department and the Institution wants is
26. the authority to fill the empty beds when they are available. In
27. no way does it eliminate or diminish the veteran's preference.

28. PRESIDENT:

29. Senator Mohr.

30. SENATOR MOHR:

31. Yes, I wonder if the sponsor would yield to a question?
32. Senator, the name of this home is the Soldiers and Sailors
33. Children's School, is that correct? ...I presume this was

1. established for the purpose of taking care of the children
2. of veterans over the years. I wonder, have you had a reading
3. or an opinion from the Veteran's Commission or any of the
4. veteran's organizations on this?

5. PRESIDENT:

6. Senator Netsch.

7. SENATOR NETSCH:

8. I can answer that partially, from the Veteran's Commission,
9. no, I haven't heard anything one way or the other. The people in
10. the Department before the bill was introduced, according to the
11. information that they gave me, had consulted with all of the
12. major veteran organizations. A few of the representatives have
13. indicated they can not support such a change but a substantial
14. majority stated they will favor the bill if the Department will
15. guarantee that neither quantity or quality of it's service to
16. children of veterans will be diminished as a result. And that
17. is the major information I have. One person was present at
18. the hearing on the bill from the...a Mr. Corwin from the Navy
19. Clubs of American. Noone else was present to testify one way
20. or the other, Senator Mohr.

21. PRESIDENT:

22. Senator Mohr.

23. SENATOR MOHR:

24. Well, Senator, again I say I believe I don't know the
25. history of this Home but it was a bill for a specific purpose
26. and it was taking care of the sons and daughters of veterans.
27. I think that we're defeating the original purpose and I don't
28. like to think that we have that authority. I know that placing
29. children in the Home today is a tremendous problem and I know
30. the problems the Veterans Administration has with placing these
31. young people. So...I...sorry, but I can't support this.

32. PRESIDENT:

33. Senator Wooten.

1. SENATOR WOOTEN:

2. Yes, Mr. President, I would just like to point out to
3. Senator Mohr that the bill is drafted in such a way so this
4. in no way impairs the rights of veteran's children. The
5. difficulty seems to be that the Home is half empty and the
6. cost per child has become prohibitive. There is some sentiment
7. for...Senator Mohr, there is some sentiment for closing this
8. Home altogether simply because it is extremely hard to justify
9. the high cost of maintaining the children who are there. It
10. would seem to me that what this bill attempts to do is to bring
11. a little fiscal responsibility into the situation. The way the
12. bill is drafted first preference is given to the children of
13. veterans. If there are openings in the Home and I understand
14. it's only about half full and that pretty much is the case
15. then they may take other children always with the provision
16. that space will be made on a priority basis for children of
17. veterans. Now, as I say, I would think the veterans groups
18. on a careful examination would promote this because it's
19. becoming more and more difficult to justify the existence
20. of this Home. If they want this kind of service and I think
21. they should have it, then we have to find a way to keep the
22. place from standing half empty and to justify what is now a
23. very high cost per child. As long as we arrange to give priority
24. to children of veterans I really do not understand what the
25. objection would be.

26. PRESIDENT:

27. Senator Mohr.

28. SENATOR MOHR:

29. I don't know that I can engage in debate with somebody other
30. than the sponsor, Mr. President, but I'll make my remarks very
31. brief. If this bill had the endorsement of the Veteran's Commis-
32. sion and the various veterans organization I could support it.
33. It's as simple as that.

1. PRESIDENT:

2. Senator Knuepfer.

3. SENATOR KNUEPFER:

4. Well, this whole institution is a case of bureaucracy
5. that refuses to give up in the face of no job to do anymore.
6. When I first came into this Legislature it cost about \$6,000
7. per year to keep a child in this institution. They gave me
8. a lot of reasons at that time that these were disturbed children
9. and there were all kinds of problems. And I'm sorry to say
10. I believed them. At the Committee testimony we had the other
11. day on this, the Department acknowledged that if there were
12. any emotionally disturbed children they couldn't handle them.
13. For a current cost of some \$10,000 per child all they can
14. handle is routine cases. Now, this institution ought to
15. be put away when the children of the veterans have dis-
16. appeared for one reason; children nowadays are being
17. put into foster homes not raised in the old fashion kind
18. of orphan asylum. What's going on here is the same kind
19. of thing the TB groups have attempted to do. To preserve
20. their little bureaucracies when TB no longer became a problem.
21. And they fought and fought to become all kind of lung...resolved
22. lung problems. This is an institution that ought to be put
23. to sleep. If...and the synopsis is totally a misnomer. What
24. they are trying to do is to take in additional children so that
25. hopefully they may get the cost down to \$10,000 per child
26. because you see if they don't take in additional members
27. it's going to be \$13,000 this year. Now, assuming we get
28. it down to \$10,000, I submit to you that that is no bargain
29. whatsoever and for \$10,000 you can send somebody even to a
30. fine school like the Yale Law School. This is an institution
31. that ought to go by the board, we ought to put it to sleep,
32. we should not give it new duties and new functions to
33. perpetuate what I firmly believe

1. is the most high cost institution the State of Illinois for
2. dealing with really normal children.

3. PRESIDENT:

4. Is there further...Senator Chew.

5. SENATOR CHEW:

6. Yes, Mr. President, if the sponsor would yield to a
7. couple of questions I could get it clear in my mind just
8. exactly what we're doing here.

9. PRESIDENT:

10. Senator Netsch.

11. SENATOR CHEW:

12. Senator...I...I believe the Department of Children
13. and Family Services is a code department under the Governor's
14. Office. Is that correct?

15. SENATOR NETSCH:

16. Would you repeat the question, Senator?

17. SENATOR CHEW:

18. The Department of Children and Family Services is a
19. code department under the Governor's Office?

20. SENATOR NETSCH:

21. Correct.

22. SENATOR CHEW:

23. Well, now are you asking that this Department minus the
24. Soldiers and Sailors Home permit children of veterans...veterans
25. over and above other children in the State of Illinois.

26. PRESIDENT:

27. Senator Netsch.

28. SENATOR NETSCH:

29. That is the present law, Senator Chew. The preference
30. for veterans children for that institution already exists and
31. has existed for many years. There is no attempt to change that
32. in this bill. This bill is intended only to take an additional
33. step which is to say that where there are vacancies, children

1. whose parents were not veterans may be admitted to fill the
2. vacancies.

3. PRESIDENT:

4. Senator Chew.

5. SENATOR CHEW:

6. Matters only dealing with the Soldiers and Sailors
7. Children's Home, is that correct? Senator?

8. PRESIDENT:

9. Senator Netsch.

10. SENATOR NETSCH:

11. That is correct.

12. SENATOR CHEW:

13. Has nothing to do with the other Department of Children
14. and Family Services?

15. SENATOR NETSCH:

16. That is correct.

17. SENATOR CHEW:

18. Thank you.

19. PRESIDENT:

20. Senator Mitchler.

21. SENATOR MITCHLER:

22. A question directed to the sponsor. Who actually
23. proposed this bill, Senator Netsch.

24. PRESIDENT:

25. Senator Netsch.

26. SENATOR NETSCH:

27. The...Department of Children and Family Services.

28. PRESIDENT:

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. Well,...thank you for knowing who proposed it but I'll
32. tell you who is opposed to it. All of your veterans organizations
33. in the State of Illinois are opposed to this bill for one thing.

1. Mr. Livonati representing the American Legion, Frank Wright
2. from the VFW and all of them. This is taking away and eliminating
3. in this act dependent children of veterans saying that well they'll
4. get preference. Now I might point out to you that we have many
5. of the older veterans when this Soldiers and Sailors Home
6. Children's School was established but I want to remind you
7. that you have thousands and thousands of young veterans who
8. have dependent children who will need this facility. I think
9. Senator Netsch before you sponsor a bill of this type that you
10. would take that into consideration and understand the veterans
11. preference that has prevailed in this State for many, many years.
12. That you would have contacted these veterans organizations and
13. found out whether or not it was acceptable to them. But I will
14. tell you now that it is in opposition to their wishes and I
15. would ask for an unfavorable roll call on SB 948.

16. PRESIDENT:

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes, Mr. President, would the Senator yield to a question?

20. PRESIDENT:

21. Senator Netsch.

22. SENATOR SAVICKAS:

23. Senator, with these vacancies who will determine who
24. fills these vacancies and then I would like to go a little
25. further...the determination to fill all the vacancies that
26. are left in the Home how will there be any room for dependent
27. children from servicemen.

28. SENATOR NETSCH:

29. The...

30. PRESIDENT:

31. Senator Netsch.

32. SENATOR NETSCH:

33. The Department would be the determinant what children

1. would fill the vacancy. The children, of course, come under
2. its jurisdiction through court commitment and other commitments.
3. But when they are in custody their placement in the institution
4. is determined by...in large part whether or not there is any
5. other place they can be placed. One of the reasons...one of
6. several reasons why the population of the institution has declined
7. is not just the declining number of veterans in the age group
8. with children who might be placed in this institution.

9. PRESIDENT:

10. Senator Savickas.

11. SENATOR SAVICKAS:

12. Well now we come to the other part. How about opening
13. now once the Department puts these children in there they
14. evidently will never take them out so that openings will never
15. be made available for the children of the veterans. That they're
16. going to fill it up and that's going to be it because there must
17. be more need for these facilities than just this one Home can
18. take care of as it is.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. I...I'm sorry, Senator Savickas, I didn't finish making
23. my point when my microphone went off. ...The Department has
24. been attempting for a long period of time to place the children
25. of veterans that come into its custody in foster homes and
26. other arrangements that are more homelike. It has used the
27. institution only as, in effect, a last resort where it cannot
28. find a more appropriate arrangement. That, also, is one of
29. the reasons why the population has been declining. There is
30. no question that if the population of the institution is in
31. part filled by those who are not children of veterans that
32. that will have no bearing whatsoever on the veterans preference
33. because there is always a continuing turnover in the population

and the Department has also assured us and assured us at the hearing that they have enough flexibility in their accommodations that there would never be a child of a veteran kept out of the institution because they were attempting to use it at maximum capacity.

PRESIDENT:

Senator Berning.

SENATOR BERNING:

Mr. President, I move the previous question.

PRESIDENT:

Senator Berning has moved the previous question. All in favor signify by saying aye. Contrary no. The motion carries. The question is shall the main question now be put. And that question is shall SB 948 pass. Secretary will call the roll.

ACTING SECRETARY (MR. WRIGHT):

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

PRESIDENT:

Senator Knuppel.

SENATOR KNUPPEL:

I was cut off by the motion to move the previous question. I've heard the arguments here on the Floor. Most of them are spurious and specious. First of all, if we're operating this Agency at half what it should be operated at there is no reason the Child and Family Services if they have difficulty placing children shouldn't use this as long as veterans children have preference. Now maybe Senator Knuepfer is right. Maybe it ought to be quietly put to death. But until it is quietly put to death we ought to make the most economic use of it we can. It just doesn't make sense to say that the veterans

1. children are the only ones entitled to use it at the expense
2. of the taxpayer. And the arguments that have been raised if
3. Senator Knuepfer thinks it ought to be put to sleep he should

4. introduce a bill to do that. As long as we have it, as
5. long as we have to support it we ought to use it as economically
6. as we can. And this is a good bill. Anybody who looks at
7. it knows it's a good bill, opposition of the veterans groups
8. notwithstanding. I vote aye.

9. ACTING SECRETARY (MR. WRIGHT):

10. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
11. Howard Mohr, Don Moore, Netsch, Newhouse,

12. PRESIDENT:

13. Senator Newhouse.

14. SENATOR NEWHOUSE:

15. Mr. President, if there were a bill to abolish this
16. institution I would vote for it. Senator Knuppel is absolutely
17. right in the absence of such a bill this bill is a good one.
18. I'm going to vote aye on this bill. And I will vote for the
19. next bill that says let's abolish it. Thank you, Mr. President.

20. ACTING SECRETARY (MR. WRIGHT):

21. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner, Rock,
22. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl, Shapiro,
23. Smith, Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
24. Weaver, Welsh, Wooten,

25. PRESIDENT:

26. Senator Wooten.

27. SENATOR WOOTEN:

28. Mr. President, this is a little bit difficult for me to
29. understand. We are trying to do something which will benefit
30. the veterans in that it will keep this Home open because as it
31. is now you just cannot justify its continued operation. We are
32. doing this at no jeopardy to the children of veterans. And I'm
33. afraid gentlemen what is happening is we tend to think in

1. headlines today. And if you simply present the information
2. to veterans as I'm sure it may have been presented, veterans
3. home for children to accept children of nonveterans who would
4. not be opposed to it. I think you'll find permission to vote
5. a little bit easier to obtain if you explain the bill to
6. veterans it makes perfect sense. In the final analysis it...
7. it accomplishes a good purpose, it keeps the home functioning
8. because if they must leave it half empty then simply there
9. can be no continued fiscal justification for this service.
10. Every assurance has been given that it will not prevent the
11. children of veterans from going to this Home which is only
12. a case of last resort anyway. And I feel that we simply are
13. not addressing the thing in a serious, serious physical
14. manner. I vote aye.

15. PRESIDENT:

16. Senator Harber Hall.

17. SENATOR HALL:

18. Well, Mr. President, this Home is in my district and
19. I'm authorized to tell the members of the Senate that all three
20. members on the House side of the General Assembly are very
21. much against this bill and I want you to know that I'm very
22. much against it. I want you to know that 14 veterans organi-
23. zations are lined up against this bill and it is not because it
24. is not because it isn't a good sounding bill. It does sound
25. good. It sounds like something we should do, Senator Wooten, but
26. you have not investigated it. You haven't been to Normal and seen
27. the school. You haven't been there to see the facilities and
28. the plant that they have there. And you haven't seen and talked
29. to veterans organizations who told me last week they will have
30. that school filled up in one year. Now that they have some new
31. facilities that the Department has built there and the judges
32. throughout the State who see the need will have veterans children
33. to go there. I'm glad that you haven't sufficient votes to

1. pass this and...if this institution is not effectively filled
2. with needy veterans students in a year or eighteen months I
3. will join with you but I can assure you that this is a bad
4. bill at this time and I'm surprised that Senator Netsch was
5. put on as the principle sponsor, it would seem to me that
6. one of us who would like to see this properly utilized would have
7. been contacted to sponsor this bill. I vote no.

