

78th General Assembly
May 30, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will please be in order. The prayer will be
3. given by Dr. Kenneth Ahlstrand of the Grace Lutheran Church
4. of Springfield, Illinois. Will our guests in the Gallery
5. please rise and join with us in the Invocation. Dr. Ahlstrand.

6. (Prayer by Dr. Ahlstrand,
7. of Grace Lutheran Church,
8. Springfield, Illinois)

9. Thank you, Dr. Ahlstrand. For what purpose does Senator Scholl
10. rise?

11. SENATOR SCHOLL:

12. Mr. President, and Members of the Senate...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. For what purpose do you rise Senator? Point of personal
15. privilege.

16. SENATOR SCHOLL:

17. Point of personal privilege. Yes.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. State your purpose. Proceed.

20. SENATOR SCHOLL:

21. The purpose is to introduce a group of students from my
22. district who are in the Gallery. Mr. President and Members of
23. the Senate I take with great pride the students of Messiah
24. Lutheran Church School who are here today visiting with us in
25. Springfield. I would like for them to stand and be recognized.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Thank you, Senator Scholl. Senator Soper. Reading of
28. the Journal.

29. SECRETARY:

30. Monday, May 21, 1973 12:00 o'clock noon.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Soper.

33. SENATOR SOPER:

1. Mr. President, I move that we dispense with further
2. reading of the Journal of May 21st and unless there's some
3. corrections to be made by some Senator that the Journal
4. stand approved.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. You have heard the motion of the Senator from Cicero.
7. All in favor will signify by saying aye. Opposed. The
8. ayes have it and the motion carries.

9. SECRETARY:

10. Tuesday, May 22, 1973.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Soper.

13. SENATOR SOPER:

14. Mr. President, I move that we dispense with the further
15. reading of the Journal of May 22nd and unless there's some
16. corrections to be made by any of the Senators that the
17. Journal stand approved.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. You have heard the motion of Senator Soper. All in
20. favor will signify by saying aye. Opposed. The ayes have
21. it and the motion carries.

22. SENATOR SOPER:

23. Mr. President, I move that we postpone the reading of
24. the Journals of May 23rd, 24th, 25th and 29th pending the
25. arrival of the printed Journal and the approvals thereafter.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senators, you've heard the motion of Senator Soper. All
28. in favor signify by saying aye. Opposed. The ayes have it
29. and the motion carries. Committee Reports.

30. SECRETARY:

31. (Secretary reads Committee Reports)

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Messages from the House.

1. SECRETARY:

2. (Secretary reads Messages from the House)

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senators, may we have your attention, please. Senator
5. Donnewald. Let's get a little order first Senator and then
6. they'll be able to hear you. Ladies and Gentlemen. Thank
7. you. Senator...

8. SENATOR DONNEWALD:

9. While we're waiting for a number of fellow Senators to arrive
10. I'd like to take this time to introduce the members of Raccoon
11. School of Marion County. Why don't you stand up. Directly
12. behind us.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Ladies and Gentlemen, we will now, if you will turn to your
15. Calendar on House Bills, 1st reading. I would invite your attention so
16. that we may solicit sponsorship for these bills in the most ex-
17. pedient manner. House Bills, 1st reading. Senator...Se...
18. Ring the bell and that means that we'd like to have some order
19. at the same time. Please. I'm ready when you are gentlemen
20. and apparently we aren't ready yet. Once again. We will now
21. proceed on the order of House Bills on 1st reading. Once again
22. will you please give your attention to your Calendars. Secretary
23. will read the bills.

24. SECRETARY:

25. HB 464, Representative Stone. HB 496, Representative Douglas.
26. HB 509, Representative McMaster. HB 510, Representative
27. McMaster. 509 and 10,

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Latherow, HB 509 and 10

30. SECRETARY:

31. HB 509 (Secretary reads title of the bill)

32. 1st reading of the bill.

33. HB 510 (Secretary reads title of the bill)

1. 1st reading of the bills.
2. HB 540, Representative D. L. Houlihan,
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Partee.
5. SECRETARY:
6. HB 540 (Secretary reads title of the bill)
7. 1st reading of the bill.
8. HB 541, Representative Blades.
9. HB 541 (Secretary reads title of the bill)
10. 1st reading of the bill.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Senator Knuppel has that bill.
13. SECRETARY:
14. HB 544, Representative Rayson. HB 545, Representative
15. Mugalian. HB 546, Representative Mugalian. HB 562, Repre-
16. sentative Schneider. HB 579, Representative Rayson. HB 580,
17. Representative Rayson. HB 601, Representative Krause.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Kenney Hall, Senator Kenneth Hall.
20. SECRETARY:
21. HB 601 (Secretary reads title of the bill)
22. 1st reading of the bill.
23. HB 630, Representative Gibbs. HB 646, Representative
24. Lemke.
25. HB 646 (Secretary reads title of the bill)
26. 1st reading of the bill.
27. HB 668, Representative R. L. Dunne. HB 669, Representative
28. Keller.
29. HB 669 (Secretary reads title of the bill)
30. 1st reading of the bill.
31. HB 685, Representative Pierce.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Senator Saperstein.

1. SECRETARY:
2. HB 685 (Secretary reads title of the bill)
3. 1st reading of the bill.
4. HB 708, Senator Regner.
5. HB 708 (Secretary reads title of the bill)
6. 1st reading of the bill.
7. HB 711, Representative Tipsword.
8. HB 711 (Secretary reads title of the bill)
9. 1st reading of the bill.
10. HB 725, Representative W. D. Walsh. HB 735, Representative
11. Hart.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Senator Bruce. 735.
14. SECRETARY:
15. Bruce?
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Bruce.
18. SECRETARY:
19. HB 735 (Secretary reads title of the bill)
20. 1st reading of the bill.
21. HB 736, Representative Williams.
22. PRESIDING OFFICER (SENATOR GRAHAM):
23. Welsh.
24. SECRETARY:
25. HB 736 (Secretary reads title of the bill)
26. 1st reading of the bill.
27. HB 743, Representative Waddell.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Senator Schaffer.
30. SECRETARY:
31. HB 743 (Secretary reads title of the bill)
32. 1st reading of the bill.
33. HB 754, Senator Hynes

1. (Secretary reads title of the bill)

2. 1st reading of the bill.

3. HB 757, Representative Kempiners. HB 760 and 761, Representative Yourell. HB 764, Representative Rayson.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Newhouse.

7. SECRETARY:

8. HB 764 (Secretary reads title of the bill)

9. 1st reading of the bill.

10. HB 780, Representative Brummet.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. 784 is the bill.

13. SECRETARY:

14. 780.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Rock.

17. SECRETARY:

18. HB 784, Representative Berman.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Rock.

21. SECRETARY:

22. HB 784 (Secretary reads title of the bill)

23. 1st reading of the bill.

24. HB 789, Representative Alsup.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Course.

27. SECRETARY:

28. HB 789 (Secretary reads title of the bill)

29. 1st reading of the bill.

30. HB 799, Representative Philip.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. I think he talked to Senator Knuepfer about that. Let's
33. give it a try.

1. HB 799 (Secretary reads title of the bill)
2. 1st reading of the bill.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Knuepfer, 799.
5. SECRETARY:
6. HB 780 (Secretary reads title of the bill)
7. 1st reading of the bill.
8. HB 803,
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Senator Regner.
11. SECRETARY:
12. (Secretary reads title of the bill)
13. 1st reading of the bill.
14. HB 812, Representative Barnes. HB 819, Representative
15. B. B. Wolfe.
16. HB 812 (Secretary reads title of the bill)
17. 1st reading of the bill.
18. HB 819, Representative B. B. Wolfe.
19. PRESIDING OFFICER (SENATOR GRAHAM):
20. Carroll. Senator Carroll.
21. SECRETARY:
22. HB 819 (Secretary reads title of the bill)
23. 1st reading of the bill.
24. HB 820, Representative Londrigan.
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Chew. Senator Chew.
27. SECRETARY:
28. HB 820 (Secretary reads title of the bill)
29. 1st reading of the bill.
30. HB 822, Representative Yourell
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Dougherty.
33. SECRETARY:

1. HB 822 (Secretary reads title of the bill)
2. 1st reading of the bill.
3. HB 823, Senator Dougherty. (Secretary reads title of the bill)
4. 1st reading of the bill.
5. HB 824, Representative Yourell.
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Carroll. Senator Carroll.
8. SECRETARY:
9. HB 824 (Secretary reads title of the bill)
10. 1st reading of the bill.
11. HB 825, Representative Yourell.
12. PRESIDING OFFICER (SENATOR GRAHAM):
13. Senator Carroll.
14. SECRETARY:
15. HB 825 (Secretary reads title of the bill)
16. 1st reading of the bill.
17. HB 826, Representative Waddell.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. ...Senator Schaffer.
20. SECRETARY:
21. HB 826 (Secretary reads title of the bill)
22. 1st reading of the bill.
23. HB 831 by Representative Juckett.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Senator Ozinga. Ozinga wanted that.
26. SECRETARY:
27. HB 831 (Secretary reads title of the bill)
28. 1st reading of the bill.
29. HB 846, Representative W. T. Simms
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Please. Senator Shapiro.
32. SECRETARY:
33. HB 846 (Secretary reads title of the bill)

1. 1st reading of the bill.

2. HB 849, Representative Fennessey. HB 850, Representative
3. Walters. HB 881, Representative Flinn. HB 888, Representative
4. Skinner. HB 889, Representative W. T. Simms,

5. HB 889 (Secretary reads title of the bill)

6. 1st reading of the bill.

7. HB 900, Representative Getty.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Walker.

10. SECRETARY:

11. HB 900 (Secretary reads title of the bill)

12. 1st reading of the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. HB 888, too. 9..900 to Senator Walker. HB 8...Oh, Senator
15. Walker, for what purpose do you rise?

16. SENATOR WALKER:

17. Thank you, Mr. President, I'd like to...ask unanimous con-
18. sent to...advance HB 900 without reference to a committee. I
19. haven't discussed this with the minority spokesman of Judiciary.
20. All the bills as requires weapons to be carried in a locked
21. container or case by security guards commuting between their
22. homes and place of employment for exemption from the unlawful
23. carrying of firearms provision. It sounds to me like a people's
24. bill and I would like to request unanimous consent to have it
25. advanced to 2nd reading without reference to committee.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. There has been an objection raised. To committee, Louie.
28. What. Minority Leadership raised an objection. Sen...HB 888,
29. to Senator Schaffer.

30. SECRETARY:

31. HB 888 (Secretary reads title of the bill)

32. 1st reading of the bill.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Schaffer.
2. SECRETARY:
3. H...HB 907, Senator Regner.
4. (Secretary reads title of the bill)
5. 1st reading of the bill.
6. HB 908, Senator Regner.
7. (Secretary reads title of the bill)
8. 1st reading of the bill.
9. HB 964, Representative Matijeovich.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Senator Conolly. Senator Conolly. Kosinski, all right.
12. SECRETARY:
13. HB 964 (Secretary reads title of the bill)
14. 1st reading of the bill.
15. HB 969, Representative Juckett.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. In the absence of Senator Nimrod, we'll give him that
18. bill.
19. SECRETARY:
20. HB 969 (Secretary reads title of the bill)
21. 1st reading of the bill.
22. HB 972, Representative Day. HB 977, Representative
23. Berman.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. Buzbee. Senator Buzbee.
26. SECRETARY:
27. HB 977 (Secretary reads title of the bill)
28. 1st reading of the bill.
29. HB 992, Representative Tuerk.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Let's have it read and give it to Senator Sours, and if we
32. have an objection, we'll have to undo it.
33. SECRETARY:

1. HB 992 (Secretary reads title of the bill)
2. 1st reading of the bill.
3. HB 999, Representative Skinner.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Tomorrow.
6. SECRETARY:
7. HB 1008 and 1009, Representative R. K. Hoffman. HB 1044,
8. Representative R. H. Holloway. HB 1052, Representative Craig.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. Vadalabene.
11. SECRETARY:
12. HB 1052 (Secretary reads title of the bill)
13. 1st reading of the bill.
14. HB 1080, Representative Skinner.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Senator Schaffer.
17. SECRETARY:
18. HB 1080 (Secretary reads title of the bill)
19. 1st reading of the bill.
20. HB 1082, Representative Tipword.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. Senator Course.
23. SECRETARY:
24. HB 1082 (Secretary reads title of the bill)
25. 1st reading of the bill.
26. HB 1092, Representative Berman.
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Hynes.
29. SECRETARY:
30. HB 1092 (Secretary reads title of the bill)
31. 1st reading of the bill.
32. HB 1143, Representative Barry.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Sholl.
2. SECRETARY:
3. HB 1043...1143 (Secretary reads title of the bill)
4. 1st reading of the bill.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Who took that bill. Roe. Roe. Thank you.
7. SECRETARY:
8. HB 1191, Representative Schneider. HB 1191, Representative
9. Schneider.
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Senator Mohr, do you want that?
12. SECRETARY:
13. HB 1191, Representative Schneider.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. That's on the last page. House Bills first. That might
16. appropriately belong to Senator Knuepfer but he isn't on the
17. Floor so let's pass it over. It would be in his committee.
18. SECRETARY:
19. HB 1204, Representative Stedelin.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Knuppel.
22. SECRETARY:
23. HB 1204 (Secretary reads title of the bill)
24. 1st reading of the bill.
25. HB 1218, Representative Bradley.
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. Senator Buzbee.
28. SECRETARY:
29. HB 1218 (Secretary reads title of the bill)
30. 1st reading of the bill.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Senators, may we have your attention for a moment. If
33. you...we'll be on the order of motions, temporarily perhaps,

1. now and if you would look at the Calendar again on House Bills on
2. 1st reading. We would like to have some more picked up to
3. make room for the 104 that will appear on the Calendar tomorrow
4. on the order of 1st reading. Senator Scholl.

5. SENATOR SCHOLL:

6. Representative Philip asked me to handle HB 799.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. ...Senator Knuppel took it and you...

9. SENATOR SCHOLL:

10. No, he didn't take it. I talked to him.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Oh,..who

13. SENATOR SCHOLL:

14. Knuepfer.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Well, give it to Knuepfer. Let's have the records show then
17. that Senator Roe will be the sponsor.

18. SENATOR SCHOLL:

19. Senator Scholl.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Scholl, I'm sorry. 799. Senator Savickas for what
22. purpose do you rise?

23. SENATOR SAVICKAS:

24. Well, are we on motions now?

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. We're trying...just a moment, Senator. 881, House Bill.
27. HB 881 to Senator Knuppel.

28. SECRETARY:

29. HB 881 (Secretary reads title of the bill)

30. 1st reading of the bill.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Now, Senator Savickas. Senator Wooten do you want to pick
33. up a bill? Which one?

1. SENATOR WOOTEN:
2. 2, HB 562.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. HB 562, Senator Wooten.
5. SECRETARY:
6. HB 562. (Secretary reads title of the bill)
7. 1st reading of the bill.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. Anyone else desirous of being a Senate sponsor of a
10. House Bill. If not, the Chair...Senator Buzbee.
11. SECRETARY:
12. HB 1191 (Secretary reads title of the bill)
13. 1st reading of the bill.
14. PRESIDING OFFICER (SENATOR GRAHAM):
15. What was the number of that? 1191. Thank you. Who took
16. it. Gentlemen, please. Senator Knuppel took HB 881, and
17. Senator Kenneth Hall indicates that he was...intended to
18. be the Senate sponsor, the record will so show instead of
19. Senator Knuppel...that's what I've been trying to get you to
20. do, Gentlemen. You save a lot of confusion if you would
21. just cooperate a little bit. HB 969 will be...969 went to
22. Nimrod, I think, and that will go to...let the records show
23. that that will be Senator Hynes. Senator...Senator Course.
24. SENATOR COURSE:
25. Yes, Mr. President and I...took bill...HB 1082 and this
26. is misprinted on the Calendar. It's plats not plates. So, I
27. suggest that Senator Palmer take that bill.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. HB 1082?
30. SENATOR COURSE:
31. 1082, Mr. President.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Senator Palmer. Gentlemen. Gentlemen, we can...the

1. Secretary can't...just can't hear. SB or HB 1082 will be Senator
2. Palmer instead of Senator Course. The record will so show.
3. 881 was straightened out. It would be so much easier if we
4. could hear, Gentlemen, and we can't. And, if you don't have
5. any business with the Secretary with regards to House Bills, 1st
6. reading, I would suggest that you let the Secretary run the
7. Secretary's office, it's difficult, it's difficult indeed.
8. Sen...for what purpose does Senator Savickas rise?
9. SENATOR SAVICKAS:

10. Mr. President, Members of the Senate, I rise to...for
11. the purpose of having HB 706 recommitted to...Licensing
12. Committee. I have talked this over with the Chairman Jack
13. Walker and there was an error and we would request that
14. this bill be recommitted.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Savickas asked for leave of the Senate to have
17. SB 706...

18. SENATOR SAVICKAS:

19. House Bill. House Bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. HB 706. Where is it...It was reported out on Committee this
22. morning.

23. SENATOR SAVICKAS:

24. Recommitted.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Recommitted to the Committee on License Activities and
27. Regulations.

28. SENATOR SAVICKAS:

29. Right.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Is leave granted? Leave is granted, the bill will be re-
32. committed. Senator Shapiro what...for what purpose do you rise?

33. SENATOR SHAPIRO:

Mr. President..Members of the Senate...I have HB 1924 on

1. the order of 2nd reading. Since this is an emergency bill
2. that has to be passed by June 8, I would like to have leave
3. of the House to move this to 3rd reading.
4. PRESIDING OFFICER (SENATOR GRAHAM):
5. Senator Shapiro has asked leave of the Senate...it's
6. on 2nd reading now?
7. SENATOR SHAPIRO:
8. It's on 2nd reading.
9. PRESIDING OFFICER (SENATOR GRAHAM):
10. To go out of the order...
11. SENATOR SHAPIRO:
12. 3rd.
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. ...of business to have HB 1942 advanced to the order of ...
15. 1924 advanced to the order of 3rd reading. The Secretary will
16. read the bill a 2nd time if leave is granted.
17. SECRETARY:
18. HB 1924 (Secretary reads title of the bill)
19. 2nd reading of the bill. No committee amendments.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Are there amendment from the Floor? 3rd reading.
22. Senator Kenneth Hall.
23. SENATOR HALL:
24. HB 846, was it assigned?
25. PRESIDING OFFICER (SENATOR GRAHAM):
26. Senator Shapiro picked up 846, Senator.
27. SENATOR HALL:
28. Thank you.
29. PRESIDING OFFICER (SENATOR GRAHAM):
30. Anyone else on House Bills, 1st reading? We thank you
31. Gentlemen, you have been...Senator Harber Hall.
32. SENATOR HARBER HALL:
33. 1218.