8. ACTING SECRETARY (MR. WRIGHT):

9. Mr. President.

10. PRESIDENT:

11. Senator Johns.

12. SENATOR JOHNS:

13. I...I was just looking at this bill and it says that
14. children under 18 and who from any cause whatsoever have
15. been adjudged dependent or neglected under provisions of the
16. Juvenile Court Act and if we have the facility and I don't
17. anticipate any closing of it in the immediate future and
18. therefore I vote aye.

19. PRESIDENT:

20. Senator Netsch.

21. SENATOR NETSCH:

22. May I have a poll of the absentees please, Mr. President?

23. PRESIDENT:

24. Request for a call of the absentees. The Secretary will
25. call the absentees.

26. ACTING SECRETARY (MR. WRIGHT):

27. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
28. Graham, Hynes, Keegan, Kosinski, McBroom, McCarthy, Don Moore,
29. Ozinga, Regner, Roe, Romano, Savickas, Sommer, Soper, Swinarski,
30. Weaver.

31. PRESIDENT:

32. Senator Netsch.

33. SENATOR NETSCH:

1. Mr. President, I do not seek to postpone consideration.
2. I would like to make one quick point before you announce the
3. roll call if you might. Number one, Senator Hall, I did ask you
4. to go on as a co-sponsor and you declined to do so. Secondly,
5. I hope that this institution stays half empty at this price
6. when the bill comes in next Session to abolish it all of you
7. will join it as co-sponsor. Thank you.

8. PRESIDENT:

9. On that question the yeas are 19. The nays are 16.
10. SB 948 having failed to receive a constitutional majority is
11. declared lost. Senator Netsch.

12. SENATOR NETSCH:

13. Mr. President, I wonder if I might ask permission of
14. the Body to discharge some business on behalf of Senator Keegan.
15. She had wanted to move to discharge the Committee on Revenue
16. from further consideration of SB 978 for the purposes of Tabling
17. it and she asked if I would take that action on her behalf.

18. PRESIDENT:

19. Is there..is there leave? Senator Netsch moves to
20. discharge SB 978 from the Committee on Revenue from further
21. consideration. All in favor signify by saying aye. Contrary
22. no. The bill is discharged. Senator Netsch now moves to
23. Table SB 978. All in favor signify by saying aye. Contrary
24. no. The motion is carried. So ordered. SB 951.

25. SECRETARY:

26. SB 951. (Secretary reads title of bill).
27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Vadalabene.

30. SENATOR VADALABENE:

31. Thank you, Mr. President, Members of the Senate, this
32. bill authorizes the Illinois State College Board shall consider
33. the feasibility of any proposed utilization of existing
public or private educational facilities and lands within

1. or near the proximity to the boundary of the proposed district
2. I might add that this was heard in Senator Fawell's Committee.
3. It passed in Education Committee, it passed by a vote of 15 to
4. nothing and Fred L. Wellman the Executive Secretary of the
5. Illinois Junior College Board also supports this proposal. And
6. I would appreciate a favorable vote.

7. PRESIDENT:

8. Is there further discussion? Senator Bartulis.

9. SENATOR BARTULIS:

10. Would the Senator yield? Sam, what is the purpose of
11. this bill?

12. SENATOR VADALABENE:

13. Well, the purpose of this bill is that if any...any
14. territory that is not in any junior college district now who
15. has a public facility or an educational facility within their
16. boundaries if they could construct a junior college. For
17. instance, let me give you an illustration. Granite City,
18. Madison and Venice all that area in there are not yet in a
19. junior college. Now, if they pass the eligibility rules and
20. the guidelines set down by the Junior College Board...The
21. State Junior College Board this bill will permit them to
22. construct a junior college, for instance, on SIU, Edwardsville
23. which is contiguous to their property.

24. PRESIDENT:

25. Senator Bartulis.

26. SENATOR BARTULIS:

27. Can't they...can not they go to Lewis and Clark Junior
28. College in that area?

29. SENATOR VADALABENE:

30. They can go to Lewis and Clark Junior College, they can
31. go to Belleville Junior College but if they pass the requirements
32. in the eligibility to construct and form their own junior college
33. by the standards of the Illinois Junior College Board then they

1. can stay within their own boundaries: If they can have
2. their own district why can't they have it? They can go
3. anywhere they want...if...they have to go somewhere by,
4. I think, the end of this year. December of this year.

5. PRESIDENT:

6. Is there...Senator Latherow.

7. SENATOR LATHEROW:

8. Well, Mr. President, I'm just wondering about one
9. portion of this. Could one junior college operate from
10. a building within the boundaries of another junior college?

11. PRESIDENT:

12. Senator Vadalabene.

13. SENATOR VADALABENE:

14. Could one junior college operate from the building
15. of another?

16. PRESIDENT:

17. Senator Latherow.

18. SENATOR LATHEROW:

19. From a building without their boundaries. Otherwise,
20. outside the boundaries of that junior college district.

21. Could that particular district operate in another building,
22. in another area?

23. PRESIDENT:

24. Senator Vadalabene.

25. SENATOR VADALABENE:

26. No. This...Senator Latherow, I will say again that
27. Mr. Wellman the Executive Secretary of the Illinois Junior
28. College Board came in and was in support of this legislation.
29. And it would appear to me that an Executive Secretary of the
30. Illinois Junior College Board if there was any...if there was
31. any friction between any other junior college district would
32. oppose this type of legislation.

33. PRESIDENT:

1. Senator Latherow.

2. SENATOR LATHEROW:

3. Well, I'd just like to call to your attention that
4. it says and land within or in near proximity to the boundary
5. of the proposed district. I would say that might be outside
6. of the district.

7. PRESIDENT:

8. Is there further discussion? Senator Fawell.

9. SENATOR FAWELL:

10. Just briefly want to say I want to say that Dr. Wellman
11. of the Illinois Junior College Board appeared before our
12. Committee they had no objections and this language which as
13. set forth in the bill only states that the Junior College
14. Board will take into consideration, along with all the other
15. facts in regard to any application for the organization of
16. a junior college district, they will take into consideration
17. the feasibility of the possible utilization of other facilities
18. which I think does blend into the idea of intergovernmental
19. cooperation. It doesn't say that however that that can happen
20. or that will happen or indeed that it is feasible. - Only that
21. Junior College Board will take it into consideration. I think
22. that in its wording it certainly is nonobjectionable and
23. rational bill.

24. PRESIDENT:

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. One comment on the question by Senator Latherow. I don't
28. think this is necessarily bad that one time I represented
29. Lincoln Land Community College. We had some problems, we had
30. people who were willing to give hisland that was in the City
31. of Springfield but the district didn't include the City of
32. Springfield and we felt that it was necessary under the law
33. to protect ourselves that our facilities be located in the

1. district. At least this kind of a provision would have
2. allowed us to lease land in the City of Springfield or to
3. take a gift of land for the location of our facilities. I
4. think it is a good provision.

5. PRESIDENT:

6. Is there further discussion? The question is shall
7. SB 951 pass. The Secretary will call the roll.

8. SECRETARY:

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

19. PRESIDENT:

20. Senator Netsch, aye. Senator Newhouse, aye. McBroom,
21. aye. On that question the yeas are 40. The nays are none.
22. SB 951 having received the constitutional majority is declared
23. passed. SB 953...Senator Newhouse.

24. SENATOR NEWHOUSE:

25. Mr. President, I'd like to rise on a point of personal
26. privilege. In the gallery behind me are students from the
27. Wendell-Greene School in Chicago and I wonder if they would
28. rise and be recognized by the Senate.

29. PRESIDENT:

30. Senator Scholl. Just a minute, it hasn't been read.
31. Senator Scholl.

32. SENATOR SCHOLL:

33. Mr. President and members of the Senate, the bill I

1. offer today will strengthen significantly the public
2. disclosure requirements of the current statute and correct
3. deficiencies in current statutes. The bill includes in
4. particular condemnation action which is extremely important
5. for the General Assembly to act on. SB 953 will be the
6. strongest bill of its nature before either House of the
7. General Assembly. First of all, let me make clear that
8. the focus on SB 953 is land trust transactions involving
9. public officials. The purpose of this legislation is
10. clear to prevent the type of scandal which is constantly
11. coming to surface in the newspapers. The bill offers first
12. specific definitions to facilitate interpretations of this
13. legislation if it becomes law. I would like to point out
14. two definitions included in the bill. The bill includes
15. State Government in what is called units of local government.
16. The definition of units of local government is broad and
17. includes legal entities such as Illinois Building Authority
18. which has the power of condemnations and is known as the Body
19. politic incorporate under the statutes of Illinois. Secondly,
20. contract as defined in the amendment means agreements concerning
21. real estate and includes in addition to agreements of purchase,
22. sale, lease and licensing, also granting of easement, gifts,
23. air rights and mineral rights. The bill strengthens the
24. public disclosure requirements and surpasses existing statutes
25. by requiring a ten day prefiling procedure which requires that
26. before any contract is entered into by the State or unit of
27. local government the State or unit of local government must
28. file with the Secretary of State or in the case of local
29. government, the County Clerk, a specially designated notice
30. executed by the person having the interest in the real estate
31. which outlines clearly his identity, interest in the property.
32. A special form is included in the legislation. The bill will
33. also require that the unit of local government publish this

1. notice prior to the contract execution date in the Journal
2. of proceedings such as the City Council Journal in the City
3. of Chicago. This provision further strengthens the fact
4. that these notices will be made a matter of public record.
5. The bill guarantees access to these public records and the
6. right to duplicate the notices. The bill thus clarifies the
7. current vagueness of existing statutes in this area and just
8. what is really required on disclosure. It clarifies to whom
9. the disclosures must be made and the manner and guarantees
10. public access. The bill will also permit citizen's suits
11. to be filed if public disclosures requirements were not
12. followed and also permits the contract to voidable by the
13. government or courts if disclosure is not followed. On con-
14. demnation action the public disclosure notice procedures are
15. also to be filed and no payment is permitted to any person who
16. has followed this procedure. The penalties under the Act are
17. also strengthened by these amendments. Any person who violates
18. this Act is guilty of a Class 4 felony, one to three years and
19. fines up to ten thousand dollars. Secondly, the public official
20. who is convicted of violation of this Act is forced to vacate
21. his office. I believe this bill will lead to restoration of
22. public confidence. Gentlemen, I believe this bill will lead
23. to restoration of public confidence in our public officials
24. which is so seriously undermined today. I urge its passage.

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. Inquiry, Mr. President, has the Secretary...have the
29. amendment on his desk? This is the amendment which was
30. adopted just a few hours ago, is that...

31. PRESIDENT:

32. Yes.

33. SECRETARY:

1. The Amendment No. 1 was Tabled and the new amendment
2. was adopted.

3. SENATOR ROCK:

4. Okay. Well, just...just for the sake...I rise in
5. opposition to this bill...rising against, I suppose, a land trust
6. bill in this day and age is like rising against motherhood, but
7. I hope all the sponsors of SB 953 as introduced would take
8. the time to read this amendment. The amendment you have in
9. your book is now the bill with the one typographical change
10. that it changes right in the beginning it says striking every-
11. thing after line 1, you just change that to a 7. Striking
12. everything from 1 down did strike the enacting clause so it
13. had to be retyped. ...What the bill does, I think, is the
14. idea, I suppose, is to get at another press release the
15. newspapers are having so much fun with land trusts. But
16. I think if you'll take the time and the trouble to read the
17. bill you'll find out just how bad it is. I suggested at the
18. time the bill was in the Judiciary Committee at which point
19. that new amendment was put on. And amendment Senator Scholl
20. had agreed to consider and has no rejected, my amendment
21. would just have turned the onus, or the burden around. If
22. you will read this bill you will find that page 2 before any
23. contract is entered into between the State or unit of local
24. government. Now unit of local government as defined covers
25. everything, counties, cities, villages, incorporated towns,
26. townships, special districts and units. But before any contract
27. is entered into by any...the State of any of these units I might
28. point out that units of local government are not defined the way
29. they are in the Constitution so there's some question there. But
30. in addition to that before any contract can be entered into by
31. the State or anyone of these units the...the unit or the State
32. must, number one, file or cause to be filed with the Secretary
33. of State a notice executed by a person having an interest

1. in real estate ten days prior. The point of it is, the
2. failure to file this notice results in a Class 4 felony
3. and disqualification from office. Now, a Class 4 felony is
4. from one to three years, disqualification from office and
5. a ten thousand dollar fine. Now, the amendment that I had
6. offered and asked Senator Scholl to consider and he did and
7. he rejected it, put the burden the other way around. Mine
8. said that before a property owner who is involved trust
9. before they can do business with a State or local unit the
10. record owner must file an affidavit saying who owns this
11. property and who is the beneficiary. In other words, the
12. burden is on the other side. I think this is overburdensome
13. to the State or any of these local units of government. We
14. ...we have sat and listened day after day to the plight of the
15. candidates for these local offices. That they are not familiar
16. with all these laws, that they cannot file an ethics statement
17. on time. Now, we're subjecting them to a Class 4 felony if they
18. don't file this notice and I just think it's terrible legislation
19. and aimed at nothing but a press release and I urge it's rejection.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Harris.

22. SENATOR HARRIS:

23. Well, Mr. President, I just want to add my voice of
24. support to this legislation. I think it's long overdue and
25. we are familiar with the fact that there have been some very
26. serious developments destroying confidence in problems
27. that...of government by the public...Senator Scholl has
28. developed a unique way of not disturbing private land trusts
29. but involving the public agenices of government to engage
30. disclosure of land trusts if there...a transaction of business
31. between them and this makes sense to me and I urge a favorable
32. support of SB 953.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Partee.

2. SENATOR PARTEE:

3. Mr. President and Members of the Senate, I think there
4. is absolutely nothing wrong with the concept here. As a
5. matter of fact there are three bills dealing with this same
6. subject in the House and if this bill is not passed nothing
7. will be lost in terms of developing and implementing the
8. concept as a part of our statutory law. I propose to vote
9. for a bill of this nature but not for this bill for the
10. principle reasons that Senator Rock just delineated. To
11. put this burden where they have put it in this bill, I think,
12. is unholy and untoward. Now if it had remained as it
13. was it might have been a great deal more easy to accept but
14. under these circumstances this bill is just drastic inversely
15. improperly.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any further discussion? Senator Wooten.

18. SENATOR WOOTEN:

19. Yes, Mr. President, I am listed as a co-sponsor of this
20. bill and I was very happy to, eager to join in co-sponsorship
21. because I would just simply like to eliminate the privilege
22. of the secret land trust; however, the amendment, I really
23. don't understand why the amendment is worded the way it is and
24. why the onus is placed where it clearly does not belong. And
25. perhaps it's not going to be the first time in my years here but
26. I'm going to have to oppose the bill for which I am listed as a
27. co-sponsor simply because the amendment just most unfortunate. It
28. actually weakens what I think is a very good idea.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any further discussion? Senators. Senator
31. Fawell.

32. SENATOR FAWELL:

33. ...I do plan to support the legislation. I'm sorry about...

1. there we go...I did want to point out to the sponsor a
2. question that I have, perhaps it's something you might
3. look at in the House, Senator, but in...on the third page
4. it says if there is any change, and interest in real estate
5. of a person listed in a notice who is one of the beneficiaries
6. in the trust, the person whose interest has changed and the
7. person obtaining an interest in real estate must file notices
8. with the Secretary of State. It occurs to me that death would
9. be a change of interest in real estate and title obviously would
10. move on to someone else. And, under the terms of the bill, a
11. widow would be...a widow would be the recipient of the title
12. on the death of a beneficiary would fail to give the notice
13. she would be sent up for one to three. I don't think that is
14. your intent. So...I would suggest that's a defect in the bill
15. that you should look into.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Netsch.

18. SENATOR NETSCH:

19. Mr. President...if the sponsor would yield for a question
20. and I really do not mean it sarcastically, Senator Scholl. I'm
21. having a terrible time figuring out the amended version which
22. we did not realize was about to be the version again. And we
23. just took a look at the original version of the bill which
24. seems clearly simple and straightforward and I'm wondering why
25. it was not adequate to achieve what you intended to achieve?

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Scholl.

28. SENATOR SCHOLL:

29. That there were a couple of things. One of the things
30. we added was the condemnation to it...

31. SENATOR NETSCH:

32. I'm sorry, I didn't hear you.

33. SENATOR SCHOLL:

1. Condemnations. We also added to the bill stronger
2. penalties.

3. SENATOR NETSCH:

4. ...I think you did much more than that, you just
5. totally...the new bill is what about five or six pages
6. long and the original one was just...a couple of short
7. paragraphs. Which it seemed to say very directly what
8. it was you were attempting to achieve and my problem is
9. I don't know what it is...you're achieving in the amended version.
10. I do in the original bill and I think it was a great idea.

11. SENATOR SCHOLL:

12. It still is a great idea.

13. SENATOR NETSCH:

14. But I don't understand it anymore.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any further discussion? Senator Knuppel.

17. SENATOR KNUPPEL:

18. Mine hasn't got a lot to do with the bill but it has...
19. in another way it does have. I get amused by these legislators
20. who come here and pull this Pontius Pilate stuff and believe
21. by showing everything you own to the newspapers and the public
22. you're going to solve all the problems of people who do mis-
23. deeds in government. And it's really kind of funny because it's
24. those people who probably never had enough land to put it in a
25. trust want to see what somebody else has got. It's those peo-
26. ple they want to punish is the public officials not the persons
27. who is hiding it or the person who is making the profit out of
28. it. We will never, in this Body or any other Body, legislate
29. morality. You either born to go to church or not. Now, we
30. have a declining morality in this country. We think abortion
31. is all right. That's great. We're going to do all these
32. other things but as long as...as long as the Supreme Court of
33. the United States and other people in high places commit these

1. kind of crimes all the disclosure in the world isn't going
2. to solve it. As somebody said if you want honest men in
3. government find out what they are before you elect them and
4. then vote for those kind of people. The idea that you can
5. wash your cloths in public without any soap in the machine
6. and solve the problem is ridiculous. You can go ahead and
7. have these people...you publish all of this, you can give all
8. the notice in the world somebody will wake up ten years later
9. that somebody stole something and some poor devil is on the
10. school board catch hell for it. I...I...this Pontius Pilate
11. stuff it's great for the newspapers. Makes you look like a Mr.
12. Clean, a Mr. Big. I don't think it solves anything. I think
13. the people who introduce these bills generally are the guys
14. who don't have any property, don't have enough to put any-
15. thing in trust and it just tears up a lot of well established
16. trust laws.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Scholl will ask for roll to be called on that
19. question. Senator Hynes.

20. SENATOR HYNES:

21. Mr. President, again I...I'm laboring under the same
22. handicap that everyone else is but...not having had an opportunity
23. really to digest fully what this bill means. But I agree with
24. Senator Netsch's comments that the original bills did appear
25. to be simple and straightforward and I think that there is
26. unanimity in this Body on the principle involved here that there
27. ought to be this kind of disclosure. But my question goes, I
28. think, to the point that or is related anyway to the point that
29. was raised by Senator Rock. Assume that a...under this bill,
30. that the burden is on the public official to see that the
31. statement is filed. If a statement is, in fact, filed by the
32. individual and...the individual is going to be really the one
33. who will have to bring it about, that is cause to be filed as

1. the bill says and the individuals involved are guilty of
2. fraud or willful concealment. What is the penalty? And I
3. wonder if the...the sponsor would react to that question?
4. Assume, Senator, that a false or fraudulent statement is
5. filed by the person having the interest in the land trust.
6. The public official is innocent and believes that it is a
7. true and accurate statement. What is the penalty in that
8. case? Because as I read the penalty section of the bill
9. in...Section 6b it says any person of a unit of local
10. government or a condemning body who willfully violates the
11. Act shall be guilty of a Class 4 felony. The preceding
12. 6a deals only with violations of 3b, 5a and 5b and c.
13. It does not deal as I read it with...3a, participation
14. of violation.

15. PRESIDENT:

16. Senator Scholl.

17. SENATOR SCHOLL:

18. My understanding that the penalty would...be involved
19. in other section of the statute.

20. PRESIDENT:

21. Senate...

22. SENATOR HYNES:

23. What other section?

24. SENATOR SCHOLL:

25. You've got to read the bill.

26. SENATOR HYNES:

27. I...I have read the bill but you have drafted it. It
28. seems to me you ought to be able to tell me where the penalty
29. is on the individual who files a fraudulent statement.

30. PRESIDENT:

31. Senator Glass.

32. SENATOR GLASS:

33. I...I'd like to comment on that Mr. President. I...first
of all in response to Senator Hynes would suggest to you that if

1. the municipal official relied on a false statement of the
2. person who filed that statement he couldn't very well be
3. convicted of this act because it requires him to willfully
4. violate it. And I think if he relies on the affidavit given
5. him I don't see how he could willfully be...guilty of violating
6. the Act and I don't see that the fraudulent statement of the
7. owner is specifically covered under the bill but I submit
8. to you that he would be guilty of an offense for doing that.

9. PRESIDENT:

10. Senator Hynes.

11. SENATOR HYNES:

12. Well, I would agree that if the public official in
13. good faith relied on the statement he could not be characterized
14. as having willfully violated...violated the Act. That was not
15. my question. My question is what about the...the beneficial
16. owner of the land trust who filed the fraudulent statement.
17. He in no way is affected by this bill and it seems to me he
18. ought to be.

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Well, I...I would agree with you and I would certainly
23. recommend to Senator Scholl that he be specifically covered
24. but I think in partial response he would be guilty of a crime
25. for falsifying that statement other than under the terms of
26. the bill.

27. PRESIDENT:

28. Senator Chew.

29. SENATOR CHEW:

30. ...Mr. President, I think the principle of what the
31. distinguished Senator wants to do is agreeable to most of the
32. members but I want to inform him that there are some other
33. bills that's dealing exclusively with this kind of principle

1. that's coming over from the House that he can support, I
2. can support. But this vague language in his bill now is
3. not sufficient to gain, in my opinion, enough knowledge
4. to support his bill. I think this principle is excellent
5. but when I first came down here they kept a little note on
6. my desk that says freshmen listen and not talk. And I think
7. that...sign should still appear. I got it around here
8. somewhere I want to give it...so...

9. PRESIDENT:

10. Senator Bell.

11. SENATOR BELL:

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

13. PRESIDENT:

14. The motion for the previous question has been put. All
15. in favor signify by saying aye. Contrary no. Motion carries.
16. Senator Scholl may close the debate.

17. SECRETARY:

18. SB 953 (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator Scholl.

22. SENATOR SCHOLL:

23. It appears that my friends on the other side of the
24. aisle are a little concerned about the bill. Let me just say
25. that this is something that has been needed in the State.
26. I'm interested in gaining the public's confidence in govern-
27. ment and I urge that all of you vote for this bill.

28. PRESIDENT:

29. The question is shall SB 953 pass. The Secretary will
30. call the roll.

31. SECRETARY:

32. Bartulis, Bell, Berning, Bruce, Buzbee,

33. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Mr. President, in explaining my vote I'm certainly
4. in favor of getting more public revelations of public land trusts
5. and so forth but this bill, I thought I understood it in
6. its original form, but in the amended form I quite honestly
7. profess ignorance and I'm sure that if a lot of us were
8. honest here today we would say the same thing and I don't
9. intend to put myself in the position of voting in the
10. positive on a bill I don't really understand what it's
11. doing so I have vote no.

12. SECRETARY:

13. Carroll, Chew, Clarke, Conolly, Course, Daley,
14. Davidson, Donnewald, Dougherty, Fawell, Glass, Graham,
15. Harber Hall,

16. PRESIDENT:

17. Senator Hall.

18. SENATOR HARBER HALL:

19. I've been amused at the debate on this particular bill
20. because for the last two terms in the General Assembly I put
21. in a simple bill that simply eliminated the secrecy in land
22. trust in the State of Illinois. All beneficiaries of land
23. trust would be disclosed in the recording process. All those
24. people who gave lip service to the fact that Senator Scholl has
25. a good idea here, but...know very well that they've had an
26. opportunity to support other bills and to prepare amendments to
27. his bill that they would support if they really wanted to. It's
28. time in Illinois that we remove probably the only vehicle of its
29. kind in the United States, the secrecy in land trust. Not
30. remove the land trust, keep all the features of the land trust
31. except the secrecy of them. But we're not going to do it.
32. You and I know we aren't, not in this Session. Probably not
33. in the next one because you don't want...you want the banks

1. and the lenders to have that through their trust systems. But
2. I can tell you other states don't have it and there is a reason
3. why. I vote aye.

4. SECRETARY:

5. Kenneth Hall, Hynes, Joh

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President, members of the Senate, I think the statement
10. has been made several times by members of this Body that the
11. principle involved here is one which they can agree. I think
12. those statements were made in good faith and reflect to the
13. actual feelings of the members that made them. I think it is
14. unfortunate and it is becoming a more prevalent thing in this
15. day and age when the caption of something, the headlines, the
16. lead can be all controlling. And that substantial significant
17. defects in substance can be overlooked because of a fear and
18. that's what it is, a fear of being criticized on the ground
19. of being against ethics or reform. The fact of the matter
20. is that this bill is defective. It is poorly drafted. It is
21. full of loopholes. It will not do what it's sponsor is trying
22. to accomplish. There are bills in the House which are coming
23. over here that will do that job and I suggest that one of
24. those bills will pass. This bill is not in the condition it
25. should be in to accomplish the purpose that I think we would
26. all like to see accomplished and I vote no.

27. SECRETARY:

28. Johns, Keegan, Knuepfer, Knuppel,

29. PRESIDENT:

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. In my argument I addressed myself to the concepts these
33. Mr. Cleans have in introducing this kind of legislation.

1. I want to introduce myself...address myself to the bill.
2. First of all, any good lawyer can get around it. All he has
3. to do is transfer the land out of the trust, 30 days, 60 days
4. before the deal is made with the unit of local government.
5. And you're home free or shortly thereafter. Secondly, secondly,
6. if I buy a piece of land and put it in a land trust, put it in
7. a land trust and the unit of local government...

8. PRESIDENT:

9. ...For what purpose does Senator Walker arise?

10. SENATOR WALKER:

11. ...Thank you, Mr. President, a point of parliamentary
12. inquiry. You know, Senator...

13. PRESIDENT:

14. Well, he is explaining his vote. We are on roll call.

15. SENATOR WALKER:

16. I realize that but I think this is a question that can
17. be entertained at any time because it involves the gentleman
18. on his feet. It involves a question of speaking twice on the
19. same...

20. PRESIDENT:

21. Well, he's explaining his vote. Senator Knuppel may
22. proceed.

23. SENATOR KNUPPEL:

24. That's one thing and unless somebody can show me where
25. it says you have to divest yourself of more so far ahead of
26. time that you sell it to the unit of government that this can't
27. be gotten around. And even if...I'll say this even if that
28. is in this bill there are some pretty industrious and ingenious
29. lawyers all they'll do is drive the deceit deeper and it will
30. be gotten around in one way or another. Secondly, if I buy
31. a piece of land and put it in a land trust and good reason
32. with no intent and I'm not a public official leave me out of it
33. I'm just an individual citizen and I don't want that trust

1. disclosed and I don't even want to sell that property to the
2. State or the school district and they bring a condemnation
3. proceeding, I have...they have to disclose who owns that
4. property. I think this is unfair, is an unjust imposition
5. on this person who created that trust who has no connection
6. whatsoever with government that the condemnation unit then must
7. disclose his interest. In a condemnation suit that he's
8. opposed to, now those are two large faults with this piece
9. of legislation. This man is not wanting to sell his land,
10. he's forced to and then he's also forced to stand naked
11. before God and the public. It's a bad bill, it's poorly
12. drafted, it must have been drafted by someone who was not
13. an attorney. I therefore vote no.