1. SECRETARY:
2. That's been taken.
3. SENATOR HARBER HALL:
4. Ok.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. That was assigned to Senator Buzbee. It was just
7. assigned to him by leadership on the other side so...if you
8. are desirous of discussing that with Senator Buzbee. Now,
9. we will...we will. Senator Partee.
10. SENATOR PARTEE:
11. Let me just say to all the members that all of these
12. assignments that we made, were made just to try to get
13. these off the Calendar and moving. None of these particular
14. sponsors have indicated to me that they wanted any particular
15. person to handle or not to handle their bills. So, if you
16. have had private conversations with any of them, there's no
17. problem. Just go to the fellow who was assigned the bill
18. and tell them you're taking it. Because we want them to have
19. whoever they want.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. We thank you, Senator and we appreciate your efforts be-
22. cause it is necessary that we get House...Senator sponsors.
23. Now, on the order of Senate Bills, 2nd reading.
24. SECRETARY:
25. SB 295, Senator Netsch. SB 632, Senator Savickas.
26. PRESIDING OFFICER (SENATOR GRAHAM):
27. Senate Bills, 2nd reading Senator. Read the bill.
28. SECRETARY:
29. SB 632. (Secretary reads title of the bill)
30. 2nd reading of the bill. No committee amendments.
31. PRESIDING OFFICER (SENATOR GRAHAM):
32. Are there amendments from the Floor? 3rd reading.
33. SECRETARY:

1. SB 664, Senator McBroom. SB 1165, Senator Mitchler.
2. SB 1186, Senator Palmer.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. He would like to have the bill read.
5. SECRETARY:
6. SB 1186. (Secretary reads title of the bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. Any amendments from the Floor? 3rd reading. We will now
10. proceed to the order of ..Are there any motions that anyone
11. has to make at this time before we go on to 3rd readings..We'd
12. appreciate it if you do if you would now make them. Next order
13. of business will be, Senate Bills, 3rd reading and we're starting
14. with, where we left off yesterday, as soon as I find it.
15. SB 349 will be the first bill on that order. We have some...
16. information, I believe from Enrolling and Engrossing that Senator
17. Chew would have to do something with SB 349. Senator Rock will
18. you have him check with them. SB 351 would be the next. Senator
19. that appropriations we don't...The next bill then would be
20. SB 387. Ladies, Gentlemen. Ladies. There is a request to hold
21. 361 Senator Johns. The next bill would be 387. SB 396, Senator
22. Howard Mohr. SB 402, Senator Newhouse. Senator Newhouse is now
23. on the Floor. SB 402. Do you want the bill read, Senator? We
24. would like to know.
25. SECRETARY:
26. SB 402. (Secretary reads title of the bill)
27. 3rd reading of the bill.
28. PRESIDING OFFICER (SENATOR GRAHAM):
29. Senator Newhouse.
30. SENATOR NEWHOUSE:
31. Mr. President, Senators, I...I hope we've got 30 people on the
32. Floor? Sen...Senator Latherow, Senator Latherow...This
33. is a bill, Gentlemen, that we amended yesterday. It's a Bulk Milk

1. Tank Operators Bill. It's an agreed bill. Senator Latherow placed
2. an amendment on yesterday upon which we agreed. Now, this bill has
3. been submitted by the Department of Public Health. The bill
4. does this. It increases from \$3 to \$15 the licensing fee for
5. Bulk Tank Milk Operators and the point is that the Department
6. wants this to become a self-sustaining operation. This
7. bill is non-controversial and I would appreciate a favorable
8. roll call on it.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. We are now on passage stage. The Senator explained his
11. bill and I'm sure no one heard what he said, unfortunately.
12. Senator Savickas.

13. SENATOR SAVICKAS:

14. I would just like to ask one question. This increase
15. from \$3 to \$15 how much revenue are we talking about?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Senator Newhouse.

18. SENATOR NEWHOUSE:

19. Senator, I don't know the exact answer. We are talking
20. about \$5 per man short of what it would cost to supervise the
21. operation. That's all we're trying to do, cover the cost.

22. SENATOR SAVICKAS:

23. Well, I just wondered, because...all these fees are
24. really hidden taxes and when we talk from \$3 to \$15, I'd like to
25. know just how much money we're talking about.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Newhouse. Gentlemen. Gentlemen, We just cannot...

28. SENATOR NEWHOUSE:

29. Senator Savickas, the answer to that is that there are
30. such a small number of Bulk Milk Tank Operators that we're probably
31. talking about less than \$20,000 total.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Any further discussion? And let's have some order. Senator

1. Latherow, we'll wait until we get some order and then you may
2. discuss the bill.

3. SENATOR LATHEROW:

4. Well, Mr. President, I don't think it makes much difference
5. how much order we have just as long as we give him an aye
6. vote on it. This bill's in good shape to pass now and I suggest
7. we support it.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Partee.

10. SENATOR PARTEE:

11. I just wanted to say that they say that the Department
12. wants this bill. It's an administrative measure so that they
13. can administer the Act with the money coming in from the license.
14. There are 800 of these Bulk Tank Operators and they make...they now
15. charge \$3 which is totally inadequate to do the kind of work which
16. has to be done. They have to print the license card, they got to
17. send out the renewal forms, keep records. They've got routine in-
18. spection. They figure that \$16,000 would do it so that's why they
19. want to raise it to \$20 from \$3. I think it's a good bill and
20. should be passed.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Any further discussion? If not, the question is shall
23. SB 402 pass. Secretary will 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. McBroom, aye, Hynes, aye. On this question, the yeas
3. were 30...43. The nays were none. The bill having received
4. a constitutional majority required is therefore declared
5. passed. The next bill on the regular order of business is
6. supposed to be SB 404. That will be called as soon as
7. Senator Howard Mohr arrives from another meeting he is
8. attending so he will be presiding at that time. So, we
9. will go back to SB 404 very shortly. Senator Harris.

10. SECRETARY:

11. SB 404. (Secretary reads title of the bill)
12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, Members of the Senate, this bill has had
17. a considerable amount of publicity and correspondence.

18. PRESIDENT:

19. Senator Mitchler.

20. SENATOR GRAHAM:

21. Every member of the Senate has had correspondence from
22. the proponents and from the opponents. The proponents of this
23. legislation have felt that the Illinois High School Association
24. saying that it is a voluntary organization. They are declaring
25. it is not. Therefore, not subject to public regulation. It's
26. being contested as not being an organization purely of voluntary
27. nature. Stating the facts that in the organization's policy and
28. powers effect the status and activities of non-members of other
29. independent active organizations is not purely voluntary. The
30. effect of this bill or the sanction rule which SB 404 seeks to
31. eliminate has the sole purpose of excluding non-members from
32. all events in which ISA...IHSA members are involved. That's

33.

1. the Illinois.

2. PRESIDENT:

3. Now, will the Senate please give Senator Graham some
4. attention. We'll get much more work done if this cross-
5. talk will subside. We got a loaded Calendar. Proceed,
6. Senator Graham.

7. SENATOR GRAHAM:

8. Their exclusion of non-members schools as charged by
9. the proponents, has prevented many schools who are interested
10. in non-athletic activities from engaging themselves in com-
11. petition with other youngsters of their age and educational
12. qualifications and standings throughout the State attest
13. debating teams. Now, considerable amount of animosity
14. was aroused by some of our teams interested in athletics,
15. some of our high schools and...an amendment was adopted to
16. exclude athletic activites and make it purely dedicated to...
17. directly toward music, debate and other non-athletic activities
18. that so many schools participate in. Many people feel that the
19. Illinois State High School Association is a closed shop. Many
20. people feel that they have no real legislative or State super-
21. vision or direction and they feel that this course of action
22. should be left up to the General Assembly to make some indication
23. as to what we would like to have the Illinois State High School
24. Athletic Association do. Many people feel that this will be a
25. step toward a true honest participation by schools who have
26. qualified, energetic and ambitious students who are interested
27. in participating in such activities as their schools provides
28. for them and educates them in so that they may display their
29. wares against the other schools of the State who, in fact, are
30. members of this association. I know that all of you have been
31. bombarded and rightfully so by both sides of this question. All
32. of you have read both sides of this question. And I'm not going
33. to impose my rhetoric upon your time further because I'm sure

1. there will be some debate on this bill.

2. PRESIDENT:

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President. I rise to support this bill.

6. It was amended, as Senator Graham stated, to cover non-athletic
7. events and I think that's wise. It seems to me that Illinois
8. High School Association...should, should not be precluded from
9. jurisdiction over State-wide competition in...in a non-athletic
10. events or athletic events. In fact, it would be my position
11. that a Catholic School or a non-member school of the IHSA
12. if they want to play a practice game or a non... league game
13. against a non-member of the IHSA, that ought to be a local
14. decision and I think IHSA in the ... particularly in the non-
15. athletic area has unduly circumscribed competition. I think
16. we've got to remember that it is supposed to benefit the young
17. people..the high school students of the State and ... not be
18. unduly restrictive on their rights to meet in competition.
19. And I can see no harm in a non-athletic area of permitting
20. this type of competition and I, therefore, would urge the
21. support of SB 404, as amended.

22. PRESIDENT:

23. Senator Weaver.

24. SENATOR WEAVER:

25. Mr. President and Members of the Senate, it's not often
26. that I rise in opposition to bills that my good friend, John
27. Graham is sponsoring but I think he's got essentially a bad
28. bill here. The...the Association is strictly a volunteer
29. group and is created by the schools to regulate the competition
30. amongst its memberships. It's governing board is elected by a
31. vote of each school with representatives from all parts of the
32. State. It's activities are financed by dues from each school
33. from sources of gate receipts not taxes. Now, I've had a little

1. experience with this Association in years past. For many
2. years my high school coach wanted to see a State Championship
3. in football. I think now for 10 years he's been going to the
4. Board trying to get the rules changed and finally he's gotten
5. the rules changed and I think that if any school who is a mem-
6. ber of this Association wants to change the rules and regulations.
7. It's a democratic organization and through persistence they can
8. get any of these rules changed and I think we're just weakening
9. this Association to pass this Bill. Now, they've amended this
10. to include non-athletic events. Well, of course, there're many
11. events of a non-athletic nature sponsored by the Association
12. that will be directly effected by this Bill. I...I know what
13. they are trying to accomplish but I think that every...every
14. State in the Union has an association like this and if...if we
15. weaken our own Illinois State Association, we are not doing our
16. own communities any good. They...someone has to prescribe the
17. rules and regulations for competition. We've got to control
18. age limits. We've got to watch after the scholastic eligibility
19. of all participants. I think this is a real step in the wrong
20. direction. So, I certainly oppose the enactment of 404.

21. PRESIDENT:

22. Senator Course.

23. SENATOR COURSE:

24. Yes, I'd like to ask...Senator Graham a question, please.
25. Senator Graham do they have an audit of their books? This...
26. Illinois High School Association. Does anybody ever audit
27. their books?

28. PRESIDENT:

29. Senator Graham.

30. SENATOR GRAHAM:

31. It...I never have, Senator Course, and it has been charged
32. by others that there has been no official audit of their books.
33. I have no firsthand knowledge as to whether or not they are.

1. PRESIDENT:

2. Senator Course.

3. SENATOR COURSE:

4. Well, Mr. President and Members of the Senate, I'm going
5. to vote for this Bill. I think it's a good Bill. But, next
6. year I'm going to come back with a bill to...require that
7. they be audited by the Auditor General of the State of Illinois.
8. Because, somebody has to have control over these funds.

9. PRESIDENT:

10. Senator Graham.

11. SENATOR GRAHAM:

12. I will yield on the question of audit to the Senator from
13. Carthage who seems to have some knowledge in that regard,
14. Senator Latherow.

15. PRESIDENT:

16. Senator Latherow.

17. SENATOR LATHEROW:

18. Well, Mr. President and Members of the Senate, I think that
19. probably in your mail sometime during the fiscal year you receive
20. an audit of this particular Illinois High School Association.
21. It is sent to you. ...remember a little occurrence we had here a
22. few years ago and we each received, I think, a copy of that
23. annual audit. I...my experience, Mr. President, in making a
24. few remarks, I would like to ask Senator Graham a question con-
25. cerning this piece of legislation. Senator Graham, how
26. many of these non-member schools are there?

27. PRESIDENT:

28. Senator Graham.

29. SENATOR GRAHAM:

30. I'm attempting to find. I heard it was somewhere around
31. 9 or 11, I'm not sure.

32. PRESIDENT:

33. Senator Latherow.

1. SENATOR LATHEROW:

2. Well, Mr. President, I'd just like to recognize that the
3. Illinois High School Association in the last many years has
4. come a long, long way. They have in the last few years allowed
5. the participation of all non-public schools within their
6. organization if they so desire. And I know and realize that
7. the door is still open. That school, that Illinois High School
8. Association has participated and allowed the control of all
9. athletic and non-athletic events. And I think they have done
10. a just job in doing it and it's been the proper supervision
11. that's been necessary among all these schools. And I would suggest
12. that this is not a good bill and should be defeated.

13. PRESIDENT:

14. Senator Knuppel.

15. SENATOR KNUPPEL:

16. Mr. President and Members of this Body, I'm going to support
17. or...I'm going to oppose SB 404. I ought to be...I ought to be
18. supporting it after what happened this last year when the Associa-
19. tion ruled that a rule which they published in their annual magazine
20. should be binding on schools and then they didn't even have it
21. published in their rule books and the High Schools at Petersburg
22. and Lanark and all those schools were affected. The rule is old
23. and outmoded. It has not taken into consideration the classifi-
24. cation of high schools in athletic events and applies equally to
25. schools where they have a difficult time even finding enough boys
26. to play basketball as well as large schools where they said that
27. a student could not play in a freshman-sophomore tournament
28. and at..and at the same time play in the State Tournament. I
29. think that that...that they have a lot to do if they want my
30. support another time and I'd like for...Senator Graham and those
31. Senators who support the Illinois Athletic Association to please
32. take that message to them. That they have to keep abreast of the
33. times. I understand they...they have accumulated quite a

1. war chest of money. That money should go back to the schools.
2. They have no right to accumulate a large war chest of funds.
3. But, I think that they're in some trouble and I think this bill
4. shows how much trouble. I'll support it...I'll support the
5. Illinois Athletic Association this time but unless they
6. improve their situation, never again.

7. PRESIDENT:

8. Senator Fawell.

9. SENATOR FAWELL:

10. Mr. President, I...I support this legislation and I
11. think that the time is coming when the Illinois Legislature
12. will want to take a very long look at the Illinois High School
13. Association. I don't mean to be unduly critical but when one
14. talks about this being a not-for-profit organization, it certainly
15. is that, but it is a private corporation. It has a balance
16. of some eight hundred or nine hundred thousand dollars
17. in its treasury. It really is a law unto itself and when one
18. talks about the democratic manner in which it is set up, in one
19. sense one can say that no school has to join, it's purely
20. voluntary. But, as a practical matter, if you don't join then
21. insofar as your athletic events are concerned and non-athletic
22. events as the people who are concerned about this bill found
23. out insofar as their debate teams are concerned they are totally
24. controlled by this group. And, indeed, if they wanted to debate
25. a school, for instance, in National competition, let's say
26. in West Virginia, Washington D. C., they couldn't do so because
27. of the regulations of the Illinois High School Association
28. that said you cannot compete with schools which are not members.
29. And during the, in fact, debate season they were not able to do
30. so although when the final competition were to come about they
31. might be called upon to meet some of these out-of-state schools,
32. for instance, which they should have been able to compete against
33. during the...during the season. But the practical results of

1. their breaking any of the regulations would mean then the
2. football and basketball teams would also have...would be in
3. trouble and would not be able to compete. What I am saying
4. is that the Illinois High School Association, I think ought
5. to become a publicly controlled entity. It has a life or
6. death stranglehold upon every one of our member public and non-
7. public schools in the State of Illinois and when one talks
8. about, for instance, parents or students who are
9. aggrieved by the actions of the Illinois High School
10. Association their only recourse is to hire an attorney and
11. go into court because the Board upon their particular ruling
12. that has been seen very frequently in the last several years
13. can be very arbitrary and capricious. In fact, I have been
14. involved in several cases now where we have had to go into the
15. courts in order to reverse an arbitrary and a capricious reason
16. of the Board. They simply take the attitude, we are above it,
17. when we make a decision, that is it. And they have the law
18. on their side because they are a private organization and the
19. court then says to the parents, well look, this is a private
20. entity they can make any rules and regulations they want to
21. make and nobody can do anything about it because they're private.
22. And, of course, we're saying that they are a lot more than just
23. a private organization. They are certainly semi-public or
24. really public when you come right down to the practical life and
25. death control they have over athletic teams and non-athletic
26. events. You either do what the Illinois High School Association
27. dictates, in many instances you do, or you're in trouble. And
28. the pressure they put upon many of us, for instance, when I voted
29. for this bill in Committee and they came down bragging about the
30. fact that that bill was dead, it didn't have a chance in Committee,
31. it was done. They were very surprised to see the Education Committee
32. give a favorable recommendation after hearing quite a bit of testi-
33. mony on the bill. And then they had all of their school authorities

1. begin to write. But in private when I talked to the school
2. authorities they said, look it's a life or death thing for us
3. we don't want to get in trouble with this group because they
4. are pretty powerful and we want no trouble with them. I think
5. the time has come, as Senator Course has indicated and others,
6. that we have a very close audit. We ought to know what type of
7. money these people are dealing with. We ought to, I think,
8. perhaps have a Commission study set up and study the whole
9. situation and look toward a public group with due process
10. appeal routes for aggrieved citizens and taxpayers so that
11. no longer can a private entity have a stranglehold which the
12. Illinois High School Association has upon this very vital area
13. of a student's education. So, I do rise in support of the bill
14. and feel that it is, in its amended form certainly now, I
15. suppose it couldn't possibly get through now if we were to
16. attack the athletic realm. So, it's been limited to only the
17. non-athletic area and even there, I guess, they're still fighting
18. like a wounded mule on the matter. I think it's a good bill
19. certainly, in it's amended form, and I think we ought to go a lot
20. further in the future and take a good long look at the Illinois
21. High School Association with its \$800,000 treasury.

22. PRESIDENT:

23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Yes...Mr. President, we've spent far too much time on this
26. but...This question isn't quite germane to the bill itself but I
27. would ask some of the defenders of the IHSA this question. It comes..
28. emanates from back home and in the district. As you know, they
29. have A and double A (AA) tickets for the State Basketball Tournament,
30. among the many other activities that they have and I would ask what
31. is the reason they send...the tickets out approximately a week
32. before, and not one...not just both sets but only one set. Then
33. they follow up later. I don't quite understand that and I've

1. had many, many complaints about that back home. Anybody care
2. to respond? Senator Weaver, I see does.

3. PRESIDENT:

4. Senator Weaver.

5. SENATOR WEAVER:

6. Well, Senator I think basically they try to get a majority
7. of these tickets to the participating schools and that's why
8. they don't put general sales tickets out any faster than they
9. do. And I think that's only right. These teams competing in
10. the State Tournament, the kids in high schools at those schools
11. should have preference in my opinion and I think that's the
12. reason why they don't have quicker ticket sales to the
13. general public.

14. PRESIDENT:

15. The...Senator Donnewald.

16. SENATOR DONNEWALD:

17. ...That...I'm talking about the schools themselves. The
18. participating schools.