14. SECRETARY:

15. Kosinski, Latherow, McBroom, McCarthy,

16. PRESIDENT:

17. McBroom, aye.

18. SECRETARY:

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

21. PRESIDENT:

22. Senator Netsch.

23. SENATOR NETSCH:

24. Mr. President, my vote is going to be present and
25. Senator Scholl if you would listen just a moment. There are
26. many of us who are genuinely committed to the idea of getting
27. rid of land trust and have been and have been for a long,
28. long time. This is not the Chicago City Council and some of
29. us do not appreciate the suggestion that we are phony because
30. we say that you have a badly drafted bill. If you would take
31. this bill, postpone the vote now, get the bill amended into
32. its original form, I think you would find a fairly substantial
33. number of yes votes on it. If not, then we are going to wait
until we get a decent bill from the House. We hope you help

1. to sponsor it and we will be happy to give you some support.

2. SECRETARY:

3. Newhouse,

4. PRESIDENT:

5. Senator Newhouse.

6. SENATOR NEWHOUSE:

7. I...I didn't want to speak, Mr. President, I simply wanted

8. to echo Senator Netsch's comments since I do have the micro-

9. phone and I do vote present.

10. SECRETARY:

11. Nimrod, Nudelman, Ozinga, Palmer, Partee,

12. PRESIDENT:

13. Senator Partee.

14. SENATOR PARTEE:

15. We recognize the imperfections of this bill when it came

16. in and particularly after he put the amendment on it. And we

17. tried to help him to prepare a good bill. Senator Rock offered

18. an amendment to it which would have made this a substantially

19. good piece of legislation not just good newspaper copy but a

20. good statute. We would still support the concept, we're for

21. it, but we're not going to be bludgeoned into voting for a

22. bad piece of legislation which will only encumber the statute

23. books and make it possible to send a widow to jail for one to

24. three years. There are other bills coming over here and when

25. they come over here I hope the sponsors will have the judg-

26. ment to take a good amendment so we can have a good piece of

27. legislation on this subject. I vote no.

28. SECRETARY:

29. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,

30. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,

31. Vadalabene, Walker,

32. PRESIDENT:

33. Senator Walker.

1. SENATOR WALKER:

2. Thank you, Mr. President, members of the Senate. We've
3. spent about 30, 40 minutes on this bill. Those of you who
4. are up know who you are. The following, you can hit the deck
5. on a point of personal privilege if you wish, Senators Buzbee,
6. Hall, Hynes, Knuppel, Netsch and Newhouse, all explained their
7. votes. And may I assure all six of you, you didn't swing a
8. single vote. There was an accusation made that the sponsor
9. of the bill was playing the press. May I suggest that a number
10. of you on that side of the aisle and number on this side of
11. the aisle are doing the same thing. I'm keeping a little
12. score sheet and I'll give it to you in another three hours
13. and another three hours after that. Some of you are going to
14. be surprised how many times you've been up today. And one of
15. the worst offenders on that side of the aisle plays the press
16. more than any show could if he were 80 years old or would know
17. as much about it at that time. The point I'm trying to make,
18. if you'll pardon me, that is if you aren't swinging any votes
19. with your articulateness or lack thereof, or you knowledge or
20. lack thereof, you're just usurping the time of the other
21. Senators as I'm doing now. I'll sit back and give you a
22. further report, tell you the times you've been up. The number
23. of times and your names in about three, four hours. Thank you,
24. Mr. President. I vote aye.

25. SECRETARY:

26. Weaver, Welsh, Wooten,

27. PRESIDENT:

28. Senator Wooten.

29. SENATOR WOOTEN:

30. I'm number 7, Senator Walker. And I must say if...you
31. must excuse my innocence and inexperience but I really don't
32. understand why it is you are not swayed by reason and logic as
33. I confess, maybe this is a flaw in my makeup but I have had my

1. mind changed in listening to my fellow Senators. I did
2. not realize that it was a prerequisite of this office that
3. you come to the Senate with a closed mind. The difficulty
4. I find myself placed in here the reason I want to explain
5. my vote, is I am subject to some embarrassment. I was
6. actively lobbying this side for this bill this morning. No
7. one asked me to, I studied it last night, again, as I had
8. studied it earlier and thought this is a fine piece of
9. legislation. And I'm amazed to discover when one of my
10. colleagues whom I was importuning for a vote in its behalf
11. pointed out to me that what I had assumed was a splendid
12. vehicle had been transformed into some kind of (foreign
13. phrase) that defied explanation and which even the sponsor
14. could not explain. I vote no.

15. SECRETARY:

16. Mr. President.

17. PRESIDENT:

18. On that question the yeas are 31. The nays are 10.
19. Those voting present are 4. SB 953 having received the
20. constitutional majority is declared passed. Senator Mohr.

21. SENATOR MOHR:

22. Mr. President, I move the vote by which SB 953 passed
23. be reconsidered.

24. PRESIDENT:

25. Senator Mohr moves to reconsider. Senator Weaver moves
26. to Table. On that motion, all in favor signify by saying aye.
27. Contrary, no. Motion to Table prevails. SB 956. For what
28. purpose does Senator Chew arise?

29. SENATOR CHEW:

30. I had, this morning, made a request earlier to pull a
31. bill off of 3rd back to 2nd for an amendment. Could you tell
32. me, am I in order to request that again now and can it be done?

33. PRESIDENT:

1. We'll do that right now.

2. SENATOR CHEW:

3. SB 387. I would request leave of this Body to bring

4. back to 3rd reading on 2nd for the purpose of an amendment.

5. Secretary has the amendment and it's merely to delete some

6. lines that were objectionable to some of the members...

7. PRESIDENT:

8. Is there leave to order SB 387 from 3rd reading to

9. 2nd reading for purposes of amendment. So ordered.

10. Senator Chew.

11. SENATOR CHEW:

12. 49, Mr. President. 349.

13. PRESIDENT:

14. It is on 3rd reading?

15. SENATOR CHEW:

16. Yes, Sir. Yes, the amendments are up there.

17. SECRETARY:

18. Amendment No. 1 by Senator Chew.

19. PRESIDENT:

20. Senator Chew.

21. SENATOR CHEW:

22. Yes. It merely deletes wording in there we thought

23. was probably unconstitutional and we are objecting to and

24. are satisfied now. I...

25. PRESIDENT:

26. Is there further discussion? All in favor of the adoption

27. of the amendment signify by saying aye. Contrary no. Motion

28. carries. Are there further amendments from the Floor? 3rd

29. reading. Senator Newhouse.

30. SENATOR NEWHOUSE:

31. Thank you, Mr. President, on a point of personal privilege

32. while we are readjusting our thoughts from the past debate. I'd

33. like to introduce to this Body the students from the Bradwell

1. School in my district who are in both sides of the balcony
2. up behind me. Would stand please?

3. PRESIDENT:

4. Senator Partee do you have a bill you wish to recall?

5. SENATOR PARTEE:

6. Yes. On SB order of 3rd reading. SB 981 there's
7. a technical amendment which corrects the language. We spoke
8. to Senator Clarke the Chairman of Revenue. He understands
9. it and...the clerk has the amendment.

10. PRESIDENT:

11. ...Senator Partee moves to recall SB 981 to the order
12. of 2nd reading for purposes of amendment. Is there leave?
13. Senator...2nd reading. Senator Partee.

14. SENATOR PARTEE:

15. Move the adoption of the amendment.

16. PRESIDENT:

17. Is there further discussion? Senator Partee moves the
18. adoption of the amendment to SB 981. All in favor signify by
19. saying aye. Contrary no. Motion carries. The amendment
20. is adopted. Are there further amendments from the Floor?
21. 3rd reading. SB 956.

22. SECRETARY:

23. SB 956 (Secretary reads title of bill).

24. 3rd reading of the bill.

25. PRESIDENT:

26. Senator Knuepfer.

27. SENATOR KNUEPFER:

28. Mr. President, I may have the best news here today. Since
29. this...the subject matter of this bill is better covered in
30. some other bills that are presently in the House. I would move
31. to Table SB 956.

32. PRESIDENT:

33. Senator Knuepfer moves to Table SB 956. All in favor

1. signify by saying aye. Contrary no. Motion carries. The
2. bill is Tabled. SB 960.

3. SECRETARY:

4. SB 960 (Secretary reads title of bill).

5. PRESIDENT:

6. Senator Mohr.

7. SENATOR MOHR:

8. Mr. President, I would like to call 962 and hold
9. 960 if I may.

10. PRESIDENT:

11. SB 962. Take 960 out of the record.

12. SECRETARY:

13. SB 962. (Secretary reads title of bill).

14. 3rd reading of the bill.

15. SENATOR MOHR:

16. Yes, Mr. President, I would like to also, if I may,
17. ask leave of the Body to consider...four bills dealing with
18. the same subject. If I may do that at one time I think it
19. would save us a lot of time and explanation later when we get
20. into these other bills. Would ask leave. ...I would ask leave
21. Mr. President to hear bills 962, 1067, 1068 and 1069...

22. PRESIDENT:

23. Is there leave? Is there leave? So ordered. Proceed.

24. SENATOR MOHR:

25. On SB 962 this is a bill to amend the Sanitarian Act.
26. This would release veterinarians and other people that are
27. licensed under the Medical Practice Act such as dentists and
28. nurses to use their knowledge and skills in the sanitary field.
29. There has been a number of qualified people, veterinarians, for
30. example, for the most part who have had many years of experience
31. and who have been precluded from participating as sanitarians.
32. Open to any questions that you might have.

33. PRESIDENT:

Is there further discussion? The question is shall SB
96...Senator Fawell.

1. SENATOR FAWELL:

2. I'm sorry, I was engrossed in another bill here. SB 962
3. pertains to the Sanitarian Act is that correct?

4. SENATOR MOHR:

5. That is correct Senator. There are five bills that
6. were heard in Committee and I'm not going to...talk about that
7. Committee hearing unless I absolutely have to. That took about
8. an hour of testimony and just to give you some idea...one bill
9. that I'm not going to call is a bill to repeal the entire
10. act which I suggest go to subcommittee. And after the testimony
11. of the number of sanitarians that appear the bill was taken out
12. of subcommittee and recommended with a Do Pass of 14 to 1. So
13. that's the reason for the series of bills.

14. SENATOR FAWELL:

15. ...962, I'm...basically what does 962 do?

16. SENATOR MOHR:

17. This would exclude or exempt all units of local government
18. and school districts with less than 50,000 population. It
19. would afford the smaller communities the right or the...give
20. them permission, so to speak, to handle the Sanitarians'
21. that...they are now doing. It would include such people as
22. veterinarians, nurses, dentists, would be able to qualify as
23. a sanitarian.

24. PRESIDENT:

25. Senator Fawell.

26. SENATOR FAWELL:

27. Well, I...I suppose my view here isn't as objective as
28. some but as the sponsor of the legislation that created the
29. Sanitarian Licensure Act some years back, I know Senator
30. Dougherty was upon the Commission upon which we both served
31. during the meat scandals of a number of years back in the
32. Department of Agriculture and one of the recommendations of
33. the Commission was the Licensure Act in regard to

1. sanitarians. And what we're doing here, in fact, is repealing
2. that Licensure Act at least insofar as the basic units of
3. local government are concerned as defined in the Act. So it
4. seems to me that we are...partially accomplishing what the
5. other bill would accomplish to which Senator Mohr did refer
6. the total repeal of the Licensure Act. I don't think that
7. any of us have given enough study..are aware of the
8. ramifications of this bill to take this kind of what I
9. believe would be precipitous action. I repeat, what we are
10. doing is totally repealing, it would appear to me Senator
11. Mohr, the Sanitarians Licensure Act as it applies to, I
12. don't know how many millions of people, throughout the State of
13. Illinois. And if you're saying that in these areas one does
14. not have to have the Licensure protection of people who will
15. be handling food and foodstuffs, then I...I must respectfully
16. say to you I can not agree with you. I regret I didn't...
17. I haven't sat in Committee and listened to the Testimony
18. here and I think as you have indicated to me on occasion
19. perhaps the Licensure Board has been somewhat arbitrary
20. in not recognizing licensures to certain persons who perhaps
21. were well qualified. But, I think, this is...really...taking
22. some very serious action throughout the State of Illinois and
23. I certainly would oppose the bill.

24. PRESIDENT:

25. Senator Mohr.

26. SENATOR MOHR:

27. Well, I...I know Senator Fawell's concern for this
28. legislation, but I would point out, Senator, that I have a
29. letter from a Paul Keen, the Executive Secretary from the
30. Veterinarian Medical Association who is also concerned about
31. it and wants us to know that their Association supports
32. this. A number of their people have been not allowed to
33. practice although in most people's opinion they would qualify

1. with the years experience, the years of schooling and the
2. various degrees that they have. They have had the door
3. closed on them. So here's an association and I have a
4. number of letters from people that are also concerned.
5. Many members on the Local Government Committee that heard
6. this the...Sanitarians speak on the subject, I'm sure
7. would be willing to give a few brief statements today as
8. to what transpired in that Committee and the need for this
9. legislation.

10. PRESIDENT:

11. Senator Fawell.

12. SENATOR FAWELL:

13. The only point I...I want to stress is that I think
14. Senator Mohr is correct in saying that there are problems in
15. regards to granting licensure but I think that even the veter-
16. inarians who I think are saying that they believe that with
17. their background and their training, that they ought to automati-
18. cally receive the Sanitarian License and they may be correct.
19. I think the way to rectify the situation is to see to it that
20. the licensing procedures here are brought into line with the
21. sound professional thinking but to simply open up by saying...
22. by passing this bill through the veterinarians can be food
23. handlers and sanitarians so can anybody else. And I think that
24. this would be very, very poor. I do oppose the legislation.

25. PRESIDENT:

26. Senator Nudelman.

27. SENATOR NUDELMAN:

28. Mr. President, Ladies and Gentlemen of the Senate, I sat
29. on the Committee that heard these bills. I think here again
30. before I was here but we created another Commission...another
31. bureau, a bureaucracy, if you will, that is completely un-
32. responsive, thinks they're above the Legislature and above the
33. people and I think this is needed legislation and I would
suggest an aye vote.

1. PRESIDENT:

2. Is there further discussion? The question is shall
3. SB 962 pass. Secretary will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty.

8. PRESIDENT:

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. Explain my vote. I'd like for...to say this. That I
12. was one of the persons who discussed with Senator Mohr that
13. he refrain from repeal...enacting repealing this bill. There
14. is a need for an Act of this kind. And he has agreed that he
15. will not press for a repeal of this Act. However, I will say
16. this about the Sanitarians that was mentioned by Senator Nudelman.
17. They have, in fact, abused the privilege of the licensure that
18. they've had. As a unit they have gone far beyond what is
19. contained within the Act. They now have changed the title of
20. their organization from Sanitarians under which they hold
21. license to Environmentalists. They are carrying on under disguise.
22. These gentlemen have gone far beyond what Senator Fawell had
23. envisioned when he introduced this bill. And I do believe that
24. Senator Mohr is correct, this bill says they do not, it does
25. not say they shall not. This bill is permissive of any unit
26. of government of 50,000 or less wishes...to make use of sanitarians
27. they may do. It merely permits, there's nothing to bar them
28. from doing so. They may do so if they like. I vote aye.

29. SECRETARY:

30. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
31. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
32. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
33. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee

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

4. PRESIDENT:

5. Request for a call of the absentees. The absentees
6. will be called. The Secretary will proceed.

7. SECRETARY:

8. Chew, Clarke, Conolly, Donnewald, Graham, Keegan,
9. Knuepfer, McCarthy, Howard Mohr, Netsch, Newhouse, Ozinga,
10. Partee, Rock, Schaffer, Smith, Sommer, Soper, Sours,
11. Swinarski, Vadalabene, Weaver.

12. PRESIDENT:

13. ...Senator...On that question the yeas are 33. The
14. nays are 10. SB 962 having received a constitutional majority
15. is declared passed. SB 1067.

16. SECRETARY:

17. SB 1067.

18. PRESIDENT:

19. 1067.

20. SECRETARY:

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDENT:

24. Senator Mohr.

25. SENATOR MOHR:

26. Yes, Mr. President, this bill would repeal the section
27. providing for penalties of violations...or violations of the
28. act. The reason for...one of the reasons for that is that
29. there has been a closed door policy of this Board and I don't
30. feel that they should be in a position of imposing penalties
31. when they aren't in a position to conduct proper hearings.
32. This...move for a favorable roll call.

33. PRESIDENT:

1. Is there further discussion? Senator Fawell.

2. SENATOR FAWELL:

3. Well, I...I just want to be sure that we all understand
4. what we're doing. We are now simply repealing the Sanitarians
5. Act. And I don't have any pride of authorship in that legislation
6. at all. The...but I...I think, ladies and gentlemen, when the
7. people back home finally wake up and understand what a rather
8. severe argument between Senator Mohr and a couple of his con-
9. stituents who couldn't get a license has brought upon the people
10. of the State of Illinois so that we no longer have the public
11. health protection. So that the public food inspectors throughout
12. the State of Illinois can be back on the patronage system and
13. be hired whether or not they know the slightest thing about
14. proper sanitation and care of food and our food markets, our
15. dairy products, all across the board. ...Well, you just keep
16. that roll call to yourself for a while. And, I think this is
17. rather important, I know the hour is late and I know we'd all
18. like to get home but I...I want to bring out to you that I
19. think we're making a very serious mistake and to use political
20. power in this way because of a...a pique that one Senator has
21. because his constituents weren't treated as he believes they
22. should have been treated, I think is...is going...

23. PRESIDENT:

24. For what purpose does Senator Mohr arise?

25. SENATOR MOHR:

26. Mr. President, I think Senator Fawell is out of order in
27. saying that it's one Senator. The last roll call should indicate
28. to him and the roll call will get better as we go, Senator. I
29. expect a little problem with this one but...on the other roll
30. calls where people have had problems there are many, many
31. Senators that have the problem. Please proceed.

32. PRESIDENT:

33. For what purpose does Senator McBroom arise?

1. SENATOR MCBROOM:

2. Well, when he...when he...yield I want to ask Senator
3. Fawell a question about...

4. PRESIDENT:

5. Proceed, Senator Fawell.

6. SENATOR FAWELL:

7. Well, that...that was it. As I indicated before I
8. think that Senator Mohr may very well have had a just reason
9. for complaint because perhaps his constituents weren't treated
10. correctly. I think that the reverberations however, of these
11. ...of these problems which have been going for about two
12. or three years and he hasn't gotten satisfaction have...have
13. gotten away...way out of order and I...I just think what we're
14. doing here is very tragic. I assume the House isn't going to
15. allow it to happen and the Governor won't sign the bills so
16. obviously all is not lost. But, I think it's unfortunate what
17. we're going...

18. PRESIDENT:

19. Senator McBroom.

20. SENATOR MCBROOM:

21. Senator Fawell, did I understand you to say that this
22. is apt to put these people back under the patronage system. Is
23. that what you said.

24. SENATOR FAWELL:

25. ...I...I can see that happening because there is no longer
26. a need for...in doing...food inspections and things of this sort
27. to hire people who have the...the technical training and back-
28. ground and experience.

29. PRESIDENT:

30. Senator McBroom.

31. SENATOR MCBROOM:

32. Well, I...I knew there was something about these bills
33. that appealed to me. Thank you.

1. PRESIDENT:

2. Senator Glass.

3. SENATOR GLASS:

4. ...Mr. President, I'd like to ask Senator MOhr just
5. one question. I have discussed this series of bills with him
6. and I'm going to support some of them but I would...as to this
7. one like to ask if there is any need for the act if this bill
8. passes. That is, as I understand it, the penalty provision
9. would be repealed making a voluntary registration situation
10. and I just wonder whether there is really viability left in
11. the act if this does pass.

12. PRESIDENT:

13. Senator Mohr.

14. SENATOR MOHR:

15. Senator Glass, I don't know what difference the act makes
16. anyhow because this Board and the Department of Registration
17. and Education haven't lived up to it anyhow.

18. PRESIDENT:

19. Senator Savickas.

20. SENATOR SAVICKAS:

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

22. PRESIDENT:

23. Senator Savickas has moved the previous question. All
24. in favor signify by saying aye. Contrary no. The motion
25. carries. Senator MOhr may close the debate. The question is
26. shall SB 1067 pass. Secretary will call the roll.

27. SECRETARY:

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

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

4. PRESIDENT:

5. Request for a call of the absentees. The absentees
6. will be called.

7. SECRETARY:

8. Buzbee, Chew, Conolly, Donnewald, Graham, Kenneth Hall,
9. Keegan, Knuepfer, Knuppel, McCarthy, Howard Mohr, Netsch,
10. Newhouse, Ozinga, Palmer, Rock, Schaffer, Shapiro, Smith,
11. Sommer,

12. PRESIDENT:

13. Senator Chew, aye. Senator Newhouse, aye. Kenneth
14. Hall, aye.

15. SECRETARY:

16. Soper, Swinarski, Weaver.

17. PRESIDENT:

18. On that question the yeas are 31. The nays are 10.
19. SB 1067 having received a constitutional majority is declared
20. passed. SB 1068.

21. SECRETARY:

22. SB 1068 (Secretary reads title of bill).

23. 3rd reading of the bill.

24. PRESIDENT:

25. Senator Mohr.

26. SENATOR MOHR:

27. Mr. President, I think this is the one that most people
28. are in agreement with including the Sanitarians. The...this calls
29. for the Board, Sanitarian Board to have a transcript of the
30. hearings when they're dealing with revocations or suspensions.
31. Now, in past, when one would go to the Board there would be
32. no record in which an attorney or an applicant who had been
33. turned down might check the...the hearing that was held. So
it just requires that they provide a transcript and that the

1. transcript be available should an applicant want to question
2. the Board's activities.

3. PRESIDENT:

4. Is there further discussion? The question is shall
5. SB 1068 pass. Secretary will call the roll.

6. SECRETARY:

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

12. PRESIDENT:

13. Senator Mohr.

14. SENATOR MOHR:

15. Gentlemen, this is one bill that the opposition did
16. agree on.

17. SECRETARY:

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

22. PRESIDENT:

23. Scholl, aye. On that question the yeas are 39. The
24. nays are 1. SB 1068 having received the constitutional majority
25. is declared passed. SB 1069.

26. SECRETARY:

27. SB 1069. (Secretary reads title of bill).

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Mohr. Senator Mohr.

31. SENATOR MOHR:

32. This...this Mr. President, 1069 is a bill that would
33. permit grandfather clause. Those that have worked in the

1. field last...in three of the past five years would qualify
2. or would be able to receive a certificate without the examination.
3. Incidentally, this is a bill that was passed a couple of years
4. ago and was not adhered to by the association. And is the reason
5. for all of these bills. Ask for a favorable roll call.

6. PRESIDENT:

7. Senator Dougherty.

8. SENATOR DOUGHERTY:

9. Mr. President, I think this is a good bill and I do
10. believe that the Department has no particular objections to it.

11. PRESIDENT:

12. Is there further discussion? The question is shall
13. SB 1069 pass. 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,
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. Senator...aye. Senator Don Moore, aye. Senator Newhouse,
27. aye. On that question the yeas are 31. The nays are 9. SB
28. 1069 having received the constitutional majority is declared
29. passed. SB 1070.

30. SENATOR MOHR:

31. 38 that should be, Mr. President. I'm sorry.

32. PRESIDENT:

33. SB 1138...do you not wish to call 1070?

1. SENATOR MOHR:

2. ...No, that's on a different subject, I've got
3. 1138 is the last one in the...

4. PRESIDENT:

5. SB 1138

6. SECRETARY:

7. SB 1138. (Secretary reads title of bill).
8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Mohr.

11. SENATOR MOHR:

12. Yes, Mr. President, this increases the members of the
13. Board of Registration for Sanitaricians from 7 to 15 by adding
14. two public members and six legislative members, three from
15. each House and those of you that have been in the Committees
16. in the Credit and Licensed Activities know that we have been
17. talking to a number of special interest groups that come in and
18. ask for boards or commissions made up of special interest groups.
19. And I think it would be well to include people outside of this
20. speical interest whatever it might happen to be and this one
21. the Sanitaricians do have a closed shop and I think it might be
22. helpful to have some legislative members on each of these boards
23. so that's all the bill does.

24. PRESIDENT:

25. Is there further discussion? The question is shall
26. SB 1138 pass. Secretary will call the roll.

27. SECRETARY:

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

31. PRESIDENT:

32. Senator Glass.

33. SENATOR GLASS:

1. ...Mr. President, I was going to ask Senator MOhr
2. whether the amendment was put on this bill. What...no...
3. so it remains at 15? I will vote no.

4. SECRETARY:

5. Graham, Harber Hall, Kenneth Hall, Hynes, Johns,
6. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom,
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, Sommer, Soper, Sours, Swinarski,
11. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

12. PRESIDENT:

13. Senator Swinarski, aye. Senator Schaffer, aye.
14. Senator Howard Mohr. Senator Mohr.

15. SENATOR MOHR:

16. Mr. President, very briefly, the amendment that
17. Senator Glass made reference to is another amendment from
18. a very special interest group and that is why it wasn't
19. accepted and I vote aye.

20. PRESIDENT:

21. On that question the yeas are 40. The nays are 5.
22. SB 1138 having received the constitutional majority is
23. declared passed. SB 967.

24. SECRETARY:

25. SB 967 (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Mr. President, members of the Body this is a very simple
31. bill designed to protect against inadequacies of teachers pensions
32. among some of our older teachers who are receiving extremely small
33. pensions but who taught for a substantial period of time. It

1. amends the downstate teacher's retirement system article of
2. the Pension Code and provides for a minimum retirement allowance
3. of ten dollars per month for each year creditable service up to
4. but not exceeding thirty years. So the maximum that any retired
5. teacher could receive if she had taught for thirty years would
6. be 3,000 dollars per year. If she had taught for ten and didn't
7. qualify under the older provisions of the pension for that much
8. she would be entitled to receive 1,000 dollars per year pension.
9. It's a good bill. It protects the older teachers many of
10. whom are on minimal pensions and many of whom are proud and
11. trying to get along without going on public aid...they don't
12. have social security, many of them. This bill should be enacted.

13. PRESIDENT:

14. Senator Shapiro.

15. SENATOR SHAPIRO:

16. Mr. President, members of the Senate, I still don't
17. remember how this got out of the Committee but this proposal
18. was not approved by the Pension Laws Commission and it is a
19. far reaching proposal. A dollar minimum for future retirements
20. is decidedly objectionable. I think that you should all recall
21. that the downstate teachers retirement system is already burdened
22. with one of the largest unfunded accrued liabilities, almost
23. 2 billion dollars. The past two years this General Assembly
24. was responsible for increasing that unfunded liability by almost
25. 1 billion dollars. This is a bad policy to set and I think
26. the bill should be defeated soundly. I am of the opinion at
27. the present time this General Assembly should not take any action
28. in extending or liberalizing the benefits of our pension funds.
29. We need to take a close look at all of them. Come up with some
30. reasonable solutions to reducing the unfunded liabilities and
31. then from that point on start looking into methods of liberalization
32. and so on and so forth. And I urge a no vote on this bill.