19. SENATOR WEAVER:

20. Well...

21. SENATOR DONNEWALD:

22. Their tickets are so late and they are complaining about
23. it. And, I'm not going to identify the schools for fear of
24. ...of some redress but...they... they are very much disturbed
25. that they are not getting them back home. I think that ought
26. to be called to their attention.

27. PRESIDENT:

28. Senator Roe.

29. SENATOR ROE:

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

31. PRESIDENT:

32. Senator Roe moves the previous question. All in favor
33. signify by saying aye. Contrary, no. The motion carries.

1. Senator Graham may close the debate.

2. SENATOR GRAHAM:

3. Mr. President and Members of the Senate, you've heard
4. some very articulate members of the Education Committee who
5. have debated this on both sides of the issue. I think that
6. we will proceed and the sponsor of the bill will ask for a
7. favorable roll call.

8. PRESIDENT:

9. The question is, shall SB 404 pass? The Secretary will
10. call the roll.

11. SECRETARY:

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

22. PRESIDENT:

23. Swinarski aye. A request for the absentees. The
24. absentees will be called. Proceed.

25. SECRETARY:

26. Bartulis, Bruce, Chew, Clarke, Daley, Harber Hall,
27. Keegan, Merritt, Don Moore, Nudelman, Ozinga, Saperstein,
28. Shapiro, Walker, Welsh.

29. PRESIDENT:

30. On that question, the yeas are 29. The nays are 19.
31. SB 404 having failed to receive a constitutional majority
32. is declared lost. SB 417.

33. SECRETARY:

1. SB 417.

2. PRESIDENT:

3. Senator Chew...Mr. Secretary, is not on the Floor. So,
4. let's take that out of the record. SB 430, Senator Bell.

5. SECRETARY:

6. SB 430. (Secretary reads title of the bill)
7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Bell.

10. SENATOR BELL:

11. Thank you, Mr. President, Members of the Senate. SB 430
12. is a recognizance bill as they call it. And very simply the
13. synopsis pretty well explains it, however, it has been amended.
14. As you notice, the synopsis says that...it provides any person
15. who has been convicted of a felony or Class A, B or C mis-
16. demeanor within the previous 12 month period may not be re-
17. leased on his own recognizance. Now, this bill has been
18. amended by removing the ... Class A, B or C misdemeanor aspect.
19. In other words, only the felony aspect is still within the bill.
20. Obviously, the purpose of the bill, SB 430, is to allow
21. society a way to try to get the habitual offender off the
22. streets. What it says, in effect, is that ... is that it...
23. this offender has committed a felony during a previous 12 month
24. period. He's no longer eligible for that aspect of what you...
25. if you want to call it bail or what, but it's what they call
26. recognizance and ... either has to go to a regular bail provision
27. to be allowed to remain on the streets or he's just simply not
28. going to be able to stay on the streets. I think SB 430 is
29. a meaningful thrust to try to tip these scales of justice back
30. in favor just a little bit of the average citizen who has such
31. a great fear in so many areas of our State about being on the
32. streets at night. Or, even driving through areas of town. And
33. I think it will go a long way to...to show that State government

1. is also concerned about this and that we're trying to do our
2. own little part down here to make a meaningful legislation to
3. attempt to correct it. I don't think it's the greatest bill
4. that's ever gone through the Illinois Senate or been before
5. this Senate. And I frankly don't know whether it's going to
6. go up or down today. I know that it is an important bill to
7. the people of my district. I think it's important to the
8. people of the State of Illinois. But...as Senator, I think,
9. Partee, has so often said, the State's going to continue on
10. one way or the other without this Legislation either passing
11. or failing. I think it's a good bill and I'd ask for your
12. support.

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. I'm not going to belabor this Mr. President and Members
17. of the Senate, but I see the possibility for harrassment here
18. very great. The person who's convicted of a felony and was
19. out on probation if the officer didn't want to believe that
20. he should have been found not guilty which a court dec...
21. decision had been rendered on, all he has to do is arrest him and
22. charge him with a crime. It doesn't mean that he has done it.
23. It doesn't mean that he's going to be proved guilty of having
24. done it. But, he can just be simply arrested and held without
25. bail it...it's a very punitive kind of thing that I see
26. a lot of mischief that can flow from it. I understand Senator
27. Bell's position. I understand the posture he's taken and I
28. agree with him. I spent a long period of my life as a prose-
29. cutor and a successful one, I add, in humility, but I think
30. this goes just a little too far in terms of saying to a court
31. that you can't let a man out on bail because he's previously
32. been convicted. You can really reek a lot of mischief with
33. this kind of a situation.

1. PRESIDENT:

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Well, Mr. President and Members, I don't believe that this
5. says you can't be let out on his bond, it says he can't be let
6. out on his own bond on his own recognizance. It...otherwise
7. on the first offense he could if the judge thought there was
8. cause to but it doesn't say that if he gets...a...sure...a bond
9. by a commercial surety or someone else that he can't get out
10. at least that is not the way I read it. I read that he can
11. be...he still can be sub...or allowed out on bail provided that
12. he can be allowed out on only his own recognizance and he must have
13. been convicted of the prior offense. I think this has a reason-
14. able safeguard of saying that a person must first have been
15. convicted of an offense and secondly, he still is admissible
16. to bail but only the limitation that he can't get out without
17. having someone else on his recognizance.

18. PRESIDENT:

19. Is there further discussion? The question is, shall
20. SB 430 pass? On that question, the Secretary will call the
21. roll.

22. SECRETARY:

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

33. PRESIDENT:

1. Walker, aye. Soper, aye. On that question, the yeas are
2. 34. The nays are 2. SB 430 having received a constitutional
3. majority is declared passed. SB 431, Senator Regner.

4. SECRETARY:

5. SB 431 (Secretary reads title of the bill)
6. 3rd reading of the bill.

7. PRESIDENT:

8. Senator Regner.

9. SENATOR REGNER:

10. Mr. President, Mem...Members of the Senate, what this bill
11. does is provide a mandatory minimum 20 year penalty for the
12. second conviction of selling hard drugs. That's just what it
13. does. There's nothing sneaky or underhanded about it but it
14. does provide the minimum 20 year penalty.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Any further discussion? The question is shall 4 ...SB 431
17. pass? On that question the Secretary will call the roll.

18. SECRETARY:

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

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. There's been a request...Senator do you have a motion?
31. On this question, the yeas are 31, the nays are 1. The bill
32. having received a constitutional majority required, is there-
33. fore declared passed. Senator Walker, are you rising for a

1. purpose?

2. SENATOR WALKER:

3. Yes...393 was somewhere along the line there.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Walker asks leave of the Body to return to 393.

6. He was off the Floor at another meeting at that time. The

7. next bill called will be 393. Senator Walker, we will read

8. the bill and then you may explain.

9. SECRETARY:

10. SB 393 (Secretary reads title of the bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Walker will explain his bill.

14. SENATOR WALKER:

15. A...thank you, Mr. President and Members of the Senate,

16. SB 393...does just what the synopsis says. It provides for the

17. accreditation of responsible news media representatives to

18. observe the casting, counting and tabulating of votes in any

19. election. It provides that the County Clerk or the Board of

20. Election Commissioners shall give this or do this accrediting

21. and in answer to some questions that were asked in Committee

22. on this bill as to what are responsible news media, I would

23. say that the answer to that would be a working member of the

24. press. Another question was asked in Committee, does this

25. mean that TV cameras and lights will be going on. The

26. answer to that is yes. The question was asked in Committee,

27. is there space in the polling place. The bill provides that

28. the Judges of Elections shall allow such observers and their

29. equipment in the rooms where the election is held if space

30. is adequate. So, I think the bill answers that question.

31. Another question was asked about key precincts. That would

32. enable members of the news media to better prognosticate the

33. results. Question was asked about intimidation. I don't

1. see where the presence of responsible newsmen in the polling
2. place would intimidate..any of the voters. It might have a
3. tendency to intimidate some of the Judges or some of the pre-
4. cinct workers. The bill...was requested by the Illinois News
5. Broadcasters Association. They think it's important. They
6. assigned some 7,000 individual precinct reporters to give the
7. people a quick report on the outcome of the voting and...they
8. aren't seeking access to these polling places for selfish reasons.
9. Their sole objective is to get the information to the people
10. sooner and more completely. I think it's a good bill. I
11. thought it should have been on the agreed list and I would
12. appreciate a favorable roll call.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Discussion? Senator Dougherty.

15. SENATOR DOUGHERTY:

16. Mr. President, Members of the Senate, I think that Senator
17. Walker's whistling in the dark about putting this on the agreed
18. list...This bill has been opposed by all of the County Clerks in
19. the State of Illinois and every member of the Board of Elections
20. Commissioners. This is a perennial bill. I don't know how
21. many times it has been up here. But you know and I know that
22. if we allowed TV media and so for..polling places, everybody
23. would want to get into the act. We'd see more blue shirts
24. or blue dresses than we ever saw in our life. They will impede
25. voting. They will put the voter in the position of being photo-
26. graphed as he entered the polling booth and it would intimidate
27. them from voting the way they wanted to vote. It would even
28. keep people away from the polls. This is bad legislation and
29. has been opposed by all Election authorities ever since it
30. was first suggested somewhere about 1963. I recall it so well
31. having made...met the members of the press at the Press Club
32. where I told them about it. And, I said, all right you go down
33. and interview the County Clerks and Board of Election Commissioners

1. Don't take my opinion alone. And they found that they were
2. universally opposed to it. This is bad legislation and I urge
3. its defeat.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any further discussion? Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President, ques...question of the sponsor
8. Senator Walker.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. He indicates he will yield to a question.

11. SENATOR CARROLL:

12. Thank you.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Walker.

15. SENATOR CARROLL:

16. You have indicated that the Judges shall be determinative
17. of whether or not there is adequate space. I would suggest to
18. you if you read the bill that is not the question and that is
19. not the case. ...The bill says in both the county section and
20. the board section under either type of election machinery
21. that the space as required as determined by the County Clerk
22. or as determined by the Board of Election Commissioners. Is
23. there any appropriation here that would...for the manpower
24. necessary by the Board and County Clerks to go to each and
25. every, at the..what..11,000 precincts in this State, to determine
26. which are adequate, which have the proper facilities for this type
27. of equipment and which do not. You're requiring or mandating
28. the Clerk in the Board of Election Commissioners to go precinct by
29. precinct and determine which ones are adequate and which ones are
30. not. Whether or not the Judges feel that there is space...
31. available. That is a rhetorical question.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. That's a rhetorical question. Senator Walker.

1. SENATOR WALKER:
2. Yes.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Senator Walker, are you going to respond by saying yes?
5. Is that...
6. SENATOR WALKER:
7. Yes.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. The answer to your question is, yes. Any further dis-
10. cussion? Senator Carroll.
11. SENATOR CARROLL:
12. What is the amount of that appropriation, then?
13. PRESIDING OFFICER (SENATOR GRAHAM):
14. Senator Walker.
15. SENATOR WALKER:
16. There's not.
17. PRESIDING OFFICER (SENATOR GRAHAM):
18. Senator Carroll.
19. SENATOR CARROLL:
20. Wh...I thought a part of that long question included
21. the fact that are you appropriating funds to the County Clerks
22. and the Boards of Election Commissions to put on the manpower
23. necessary to find out whether these facilities are adequate.
24. Because it's not up to the Judges, it's up to them. And I
25. thought your answer was yes and I was wondering...in that
26. case, is there an appropriation?
27. PRESIDING OFFICER (SENATOR GRAHAM):
28. Senator Walker.
29. SENATOR WALKER:
30. It wouldn't take any additional appropriation. That could
31. be determined by a phone call and they aren't too busy down
32. there anyway.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Carroll. Senator Carroll. Senator Kenneth Hall.

2. SENATOR KENNETH HALL:

3. Thank you, Mr. President, would the sponsor yield to a
4. question?

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. He indicates that he will.

7. SENATOR KENNETH HALL:

8. Senator Walker, did I understand you correctly to say
9. that the only reason this...pardon me, this bill was intro-
10. duced is that the people will get quick results from the
11. results of the election. Is that the only reason you intro-
12. duced this bill?

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator Walker.

15. SENATOR WALKER:

16. ...They'd get the results quicker and probably more
17. accurately if you want to go into that portion of it... We
18. wouldn't be picking up papers a day or two after the election
19. probe 300 charges of voting fraud. Vote fraud if you seem to
20. care. Vote fraud...

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Gentlemen.

23. SENATOR WALKER:

24. ...in the police.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. No. No.

27. SENATOR WALKER:

28. Law st...law student levels charges of vote fraud. Judges
29. refuse to allow voters to split their tickets. We let them
30. split out in the suburban area without any question. Daily
31. News photog attacked at the polls. Thirteen phony ballots cast
32. at photog assault site. I think it would eliminate some head-
33. lines such as this. How to curb vote fraud. It might have

1. another purpose. But, the main purpose of the bill is the
2. faster dissemination of the news.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Senator Kenneth Hall.

5. SENATOR KENNETH HALL:

6. ...I just like to say, that you know we tried to encourage
7. people to exercise their franchise. Now, I know that if you're
8. going to have cameras and a lot of other equipment in some of
9. the small polling places that we have in the first place there
10. wouldn't be adequate space. But, I know that a number of people
11. will be reluctant to come and exercise their franchise.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Knuepfer.

14. SENATOR KNUEPFER:

15. Well, I...I just want to suggest that my County Clerk is
16. opposed to this bill but I think he's wrong and I'm going to
17. vote for it.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Senator Mitchler.

20. SENATOR MITHCLER:

21. Move the previous question.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Mitchler moves the previous question. All in favor
24. of the motion signify by saying aye. Opposed. Senator Walker
25. will close the debate.

26. SENATOR WALKER:

27. ...Briefly, it's true that this bill has been opposed but
28. I would like to also say this, the bill has passed the House
29. in previous years. It's passed the Senate in previous years.
30. I would have a strong hunch that if it goes out of here with a
31. favorable roll call it will go out of the House on a favorable roll
32. call and gets down to the second floor. That's where I'd like to
33. see it and I would appreciate a favorable vote.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The question is, shall SB 393 pass? On that question
3. the Secretary will call the roll.

4. SECRETARY:

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

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Dougherty.

10. SENATOR DOUGHERTY:

11. To explain further my opposition to the bill, it is true
12. that all of the County Clerks are opposed to it and I would
13. like to...all of the hinting that's been done to this fraud
14. occurs in certain areas of the City of Chicago. While I'm
15. not making any charges against anybody, but I think in the
16. many years I've been on county problems from which emanated
17. the soc...the...the Election Law Study Commission. We have
18. found and heard of instances of fraud all over this State of
19. Illinois. But the same time I do not believe that the Judges
20. of Election and the voters should be harrassed by having
21. people around them with the cameras and TV and radios. It will
22. intimidate the voter. It will keep them away. It will keep
23. them from expressing their opinion and they...as far as the
24. Judges allowing people the right to split their vote, that's a
25. pipe dream. It just brought out by some people who...who're
26. in the press...press determined to show there's fraud. I
27. might point out, though, in certain areas that these things
28. are ...are alleged. This is a very bad bill and it's opposed
29. by all election administrators and I don't think it will
30. pass the House and I hope to God it doesn't pass this
31. House. No.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Continue the roll.

1. SECRETARY:

2. Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
3. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,
4. Merritt, Mithcler, Howard Mohr, Don Moore, Netsch,

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Netsch.

7. SENATOR NETSCH:

8. Mr. President, my vote is aye. There are all forms of
9. in...all kinds of intimidation that can take place in a
10. polling booth. I'm not sure that this will make it any worse
11. than some of that that already exists.

12. SECRETARY:

13. Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
14. Regner, Rock,

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Rock.

17. SENATOR ROCK:

18. Well, Mr. President, Members of the Senate, as I said the
19. other day and will continually repeat, Senator Walker is again
20. playing to the press. I am happy to vote no.

21. SECRETARY:

22. Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
23. Shapiro, Smith, Sommer, Soper, Sours,

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Sours.

26. SENATOR SOURS:

27. For several years now, Mr. President, we've made fun of
28. this kind of legislation and yet getting back into the year
29. 1972 it seems to me I read in one of the metropolitan Daily's
30. that there was 1,000 irregularities. Sometimes they use the
31. word fraud...vote frauds. ...I'm constrained to use the noun,
32. irregularities. Now, there was also an article about a cer-
33. tain candidate who walked into one of the polling places with

1. a big fedora and a big, long, green-leaf cigar and was telling
2. people two feet away from where they vote, you know I told
3. you yesterday how to vote, now you go ahead and vote. Now,
4. if this would in any way discourage, impede, diminish, limit
5. or in any way touch upon that kind of conduct, it might be good
6. exposure. And I want to repeat, we've made fun of this bill
7. for years. Something's going to have to happen sometime where
8. the...the election machinery in the entire State of Illinois
9. can remain inviolate. I vote aye.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Continue the roll.

12. SECRETARY:

13. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
14. Mr. President.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Newhouse, aye. Harber Hall, aye. On this question, the
17. yeas are 34. The nays are 5. The bill having received a
18. constitutional required majority, is therefore declared passed.
19. Senator Moore. Don Moore. Moves, that having voted on the
20. prevailing side, the vote by which this bill passed be recon-
21. sidered. Senator Ozinga moves to Table Senator Moore's motion.
22. All in favor of Senator Ozinga's motion will signify by saying
23. aye. Opposed. The ayes have it and Senator Ozinga's motion
24. to Table prevails. SB 432. Senator Regner.

25. SECRETARY:

26. SB 432 (Secretary reads title of the bill)
27. 3rd reading of the bill.

28. SENATOR REGNER:

29. Yes, Members of the Senate, this bill does...the same
30. thing that 431 did regarding the second offense for peddling
31. drugs. This requires...20 year minimum mandatory penalty for
32. the second conviction of committing a felony while armed with
33. a firearm and I...I ask for a favorable roll call.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Any further discussion? There is no discussion, the
3. question is...Senator Carroll.

4. SENATOR CARRQLL:

5. Thank you, Mr. President, Senator Regner, what felonies
6. are included...in this Act that would become 1A felonies?
7. Which ones are included?

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Regner.

10. SENATOR REGNER:

11. Well, in this bill, Senator Carroll, it's the second
12. offense of a felony while armed with a firearm and in 431
13. which we passed just a few minutes ago...it's the second
14. offense of peddling or selling hard drugs.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Carroll.

17. SENATOR CARROLL:

18. And this creates a new class of felony for penalties.
19. And this class is for a use of a firearm, is that right?
20. Is there a minimum sentence also?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Regner.

23. SENATOR REGNER:

24. Yes, that's what it is. It's a minimum mandatory 20
25. years.

26. SENATOR CARROLL:

27. Also, a mandatory life imprisonment, right? It's a
28. mandatory life imprisonment as well as minimum 20 years,
29. is that right?

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Regner.

32. SENATOR REGNER:

33. No, no that was amended out, Senator Carroll. It's the

1. original bill as introduced and heard in Judiciary Committee
2. was a mandatory life. I amended on the Floor to bring it down
3. to a mandatory minimum 20 and I took the life penalty out
4. completely. It would be up to the discretion of the Judge if
5. he wanted to put a heavier penalty on.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Carroll.

8. SENATOR CARROLL:

9. Is there still then the provision that if they're under
10. 17 years of age the minimum is 15 years instead of 20.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Regner.

13. SENATOR REGNER:

14. That has...that hasn't been changed Senator Carroll.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Netsch.

17. SENATOR NETSCH:

18. Mr. President, will the sponsor yield for an additional
19. question? ...Would you describe again in what way this changes
20. the present penalty for armed robbery second conviction.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Regner.

23. SENATOR REGNER:

24. ...Senator Netsch, I don't have the new correction code
25. in front of me, exactly what it is but...it is a substantially
26. lesser penalty. I think it's five years, if I'm not mistaken.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Netsch.

29. SENATOR NETSCH:

30. Five...five years to something?

31. SENATOR REGNER:

32. Yes.

33. SENATOR NETSCH:

1. The answer was yes?

2. SENATOR REGNER:

3. Yes.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Any further discussion? The question is, shall SB 432
6. pass? And on that question the Secretary will call the roll.

7. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR MOHR):

19. Sen...Sours, aye. Howard Mohr, aye. Harris, aye.
20. Kosinski, aye. Hynes, aye. McBroom, aye. On that question
21. the yeas are 40. The nays are 1. The SB 432 having received
22. a constitutional majority is declared passed. SB 536, Senator
23. Roe. SB 567, Senator Sours. We're going to skip a couple of
24. these. The members are not on the Floor and we'll go back to
25. them...SB 720, Senator Romano. Senator Roe.

26. SENATOR ROE:

27. Mr. President and Members...I'd like leave to Table SB 536.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Roe requests leave to Table SB 536. Is there
30. leave? SB 536 is Tabled. Senator Schaffer.

31. SENATOR SCHAFFER:

32. I rise on a point of personal privilege. Having the...
33. one of the northern most districts on the Wisconsin line,

1. I very seldom have anyone down here to introduce and when I
2. do I'd like to take advantage of it. I'd like to introduce
3. Lynn Hadlock, one of my County Board members and Dick Wassell,
4. the...Chairman of our...Health Department in McHenry County
5. in the Gallery behind us. And I'd like to give them a
6. little recognition.

7. PRESIDING OFFICER (SENATOR MOHR):

8. SB 663, Senator McBroom. Senator.

9. SENATOR McBROOM:

10. Yes, Mr. President and Members of the Senate, SB 663 I
11. would like to move back for...to 2nd reading for purposes of
12. Tabling Amendment No. 1 and offering a substitute amendment.
13. This...I have discussed this with Senator Partee and...he's
14. agreeable to it. I'd like to move it back to 2nd reading,
15. Mr. President.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Is there leave to bring back...Senator McBroom's bill
18. 663 to 2nd...

19. SENATOR McBROOM:

20. Yes...

21. PRESIDING OFFICER (SENATOR MOHR):

22. ...reading. Leave is granted.

23. SENATOR McBROOM:

24. I'd...I move to Table Amendment No. 1, Mr. President.

25. PRESIDING OFFICER (SENATOR MOHR):

26. You have to first move to...reconsider the vote by
27. which Amendment No. 1...

28. SENATOR McBROOM:

29. Ok.

30. PRESIDING OFFICER (SENATOR MOHR):

31. ...passed.

32. SENATOR McBROOM:

33. I make...I make that motion.

1. PRESIDING OFFICER (SENATOR MOHR):
2. He makes that motion. All in favor signify by saying
3. aye. Opposed. No. 1...Amendment No. 1 is Tabled.
4. SENATOR MCBROOM:
5. Now, I'd like to offer a substitute amendment. I
6. believe...Mr. Fernandes has it.
7. SECRETARY:
8. Amendment No. 2, Senator McBroom.
9. SENATOR MCBROOM:
10. Amend...Amendment No. 2 is...is similar to Amendment No. 1,
11. Mr. President, it's a clarification of the language. And it's
12. an agreed amendment. I move the adoption of the amendment.
13. PRESIDING OFFICER (SENATOR MOHR):
14. We have to have a motion to Table Amendment No. 1,
15. I'll advise Senator McBroom. So...
16. SENATOR MCBROOM:
17. I thought...
18. PRESIDING OFFICER (SENATOR MOHR):
19. ...if you'll ask for that...
20. SENATOR MCBROOM:
21. I move to Table Amendment No. 1.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Is there leave? It is Tabled.
24. SENATOR MCBROOM:
25. I move...
26. PRESIDING OFFICER (SENATOR MOHR):
27. Now, now Senator McBroom moves the adoption of Amendment
28. No. 2. All those in favor signify by saying aye. Opposed.
29. Amendment No. 2 is adopted. 3rd reading.
30. PRESIDING OFFICER (SENATOR MOHR):
31. Senator Newhouse, 680 and then we'll go back to you
32. Senator McBroom.
33. SECRETARY:

1. SB 680 (Secretary reads title of the bill)

2. 3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Newhouse.

5. SENATOR NEWHOUSE:

6. Mr. President, Senators, SB 680 does exactly what the

7. digest says. ...I notice some opposition to this bill but let

8. me say this about it. We've had such a Commission previously.

9. I believe Senator Sours was Chairman of one several years

10. back. This is not a police board. The appointments are by

11. the Legislature. ...One of the...part of the opposition, I

12. understand, is because the group has the power of subpoena.

13. ...I don't think that ought to be changed. This is a responsible

14. legislative group and...I think it ought to be formed and ought

15. to do its job. And I ask for a favorable roll call on it.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? The question is, shall SB 680

18. pass? And on that question, the Secretary will call the roll.

19. SECRETARY:

20. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,

21. Clarke, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,

22. Fawell, Glass, Graham, Harber Hall, Kenneth Hall, Hynes,

23. Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,

24. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,

25. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,

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

27. Scholl, Shapiro, Smith, Sommer, Soper, Sours,

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Sours.

30. SENATOR SOURS:

31. Mr. President, Senators, we had this kind of a Commission

32. either three or four years ago. We dealt with the subject

33. rather carefully. We issued a final report to the Legislature.

1. ...I don't know what more was to be done and for that reason
2. I'm simply voting present.

3. SECRETARY:

4. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
5. Mr. President.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Request to call the absentees.

8. SECRETARY:

9. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
10. Course, Daley, Donnewald Dougherty, Graham, Hynes, Johns,
11. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, McBroom, Merritt,
12. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod,
13. Ozinga, Palmer Partee, Romano, Savickas, Schaffer, Scholl,
14. Sommer, Soper, Swinarski, Vadalabene, Weaver, Welsh, Mr. President.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Bartulis, do you want to call SB 673. All right,
17. we'll...you're not quite ready, we'll come back to that one,
18. Senator. We have an amendment for Senator Shapiro on SB 760.

19. SENATOR SHAPIRO:

20. ...Mr. President, Members of the Senate, I would like
21. leave of the Senate to return...SB 760 from the order of 3rd
22. to 2nd for the purposes of amendment.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Shapiro has requested leave to bring back 760
25. from 3rd to 2nd for the purpose of an amendment. Is there
26. leave? Leave is granted. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President,...Members of the Senate...Amendment No. 2
29. to SB 760 essentially strikes everything in the bill and adds
30. a provision whereby an ambulatory currency exchange can follow
31. an account that it has, when that account moves from one
32. address to another. And I would urge its adoption.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Vadalabene. Senator Shapiro moves the adoption...
2. of Amendment No. 2. All those in favor signify by saying aye.
3. Opposed. Amendment No. 2 is adopted. 3rd reading. Senator
4. Vadalabene. .
5. SENATOR VADALABENE:
6. Yes, Mr. President, since we're out of the order...could
7. I change the name of the sponsor on HB 723 from Senator
8. Knuppel to Senator Vadalabene? Is that leave?
9. PRESIDING OFFICER (SENATOR MOHR):
10. Leave. We weren't on that order. But is there leave?
11. Secretary...
12. SENATOR VADALABENE:
13. Leave.
14. PRESIDING OFFICER (SENATOR MOHR):
15. Senator Course, SB 762. Senator Course. The Secretary
16. will read that bill. Are you ready to proceed with it?
17. Do you want to proceed with this? Senator Course.
18. SENATOR COURSE:
19. Oh, I'm on now. I'd like SB 762 returned to the order of
20. 2nd reading for the purpose of amending it but I don't have the
21. amendment right now, Mr. President. So...
22. PRESIDING OFFICER (SENATOR MOHR):
23. We'll just hold then. When you're ready...
24. SENATOR COURSE:
25. Oh, fine, thank you.
26. PRESIDING OFFICER (SENATOR MOHR):
27. ...bring it to the Secretary's desk. SBs...Senator Latherow.
28. SENATOR LATHEROW:
29. Mr. President, are you putting amendments on bills now, is
30. that what you're trying to do or...out of order or anything. Ok.
31. PRESIDING OFFICER (SENATOR MOHR):
32. We were trying to go in order, Senator, but if you have...
33. have one that's ahead maybe it would save some time. Is it ahead

1. of this?

2. SENATOR LATHEROW:

3. I'll pick it up as you go by.

4. PRESIDING OFFICER (SENATOR MOHR):

5. What number is the bill?

6. SENATOR LATHEROW:

7. 1082.

8. PRESIDING OFFICER (SENATOR MOHR):

9. We...we can handle that now, if you would like.

10. Senator Walker.

11. SENATOR WALKER:

12. Thank you, Mr. President, a point of personal privilege.

13. I would like to introduce a group of students from...Walcott

14. School in Thornton, Illinois which is in my district. Will

15. they please stand and be recognized.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Latherow.

18. SENATOR LATHEROW:

19. Mr. President and Members of the Senate, this amendment

20. struck practically the entire bill and now will allow the

21. Environmental Protection Agency to partic...in gran...

22. participate in grant eligibility with municipalities and

23. other local government units and preliminary studies and so

24. forth of land fills.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Is there...is there leave to bring this bill back

27. to 2nd reading.

28. SENATOR LATHEROW:

29. Move to bring it...move to 2nd...

30. PRESIDING OFFICER (SENATOR MOHR):

31. Leave...Leave is granted.

32. SENATOR LATHEROW:

33. And I...

1. PRESIDING OFFICER (SENATOR MOHR):

2. Do you want to further explain your amendment, Senator?

3. SENATOR LATHEROW:

4. Now, this amendment was reached through an agreement
5. with the Environmental Protection Agency and the...Municipal
6. Body and I move the adoption of the amendment. I have one
7. question to straighten out on and when I get that straightened
8. I'll be in order to pass the bill.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Latherow moves the adoption of Amendment No. 1.
11. All those in favor signify by saying aye. Opposed. Amend-
12. ment No. 1 is adopted. Any further amendments? 3rd reading.
13. SB 811, Senator Hynes.

14. SECRETARY:

15. SB 811 (Secretary reads title of the bill)
16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Hynes.

19. SENATOR HYNES:

20. This bill as originally introduced brought about sub-
21. stantial opposition to some of its provisions and it has been
22. substantially ame...amended to eliminate those objections and
23. I thought I ought to make that point at the very beginning.
24. As amended, the...the bill does essentially four things. It
25. changes the...the definition of a Class I Junior College so as
26. to make the requirements for a Class I Junior College more
27. realistic. It requires that there be population of 45,000 and an
28. assessed valuation of \$150,000,000 in any area that it intends to
29. create a new Class I Junior College. This will not effect any
30. existing or proposed district but it will have the effect of re-
31. quiring new proposals to have an economically sound base. Secondly,
32. it calls for the preparation of a Junior College Master Plan. Third,
33. it calls for establishing a Management Information System which would

1. supply the Junior Colleges with important information as to
2. where the students go after they leave the school. Where they
3. come from, what courses are contributing to the betterment of
4. the students which are not. It's an important management tool
5. and I think can make the Junior Colleges more efficient. There
6. will be a separate appropriation in the Junior College Board
7. bill for that purpose. The amount at the present time is some-
8. what uncertain but the estimates are from fifty to one-hundred
9. fifty thousand dollars. And it finally, it clarifies the
10. existing powers of the Board to withhold funds for failure to
11. comply with the Act. I know of no objection to the bill in its
12. amended form and I would ask for your favorable consideration.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Any further discussion? Secretary will call the...the
15. question is, shall SB 811 pass? And on that question the
16. Secretary will call the roll.

17. ACTING SECRETARY (MR. WRIGHT):

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

28. PRESIDING OFFICER (SENATOR MOHR):

29. Merritt, aye. Savickas, aye. Berning, aye. Sommer, aye.
30. Latherow, aye. Senator Harris.

31. SENATOR HARRIS:

32. Well, Mr. President, I'd just like to call attention to
33. the members on this side of the aisle that this bill is the

1. product of a very thorough evaluation and study by the Illinois
2. Economic Fiscal Commission. It's appropriate legislation...
3. Senator Hynes has done a good job of accepting amendments to
4. get this in shape to meet some of valid objections and I would
5. encourage everyone to support this bill. I vote aye.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Soper.

8. SENATOR SOPER:

9. Just...a little late with this, but I don't want to offend
10. the leader on our side but what bothers me about this is on
11. page 6, failure to comply...failure by a community college or
12. district to comply with the rules and regulations of the State Board
13. or the provisions of this Act will cause for the withholding
14. of the State aid payments at the discretion of the State Board.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator, are you explaining your vote?

17. SENATOR SOPER:

18. Well, I'm explaining, I don't understand...I don't under-
19. stand that withholding at the discretion of the State Board.
20. Unless that explained to me, well then...Was that stricken?
21. The amendment take that out?

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Hynes may answer the question.

24. SENATOR HYNES:

25. By way of explaining my vote, there is an amendment which
26. clarifies that and...and gives...requires notice to the district
27. and an opportunity to be heard. That presently by the inter-
28. pretation of the Junior College Board and everyone else that's
29. looked at it, it's within the power of the Junior College Board.
30. This simply spells it out and provides that they must have...
31. must give notice and an opportunity to be heard. The...the
32. Junior Colleges, the Board, no one has objected to the provision
33. in its amended form.

1. SENATOR SOPER:

2. All right. I vote present.

3. PRESIDING OFFICER (SENATOR MOHR):

4. On that question, the yeas are 42. The nays are 1.

5. One voting present. SB 811 having received the constitutional

6. majority is declared passed. Senator Davidson, 752. You know

7. Gentlemen it would be much easier if you fellows would stay in

8. your seats for just a little while... Somebody's in their seats,

9. you call them and they suddenly disappear. So...let's

10. Senator Partee, SB 815.

11. SECRETARY:

12. SB 815 (Secretary reads title of the bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Partee.

16. SENATOR PARTEE:

17. Mr. President and Members of the Senate, so there will be

18. no question about this, I want to point out that there were

19. two bills on this same subject. SB 894 and SB 815. Now, 894

20. has been Tabled and this is the remaining vehicle. This is a

21. bill which would bring Illinois into the world of safety sofar

22. as mobile homes are concerned. As you know, a large and

23. larger number of people are now living in mobile homes in...

24. there's been many complaints about the lack of...stability of

25. these homes and we would, by this bill, permit the Department

26. of Local Government Affairs to make inspections and to see if

27. these mobile homes were up to the national standards. I hold

28. in my hand the standard for Mobile Homes which is put out by

29. the Mobile Home Manufacturers Association sponsored by them

30. and is the law in several states. We would then, of course,

31. have a reciprocity from one state to the other if a bill...if

32. a mobile home built in this state bore a seal which the Depart-

33. ment would put on it as being properly constructed. I think it's

1. an excellent piece of legislation and I solicit your vote.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Mr. President, I'd like to agree with Senator Partee
6. on this. ...The industry is in support of this legislation
7. and the...I think we should treat it with favorable action.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Walker.

10. SENATOR WALKER:

11. ...Senator Partee...how would this effect and I think
12. you've given me the answer, I just wanted to be sure, a
13. mobile, mobile unit that already has the...the seal on
14. there. Would that...does the State then accept that seal
15. that's on then when you purchase it that...that...says it
16. complies with the Safety Code and so forth.

17. SENATOR PARTEE:

18. Well, I see no reason why it shouldn't but the thrust of
19. this bill is in pro...prospective as to those that will be
20. manufactured after January 1st, 1974. But if it has a seal
21. and complies with the standards, I don't think you'd have
22. any problem with it.

23. SENATOR WALKER:

24. Thank you.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Any further discussion? The question is, shall SB 815
27. pass? And on that question the Secretary will call the roll.

28. ACTING SECRETARY (MR. WRIGHT):

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

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

6. PRESIDING OFFICER (SENATOR MOHR):

7. Sop...Soper, aye. Carroll, aye. Newhouse, aye. Nimrod,
8. aye. Scholl, aye. Smith, aye. On that question, the yeas
9. are 43. The nays are none. SB 815 having received the con-
10. stitutional majority, is declared passed. Senator Daley.

11. SENATOR DALEY:

12. Mr. President, I rise on a point of personal privilege.
13. ...Fellow Senators, I would like to introduce a group of
14. honor students from the 23rd Senatorial District. There are
15. forty schools represented. A boy and girl from each school.
16. They're in both balconies. I would hope they'd rise and we'd
17. give them a standing applause.

18. PRESIDING OFFICER (SENATOR MOHR):

19. I rise on a point of personal privilege, Gentlemen. I
20. have up in the Gallery behind me a very personal friend of
21. mine, Mrs. Lila Sedith from the Village of Westchester and
22. some forty members of the Illinois Federation of Women's
23. Club and I would like the Senate to stand and recognize
24. these lovely ladies. Senator Berning, 8...SB 853.

25. ACTING SECRETARY (MR. WRIGHT):

26. SB 853 (Secretary reads title of the bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President, may I call attention to the
32. Members of the Body the fact that SB 853 is not what the
33. Calendar seems to indicate. The establishment of the Model

1. School for the Deaf was the original objective of SB 853.
2. By agreement, the bill has now been amended striking the
3. entire body of the bill, as originally presented, and in-
4. serting in lieu thereof the establishment of a Study Com-
5. mission. The whole subject of education for the deaf and
6. hard-of-hearing needs to be thoroughly and completely studied and
7. evaluated in its present procedures in an effort to determine how
8. and in what fashion we can do a better job for these young and
9. older people. I think there is no disagreement with this bill,
10. and I would invite a favorable roll call.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Partee.

13. SENATOR PARTEE:

14. Mr. President and Members of the Senate, I would like
15. to add to what Senator Berning has just said about this
16. particular subject. You know I have been one who has been
17. definitely opposed to the proliferation of commissions but
18. this is a subject which, in my opinion, has no place within
19. the orbit of our regular committee system and it is a sub-
20. ject about which there is a great deal of controversy. There
21. are persons on both sides of this question who came and offered
22. testimony and we do need a commission in order to make some
23. judgments, some value judgments, as to which way this State
24. ought to go in this very interesting field. The question of
25. how best to teach persons who have hearing imperfections or
26. impairities...is a serious, serious question and a commission,
27. in my opinion, is the only way that we are going to be able
28. to find out so that we can pass legislation in the best
29. interest of people. So, I would urge support of this very
30. valuable piece of legislation.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Johns.