33. PRESIDENT:

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Thank you, Mr. President. Mr. President, first of
4. all let me say that I agree with Senator Shapiro that we
5. are probably going much, much too far in expanding all
6. the pension benefits of this State. ...We apparently...
7. we don't know where we're coming up with all of the
8. money but I think this is one of the exceptions. What
9. this bill does is address itself to a group of older
10. retired teachers, most of whom probably are...most of us
11. in this Chamber were educated by these older retired
12. teachers. People who devoted their whole lives to the
13. education of children. People who were hard workers
14. and...and now they're in the ridiculous position, many of
15. them, of drawing a pension of \$83.00 a month. And as
16. a matter of fact there's a group of these older teachers
17. who are drawing a pension of \$33.00 a month. And some
18. of that particular group through a computer error got a
19. months back or a year or so back to \$83 a month and then
20. a little while later the computer error was discovered and
21. their \$50 a month increase was almost taken away from
22. them. Now what this bill does, it does not jump everybody
23. to \$300 a month, of course. It simply jumps them by \$10
24. a month for every year of service up to a maximum of 30
25. years or a maximum of \$300. This is a group of older
26. teachers. To be perfectly blunt about it, Mr. President,
27. these people are going to be dying off in the next few
28. years. I think we ought to let them live in dignity their
29. last remaining years the amount of money we're going to
30. spend on this is miniscule because it's going to be de-
31. creasing every year. I might say, by the way that the teachers,
32. the present teacher who are as we all know very concerned
33. about their pension fund are in favor of this bill even
though it's going to actually hurt their pension fund a

1. little bit because we have the situation going right now
2. in the State of Illinois where a lot of these older retired
3. teachers who taught many of us in this Chamber are on welfare.
4. They're on welfare simply because whenever they happen to be
5. born too soon. They were born at a time when they taught under
6. low salaries, the pension system was not adequate at that time
7. and when they retired some of them as much as 15, 20, 25 years
8. ago they were locked into a situation of drawing \$83 a month
9. and sometimes less. I think this is a good bill and I think
10. we ought to support it.

11. PRESIDENT:

12. Senator Latherow.

13. SENATOR LATHEROW:

14. Mr. President, I...I was just wanting to comment but I
15. don't think these people were locked into 80 some dollars a
16. month. We've given a couple of raises not too long ago to
17. this group to people. I don't believe you can say they were
18. locked into it.

19. PRESIDENT:

20. Is there further discussion? Senator Knuppel.

21. SENATOR KNUPPEL:

22. Well, regardless as to whether they were locked in or
23. they weren't locked in, these people gave faithful service.
24. They...they manned the one room country schools and the
25. little schools where our boys and girls and our leaders went
26. to school. And anyone who wants to see these people die
27. in dignity and live the rest of their life in dignity will
28. realize that they don't want to go on old age assistance
29. and that \$83 a month in today's economy certainly doesn't let
30. these people live in the kind of dignity that I would want
31. those who taught me to live in. I respect those people. They
32. don't qualify for present pension systems because they were teaching
33. in a day when pension systems were not as popular. I think
it's a good bill. I ask and solicit your support. It's

1. supported by all the teacher groups and I think it's good
2. legislation. I'd ask for a favorable roll call.

3. PRESIDENT:

4. The question is shall SB 967 pass. The Secretary will
5. call the roll.

6. SECRETARY:

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

17. PRESIDENT:

18. Request for a call of the absentees. The absentees
19. will be called.

20. SECRETARY:

21. Bartulis, Berning, Chew, Course, Davidson, Donnewald,
22. Fawell, Keegan, Knuepfer, Kosinski, Latherow, McCarthy, Mitchler,
23. Howard Mohr, Don Moore, Netsch, Nimrod, Ozinga, Palmer, Regner,
24. Rock, Roe, Romano, Schaffer, Scholl, Sommer, Soper, Sours,
25. Swinarski, Walker, Weaver.

26. PRESIDENT:

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. I'd like to place this on postponed consideration.

30. PRESIDENT:

31. All in favor of the motion to postpone signify by saying
32. aye. Contrary no. Motion carries. SB 970.

33. SECRETARY:

1. SB 970 (Secretary reads title of bill).

2. 3rd reading of the bill.

3. PRESIDENT:

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. SB 970 is designed to raise the limits allowable under
7. recoveries under the Dram Shop Act from 20,000 to 40,000 dollars.
8. The last time the limits under the Dram Shop Act for support
9. were dealt with was in 1956 and as you all know everything has
10. virtually doubled since that time. I feel very strongly that
11. those people who were injured by someone who is intoxicated
12. are entitled to receive the same type of compensation as those
13. people who were injured in 1956. This is good legislation
14. with no fault insurance which I think will be a reality. It
15. will relieve much of the stress that has been thrown onto
16. recoveries under the Dram Shop Insurance. I solicit your
17. support because if these people do not receive adequate
18. compensation they will be the burden of the State or others.
19. I think this is good legislation. A person who is injured
20. is entitled to recovery. The person who should pay is the
21. person who has become intoxicated by paying the additional
22. amount since the tavern owner will have to charge for a
23. bottle of beer or a drink of whiskey to buy the insurance
24. that is necessary. This is the way it should be. I ask
25. your support.

26. PRESIDENT:

27. Is there discussion? The question is shall SB 970 pass.
28. The Secretary will call the roll.

29. SECRETARY:

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

1. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
2. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. Just like to ask one question. I'm sorry, I missed it
7. but Senator do you conceive that this would increase premiums
8. substantially?

9. PRESIDENT:

10. Senator Knuppel.

11. SENATOR KNUPPEL:

12. I would not be surprised if it did because you're going
13. to have additional damages but as I said with nofault insurance
14. becomes reality much of the pressure of the Dram Shop insurance
15. will be relieved and secondly even if the premiums aren't quite
16. what they were in 1956 the recovery is twice as much. The
17. people cost twice as much to live and it should be kept in line
18. with the times, if we put limits on there. If we don't the
19. courts, in my opinion, will remove them as being unrealistic
20. they have that privilege.

21. SENATOR PARTEE:

22. Then with the premiums going up, my vote is no.

23. SECRETARY:

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. PRESIDENT:

28. Senator Knuppel.

29. SENATOR KNUPPEL

30. How am I recorded?

31. PRESIDENT:

32. You are not recorded.

33. SENATOR KNUPPEL:

All right.

1. PRESIDENT:

2. Senator Knuppel, aye.

3. SENATOR KNUPPEL:

4. ...I doubt that I have the necessary votes for this
5. piece of legislation here this afternoon and maybe wouldn't
6. have it anytime so I'll let it go with the roll call. But
7. it's...strange...strange quirk of...to my mind that because
8. it's going to cost more to buy a bottle of beer or a shot
9. of whiskey because that's where it's passed on to the con-
10. sumer so you can get drunk, it's a little bit cheaper to
11. somebody who's hurt will become a burden of the State. I
12. vote aye.

13. PRESIDENT:

14. On that question the yeas are 13. The nays are 8.
15. SB 970 having failed to receive a constitutuional majority
16. is declared lost. SB 973.

17. SECRETARY:

18. SB 973 (Secretary reads title of bill)
19. 3rd reading of the bill.

20. PRESIDENT:

21. Senator McBroom.

22. SENATOR MCBROOM:

23. Well, Mr. President, members of the Senate, HB 973 is
24. a bill that is wanted by the State Chamber of Commerce. I
25. didn't anticipate it to be a controversial bill, it will circimvent
26. the necessity of reappropriation each and every year up to a maximum
27. of five years. I'll be glad to answer any questions on it. It
28. was discussed fully the other day in Executive Committee.

29. PRESIDENT:

30. Is there further discussion? The question is shall SB 973
31. ...Senator Bruce.

32. SENATOR BRUCE:

33. Yes, Mr. President, if Senator McBroom would yield to a

1. question. What is the great advantage to having a five year
2. appropriation for capital improvements?

3. SENATOR McBROOM:

4. Well, for one thing Senator Bruce, the construction companies
5. would be in a better position to know where they are standing.

6. SENATOR BRUCE:

7. Well, don't we presently make an appropriation if that
8. money is not expended and after we've authorized the project
9. to be in the State's interest if that money is not expended
10. within that fiscal year do we not reappropriate that money in
11. the coming year?

12. SENATOR McBROOM:

13. No, we have to do it every year, and I don't see any
14. point in it Senator Bruce.

15. SENATOR BRUCE:

16. All right, my question then is do...does not the
17. Legislature retain an option under that program of each year
18. making a reanalysis of capital project and then having the
19. potential of rejecting that reappropriation but if we do
20. this bill, if the money is not expended until the fifth year
21. we have lost complete control of that particular capital
22. project.

23. SENATOR McBROOM:

24. I think...I think Senator Bruce and I don't say this
25. flippantly, I think you made a pretty persuasive argument
26. in favor of this bill. And furthermore, it's similar to a
27. leasing bill, I believe that SB 992 that Senator Rock is handling.

28. SENATOR BRUCE:

29. And I also would say I'm opposed to Senator Rock's
30. bill that lessens the amount of control the Legislature
31. has. Just to speak very briefly to the bill, this appropriation
32. ...this would allow five year appropriation without legislative
33. intervention on all capital improvements within the State of

1. Illinois. Each of us knows that each year we appropriate
2. money and find projects to be in the public interest. We
3. also have the opportunity to reappropriate that money in
4. the coming year. What this bill denies though is the
5. opportunity to look over the shoulder of the Governor and
6. all the agencies involved in capital improvement. We are
7. locked in. We cannot do anything, the appropriation is
8. valid for five years. I just don't know where that fits
9. in the constitutional mandate after two years this Legislature
10. expires and goes away. In my...I just think it is not the
11. proper way that we have to pass the capital development
12. bond board and all the other bonding we're doing it. It
13. seems to me that what we ought to do is keep a very close
14. control of capital improvements rather than losing that
15. control and I urge a no vote.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any further discussion? Senator Clarke.

18. SENATOR CLARKE:

19. I'd like to ask a question too, if I could. Is it
20. possible under the new Constitution Senator, which it was
21. not under the old Constitution for us to bind a future
22. Legislature which...if you could tell me where the provision
23. is in the Constitution?

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator McBroom.

26. SENATOR MCBROOM:

27. Well, my attorney, Senator Merritt is off the Floor
28. right now but as I understand it...Oh, I see. As I under-
29. stand it it's because of the new Constituution that we're...
30. it's possible to do this Senator Clarke.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Any further disucssion? The question is shall SB 973
33. pass. And upon 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. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Hynes.

8. SENATOR HYNES:

9. Mr. President, I see some merit in the bill in terms
10. of the...the certainty of the appropriations process for the
11. long run. On the other hand, however, I...I do see a loss
12. of appropriations control in the General Assembly and I frankly
13. am not prepared to see that happen or come about at this point.
14. And for that reason I don't feel that I can support the bill at
15. this time and I vote no.

16. SECRETARY:

17. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
18. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
19. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
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 WEAVER):

24. Berning, aye. Scholl, aye. Clarke, aye. Ozinga, aye.
25. McBroom, aye. There's been a request for a call of the absentees.
26. The absentees will be called.

27. SECRETARY:

28. Carroll, Chew, Course, Daley, Donnewald, Fawell,
29. Kenneth Hall, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
30. McBroom, McCarthy, Mitchler, Netsch, Newhouse, Nimrod,
31. Nudelman, Palmer, Partee, Romano, Savickas, Shapiro, Soper,
32. Swinarski, Welsh.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator McBroom? On that question the yeas are 29.
2. The nays are 8. SB 973 having failed to receive the constitutional
3. majority is declared lost. SB 995. Senator Johns.

4. SECRETARY:

5. SB 995. (Secretary reads title of bill).
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Johns.

9. SENATOR JOHNS:

10. Gentlemen, I don't want to take too much time with this
11. bill this thing is just to...the reason for this proposal is
12. this exemption would eliminate State duplication of licensure
13. and...inspection which is done by the Federal Government. Thus
14. allowing personnel in the Department to devote time to progress
15. ...programs to greater public health significance. Also the
16. cost of processing the seven current applications of licensing
17. is greater than the total fees received. What we're trying to
18. do here is get rid of some of the...I guess bureaucratic jungle
19. that we have in the Department. There is no money involved, it's
20. just a process that we need to get rid of because the Federal
21. Government is licensing these people. Let me read the synopsis
22. I think this defines it better than anything I can do. It
23. amends the impounding and disposition of stray animals. Limits
24. the public pounds from providing impounded animals to other
25. than State or Federally licensed institutions. It exempts
26. institutions requiring the use of live cats and dogs from the
27. Department of Public Health licensing requirements provided
28. such institutions are currently licensed by the Federal Government.
29. It's just a piece of housekeeping in my estimation.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Is there any discussion? The question is shall SB 995
32. pass. Upon that 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 WEAVER):

12. Hynes, aye. Senator Sours.

13. SENATOR SOURS:

14. I realize, Mr. President, this bill concerns some of
15. my animal friends but...frankly Senator Johns, I don't know
16. what this bill does. Will you explain it to me briefly? If
17. it's something I should vote for I certainly want to, if it
18. isn't I won't.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator, we're on roll call.

21. SENATOR SOURS:

22. Well, I....

23. PRESIDING OFFICER (SENATOR WEAVER):

24. For what purpose does Senator Berning arise?

25. SENATOR BERNING:

26. On a point of personal privilege then perhaps as long
27. as we're on a break and can't finish the roll call, I merely
28. would like to observe of all the things we've done here this
29. afternoon there's probably nothing of any significance to the
30. citizens of the State of Illinois. I don't know why we're
31. sticking around here when there are some critical bills on
32. this list...on this Calendar that ought to be taken care,
33. meanwhile we're passing a lot of nothing stuff to clear up

1. the...statute books.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. On that question the ayes are 32. The nays are none.
4. SB 995 having received the constitutional majority is declared
5. passed. 996. Senator Saperstein.

6. SECRETARY:

7. SB 996. (Secretary reads title of bill).

8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Saperstein.

11. SENATOR SAPERSTEIN:

12. Thank you, Mr. President, Ladies and Gentlemen of the
13. Senate, 996 deals with the hard to educate child. There are
14. a group of hard to educate children who come from disadvantaged
15. families who have no concept of the importance of education
16. and we find after a few experimental programs that if these
17. children are given a chance for early childhood education as
18. demonstrated in the Head Start program that they advance
19. enough to be a year or two ahead of their peers. Now this
20. program would...this bill would permit the beginning of a
21. pilot program statewide that would give the opportunity to
22. not more than 2% of weighted average daily attendance to
23. children who come under that classification. This is really
24. an investment in children. It's an investment in education
25. and will save many, many dollars when these...when children
26. who are not given this opportunity experience failure. I urge
27. your support of SB 996.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Shapiro.

30. SENATOR SHAPIRO:

31. ...Mr. President, members of the Senate, I opposed
32. this bill in Committee and I realize that it's hard to get
33. up and oppose something that stands for motherhood and
children and all of that. This bill at the present time I understand

1. is premissive but it sets up prekindergarten program at the
2. age of 3 even though now it is a permissive program eventually
3. we know we will be dealing with a mandatory program and I
4. urge its defeat.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is there any further discussion? The question is shall
7. SB 996 pass. And upon that question the Secretary will call
8. the roll.

9. SECRETARY:

10. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
11. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
12. Dougherty, Fawell, Glass,

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Fawell.

15. SENATOR FAWELL:

16. ...Just...just one point...I...I am opposed to this
17. too and it's difficult to take opposition to it but I want to
18. point out on the amendment any fifty people can petition the
19. Board of Education to bring this program into being and as I
20. read the amendment they must do so and yet they would get
21. reimbursement only on the basis of 2% of the weighted average
22. daily attendance. So it...it's something that could be brought
23. ...local district would have to accept and the State reimbursement
24. would not be very great. I...I'd have to vote no.

25. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Newhouse, aye. On this question the yeas are 25.
2. The nays are 12. SB 996 having failed to receive a
3. constitutional majority is declared lost. Is there leave
4. to revert to the order of 2nd reading? To return some
5. bills to the order of 2nd reading. Excuse me. All in
6. favor signify by saying aye. Opposed nay. SB 1005,
7. Senator Harris, do you have an amendment?

8. SENATOR HARRIS:

9. Yes. This is an amendment to SB 1005 which Senator
10. Partee requested... We...we...the bill is on 2nd reading
11. the amendment is on the Secretary's desk and it limits
12. the activity of the Environmental Protection powers to
13. the area within this specific port district. There was a
14. question about the way the bill was drawn whether it might
15. apply statewide. Senator Partee raised this objection
16. the Environmental Protection Agency did also and I'm happy
17. to accept this amendment that clears up that question. I
18. move the adoption of the amendment.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. This is SB 1006, Senator Harris?

21. SENATOR HARRIS:

22. 1005.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Is there leave to return 1005 to the order of 2nd reading
25. for the purpose of an amendment? Opposed nay. Leave is granted.
26. Senator Harris moves the adoption of Amendment No...2 to SB 1005.
27. All in favor signify by saying aye. Opposed nay. Any further
28. amendments? 3rd reading. SB 977, Senator Rock.

29. SENATOR ROCK:

30. Yes, Mr. President, SB 977 is sponsored by Senator Keegan.
31. Senator Latherow has an amendment. I would ask leave that it
32. be brought to 2nd reading for the purpose of adopting that
33. amendment.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Is there leave? Leave is granted. Senator Latherow.

3. SENATOR LATHEROW:

4. Mr. President and Members of the Senate, this merely
5. deletes four lines, line 5 and 6 and lines 23 and 24. This
6. would allow that bounties still remain on groundhogs. I
7. move the adoption of the amendment.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Latherow moves the adoption of Amendment No. 1
10. to SB 97...Amendment No. 2 to SB 977. All in favor signify
11. by saying aye. Opposed nay. Amendment is adopted. 3rd
12. reading. Senator Hynes, do you have an amendment for 885?

13. SENATOR HYNES:

14. I would ask that SB 885 be brought back to the order
15. of 2nd reading for the purpose of an amendment.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there leave? Leave is granted to return to the
18. order of 2nd reading on SB 885.

19. SENATOR HYNES:

20. I would offer Amendment No. 1 which removes the re-
21. striction on the use of the motor fuel tax funds to be dis-
22. tributed under this bill from downstate cities. This bill,
23. essentially, will increase the allocation of motor fuel tax
24. funds insofar as municipalities are concerned there is re-
25. striction on how it is to be used. It is to be used for
26. residential streets. This says now that the downstate cities
27. have no restrictions, the restriction will remain on the City
28. of Chicago. I would move the adoption of the amendment.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. ...All in favor signify by saying aye. Opposed nay.
31. Amendment is adopted. 3rd reading. Senator McBroom, 663.

32. SENATOR MCBROOM:

33. Yes, Mr. President, is Senator Partee on the Floor?

1. I'd like to move 663 back for purpose of an amendment. The
2. amendment I have here, Senator Rock, I'd be happy to give you
3. a copy of it if you don't have it. It's the one that Mr...

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Is there leave?

6. SENATOR MCBROOM:

7. ...talked to Senator Partee about.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Leave is granted. SB 663 revert to the order of 2nd
10. reading.

11. SENATOR MCBROOM:

12. Here is the amendment if there is... I move the
13. adoption of the amendment, Mr. Chairman...Mr. President.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. All in favor of the adoption of the amendment signify
16. by saying aye. Opposed nay. Amendment is adopted. 663,
17. 3rd reading. Harber...Senator Harber Hall, do you have an
18. amendment on 462?

19. SENATOR HARBER HALL:

20. ...I would ask leave to return 462 back to the order
21. of 2nd reading for purpose of an amendment.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Is there leave? Leave is granted.

24. SENATOR HARBER HALL:

25. Mr. President, this is an amendment, there was a typo-
26. graphical error in the previous amendment to this. I would
27. ask that Amendment 1 be Tabled...

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Move to reconsider the vote by which Amendment No. 1
30. was adopted. All in favor signify by saying aye. Oppose nay.

31. SENATOR MCBROOM:

32. Thank you, Mr. President.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Motion carries.

2. SENATOR McBROOM:

3. Now I would move for adoption of this amendment which...

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Motion to Table the amendment.

6. SENATOR McBROOM:

7. ...move for adoption of the amendment.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. All in favor signify by saying aye. Opposed, nay.

10. Senator Rock.

11. SENATOR ROCK:

12. ...I'm not opposed, it's on consideration postponed.

13. He can have it any...what does it do? Oh, we put it back

14. to 50% now?

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Hall.

17. SENATOR HARBER HALL:

18. No. I explained. This was a typing error in that amend-

19. ment. We corrected the typing error. It's still 25%.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. The amendment's adopted. Anyone else want to move a

22. bill back? Senator Nimrod.

23. SENATOR NIMROD:

24. ...Mr. President, I had agreed to move 1097 back for...

25. the other side of the aisle to amend the bill if they so

26. chose. I would move it back at this time if they would like

27. to place any amendment on it.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Is there leave? Leave. Any amendments from the Floor?

30. Senator Savickas.

31. SENATOR SAVICKAS:

32. Yes, Mr. President, fellow Senators. The amendment is on

33. the desk and it's just increasing some of the salaries in the Department of Labor under the Director. The Director salary

1. was increased...the Assistant Director, Chief Acting Director,
2. Superintendent of Safety Inspection and Superintendent of
3. Women's and Children's Employment. These are all statutory
4. positions and they have had no raise in the last eleven years.
5. So I would appreciate your support on this amendment.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Savickas offers Amendment No. 2. All in favor
8. signify by saying aye. Senator Knuepfer.

9. SENATOR KNUEPFER:

10. Where is this bill? Excuse me, what...order of business
11. are we on? Are we with...are we moving a bill back to 2nd
12. reading? What order of business is that bill on right now?
13. Where was it before we took it to 2nd reading? ...3rd reading?
14. And, can you explain, I'm sorry, Senator Savickas, can you
15. explain the amendment just very briefly.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Savickas.

18. SENATOR SAVICKAS:

19. Yes...it will allow pay raises for 1, 2, 3, 4, 5 positions.
20. It will bring the Director of Labor above what the Assistant
21. Director was getting. And increases the Assistant Director's
22. salary, increases Chief Factory Inspector, the Superintendent
23. of Safety and the Superintendent of Women's and Children's
24. Employment. These were all statutory positions, positions that
25. have had no raises in the last eleven years so I would...

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Clarke.

28. SENATOR CLARKE:

29. Well, Gentlemen, the Chairman of the Executive Committee
30. doesn't seem to be on the Floor. But the fact of the matter is
31. that what the Senator is trying to do by this amendment is to
32. put a bill that was defeated in the Executive Committee on this
33. bill by amendment because he had a bill which would have done
this, in terms of these individuals the bill was voted down in

1. Executive Committee and he is putting it on this bill by
2. amendment and I think this is a, you know, a piggyback situation
3. that we ought to be looking and opposing in these hectic days.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. Senator Berning.
6. SENATOR BERNING:
7. Just like to inquire how many of these posts are un-
8. filled at this point?
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Savickas.. Senator Savickas he asked how many of
11. these posts are unfilled today.
12. SENATOR SAVICKAS:
13. Well, I really don't know. I don't think any of them
14. are unfilled, I...I think that there are one or two or three
15. that are awaiting Senate confirmation. Now...now the present
16. people cannot get a raise unless they get reappointed and I
17. would like to just comment that this was not my bill. I did
18. not offer this in Executive but it was a bill similar to this
19. that was offered, there were two in fact, Senator Nimrod's
20. and the other one, I don't remember who offered it in
21. Committee but one got out of Committee one didn't. They
22. were pretty identical and they had parts of the same...
23. incorporated. Now as I said before we're talking about five
24. positions that haven't had a pay raise in eleven years.
25. PRESIDING OFFICER (SENATOR WEAVER):
26. Is there any further discussion? All in favor of the
27. adoption of the amendment signify... Roll call has been
28. requested. Secretary will call the roll.
29. SECRETARY:
30. Bartulis,
31. PRESIDING OFFICER (SENATOR WEAVER):
32. For what...for what purpose does Senator Buzbee arise?
33. SENATOR BUZBEE:

1. A point of parliamentary inquiry. ...What are you,
2. on the amendment to Senator Savickas' bill?
3. PRESIDING OFFICER (SENATOR WEAVER):
4. That's right. Senator Nimrod, Senator Savickas' amendment.
5. SENATOR BUZBEE:
6. Senator Savickas' amendment, right?
7. SECRETARY:
8. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
9. Chew, Clarke.
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Senator Clarke.
12. SENATOR CLARKE:
13. I want to apologize to Senator Savickas. I think it
14. was Senator Swinarski that offered the bill. But the amend-
15. ment essentially is that bill added to another bill to put
16. some other people back for pay raises that the Executive
17. Committee decided shouldn't have. I think that should be
18. defeated. I vote no.
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, Johns,
23. Keegan, 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, Weaver,
28. Welsh, Wooten, Mr. President.
29. PRESIDING OFFICER (SENATOR WEAVER):
30. Nudelman, aye. Carroll, aye. Palmer aye. Savickas,
31. Senator Savickas.
32. SENATOR SAVICKAS:
33. Would you poll the absentees, please?
PRESIDING OFFICER (SENATOR WEAVER):

1. The absentees will be polled.

2. SECRETARY:

3. Chew, Donnewald, Kenneth Hall, Keegan, Kosinski,
4. McCarthy, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
5. Romano, Scholl, Smith, Soper, Sours, Wooten, Mr. President.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. On that question the yeas are 25. The nays are 19.
8. The amendment is adopted. 3rd reading. SB on 3rd reading,
9. 538. Senator Nudelman. Senator...538, Mr. Secretary.

10. SECRETARY:

11. SB 538. (Secretary reads title of bill)
12. 3rd reading of the bill.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Nudelman.

15. SENATOR NUDELMAN:

16. Mr. President, Ladies and Gentlemen of the Senate. With
17. permission of the Chair and of the Body, I have three very
18. closely related bills, 538, 551 and 630. I would ask leave
19. of the Chair to discuss them all together to save some...some
20. time of this Body and then, of course, they could be voted on
21. separately. But the subject matter is so similar that I think
22. I could cover it altogether.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Leave is granted.

25. SENATOR NUDELMAN:

26. Thank you. SB 538 would simply permit a defendant in
27. a prosecution under the Illinois Governmental Ethics Act, per-
28. mit him to have the right to be tried in the county in which he
29. resides. The one example we had of a trial under this bill
30. showed me, at least, that the inconvenience to the defendant,
31. the tremendous expense and, incidentally, the expense to the
32. State which of necessity had to bring the State's witnesses
33. and the State's evidence from the county in which the defendant
resided is...are ample evidence of the need and the right

1. of the defendant to be tried for that type of an offense
2. in his home county. I think the constitution gives him
3. that right but evidently my interpretation differs from
4. this interpretation so far, of course,...the...because they
5. ...they deemed the offense occurred where the statement was
6. filed and not where the alleged activity took place. The
7. second bill is a similar bill, 551, and it would give under
8. the official Misconduct Act, it would give a defendant the
9. right to be tried...

10. PRESIDING OFFICER (SENATOR WEAVER):

11. For what purpose does Senator Knuepfer arise?

12. SENATOR KNUEPFER:

13. My question is how did we get on to this particular
14. bill when we're supposed to be in some kind of a sequence.
15. Are we jumping all over now?

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Leave was granted and no one objected.