33. SENATOR JOHNS:

1. I rise in support of Senator Berning's legislation here.
2. He and I have talked at great length about this problem and...
3. he knows of pending legislation which I'm sure the other side
4. of the aisle knows I'm handling, SB 213, and he's matter and
5. mine our ideas are currently together and I see of no reason
6. why we couldn't continue to work together toward the solving
7. of this problem. I hopefully...I hope that members of the
8. other side of the aisle will be as kind and generous as we
9. intend to be over here on my legislation and I hope that we
10. can work together and help solve this problem which is uni-
11. versal throughout the State of Illinois Thank you, very much.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Any further discussion? Senator Berning, do you wish
14. to close?

15. SENATOR BERNING:

16. Roll call, Mr. President.

17. PRESIDING OFFICER (SENATOR MOHR):

18. ...Senator Newhouse.

19. SENATOR NEWHOUSE:

20. ...Mr. President, I wonder if the sponsor would yield to
21. a question? I would...I'm sorry but I was off the Floor. I
22. recall this bill from Committee and I read the digest and see
23. that we bypass Committee to bring it to the Floor. ...Is this
24. now a bill to organize a commission, Senator, rather than...
25. Thank you.

26. PRESIDING OFFICER (SENATOR MOHR):

27. The question is, shall SB 853 pass? And on that question
28. the Secretary will call the roll.

29. ACTING SECRETARY (MR. WRIGHT):

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

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

7. PRESIDING OFFICER (SENATOR MOHR):

8. Course, aye. Saperstein, aye. Hynes, aye. Latherow,
9. aye. Roe, aye. Berning, aye. McCarthy, aye. On that
10. question the yeas are 44. The nays are none. SB 853
11. having received the constitutional majority, is declared
12. passed. Senator Davidson on SB 752.

13. SENATOR DAVIDSON:

14. Mr. President, I'd like leave of this Body, to save them
15. a little time, to...for permission to Table Bill 752.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Is there leave to Table SB 752? SB 752 is Tabled.
18. Senator Newhouse. What purpose does Senator Savickas rise?

19. SENATOR SAVICKAS:

20. Well, Mr. President, Members of the Senate, I'd like to
21. rise on a point of personal privilege and I hope that either
22. you or President Harris can use your influence to do something
23. about what's happening in our cafeteria. We just sent out
24. for lunches, two beef stew and a ham...ham steak dinner,
25. and this is what they offer downstairs for a ham steak dinner.
26. A slice of ham on a paper plate and this is a ham steak
27. dinner. I don't know what we're doing with these people.
28. We subsidize them building that cafeteria and now the ham
29. steak dinner is a slice of ham on a paper plate, no bread,
30. no butter. A beef stew dinner is one-third of a plate of
31. beef stew thrown right on with no bread, no butter. I would
32. like to know who's in charge of this and hope that the Senate
33. gets a Resolution to investigate what they're doing with the

1. food down in that cafeteria.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator will send up that ham...with a knife and fork
4. and I'll look it over and give you a report back on it.
5. Senator raises a good, good point and I think this should
6. be taken up with the leadership. Senator Course.

7. SENATOR COURSE:

8. I rise on a point of personal privilege, Mr. President.
9. What I'm complaining about Sam Vadalabene got all the meat
10. and I got the potatoes.

11. PRESIDING OFFICER (SENATOR MOHR):

12. They didn't know you were on that diet, Senator. We'll
13. go back to Senator Newhouse on SB 841. Senator Newhouse. The
14. bill will be read a 3rd time.

15. SECRETARY:

16. SB 841 (Secretary reads title of the bill)
17. 3rd reading of the bill.

18. SENATOR NEWHOUSE:

19. Thank you, Mr. President, Senators, SB 841 is following
20. a tough act. I don't know how you follow an act with see-thru
21. ham. But, it's a very simple bill and the description's in
22. your digest on your Calendar. It calls for the abolition of
23. judgments of confession except as between merchants. That's
24. the explanation. We've had similar bills before us. I know
25. there is some objection to it and...I suppose we ought to
26. near that and let me close after that time, Mr. President,
27. thank you.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I see Senator Sours rising in opposition. Senator Sours.
30. SENATOR SOURS:

31. Just very briefly, we've had bills like this before. Now
32. this will...this bill will abolish the confession of judgment and
33. a judgment note as between vendor and purchaser, retailer and

1. and buyer. I...it got out of Judiciary but not with my vote
2. or my support. But that doesn't make it good or bad or green
3. or pink. However, I think if this bill does pass it will
4. dry up otherwise credit that might be given to people who
5. need it the most. Now, we've had confession, we've had judg-
6. ment notes in this State...for fifty years or more, now, every
7. and then somebody gets taken to the cleaners, literally. He
8. gets defrauded and pretty soon we start abolishing some of
9. the necessary tools not only to stay in business if one's a
10. retailer but also to extend the credit. ...I can't support
11. this bill and I...I hope it doesn't pass.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Carroll.

14. SENATOR CARROLL:

15. Thank you, Mr. President, Members of the Senate, I rise
16. to support this bill. ...I believe that if you look carefully
17. at SB 841, which is very short, and take it in light of the
18. recent Supreme Court cases, such as Fuentes...and the other
19. cases dealing with confessions, dealing with service of pro-
20. cess...dealing with garnishments, dealing with replevins,
21. dealing with any of those types of remedies especially in the
22. case of confessions, the Court has ruled, in effect, that
23. there must be service of process. That a person must know
24. that they are going to have a day in court. They have held
25. this in the Florida cases. They have held this in many other
26. states already and it would seem to me now that Illinois
27. should come into line with what the Supreme Court has said
28. in this area. When we're talking about confessed judgments,
29. we're talking about your constituents when they buy some-
30. thing, signing as part of a form contract, a provision that
31. the merchant can go in, can confess judgment, can have the
32. court render judgment against them without them ever knowing
33. about it and in many, many instances these people have a

1. valid defense against that action yet they know nothing about
2. it until after the judgment has been rendered and there is
3. some attempt on the part of the creditor to secure that
4. judgment to go after the assets of that individual person.
5. What this bill merely says, is between sophisticated people,
6. between merchants, there's nothing wrong with confessions.
7. They know what they're doing, they're bargaining for it.
8. But, when you're talking about the people who buy on a form
9. contract and that includes each of every one of you when
10. you buy gas on a credit card. That one of the statements
11. in there is a confession of judgment. That you as an individual,
12. a non-merchant, who does not deal in those kinds of goods, as
13. defined in the Code, that a non-merchant situation you should
14. not give up that right by contract to have notice. These are
15. not things that you can strike from the contract. These are
16. printed form contracts. The courts have rules in this. In
17. the Fuentes case, they have ruled it in other cases. I
18. personally think that the confession laws in Illinois are
19. right now, in total violation of the Supreme Court ruling.
20. I think each and everyone of our constituents is entitled
21. to know when they are being sued and what they are being
22. sued for so that they may have their day in court. I think
23. this is a very excellent bill on behalf of the people of the
24. State. I would urge everyone to support it.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Any further discussion? The question is, shall SB 841
27. pass? On that question, the Secretary will call the roll.

28. SECRETARY:

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

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

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Netsch, aye. Senator McCarthy, aye. Berning,
8. no. Romano, aye. Daley, aye. Senator Newhouse.

9. SENATOR NEWHOUSE:

10. I'd like to postpone consideration, Mr. President.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. There has been a request to place the bill on the order
13. of consideration postponed. All in favor? That's where it is.
14. The next bill will be 866, I marked up the Calendar. I hope
15. I'm right. SB 866. Be read by title a 3rd time.

16. SECRETARY:

17. SB 866 (Secretary reads title of the bill)
18. 3rd reading of the bill.

19. SENATOR PARTEE:

20. Mr. President and Members of the Senate, I...I would like
21. your attention because there might be some questions and I
22. might try to obviate a lot of questions by the kind of explana-
23. tion I'm going to make because this is something that is
24. relatively new. I talked one day to a man by the name of
25. John Wainer, who is a Chicago gentlemen, who is the Regional
26. Director of the Housing and Urban Development in Chicago. He
27. told me that there was a distressing situation in reference
28. to buildings which had been built with Federal money which
29. now were going bankrupt because the taxes on those Federal
30. buildings were too much for them to operate successfully
31. and suggested to me that we put in some legislation which
32. would help in that situation and that is the result of this
33. bill, SB 866. Now, simply it is also supported by the

1. Metropolitan Housing and Planning Council and a Mr. Robert
2. Pease who comes from Senator Clarke's district was here to
3. testify on behalf of this bill. The bill simply says that
4. where there is a building which has been built with money
5. from the Federal government in these limited profit kind of
6. operations that the taxes on such a property shall be not
7. more than 13% of its gross income. And it is the only way
8. for that kind of Federal program to survive. As you know,
9. they aren't building any more of these at this time because
10. the funds have been frozen in Washington but this is the
11. answer to the problem which has been created when the
12. Federal government underwrites this kind of housing for
13. not-for-profit corporations. They find that they are not
14. able to survive because the taxes are simply excessive and
15. this would delimit the taxes to 13% of the gross income.
16. And I would earnestly solicit your support.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Soper.

19. SENATOR SOPER:

20. Mr. President and Senator Partee, I was just wondering
21. would this be objectionable under equal protection of the
22. laws of the 14th Amendment. To give one special considera-
23. tion and...with which...

24. SENATOR PARTEE:

25. Well, that, of course...

26. SENATOR SOPER:

27. It seems to me would be a private enterprise after you
28. say Federal money will that's...that's everybody's money
29. but doesn't that put...put that project in a position of...
30. any quality against a project where...where say it would
31. be private capital.

32. SENATOR PARTEE:

33. Well, we have classifications in...in our taxing law and

1. when we drafted this bill that question occurred to us
2. and we are told that it is a constitutional bill.

3. SENATOR SOPER:

4. Well...

5. SENATOR PARTEE:

6. We don't have much fear that it isn't.

7. SENATOR SOPER:

8. Well, I was just wondering...it doesn't bother me as to...

9. as to classification. But if you say that certain property
10. should have a limitation on 13% of the income, then I think
11. it would be objectionable under the...the equal protection
12. of the law if you would...if you would put this in a class
13. and deny somebody else and have him pay taxes on ...on more
14. than 13% of his income from that building.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Partee.

17. SENATOR PARTEE:

18. Well, the Constitution allows this...Senator Soper and
19. this is subsidized housing and this would be a reasonable
20. classification under that concept. We...we were concerned,
21. as I say, about that very question but we were told by the
22. drafters of the bill that they...the Legislative Reference Bureau
23. and others that we do not have a Constitutional problem here.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Soper.

26. SENATOR SOPER:

27. In other words then, if one into a...into an apartment
28. project of any kind it would be bet...better for him to get
29. Federal money and then when it becomes a private enterprise
30. after he receives the money then he can only be responsible
31. for 13% of the income...

32. SENATOR PARTEE:

33. Well, well, of course, the problem is...the problem is

1. there is a ceiling on the rentals. These are limited dividend
2. corporations structured by and through the rules and regulations
3. of the Housing and Urban Development Program of the Federal
4. government. They can't charge more than a certain amount. Some
5. of it is subsidized housing where the tenant...part of the tenants'
6. rent is paid and subsidized by the Federal government. So, where
7. there is that limitation...something has to be done on the
8. other end of it to make it a viable situation. Now, let me
9. just tell you that isn't the first place this is done. It's
10. 10% in New York and in other states where this kind of housing
11. has flourished...and it's a recognized pattern and practice.

12. SENATOR SOPER:

13. Well, I...I appreciate what other states do, Senator, but
14. you know, as well as I do, that when...when someone comes in
15. and says ta...this is 22 states or 11 states, we're the only
16. state that doesn't have this. It always...it doesn't shake
17. me up and...and change my opinion on certain things because
18. they may be all wrong and maybe we're the last ones to be
19. right. Thank you very much.

20. SENATOR PARTEE:

21. I...I wish you'd think about it this way, Senator, now,
22. there's been considerable money has been invested. Your
23. money and mine in these buildings. Now, we have one or two
24. ways to go, something sensible like placing a limitation on
25. the taxes so that they can thrive and the money can be paid
26. back to the Federal government. Or, we can let them go into
27. bankruptcy and lose all the money that's been invested in
28. them. And, I prefer the former course.

29. SENATOR SOPER:

30. Senator, I'm going to vote for your bill but I just
31. wanted...the...the members of the Senate to know what I think
32. are some of the objections and if you can get this by and get
33. this to be Constitutional, good luck to you.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Nimrod and then Senator Sours.

3. SENATOR NIMROD:

4. Mr. President ...the whole concept of this bill seems to
5. be a diversion from the normal in...I realize that there is a
6. problem but, however, I do not think that the solution is to
7. set up separate kind of assessment on taxes...on various
8. buildings. Now, we have resisted and I know the sponsor here is
9. joined in many occasions here to resist any tampering with the
10. State Income Tax because it's all set up. I think we're all
11. aware of the problems that are involved with the assessors and
12. when we start set...setting up special provisions for this, then
13. I think we are doing the wrong thing. There are other ways of
14. attacking this problem and I would hope that we would pursue
15. other means and make some grants or something from the State rather
16. than try to set up special provisions and hand out for particular
17. interest groups. And that's what we're doing here. What we're
18. doing in the State is saying that the assessor cannot tax pro-
19. perty on a standard basis uniformly throughout the State. This
20. group is special and must have help. Next week it'll be another
21. group that is special and must have some help. Pretty soon
22. they'll be no more...places we can turn to and then we will
23. then have the same problem that existed in the assessors office
24. as was revealed in the newspapers in Cook County. So, I think
25. that we should resist this kind of a movement and that we ought
26. to take and solve this problem other ways rather than tampering
27. with the...tax bills and tampering with the means of assessment.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Sours.

30. SENATOR SOURS:

31. I'd like to ask Senator Partee a question, Mr. President,
32. Senators, if he'll yield.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. He indicates that he will yield.

2. SENATOR SOURS:

3. Senator, this is...this project is not what is commonly
4. known as a housing authority...according to my information,
5. rather it is, you're talking about housing owned by a human
6. being, a private individual who...who obtained Federal funds
7. for its construction. Is that correct?

8. PRESIDING OFFICER (SENATOR GRAHM):

9. Senator Partee.

10. SENATOR PARTEE:

11. That's correct, with this qualification, that it is only
12. limited dividend housing. You know, it's probably confined
13. to about 4 or 5% profit structure. So, it isn't what we would
14. call regular private housing. It's limited dividend or not-
15. for-profit corporation housing. That's correct, Sir. It's built
16. with the...under the guidelines of the Federal government in
17. terms of how much can be charged for a person earning a certain
18. amount of money, how much of the particular money will be paid,
19. that is, a monthly rental by the government depending on the
20. type of person involved. It is limited dividend housing.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Sours.

23. SENATOR SOURS:

24. And, the private investor, Senator, knows exactly what
25. he's getting into when he decides to go the route to Washington
26. and borrow Federal money for a long-term putting in some of
27. his own. Isn't that true? And, now we're about to relieve
28. him from real estate taxes that a next-door neighbor, a pure
29. private investor, may have a high-rise where the taxes will be
30. a lot more. Now, isn't that a fact?

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. Senator Partee.

33. SENATOR PARTEE:

1. It would seem that momentarily the answer to your question
2. would be yes. But in the long run, we'd be better off to keep
3. these corporations from going bankrupt and where we would get
4. no taxes we would have later demolition costs, we'd have all
5. kinds of attendant costs, vandalism and other things. Where if
6. they could, under these circumstances, pay what they can pay
7. and remain on the tax rolls, in the long run the person next
8. door would pay less rather than more.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Sours.

11. SENATOR SOURS:

12. Well, it seems to me, Mr. President, we're talking about
13. two different private investors who invest money in housing for
14. profit. ...One who has all of his money in it with no Federal
15. subsidies, doesn't go the route to Washington, doesn't make
16. a long-term mortgage, he doesn't get a cheaper rate of interest
17. and the one who does just that. Now, these private investors
18. and they're all up and down LaSalle Street know who they are and
19. they're in Peoria, too. As a matter of fact, I've had the
20. occasion to represent one or two of them. When they get into
21. these propositions, they know exactly what the problem is going
22. to be and they still get in it and they...and they...and they
23. get the Guernsey cream off the transactions in the very beginning
24. and then they let the properties deteriorate and ultimately the
25. government has to take them back which is probably the best
26. remedy of all. To let Uncle Sam take them back and deal with
27. them because it was Uncle Sam which originally in the beginning
28. made a very improvident investment. Now, it seems to me if you're
29. going to let this bird get by or this corporation, these...these
30. investors get by with cheaper taxes that the private individual
31. whose taxes also keep up the schools and the streets and the
32. curbs and the gutters and the police and the fire, there's a tre-
33. mendous inequity and when I'm told under the Illinois Constitution

1. that property may be classified for taxation, that may be
2. the Illinois Constitution but the 14th Amendment in the
3. first paragraph the last clause says that no state shall
4. deny to any person, person being a corporation, the equal pro-
5. tection of the laws. Now, if I'm the private investor and my
6. taxes are \$5,000 and the fellow next door gets by on \$500
7. there's a disparity there which I feel is not only uncon-
8. stitutional but also immoral.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Partee. Senator Clarke. Senator Terrel Clarke.

11. SENATOR CLARKE:

12. Mr. President and Members of the Senate, I'm sorry that
13. Senator Sours was not in the Revenue Committee, we missed
14. him this year. The other night when we had this bill up,
15. but we did have considerable discussion of it, and I think
16. that from the discussion that came out previously on Senator
17. Palmer's bill there is a real problem in the metropolitan
18. area. Now, it's my understanding that if this type of
19. approach is not used, Senator Sours said you let the govern-
20. ment take it back, well, I just disagree with him. I read
21. a couple of articles in Fortune last, I think it was last
22. year, talking about public housing the Federal government
23. and as I recall it co...cost about \$245,000 for a two-bedroom
24. apartment by the time they got through. And, that's about
25. the worst answer I can think of. We had some expert testimony
26. on this bill in our Committee the other night, and it was
27. indicated that there are a great many areas in Chicago where
28. if you don't allow and give this kind of incentive to pri-
29. vate investment you're going to have no taxes paid and if
30. not a boon to this private financing as Senator Sours indicates.
31. But it is a boon to the area. I think this is a good bill
32. and should be supported.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Savickas had indicated he wanted recognition.
2. Senator. Any further discussion? Senator Fawell.

3. SENATOR FAWELL:

4. I...I rise in support of the bill, too. I just had one
5. question though, Senator Partee. ...I know from my own exper-
6. ience that a bill like this can be very helpful to not-for-
7. profit corporations such as those which are approved by HUD
8. for the elderly low-income housing. I..Iam wondering whether
9. it is necessary to also include the limited dividend corporations
10. of which, I must confess, I am ignorant. Then the other
11. question I have, and I think that it was a very good point
12. that you made, that in most of these, in fact, all of these
13. projects there is a ceiling on the rentals and as I recall
14. in Senator Palmer's bill it was spelled out in the legislation
15. that this was a necessity before the tax preference which is
16. involved could be given. That there ought to be the retention,
17. in other words the ceiling on...on income is there because
18. you have a ceiling on rental. I notice the bill does not
19. make any reference to the necessity for this ceiling which
20. is a government condition to be...in being before the pre-
21. ference can be given and I notice also it states that as long
22. as one...as long as a corporation, be it not-for-profit or
23. for profit, has received, in the past tense, so that as I
24. would construe this, as long as you are a corporation, profit
25. or not-for-profit and insofar as for profit corporations are
26. concerned, we are talking about limited dividends, but as long
27. as you have received a subsidy even though...getting rough...

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. I'm in sympathy with your feelings, Senator Partee,
30. Ladies and Gentlemen we can move along with our business so much
31. more rapidly if we have order, please. Continue Senator
32. Fawell.

33. SENATOR FAWELL:

1. Well, my...my point is that, as it is worded right now,
2. it says has received a subsidy and there are no limitation in
3. regard to ceilings on rentals. It would seem to me that...
4. it should be clear that one doesn't have the right to this
5. type of a preference unless the ceilings in rental on rentals
6. are still there. And the other point I had was, is it necessary
7. to include the for-profit corporations here, it may well be.
8. I know it is very necessary on the not-for-profit corporations.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Partee.

11. SENATOR PARTEE:

12. Senator Fawell, your point is a very valid point and we
13. took that into consideration which caused us to put an amend-
14. ment on the bill that covers just the thing that you have been
15. concerned about. You are very right. And this amendment
16. takes care of your worry on that score. You see the profit,
17. even those that are wh...are known as limited dividends
18. are, they're restricted to a 6% profit. They can't go above
19. that anyway. So,...what you said is very right and I
20. appreciate your support.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Netsch.

23. SENATOR NETSCH:

24. Mr. President, I wanted to repeat a comment I made...with
25. respect to Senator Palmer's bill having to do with the Con-
26. stitutional issue because it was a question that has been dis-
27. cussed now on several occasions in the Revenue Committee. There
28. has been concern expressed and I think Senator Sours reexpressed
29. it as to whether or not a bill of this sort is Constitutional
30. on several grounds. ...For example...does it involve a classi-
31. fication of real estate for tax purposes or what? Is it possi-
32. ble to do this under the terms of the new Constitution. I...I
33. think it is worth saying that...there certainly is a very strong

1. argument which I think very probably would be decided in the
2. affirmative that the bill is constitutional and that it need not
3. be confined simply to counties over 200,000. One of the powers
4. that is still left to the Legislature, having to do, the State
5. Legislature, having to do with the property tax is the power
6. to determine what is the assessed valuation of property and
7. how it shall be determined. And there are many, many
8. questions that go into that. The Legislature can pass
9. statutes of state-wide application that deal with that
10. question. In my judgment in...what this kind of a bill is
11. doing, is attempting to define what is assessed valuation
12. with respect to this thoroughly unique kind of property
13. where you do have large amounts of State subs...State or
14. Federal subsidy and controlled rent and...and a public
15. policy program built into the housing. It cannot be valued
16. like any other multi-unit...piece of housing. It has got
17. to have its own determination of value. And that, I think,
18. is what a bill like this is intended to do. I think on that
19. basis...a very, very strong case can be made that this
20. legislation indeed is in compliance with the new Constitution.
21. And in addition to that, it's a good piece of legislation.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Any further discussion? The question before the Senate
24. is, shall SB 866 pass? And on that question, the Secretary
25. will call the roll. Call the roll.

26. SECRETARY:

27. Bartulis, Bell, Berning, Bruce.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Berning.

30. SENATOR BERNING:

31. Thank you, Mr. President, I want to explain my vote by
32. somewhat delineating my dilemma. It does seem to me that we
33. are establishing a real estate classification through this

1. and that bothers me. In...inevitably then it transfers the
2. burden to others from those who already are not carrying their
3. own weight. It seems that it is a subsidy, no matter how we
4. look at it, whether it's an original subsidy in the purchase,
5. construction or an additional subsidy with real estate tax
6. help. Perhaps more realistically this should go into tax-
7. exempt property and in that instance we usually are able
8. to benefit from a payment in lieu. Someone has to pay the
9. taxes or we are granting an in...indefinite free ride that
10. I believe is not justified. No matter how we look at it
11. in the present instance with private investors, it is a kind
12. of loophole and we all know what the attitude is on that
13. particular subject at this time. It would seem again more
14. defensible that rather than freezing the rents at a rate that will
15. not allow the covering of ordinary costs such as taxes which
16. benefit the residents as much as anyone else. That that
17. ceiling ought to be increased just a little bit to at least
18. cover the legitimate cost. This subject, it seems to me,
19. ought to be completely re-evaluated and re-worked and perhaps
20. this legislation then, if it passes, ought to be removed and
21. replaced more appropriate approach to this. I realize that
22. we can't allow complete chaos through bankruptcy involving
23. these installations and yet I...I realize this is nothing
24. more nor less than additional subsidy to those who are already,
25. for one reason or another, being subsidized inordinately.
26. And it is with a difficult decision that I vote yes on 866
27. hoping that we will readdress ourselves to this total
28. problem.

29. ACTING SECRETARY (MR. WRIGHT):

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

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. This..this is a good bill. It's a step in the right
5. direction. Sooner or later we're going to have to come
6. face to face with the reorientation of the method by which
7. we raise revenue in the State of Illinois. The State is
8. going to have to assume a larger and larger part of that
9. part of the tax which goes for educational purposes and
10. we're going to have to lift some of the burden from real
11. estate. This in a sense is removing some of the burden
12. that could be placed on real estate. It may not be the
13. place that you'd like to start but it is in the nature of
14. a real estate tax freeze. It is a fractionated bill for
15. a tax freeze. And those of you who have spoken out in the
16. last two years as being in favor of a tax freeze, ought to
17. be in favor of this piece of legislation because it starts
18. fixing a limit with respect to value indirectly where real
19. estate taxes may be assessed. And it's a start in removing
20. the burden from real estate and placing it where it really
21. most equitably belongs and that is on income. I vote aye.

22. ACTING SECRETARY (MR. WRIGHT):

23. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
24. Howard Mohr, Don Moore, Netsch, Newhous, Nimrod,

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Mr. President in explaining my vote, I still say this
29. is the wrong approach to a serious problem. The State is
30. not losing any money it's the counties that are going to
31. lose this money and if we want to have a State solution to
32. this problem rather than stay here and vote, what we're
33. doing here is taking money away from counties which already

1. need it so badly and we're saying that the State doesn't
2. do anything about it. It's a problem and it's a wrong approach
3. and I vote no.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Continue the roll.

6. ACTING SECRETARY (MR. WRIGHT):

7. Nudelman, Ozinga, Palmer, Partee,

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Partee.

10. SENATOR PARTEE:

11. I hope that the votes that are not coming on this roll
12. call are not being given because you have a problem with a
13. concept. The concept of housing for people has been in the
14. program of the last three or four or five Presidents of the
15. United States. Now, I, for one, would not like to see the Federal
16. government keep buildings, Federal housing, for people who
17. can't build it for themselves. This is an attempt to help
18. a program of private enterprise to build houses under circum-
19. stances and conditions laid down by the rules and regulations
20. of the Department of H-U-D, HUD, and to keep that kind of
21. housing viable. This is only what this means. It is far
22. better, it seems to me, to structure ourselves along this
23. kind of road than it is to let these houses go bankrupt and
24. have no money coming into the tax rolls as a result. Now,
25. if you have a problem with the government either being involved
26. in housing personally or subsidizing housing then that's no
27. reason to vote against this bill. The fact of the matter is,
28. that is the situation in Washington. That is the role of
29. the government. That is the role the government's been
30. playing for quite some time. We've built a lot of houses
31. under the 236 D...D3 program, the 235 program and it's the
32. kind of housing that has been built at the behest of the
33. Federal government. Now, we say to you that since it is

1. an accomplished fact, since it is a Federal pronouncement,
2. since it is the plan of the Federal government in building it's
3. housing and subsidizing this housing, then let's do something
4. to keep it viable. I vote aye.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Continue the roll.

7. SECRETARY:

8. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
9. Scholl, Shapiro, Smith, Sommer, Soper, Sours,

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Sours.

12. SENATOR SOURS:

13. I don't want to be (Machine failed to pick up a few words)
14. We are about to bail out a private investor and we're going to
15. put him in a special class because, in many, many, many in-
16. stances, the promoter and the builder went in and build the,
17. we'll call it the housing unit, on very little of their own
18. money, got most of it from Uncle Sam, long-term, lower rate
19. of interest, Guernsey cream is gone, it is now a dead cat
20. and we're about to revive it with some easy, cheap,
21. low taxes, thereby discriminating against the other person
22. who is strictly on his own at all times. I vote no.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Continue the roll.

25. ACTING SECRETARY (MR. WRIGHT):

26. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
27. Mr. President.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Buzbee, aye. Kosinski, aye. Clarke, aye. On this
30. question, the yeas are 32. The nays are 7. The bill having
31. received the constitutional majority required, is therefore
32. declared passed. Senator Partee moves that having voted on
33. the prevailing side, the vote by which this was passed be

1. reconsidered. Senator Vadalabene moves to Table Senator
2. Partee's motion. All in favor of Senator Vadalabene's motion,
3. signify by saying aye. Opposed. The ayes have it and the
4. motion is Tabled. Ladies and Gentlemen, I may make an observation.
5. We spent 28 minutes on that bill and 17 people spoke so at that
6. rate we will be able to pass 5 more bills by the time we ad-
7. journ this afternoon. If we could just speed up the process
8. a little it would be helpful. Next bill will be SB 879 to be
9. read by title a 3rd time.

10. SECRETARY:

11. SB 879. (Secretary reads title of the bill)

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Conolly.

14. SECRETARY:

15. 3rd reading of the bill.

16. SENATOR CONOLLY:

17. Mr. President, I'll be very brie...brief on this bill.
18. This bill was suggested to me by the County Superintendents
19. of Highways association throughout the State. It does just
20. what it says, that it allows quick take to be used when acq...
21. acquiring land under the Eminent Domain Act in the counties.
22. We all know the highway problem we are having. It's some-
23. thing to get these highway problem we are having. It's some-
24. thing to get these highways built. To get safe travel for
25. everybody in the State of Illinois and I would urge a favorable
26. roll call on this bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any discussion? No further discussion. The question
29. before the Senate is shall SB 879 pass? On that motion, the
30. Secretary call the roll.

31. SECRETARY:

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

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

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Course, aye. Donnewald no. Bruce, no. Latherow, no.
11. Merritt, no. Knuepfer, no. Clarke, no. Ozinga, no. Come
12. on fellows. Think we're going to have to decide who's
13. going to call the roll, Mr. Fernandes or me. On this question,
14. the yeas are 7. The nays are 19. One voting present. The
15. bill having failed to receive a constitutional majority re-
16. quired is therefore declared lost. Next bill will be SB 885.

17. SECRETARY:

18. SB 885 (Secretary reads title of the bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Hynes.

22. SENATOR HYNES:

23. ...Mr. President and Members of the Senate, SB 885 amends
24. the Motor Fuel Tax Law to increase allocations of Motor Fuel
25. Tax collections to all units of local government in this State.
26. In 1969, prior to 1969, Motor Fuel Tax funds were distributed
27. according to a set formula, 35% to the State, 32% to munici-
28. palities and the balance of 33% to counties, townships and
29. road districts. In 1969, when the increase in the gasoline tax
30. was approved by the General Assembly, one cent was taken off
31. the top and given to the State. This bill would put one-half
32. cent back into the common fund to be shared by the State and
33. by all units of local government. I believe that the local
governments are in such serious condition, insofar as their

1. ability to maintain and improve existing roads that they
2. deserve some additional State assistance. The impact in terms
3. of dollars of this bill will be to distribute an additional
4. 16 million dollars State-wide to units of local government
5. which would include cities, counties, townships and road
6. districts. The bill is endorsed and supported by the Illinois
7. Municipal League. It distributes this money according to the
8. existing formula so that all units of local government will
9. share in it and I would ask for your support.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Harris.

12. SENATOR HARRIS:

13. Well, Mr. President, I just want to very briefly say that
14. there's been a great State-wide issue raised about the State
15. system of highways being inadequate. There's a lot of campaign
16. oratory by the present Governor about doing things in the State
17. system. Not all of his actions since election bear that out
18. but this bill certainly will strip the State of 16 million
19. dollars to proceed in whatever fashion we do to enhance and
20. upgrade and improve the State system of highways. While I
21. appreciate the needs for local government...the State need
22. is far greater and I would urge that this bill be resisted.
23. The 16 million dollars is just not available to be diverted
24. from the State to local government.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Scholl.

27. SENATOR SCHOLL:

28. Mr. President and Members of the Senate, I would like to
29. speak in favor of this bill. In the City of Chicago today,
30. we have over 300 miles of unimproved streets that need immediate
31. attention. 16 million dollars would be very helpful in getting
32. these roads back in shape and I urge the Members of the Senate
33. to vote in favor of this bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Latherow. Senator Latherow did you ask recognition?

3. SENATOR LATHEROW:

4. Yes, Mr. President, I'd just like to add a little to what
5. Senator Harris had to say. I think back when this amendment
6. was put on the legislation by Senator Horsley and myself, it
7. was in direct recognition of the fact that the money is needed
8. by the State of Illinois highway system. And those of you
9. Gentlemen that have any doubt should come over in our area
10. and see what has happened. We'd like to also have you recog-
11. nize the fact that in the dire need of expenditure funds in
12. the Governor's program for major highway improvement in the
13. State of Illinois, he was entirely remiss to mention any
14. expenditures and necessary funds in the 47th Senatorial Dis-
15. trict. I think that the need is with the State of Illinois
16. and when you take 16 and 1/2 million dollars out of State
17. road funds you're helping more than ever to ruin the major
18. widening and...and resurfacing that goes on through our part
19. of the State.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Shapiro. The Senator from Amboy.

22. SENATOR SHAPIRO:

23. Mr. President and Members of the Senate, I'm going to
24. have to oppose this bill. As most of you know, I have been one
25. of the proponents of our supplemental free-way highway building
26. program. The Governor has stated that there is not enough
27. money to fund this particular program and for us to be irres-
28. ponsible and divert not divert but take 16 million from the road
29. fund for dispersement to our municipalities, county and town-
30. ship governments, though ... even though the idea may seem
31. laudable, I find a direct contradiction to the stand
32. that I am taking. I don't think our municipalities
33. are in that bad of shape. They have been receiving Federal

1. Revenue Sharing monies, State income tax monies in addition
2. to Sales Tax monies. I realize that many of them have many
3. street improvements to be made and that but I don't think
4. this is the way to do it. To take money from the Road Fund
5. and I would urge everyone to vote no on this bill.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Harber Hall.

8. SENATOR HARBER HALL:

9. Would the sponsor yield for a question? Sen...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. He indicates that he will.

12. SENATOR HARBER HALL:

13. Senator Hynes, I...I'm wondering ... it seems to me...
14. for the last several years, I've been hearing about large
15. unobligated funds in the...road fund up in Chicago...I
16. wonder if these additional monies are really needed or
17. what the story is. Can you tell me what the balances are
18. up there?

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Hynes.

21. SENATOR HYNES:

22. I...I cannot tell you what the balances are and...inssofar
23. as I know there are not large unobligated funds available.
24. Furthermore, a point which I neglected to mention in my
25. original statement, this bill earmarks the money, as far
26. as Chicago is concerned, their share of it or residential
27. street construction as far as the rest of the State is con-
28. cerned it's unrestricted, it can be used for any purpose
29. that is desired. But there is not sufficient money within
30. the City of Chicago to do the job that is needed to be
31. done and I think Senator Scholl put his finger on a very
32. serious problem.

33. SENATOR HARBER HALL:

1. Well, to continue my line of questioning, Senator,...
2. I...I'd like to...engage you in another question...I believe
3. that the City of Chicago has requested to the Legislature
4. permission to borrow from road funds up there indicating
5. that you have...you'd like to spend those monies for other
6. reasons. I don't understand what you're doing. Maybe you
7. could respond to that?

8. SENATOR HYNES:

9. Well, this bill earmarks the money insofar as the use
10. of the City of Chicago is concerned. Now, if you're talking about
11. the...the transfers for the...the match necessary for the CTA.
12. Is that what you're referring to? For...for the mass transit
13. subsidy?

14. SENATOR HARBER HALL:

15. Well, I...it seems to me that a couple of years ago we
16. transferred 15 million dollars to buy radios for the Sheriff's
17. department and things like that. I don't know what all the
18. things you do up there. But I know there was some transfers
19. of some motor fund money...for other than street construction
20. purposes and...and I also am advised that there are substantial
21. balances that are unspent that are unobligated.

22. SENATOR HYNES:

23. Well, I have no such information. I do know that the...
24. there is a very desperate, very serious need for funds to be
25. allocated in Chicago for the purpose I have mentioned. This
26. bill does not deal with Chicago it increases the allocation
27. ...Chicago alone, it increases the allocation to every municipi-
28. pality and county and township road district in this State,
29. according to the existing formula.

30. SENATOR HARBER HALL:

31. Well, ...Mr. President, I don't think...I'm prepared to...
32. answer my own questions and...I know, as a matter of fact,
33. having served here that we have permitted transfers and borrowings.

1. from this fund...in Cook County so I just...believe we should...
2. vote no on this until we get better explanation of...of why
3. we need the monies. And I vote...and I would urge my colleagues
4. to vote no.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Walker, for what purpose do you rise?

7. SENATOR WALKER:

8. I move the previous question..

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Walker moves the previous question. All in favor
11. of his motion, signify by saying aye. Opposed. Senator Hynes
12. will close the debate.

13. SENATOR HYNES:

14. Well, I believe the issue is very clear. This is an attempt
15. to allow local government, counties, cities and so on, to do
16. something about the road conditions. There are many county roads,
17. for example, in this State which are in desperate con-
18. ditions. The counties do not have funds to take care of them
19. and State has no program to assist. Secondly, since 1969 when
20. this...this discriminatory aspect of the formula was adopted,
21. the State has had a general increase in the motor fuel tax
22. revenues available to it and has had a substantial transpor-
23. tation bond issue funds available. I think that this is in
24. terms of the over 400 million dollars annually that is collected,
25. in motor fuel tax, a very reasonable and responsible...attempt
26. to assist our local units of government in maintaining the
27. streets in their respective areas and I would ask for your
28. favorable consideration.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. The question before the Senate is, shall SB 885 pass?

31. And upon that question the Secretary will call the roll.

32. SECRETARY:

33. Barulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,

1. Clarke, Conolly, Course, Daley, Davidson,

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Davidson.

4. SENATOR DAVIDSON:

5. Senator Walker beat me...before I could make my little
6. speech so I'll make it on explaining my vote. This bill should
7. be defeated for three purposes. Those of you who have been
8. involved in funding local roads improvements know that presently
9. there has to be funds through the State to match funds with the
10. Federal government and under the new formula which starts July
11. 1st, Federal Aid secondary and Federal Aid urban on a 30-70%
12. basis which means the local government will only have to come up
13. with 30%. If the State can't come up with their share with the
14. Federal then you're not going to get a project done and you're
15. going to lay on a whole amount of cost on the local government
16. which now they get by on 30...30% basis. Secondly, when this
17. extra cent was allotted in the past, was to improve the high-
18. ways. Thirdly, there has been a change on, under the new, I think
19. last Session or Session before last, there's no definition of
20. whether the funds are restricted to a residential street or a
21. through-traffic street. If Chicago wants to use their present
22. Motor Fuel Tax money for residential streets, they can so do it.
23. I urge all of you to vote no. This is a bad bill. No.