18. SENATOR KNUEPFER:

19. Oh...I'm sorry, I have not been clued in on the
20. machinations that have been going on.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Nudelman, continue.

23. SENATOR NUDELMAN:

24. The second bill is the official misconduct and would
25. grant leave to the defendant and that type of a case and
26. also to be tried in the county where he was elected, appointed
27. or employed. The third such bill, and frankly Ladies and
28. Gentlemen, to me the most important would give the retailer
29. who was charged with a criminal violation of the Retailers
30. Occupational Tax Act and would give him the right to be tried
31. in the county in which his place of business was located. I
32. think in all three instances the convenience of both the State
33. and the defendant for all the reasons I stated relative to the

1. first bill would best be served if these defendants were
2. granted this right. I think it only fair and right and
3. I request a favorable roll call on all three bills and
4. of course would be willing to answer any questions.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is there any discussion? The question is shall SB 538
7. pass. And upon that question the Secretary will call the roll.

8. SECRETARY:

9. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
10. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
11. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
12. Hall, Hynes, Johns, Keegan, Kneupfer, Knuppel, Kosinski,
13. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
14. Mohr, Don Moore, Netsch,

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Netsch.

17. SENATOR NETSCH:

18. Mr. President, I'm going to vote yes. The other day
19. when I was having some discussion with Senator Nudelman...
20. about this when he first presented it I suggested that
21. it might be possible or at least there was a basis for
22. distinguishing between various kinds of crimes in terms of
23. where the appropriate place where trial ought to be and that
24. perhaps those that involved very sensitive questions of...
25. ethics, official misconduct and so forth might well be tried
26. in Springfield. I thought about it...I think that really the
27. most offensible position is that a defendant whoever or
28. whomever has the right to be tried really where he resides even
29. in the case of a...somewhat more sensitive type of crime. It
30. seems to me that principle in the end is far more important
31. than what is reflected in the existing law. So my vote is yes.

32. SECRETARY:

33. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,

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

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Merritt, aye. Regner, aye. Harris, aye. Knuepfer,
6. Senator Knuepfer...

7. SENATOR KNUEFFER:

8. No, not I...I don't think I'm recorded yet. I don't
9. think this bill got the least bill better in the day that it had
10. to age. I don't know how it is in Cook County but I do know
11. in my county I know all of the judges and I know there are
12. many smaller counties in which there is a very close relationship
13. between legislators and judges. I think this is a bad bill. I
14. think there would...it would be very easy to bring influence to
15. bear upon the Judiciary in this kind of a situation in any of
16. the smaller counties and I vote no.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. On that question the yeas are 39. The nays are 2.
19. SB 538 having received the constitutional majority is declared
20. passed. SB 551.

21. SECRETARY:

22. SB 551. (Secretary reads title of bill).
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Nudelman.

26. SENATOR NUDELMAN:

27. Mr. President, I think I have already said what there is
28. to be said about this bill. I would answer any questions and
29. I would ask for a favorable roll call.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Is there any discussion? The question is shall SB 551
32. pass. And on that 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 WEAVER):

12. Johns, aye. Nimrod, aye. On that question the ayes
13. 41. The nays are 2. SB 551 having received the constitutional
14. majority is declared passed. 630.

15. SECRETARY:

16. SB 630. (Secretary reads title of bill).

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Nudelman.

20. SENATOR NUDELMAN:

21. Mr. President, Ladies and Gentlemen of the Senate, I
22. again have said everything there is to be said about this bill.
23. I would, of course, answer any questions. And I would request
24. a favorable roll call.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Is there any discussion? The question...Senator Clarke.

27. SENATOR CLARKE:

28. Yeah, I'd like to have an explanation, Mr. Senator.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Nudelman.

31. SENATOR NUDELMAN:

32. Yes sir, Senator. Under the present procedure when a
33. retailer might corner...my tailor might corner or my corner
grocer or the florist or whomever is charged with a criminal

1. violation of the Retailer's Occupational Tax Act, he is
2. forced to come to Springfield with his witnesses, with his
3. lawyers with his evidence and so forth and be tried here.
4. The evidence both on his side and the State side, of course,
5. is in the county in which he resides. Be it Cook or any
6. other county. The State hires a special State's Attorney
7. to try these cases. It would be just as easy for the
8. State to prosecute these cases in the county in which the
9. alleged violation occurred and I think it would probably
10. ultimately be less expensive for the State as well as for
11. the defendant.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Clarke.

14. SENATOR CLARKE:

15. You have any idea...can you give us any idea as to
16. how many of these types of cases there are in a year?

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Nudelman.

19. SENATOR NUDELMAN:

20. ...Yes, Senator. It's my understanding that these
21. prosecutions have been going on for a relatively short
22. time. In the past year or so there have been 46 prosecutions,
23. 20 of which were with large corporations which I'm not too
24. overly concerned about and 20 of which were with small
25. retailers who really had to bear the brunt of the expense.
26. And those are the people I'm concerned about.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Clarke.

29. SENATOR CLARKE:

30. That...that's the point I wanted to make because I had
31. the figure 15, but 15 or 20 that you're really talking about in terms
32. of people that are inconvenienced. And yet, this is where
33. the Attorney General's Office is, this is where the Revenue
Department is...and that type of information and it just

1. seems to me that this is a different situation entirely.
2. And I wanted the Body to be aware of that from the previous
3. two bills which deal with...personal matters in terms of State
4. officials. I think this is a bad bill.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Partee.

7. SENATOR PARTEE:

8. Senator Clarke, first of all, I don't think the
9. Attorney General handles these cases. There are special
10. Assistant State's Attorneys that handle them. Originally
11. the Department of Revenue was opposed to the bill. I want
12. the Body to know that the Department of Revenue recognizes
13. now that it is better that two Assistant State's Attorneys
14. be inconvenienced than for any citizen in the State from
15. one end to the other be inconvenienced. So the Department
16. of Revenue is for the bill now, they're not opposed to it.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Sours.

19. SENATOR SOURS:

20. I didn't comment, Mr. President, on the last two bills
21. of Senator Nudelman. But, now this bill, in my opinion, and
22. Senator, there were 15 last year in a twelve month period.
23. Now so far as corporations are concerned they can be sued
24. anywhere. That is, they can be indicted anywhere, where
25. they're transacting any business at all. Now, I'm inclined
26. to agree with Senator Clarke so far as we're talking now
27. about an indebtedness, an alleged indebtedness, owing to
28. the people and this probably ought to be the proper form.
29. And while I remained noncommittal on the other two, this
30. I have to oppose.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Nudelman may close the debate.

33. SENATOR NUDELMAN:

1. I would...I would merely repeat Senators that the
2. Attorney General does not try these cases be they in
3. Springfield or anyplace else. He hires special Assistant
4. State's Attorneys that at least for the northern era of
5. Cook County the evidence both on the part of the State and
6. the defendant is in the northern tier. The evidence from
7. the southern tier I know not where it is, I would assume
8. it's in Springfield. But it seems that to me...cumulatively
9. the inconvenience is less if the defendant is tried in his
10. home county than if he is required to come here and I think
11. we should show some concern for the individuals. I request
12. a favorable roll call. Thank you.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. The question is shall SB 630 pass. And upon that
15. 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,

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Sours.

27. SENATOR SOURS:

28. I neglected to mention a minute ago that another redeeming
29. factor and that is there can be a trial three or four years quicker
30. down here in Sangamon County than in the big county.

31. SECRETARY:

32. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
33. Mr. President.

1. PRESIDENT:

2. On that question the yeas are 35. The nays are 7.
3. SB 630 having received the constitutional majority is declared
4. passed. Senator Rock, did you have a bill...SB 977, I believe?

5. SENATOR ROCK:

6. Yes, Mr. President, Members of the Senate, if Senator
7. Latherow is on the Floor, we have accepted his amendment.
8. SB 977 adds section to the Civil Administrative Code of the
9. State of Illinois. And as amended, as it came out of
10. Committee it repealed the Bounty Act on killing crows, killing
11. ground hogs and fox scalps. Now this, the amendment that
12. Senator Latherow offered and was accepted, put back in ground hogs.
13. I think that the bill in its present form is acceptable. I
14. know of no objection. I ask for a favorable roll call...

15. PRESIDENT:

16. ...Read the bill a 3rd time.

17. SECRETARY:

18. SB 977 (Secretary reads title of bill)
19. 3rd reading of the bill.

20. PRESIDENT:

21. Is there further discussion? The question is shall
22. SB 977 pass. And on that question the Secretary will call
23. the roll.

24. ACTING SECRETARY (MR. WRIGHT):

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

1. PRESIDENT:

2. Senator Netsch, aye. Senator Vadalabene, aye. Senator
3. Walker, aye. Senator McBroom, aye. Senator Hynes, aye.
4. Senator Buzbee, aye. On that question the yeas are 43. The
5. nays are none. SB 977 having received a constitutional
6. majority is declared passed. Now if I could have the attention
7. of the Senate... This afternoon the House made a deter-
8. mination to extend their deadlines a full week. We have no
9. protection under our rules but to accept the product of
10. House bills that comes to us next week. I've consulted
11. with the members of the joint leadership about what is
12. our best course of action. It is perfectly clear that
13. those of us who are here, there have been some who have
14. drifted off, we are tired. We...we will be able to
15. produce a far more responsible evaluation of the important
16. legislation still before us if we recognize the wisdom of the
17. House decision. Upon consulting among the joint leadership
18. we have all determined that the most appropriate course of
19. action for us to do instead of wearing ourselves out further
20. that we extend our deadline the same period of time and
21. when we reconvene Tuesday at 10 we proceed with dispatch
22. on all of the bills on third reading on the Calendar now.
23. Now already before us are certain numbers of bills that
24. have been exempted by action of the Rules Committee and
25. all of the appropriations bills. That the joint staffs
26. will carefully identify the bills that will be affected
27. by this action. And we will have a clear understanding of
28. that when we convene Tuesday exactly where we are. So it
29. is the determination of the leadership that we finish up
30. now those very limited number of housekeeping bills that
31. remain before us and we adjourn until 10 o'clock Tuesday
32. morning. Is that acceptable to the membership? Yes.
33. Senator Roe...Senator Roe, you have a motion...yes, yes,

1. Senator...

2. SECRETARY:

3. Having voted on the prevailing side...having

4. voted on the prevailing side on SB 777 I hereby give

5. notice that on Tuesday May 29, 1973, I will make a

6. motion for the reconsideration of SB 777.

7. Signed Senator John B. Roe, May 25, 1973.

8. PRESIDENT:

9. Messages from the House.

10. SECRETARY:

11. A message from the House.

12. (Secretary reads Message from the House).

13. PRESIDENT:

14. Does Senator Glass has a joint resolution.

15. Senator Glass.

16. SENATOR GLASS:

17. I...this is a congratulatory...congratulatory resolution

18. Mr. President...

19. PRESIDENT:

20. Senator Glass moves to suspend the Rules for the

21. immediate consideration of the adoption of the Resolution.

22. All in favor signify by saying aye. Contrary no. The motion

23. carries. The Rules are suspended. On the motion to adopt.

24. All in favor signify by saying aye. Contrary no. The motion

25. carries. The resolution is adopted.

26. SECRETARY:

27. House Joint Resolution...House Joint Resolution 51.

28. It extends appreciation and gratitude to Dr. Lloyd S. Michael

29. of Evanston, Illinois the first Chairman of the Illinois State

30. Scholarship Commission.

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. To obviate a meeting of the Rules Committee, Senator
2. Palmer has a bill which he wants to introduce...no, it's
3. introduced...they just wanted to...
4. PRESIDENT:
5. No...it was placed on the Secretary's desk...
6. SENATOR PARTEE:
7. Placed on the Secretary's desk....
8. PRESIDENT:
9. Yes.
10. SENATOR PARTEE:
11. ...want to introduce...ask leave to introduce the
12. bill.
13. PRESIDENT:
14. Senator Knuepfer, do you have a matter?
15. SENATOR KNUEPFER:
16. I'd ask leave to have SB 235 on 3rd reading returned
17. to the order of 2nd reading for the purpose of adding an
18. amendment.
19. PRESIDENT:
20. SB 235...is it on the order of 3rd, Senator Knuepfer?
21. SENATOR KNUEPFER:
22. ...On the order of 3rd reading, yes, Sir.
23. PRESIDENT:
24. Is ordered recalled to the order of 2nd reading for
25. purposes of an amendment. Is there leave? So ordered.
26. Senator Knuepfer.
27. SENATOR KNUEPFER:
28. This amendment was worked out with Senator Dougherty
29. and Senator Soper. The bill was passed out with...on the
30. assumption that this amendment would be added and it deletes
31. municipalities and counties from the operation of the bill
32. and I move the adoption of the amendment.
33. PRESIDENT:

1. All in favor of the adoption of the amendment...

2. SECRETARY:

3. Amendment No. 1 by Senator...

4. PRESIDENT:

5. All in favor of the adoption of the amendment

6. signify by saying aye. Contrary no. Motion carries.

7. The amendment is adopted. Are there further amendments

8. from the Floor? 3rd reading. Introduction of bills.

9. SECRETARY:

10. SB 1186 by Senators Palmer, Partee, Donnewald ,

11. Nudelman, Soper, Regner, Harber Hall, Kosinski, Swinarski,

12. Carroll, Welsh, Saperstein.

13. (Secretary reads title of bill).

14. 1st reading of the bill.

15. PRESIDENT:

16. Will the Senate please be in their seats. We have

17. a death resolution. Will the members please be in their

18. seats?

19. SECRETARY:

20. Senate Resolution 179 by Senators Mitchler, Harris,

21. Schaffer, Graham and all Senators.

22. (Secretary reads title of Resolution).

23. PRESIDENT:

24. All in favor of the adoption of the Resolution please

25. rise. The Resolution is adopted. The Senate stands adjourned

26. until Tuesday, May 29th at 10 a. m. At 10 a. m.

27.

28.

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