24. SECRETARY:

25. Donnewald, Dougherty, Fawell, Glass, Graham, Harber Hall,
26. Kenneth Hall,

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Hall.

29. SENATOR HARBER HALL:

30. One last remark, about this bill. I don't have to tell
31. the Members of the Senate that the General Assembly two years
32. ago passed a bill that would require that the monies accumulated
33. in these State funds be dispersed immediately upon collection so
that they could be invested by the proper district for....

1. local revenue purposes. If...if any municipality...has funds
2. on hand that they are investing, they're reaping...additional
3. income and considerable, considerable income at that, and if
4. that is the reason we are going to double their take on...from
5. the road...for investment and increasing their investment
6. income, it's a mistake. I vote no.

7. SECRETARY:

8. Kenneth Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel,
9. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
10. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
11. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
12. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
13. Sours, Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
14. Mr. President.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. There's been a request for the absentees: Newhouse, aye.
17. The absentees will be called.

18. SECRETARY:

19. Bell, Berning, Chew, Conolly, Daley, Fawell, Glass,
20. Hynes, Johns, Keegan, Knuppel, McBroom, Mitchler, Don Moore,
21. Nimrod, Nudelman, Regner, Schaffer, Sommer, Soper, Sours,
22. Welsh.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Hynes.

25. SENATOR HYNES:

26. How am I recorded?

27. SECRETARY:

28. You're not recorded, Sir.

29. SENATOR HYNES:

30. Mr. President, I move to postpone consideration.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. SB 885 is on postponed consideration. 1082, Senator
33. Latherow. 1082. 1008, Senator Hall, Harber Hall.

1. SECRETARY:

2. 1008.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Daley, for what purpose do you rise?

5. SENATOR DALEY:

6. Point of personal privilege, Mr. President, I would like
7. to introduce a group of students from Healy Grammar School
8. from my district are up in the balcony.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Roe.

11. SENATOR ROE:

12. A point of personal privilege, Mr. President, I have
13. some young ladies and their parents...from Rochelle, Illinois,
14. down here. Mr. and Mrs. Lorriman, their daughters and two of
15. their friends. Senator Palmer, they're from Ogle County.

16. SECRETARY:

17. SB 1008. (Secretary reads title of the bill).

18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Hall.

21. SENATOR HARBER HALL:

22. Se...Mr. President, SB 1008 reduces or...or eliminates
23. the Usury Act from application of certain mortgages...that
24. are regulated or controlled by governmental agencies. As
25. you know, the interest rate of 8% is the usury, legal
26. usury rate in Illinois and this bill seeks to make available
27. to the National Mortgage Money Market vast numbers of FHA,
28. VA type mortgages that can be sold outside of the State of
29. Illinois in large blocks and thereby making available in the
30. State of Illinois...a lot of additional money to reinvest.
31. While I don't quarrel with the Usury Act bill, I believe that
32. when you consider what we are doing with this proposed bill
33. to only have it applicable to governmental regulated

1. agencies. We know the interest rates cannot be Usury, in fact,
2. because they wouldn't be in the business...if...they were to
3. tolerate usury interest rates. However, the fact of the matter
4. is, many states in the country today have no usury rates at
5. all. Some have rates such as 9, 10, 11, 12% and thereby
6. combined, we have a national mortgage market of 8.18% I think
7. is the last record that I have, it fluctuates a little bit, but
8. we are unable to sell large blocks of our conventional...
9. VA and FHA mortgages this way and therefore we are limiting
10. ...the mortgage money available on a reinvestment type pro-
11. gram that can be very beneficial to the State. This...bill...
12. actually...if you would compound the effects of this bill, we
13. would make mortgage money readily available to middle income...
14. single family home buyers...in much more readily than it is
15. now and what is more fearsome is that...money will tighten
16. up...in the near future probably.' But, in any case, we are
17. assured by the nature of these mortgages being under the...
18. direct...effect of governmental agencies that the rate though
19. it may fluctuate a little bit will not ever be usury. I would
20. ...in concluding I would just like to point out that one of
21. the problems in the availability of money is created by govern-
22. mental agencies such as our own General Assembly where this
23. year we passed a bill...the number of which I won't recall,
24. but it...provided...7% tax free...interest on...on...on
25. bonds that would be sold in the State and that is ... the general
26. rate of 7% sounds like it's lower than 8 but you and I know
27. that the effective rate is over fif...13% per year. When this
28. kind of money is made available, then it is hard to get people
29. to buy...home mortgages...at a conventional straight 8%
30. per annum income. But, anyway, I think that this is a good
31. bill and I would solicit your support..

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator McCarthy.

1. SENATOR MC CARTHY:

2. Yes,...Mr. President...Members of the Senate, seldom
3. have I seen a bill with such impeccable sponsorship and...
4. elite lobbying come up with such a bad product. It's pretty bad
5. the bill, but the sponsor is impeccable and George Burdett is
6. ...talked for it is, you know, absolutely an elite if we have
7. such a thing in this country. But, in spite of that contra-
8. diction in terms, we must look at the bill and look away from
9. the personalities. And, what happens on this bill, and this
10. is a fact and not an argument, is how much is it going to
11. cost the borrower of the money. If he and he could be me,
12. principally I'm thinking of my 19 year old son, who in a
13. couple of years might be interest in getting some housing,
14. he goes to a lending institution a savings and loan and said
15. I want to get one of those loans where I'm protected by the
16. Illinois Usury Statute at 8%. The loan officer is likely to
17. say, we don't have any of those funds available to you. But,
18. but, we do have some funds by virtue of SB 1008 that we can
19. loan to you and, of course, it will be higher than the 8%.
20. But, that, there's an exception in the law and we can loan
21. you these funds, they may cost you 9%. Now, how much dif-
22. ference is it going to cost my son on a \$20,000 mortgage
23. repaid over a thirty year amortization period. Every time
24. the interest rate goes up 1%, the borrower must pay an extra
25. repeat, extra \$5,400 in interest costs. The next question
26. is, since it's going to cost the borrower \$5,400 for a 1%
27. increase, where's he going to get the money? Can he save
28. that \$5,400 in one year? I think most cannot. Can he save
29. it in two years? I think most cannot. Let's assume he can
30. save it in three years, Mr. President, if we pass this bill
31. and the interest rates only go up 1% you're taking three
32. years off his life time. In spite of all the money we
33. appropriate to the Department of Public Health. So, insofar as

1. the answer of who's going to pay for it is concerned, it's
2. going to cost the people who want housing according to those
3. facets. Now, Senator Carroll and I have done some research
4. on this matter. He has come remarks to make. I have further
5. remarks to make. But, let me say that the bill is bad. It
6. is inflationary per se according to Leon Keiserling and...
7. there is no purpose that could be served here for the general
8. interest. And, if we all wait and if we all remember who we
9. talked to when we ran for office and ask them this question,
10. do you want the interest rates raised on your home loans, I
11. think the answer would come out, no. And, all we are
12. here today is speaking for the people that sent us here and
13. I think the vote should come out no.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Carroll.

16. SENATOR CARROLL:

17. Thank you, Mr. President, by way of question, Senator
18. Hall, what restrictions, are there, if any, on the loan sold to
19. the various agencies, the Ginny May, Fannie May and Freddie Mack?

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Hall.

22. SENATOR HARBER HALL:

23. Well...there...there is none that I know of. They buy
24. these...and resell them of course to other...agencies and...
25. they deal in ... real, tremendously high volumes. They'll buy...
26. twenty, twenty-five, fifty million dollars worth of mortgages
27. at one time and...they...do it on a bid basis. These agencies
28. want to get the best rate possible on a National basis and we
29. determine that to be the price of money. Now, the good Senator
30. to your left, referred to his son...costing him three years
31. out of his life or something, if that's true why don't we
32. do away with...interest all together because he would say that
33. there is no value to money but we know there is. There's a

1. price on money and it's a commodity. Money is a commodity
2. and we have to pay for the use of that money. And...the
3. only thing we want to be sure is...is that we're not taking
4. undue advantage of the borrower and we are guaranteed this
5. by the nature of these loans. They have to come under govern-
6. mental scrutiny through agencies, Freddie Mack, Jenny May and
7. Fannie May. And,...and if we can't, as I stated in the out-
8. set, if we can't distribute these and get that money back in
9. the State to reinvest, we are put...at...at a competitive
10. disadvantages...disadvantage...with...our other States.
11. Therefore, our economy...our economic viability will be re-
12. duced because we can't do that. I don't...

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator.

15. SENATOR HARBER HALL:

16. I don't quarrel with the Usury Law I just say in
17. these cases we should have these exempt and meet a
18. National market.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, I assume that was an answer similar to the
23. one Senator Walker gave me earlier on that type of a long
24. question. On the bill itself, I think one of the problems
25. we have here is the fact that there is no inspection to go
26. behind the paper here and this is creating a lot of headlines
27. in a lot of parts of this State as to the types of properties
28. and everything else. ...And, I would also just like in
29. regard to Senator Hall's arguments about the...money it-
30. self and the price of money and quoting from the book on
31. the story of money and if Senator Sours were here I would
32. attempt to say it in Latin but because he is not he...I am
33. sure he is listening and basically Ehrinberg in his Capital

1. and Finance in the Age of the Renaissance where one of the
2. great quotes is, "If money is essentially unproductive".
3. Money itself is unproductive and everytime we take a \$5,400
4. raise in the cost of money who are we taking it from. We're
5. taking it from the citizens of this State from uses that
6. it could be better put to, such as, food, clothing...other
7. necessities of life rather than the cost of money and
8. I think the spiral effect of raising the interest rate,
9. raising this by 1% that \$5,400 over the...for life of the...
10. mortgage...is a great harm to the general well-being, financial
11. well-being of this State. I...I don't think this a good
12. proposition at all and I think Ginny, Jennie and Freddie
13. might be better served if we didn't do this.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Mohr.

16. SENATOR MOHR:

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

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Mohr moves the previous question. All in favor
20. signify by saying aye. Opposed, nay. The motion carries.
21. Senator Hall may close the debate.

22. SENATOR HARBER HALL:

23. Well, fellow Senators, we...we're having a debate on
24. the philosophy of money whether it's productive or unproduc-
25. tive. There's no question that mortgage money is productive
26. when it's used to build and sell homes and that's what we need
27. more of. Now, we have all kinds of Federal subsidy in money
28. market for mortgages, we have, as was previously referred to
29. in a different bill today, 235 money and 236 money where the
30. Federal government comes in and pays a good share of those
31. interest costs for you. ...That...I suppose lengthens your
32. life if you're one of the poor people who can qualify but
33. the fact of the ...matter is that people...of average income

1. who make a...the average income and produce ...in a free
2. economy are going to be restricted and are restricted in
3. their purchase of homes because they can't...there can't
4. be enough money made available in Illinois if we can't
5. sell these mortgages on a National market. ...And we
6. can increase the amount of building...in...and thereby
7. increase the number of homes and thereby increase the
8. general welfare of the people of Illinois by letting
9. our mortgage go on the free National market. Which
10. we will do by the passage of this bill. ...So...with that
11. I would...solicit your support and I would ask...for a
12. roll call.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. The question is, shall SB 1008 pass? And on that
15. question the Secretary will call the roll.

16. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR KNUPPEL):

22. Explaining my vote, I would like to introduce five lovely
23. ladies from the League of Women Voters in Quincy in the balcony
24. behind the Chairman and I'll vote no.

25. SECRETARY:

26. Kosinski, Latherow, McBroom, McCarthy, Merritt, Mitchler,
27. Howard Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano, Saperstein,
29. Savickas, Schaffer, Scholl, Shapiro, Smith, Sommer, Soper,
30. Sours, Swinarski, Swinarski, Vadalabene, Walker, Weaver,
31. Welsh, Wooten,

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Carroll, no. McCarthy, no. Kenney Hall, no. Graham, aye.

1. Knuepfer, aye. Walker, aye. Request for the absentees has
2. been made the Clerk will call the absentees.

3. SECRETARY:

4. Bartulis, Bell, Course, Daley, Glass, Hynes, Johns,
5. Keegan, Knuepfer, McBroom, McCarthy, Mitchler, Don Moore,
6. Nimrod, Nudelman, Czinga, Partee, Regner, Rock, Roe,
7. Romano, Schaffer, Scholl, Smith, Sommer, Swinarski, Vadalabene,
8. Welsh.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Bell, aye. Schaffer, aye. Nimrod, aye. Mitchler, aye.
11. Scholl, aye. On that question, the ayes are 24 and the nays
12. are 17. SB 1008 having failed to receive a constitutional
13. majority is declared lost. Senator McCarthy.

14. SENATOR McCARTHY:

15. Yes, Mr. President, having voted on the prevailing side,
16. of SB 1008, I move that the vote by which it was defeated
17. be reconsidered.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator McCarthy moves and Senator Hall moves to lie
20. that on the Table. All in favor signify by saying aye.
21. The motion is Tabled. 1009. Senator Hall.

22. SECRETARY:

23. SB 1009 (Secretary reads title of the bill)
24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. Senator Harber Hall.

27. SENATOR HARBER HALL:

28. Very simply, Mr. President, Senators, this bill...would
29. insure that...a township would not be...disbanded...so long
30. as it had outstanding debts. I haven't heard of any opposition
31. to it. And...I move, I solicit your support for it.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Is there any discussion? The question is, shall 10...

1. Senator Knuepfer.

2. SENATOR KNUEPFER:

3. I...I'm not going to discuss it long but the new
4. Constitution provides that ...all that you need in the
5. best of my knowledge is the vote to either...create one
6. or to abolish one and I don't think that by providing
7. this statutory, so-called exemption or provision, we
8. can override the new Constitution. I don't...I don't
9. think you've got a bill here that's viable.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. The question is, shall SB 1009 pass? And on that
12. question the Secretary will call the roll.

13. SECRETARY:

14. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
15. Clark, Conolly, Course, Daley, Davidson, Donnewald, Dougherty,
16. Fawell, Glass,

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Glass.

19. SENATOR GLASS:

20. ...Mr. President...Senators..I'm supporting this bill
21. and in explaining my vote, I would submit in answer to
22. Senator Knuepfer that the Constitution does...direct the
23. Legislator...Legislature to implement the manner in which
24. ...these referenda are held to...on the question of the
25. abolition of township government. ...Laws have been passed
26. ...as a matter of fact, to implement that in part at least...
27. I think there's no question by what this...this simply places
28. the condition on the abolition and...provides that if there
29. is debt outstanding...the...unit cannot be abolished. I think
30. it's a good bill and would urge your support.

31. SECRETARY:

32. Graham, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
33. Knuepfer, Knuppel, Kosinski, Latherow, McBroom, McCarthy,

1. Merritt, Mitchler, Howard Mohr, Don Moore, Netsch,
2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Netsch.

4. SENATOR NETSCH:

5. Mr. President, my vote is no and I would like to point
6. out that, at least as I read this bill, it would probably
7. make it...impossible from here to eternity ever to abolish
8. any township. Because it doesn't say that you can...go
9. through the referendum process of the new Constitution
10. provides and transfer the debt to some other unit of govern-
11. ment. It simply says that as long as any township has debt
12. outstanding nothing can ever be done to it and I think it's
13. probably fairly easy for a township to have debt outstanding
14. at any given moment in time. It seems to me it's an in-
15. surmountable barrier whether or not it was intended that
16. way and on that basis it is not a ba...reasonable piece
17. of legislation. I vote no.

18. SECRETARY:

19. 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. Bartulis, aye. Senator Fawell.

25. SENATOR FAWELL:

26. I...in explaining my vote, just want to add this point.
27. It appears to me that whenever bonds are issued you have your
28. tax levy that is passed and covers the entire length of the
29. bonds. The bond's going to be paid off automatically anyway.
30. I can't see why, simply because there are bonds outstanding
31. which will be automatically be paid off because the county
32. will automatically extend the levy each year until the
33. amortization period is over, why that should defeat the

1. will of the people if they so decide to eliminate it. So,
2. I vote no.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Roe, aye. Senator Hall.

5. SENATOR HARBER HALL:

6. I haven't explained my vote, Mr. President, I'd like to
7. read from a letter from Northfield Township where they say
8. all negotiations ceased because in the opinion of our bond
9. council, revenue bonds could not be sold while the fate of
10. our township was uncertain. This delayed everything for us
11. for up to eight months. We also needed to sell tax antici-
12. pation warrants during this period in order to continue
13. to meet our obligations in the General Assistance Fund and
14. we were unable to do so. So, if there's a question like this,
15. the people come down here and want relief,...so they...they
16. can go ahead and finance their needed improvements and...I
17. think this would be a good law in order to assure them of the...
18. funding that they need. I vote aye.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. On that question, the ayes are 24 and the nays are
21. 8. SB 1009 having failed to receive the constitutional
22. majority is declared lost. 1010. Senator Davidson, 1019.
23. Senator Davidson, 1019.

24. SECRETARY:

25. SB 1019 (Secretary reads title of the bill)
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Davidson.

29. SENATOR DAVIDSON:

30. Mr. President, Ladies and Gentlemen of the Senate, this
31. bill does away with the second test on the breath analyzer for
32. drunken driving. This bill was brought to me and endorsed by
33. the State Police and is supported by the State's Attorneys

1. Association, by the downstate police association, by the
2. Chief, Assistant Acting Chief of the Chicago Police, the
3. Illinois Council of Churches on Alcoholism, a number of
4. people were here to be witnesses in favor of it. In front
5. of the Transportation Committee, it came out of Committee
6. Do Pass, 17 to 0. The thrust behind this bill is that 25%
7. of the people have been able to get off the conviction when
8. they've been arrested for drunken driving by either
9. refusing to take the second test or by taking shorter breath
10. that would throw off the test results and throw more than
11. .02 which would give their attorney opportunity to raise a
12. doubt. Now, there's sustaining evidence for this by the
13. individual who is an advisor to the President both Johnson
14. and Kennedy, that this one test by the man who invented it,
15. a Professor at Indiana University and the Ph.D. Doctor who
16. is Oklahoma advisory, says one test is sufficient. If all of
17. you want to do something and not give lip service, do some-
18. thing about the drunken driver on the highway this is an
19. opportunity. Illinois is the only State out of the 50 that
20. requires a second test. There's some technical amendments
21. along with it. But, the real thrust of this bill is to cut
22. the breath analyzer test down to one only and if they follow
23. the procedure which they must do, and they must purge this
24. machine in front of the person who's going to take the test.
25. So, there can be no hanky-panky about setting up the test. It
26. was said to me by one Member of the Senate by the same token
27. if they wanted to get their buddy off, if that...that was
28. valid, you could do it the other way. I'd appreciate a most
29. favorable roll call. I'll answer any questions.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Carroll.

32. SENATOR CARROLL:

33. Thank you, Mr. President, I rise to oppose this piece

1. of legislation. As many of you...most of us who were here
2. last Session in the various Chambers recall, we spent quite
3. a bit of time on implied consent legislation. The Governor
4. even set up, once it was adopted, a task force to implement
5. implied consent and a traffic safety task force. I was
6. appointed a member of that and that task force has never
7. seen this legislation as a task force. It never passed
8. through that legislation...that particular task force which
9. was specifically designed to implement implied consent. But,
10. more importantly, when we determined implied consent legis-
11. lation after months of research and hours and hours of debate
12. in the Conference Committees and on the various Floors of
13. the two Houses, one of the things that we put into that legis-
14. lation, specifically, calculatedly, designedly, definitely on
15. purpose and I might add something for which we have gotten
16. immeasurable good publicity around this country, we were the
17. first State to require an automatic testing device. That,
18. too, was opposed by the same group that has brought in this
19. legislation but we did require a mandatory, automatic testing
20. device. That automatic machine has to purge itself of any
21. impurities, has to show a beginning reading, has to show the
22. test analysis reading and in addition to that, we said at
23. that time and I think we must still say, that when you are
24. talking about using a piece of scientific, a piece of
25. empirical evidence, we should require, as a State, no more
26. and no less than the scientist would require of himself, and
27. that is, that you challenge your own evidence and make sure
28. it is accurate. This particular piece of equipment which was
29. demonstrated to us here in the Capitol last year and shown to
30. us why there was this need for a second and confirming test.
31. What the law now says, is that when a person has been con-
32. fused, has been accused of this particular violation,
33. that he take the test, that the machine cool down, purge

1. itself, show that reading and he blow into it again. If the
2. limited situation that Dr. ...Senator Davidson described where
3. he takes a half-breath were to occur that's a refusal under
4. the law and as a refusal he's subject to an automatic sus-
5. pension of his driving privileges in this State. I think
6. we should be more concerned with the rights of the individuals
7. of this State. Yes, we want to keep the drunks off the road.
8. But when we're talking about putting in an almost con-
9. clusive piece of evidence into the courts results of that test,
10. we must require the kind of safeguards that we should require
11. in any type of scientific test. I think the safeguard of two
12. test is legitimate. If the machine is operating properly,
13. if the testor has operated it properly, the machine will show
14. the beginning, it will show the reading, it will show the
15. purge in between and within 15 minutes there would be no
16. deviation if the machine is proper and if the...testor is
17. proper. When something other than that happens, that's when
18. it's time to indicate to the courts that there is something
19. wrong with that machine. That's the only occasion in which
20. there will be any drastic results a change between the two
21. tests. I would urge a ...strong defeat of this particular
22. legislation. I...as was editorialized in the Chicago
23. papers, now is not the time to start playing around with
24. the implied consent legislation. It's been in operation just
25. a few months now, it appears to be working, let us see how it
26. is working, let us maintain the types of safeguards that
27. were built into this to protect our citizens and yet
28. keep the drunks off the road. I would urge a defeat of
29. the bill.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Roe.

32. SENATOR ROE:

33. Senator...Senator Davidson, would you yield to a question?

1. PRESIDING OFFICER (SENATOR WEAVER):

2. He indicates that he will.

3. SENATOR ROE: .

4. I'm sorry...in your opening statement, perhaps I missed
5. it, but...did you describe why we should eliminate this
6. second test? I'm mean...

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Davidson.

9. SENATOR ROE:

10. ...you mention everybody was in support of this. But why?

11. SENATOR DAVIDSON:

12. The reason why was that of the...they've had a 25% non-
13. conviction for people who were arrested for drunken driving
14. as the evidence given to me by the State's Attorneys Association
15. and State Police. They have...they lost 25 convictions...25%
16. of the convictions because of the second test with the
17. fact that either the person did not refuse to take the test
18. which only got him three months suspension or as most of you
19. well know, the amount of alcohol that's going to show on the
20. breath has to be a change of the alcohol in the blood stream
21. within the oxygen within the lung and if the person goes in
22. the first time and takes a full breath as he should and most
23. of the concentration is on the lower part of the lung field,
24. that on the second breath he takes a shallow breath, he's
25. actually taking the test but he does not get that amount
26. of alcohol in...wh...the air that he discharges and, there-
27. fore, can make a difference in the reading and the test and
28. made a doubt or...lost 25% of the cases on a person who was
29. a...who came up intoxicated on the first test.

30. PREISIDING OFFICER (SENATOR WEAVER):

31. Senator Roe.

32. SENATOR ROE:

33. It would appear to me, what you just said is an argument

1. for eliminating the breathalyzer completely. That...is that
2. correct? I mean would you be in favor of that?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Davidson.

5. SENATOR DAVIDSON:

6. No, I'm not in favor of that unless, if you want to
7. have the person if he stops for drunken driving and refuses
8. to take the test to have an automatic year suspension in-
9. stead of 3 months because if he's convicted of driving while
10. intoxicated he has a years suspension of his license.

11. SENATOR ROE:

12. Well...

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Roe.

15. SENATOR ROE:

16. Just a comment. ...If he doesn't take the test, he re-
17. fuses, he gets 90 days that's not the end of the...the driving
18. under the influence case unless the prosecution chooses to
19. reduce it at that point in time because the breathalyzer is
20. just...a part of the evidence that can be introduced at a
21. case like that. I would doubt the figure, very seriously,
22. that...25% of the cases were lost because of a second breath-
23. alyzer test.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Rock.

26. SENATOR ROCK:

27. Yes, Mr. President, Members of the Senate, I rise in
28. opposition to SB 1019. I think the bill should be amended
29. and we should repeal the whole Implied Consent Act. This
30. General Assembly or the 77th General Assembly was, in my
31. opinion, bludgeoned into passing that Act with the threat
32. of loss of Federal funds hanging over our heads. This is
33. one of the safeguards that was built into the Act. And,

1. I think, that those who were bludgeoned into passing the thing
2. in the first place, if we're going to have it, let's have it
3. the way we passed it with all the proper safeguards. I don't
4. think that an improper conviction percentage in somebody's
5. judgment is reason enough to justify a bill. I would be more
6. than happy to support or co-sponsor a repealer of the entire
7. Section. But to start whittling it away at the safeguards
8. given to defendants is just untoward in my opinion, I urge
9. opposition.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Any further discussion? Senator Davidson may close
12. the debate.

13. SENATOR DAVIDSON:

14. Well, I've an answer to Senator Roe's remark. The
15. 25% was given to me by an association of which you were a
16. member until you joined this august Body and I have no other
17. documentation other than theirs. Secondly, I've been one of
18. those individuals who have been the victim of a drunken driver
19. not once, but twice. One, head-on and once, rear-end and spent
20. total disability from a drunken driver being a menace on the road
21. as many of the rest of you are and I think it's reason that the
22. Implied Consent Law stay on the books and we make it as strong
23. as we can to get a drunken driver off the road and I would urge
24. all of you to vote favorable for this with the amount of sup-
25. port. There was no opposition to this bill in Committee, no
26. one rose to oppose it, and I would urge all of you to vote
27. favorable for it. Thank you.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. The question is, shall SB 1019 pass? And upon that
30. question, the Secretary will call the roll.

31. SECRETARY:

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

33. PRESIDING OFFICER (SENATOR WEAVER):

1. Senator Buzbee.

2. SENATOR BUZBEE:

3. Mr. President, in explaining my vote, I...I admit that
4. I am confused, I don't know if this bill is designed to
5. strengthen ... the Implied Consent Law or to weaken it. I've
6. heard arguments both ways...that...if you have to blow into
7. the breathalyzer twice that it'd change your blood content
8. and alcohol content and so forth, therefor make the second test
9. even more conclusive than the first if you do have a high
10. alcohol content. So, I...out of following the philosophy, that
11. when you don't really know if the bill is good or bad that you
12. vote no and that's what I do.

13. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Bell.

24. SENATOR BELL:

25. Yes, Mr. President, how am I recorded? I'm not recorded.
26. Well, I'd like to say that...I think this bill is addressed to
27. a very meaningful problem in this State, that of the drunken
28. driver and anything that we can do that's going to allow us,
29. as a society, to address ourselves to relieving that problem,
30. I think, is...should be uppermost in the minds of every
31. Member of this Body. I think it's a good bill. I don't
32. think it's a bill that's going to cause great problems for
33. the citizen that...that is not intoxicated when driving

1. I think it should be supported and I would hope that all
2. those members wherever you are that are absent, will get
3. down here and support this bill. It's worthwhile. It's
4. going to be meaningful to the people of this State and...
5. you can't carry on for much longer, isn't that much that
6. I can say use up my five minutes but...somehow or other
7. I would like to see a few more people get down on the Floor
8. and vote. This is a good bill. Doc, I'm trying to delay
9. for you here. Maybe I ought to read a paragraph or two
10. from...from the legislative synopsis. But...bell? Ok.
11. I'm going to vote aye on this bill.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Hall, no. Bruce, no. Knuppel, aye. Ken...Harber
14. Hall, aye. On that question, the ayes are 17 the nays are
15. 18. SB 1019 having failed to receive the constitutional
16. majority, is declared lost. SB 1070, Senator Howard Mohr.

17. SECRETARY:

18. SB 1070 (Secretary reads title of the bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Howard Mohr.

22. SENATOR MOHR:

23. Yes, Mr. President and Members of the Senate, this is...
24. mine is an Act dealing with alcoholic liquors. It would require
25. a liquor commissioner to tax the cost and attorney's fees
26. against the licensee whose license has been revoked or
27. suspended. ...The cost, the attorney's fees costs, would
28. not exceed \$500. The...yes. Happy to answer any questions.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Is there any discussion? If not, the question is, shall
31. SB 1070 pass? And on that question the Secretary will call
32. the roll.

33. SECRETARY:

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

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Sours.

12. SENATOR SOURS:

13. I just want to call the attention of the Assembly
14. to the obvious unconstitutionality of this bill of my dear
15. friend the mayor. Because it fixes the fine as a matter of
16. civil liability and the Illinois Constitution just doesn't
17. permit that. So, I'm going to vote present.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Mayor Mohr.

20. SENATOR MOHR:

21. I was...just respond to Senator Sours and saying that...
22. this came from an attorney, Senator Sours, and I'm happy to
23. report that we don't have any problems, liquor problems, in
24. my community even though we have...quite an outpour but... it
25. came from a municipal attorney who has been having problems.
26. I think...this possibly...take this out of the record.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Postpone?

29. SENATOR MOHR:

30. Yes, post...postpone it or...

31. PRESIDING OFFICER (SENATOR WEAVER):

32. To be taken out of the record. Take it out of the records.
33. Senator Bruce.

SENATOR BRUCE:

1. Just an inquiry. Will that bill remain on 3rd reading
2. or was that postponed?

3. PRESIDING OFFICER (SENATOR WEAVER):

4. He asked to take it out of the record.

5. SENATOR BRUCE:

6. After the roll call had started? I don't believe our ru...
7. rules will allow that. I believe once the roll call has be-
8. gun it has to go on postponed...consideration.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Do you wish to put it on postponed consideration,
11. Senator Mohr?

12. SENATOR MOHR:

13. You know I have quite an interest in this bill, Senator.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. If you want to put it on postponed consideration, that's
16. all right too. It will be in the order of postponed consid-
17. eration. SB...

18. SECRETARY:

19. SB 1076 (Secretary reads title of the bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Don Moore.

23. SENATOR MOORE:

24. Thank you, Mr. President, Members of the Senate,...
25. SB 1076 was amended in Committee...straightened up a little
26. language in...in part of Section 172. ...But in effect
27. what the bo...what the bill says, is that after the tax
28. collection books and so forth are prepared and ready to
29. be delivered by the County Clerk, that if they are not
30. delivered to the County or Township Collectors as provided
31. in this Section and after a written demand for delivery
32. is made by such collector, the County Clerk shall be
33. liable for a fine of \$500 for each day he withholds these
books. Now, we've had a problem up in Cook County whereby

the County Clerk has, in the past or for the past several
1. years, because of litigation, etc., has refused to deliver
2. the tax collection books to the 30 township, 30 elected town-
3. ship collectors in suburban Cook County. ...Now, there were
4. several problems that have been raised by the court. They
5. were a fee office and that was abolished and then the...
6. Circuit Court took some six million dollars of fees away
7. from the townships up there and...deposited it in the
8. General Corporate Fund of the County and there is some
9. apprehension that perhaps these books will not be delivered
10. next year so that our local township collectors and the
11. suburban area can collect taxes. ...I attempted to get in
12. touch with the present County Clerk this afternoon to ascer-
13. tain his feelings on this matter, but...he is en route to
14. Springfield so I did not have an opportunity to discuss this
15. matter with him as to what this feelings are. But, I think
16. that with the present decisions that we do have with the
17. Supreme Court holding the township collectors as de jure
18. elected officials, the fact that their salaries have been
19. provided for now,...that starting next year we, in suburban
20. Cook County, should be able to pay our tax bills at our
21. local township halls like we have done in the past.
22. ...I would be happy to answer any questions...of, if not,
23. request a favorable roll call.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Rock.

26. SENATOR ROCK:

27. Yes, Mr. President and Members of the Senate, I rise
28. in opposition to SB 1076. This bill is another attempt to
29. beat an already dead horse, the township collector case.
30. ...The law's pretty clear, those opinions are pretty clear.
31. But in addition to that, if the Membership would take the
32. time and the trouble to read and reflect on what this bill says,
33. it's very interesting. It says that an elected County Clerk,

1. if he does not do what he is supposed to do under the Statutes,
2. he's going to be liable for a fine of \$500 a day. I think we
3. could amend many of the acts and say that an el...elected Member
4. of the General Assembly, for instance, who does not show up at
5. a Committee Meeting should be fined \$500 a Committee Meeting.
6. This is a terrific precedent to be set and I would urge a no vote.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Is there further discussion? If not, Senator Bruce.

9. Senator Nimrod.

10. SENATOR NIMROD:

11. This is a rather interesting bill since it strives to do
12. something that I can't understand why the legislators and those
13. who represent Cook County...are opposed to. Since it does
14. one thing, it provides about four million dollars of expenses
15. and takes it away from the County of Cook and puts it on the
16. townships. Now, I can't for the life of me, understand why
17. the county would continue to want to spend four million dollars
18. if they don't have to when the local townships are willing to
19. do it themselves. To show you how ridiculous their stand is on
20. the other side, it wasn't but two years ago that I stood before
21. the County Board and I said to them, don't charge us the
22. 10 million dollars that you want to levy against tax units. And
23. That's what the county wants to do, they want to tax the
24. taxing bodies, they're looking for revenue. I said, I'll tell
25. you what we'll do, we will collect the taxes ourselves in the
26. townships and not charge anything for it. We will pay that
27. money ourselves, on top of that we will give a gift of \$100,000
28. to the County for the privilege ...of..of collecting the tax.
29. And on top of that, we will save \$200,000 by their own records.
30. Now that shows how ridiculous this kind of a stand is. It's
31. a partisan stand and if they're not afraid to do it then why
32. not let the local people who want to pay for their own
33. service for...to provide their own pay for the people to do

1. the job and...it...it already save...they know they can save
2. the money and they are willing to absorb this, I think they
3. ought to be given that opportunity and quit fighting it. If
4. you vote against this, it's a ridiculous stand because you
5. have nothing to stand on and I would urge those on our side
6. of the aisle to vote for this and those who are thinking on
7. the other side of the aisle to certainly consider what I
8. have said.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Bruce.

11. SENATOR BRUCE:

12. Well, so that Senator Nimrod knows why some of us are
13. going to take and make a very foolish vote, I would point
14. out to him that every County Clerk in the State of Illinois
15. and through their association has come out in opposition to
16. this bill. Let me tell you what happens to a downstate
17. County Clerk as happened last year when the State of Illinois
18. did not get out the multipliers to counties. You would make
19. every County Clerk liable for a fine even though the books
20. were not in shape. Now, that puts the County Clerks in a very,
21. very foolish situation. I think they have a very good point.
22. They are many, many, many people who handle the books prior
23. to the County Clerks, if you want to make them liable and
24. put everyone under a time limit, that makes some sense. But
25. to say to the guy who waits and waits and waits and makes him
26. liable makes no sense. I would urge a no vote.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Moore, do you wish to close the debate?

29. SENATOR MOORE:

30. Thank you, Mr. President and Members of the Senate,
31. in response to Senator Bruce's comments, there are only five
32. counties in the State that have township collectors. I believe
33. Madison, Will, Cook, Sangamon and Peoria and in further answer

1. to his question as far as the multiplier, the question was
2. raised in Committee and at the request of the Committee I
3. did amend the bill that states the, and I'm reading the
4. existing law now, respective County Clerks shall deliver
5. the books for the collection of taxes of the county or
6. town collectors on or before the 30th day of December annually.
7. And, then I inserted this language, or as soon-thereafter as
8. the books are completed. So, I think in this respect the
9. argument that, if the equalizer is held up, if for some
10. reason there is a delay, this cleaned up the existing law
11. to prevent a situation such as you were referring to. Insofar
12. as the other questions, the Supreme Court has held that a
13. township collector is a de jure elected official. They said,
14. well he can't collect taxes because you can't pay him any
15. salary. Well, the problem has been remedied. We have provided
16. in our budgets since April of this year where a salary of the
17. township collector starting January 1st of next year. We
18. are in a position, we do have the facilities we can collect
19. taxes cheaper than the County Treasurer can in Cook County.
20. The convenience involved, why should somebody have to travel
21. 30 or 40 miles to go down to the County Building in order
22. to pay the real estate taxes or make an inquiry. It's absurd.
23. We have township halls in almost all of our 30 townships in
24. the suburbs. People can travel 2 or 3 miles, they can pay
25. their taxes. Many of these taxes are paid in cash. They're
26. senior citizens. They're older people. They save their
27. money. Now, they have to go and buy a money order and pay
28. for that in order to mail their bill downtown. I think
29. that for the people of suburban Cook County this is a good
30. bill. I think that the various objections and so forth that
31. have come about and the court decisions pertaining to co...
32. township collectors has been resolved. I think that to just
33. complete negate the arbitrary decision of a County Clerk not

1. to deliver the tax book to the township collectors and that's
2. all this bill does and if maybe a little prodding of a threat
3. of a fine, and you want to remember there's 30 townships up
4. there in Cook County, that's 15 thousand dollars a day. I'm
5. sure if the County Clerk refused it, he's not going to refuse
6. for very many days or that bonding company's really going
7. to be raising hell. I think this is a good bill. I think
8. for the millions of people that live in suburbia and suburban
9. Cook County, they deserve to have this convenience of paying
10. their taxes locally at no expense to the County of Cook. In
11. fact, as Senator Nimrod said, it will result in a savings of
12. 4 million dollars to the County of Cook. I'm sure that Mr. Dunn
13. and the County Board can find a good way to spend that 4
14. million dollars. We're willing to assume the cost of it
15. in the suburbs. Our people want to assume the cost of it and
16. if they want it, then I think they should have it. I would
17. expect a favorable roll call, Mr. President.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. The question is, shall SB 1076 pass? And upon that
20. question, the Secretary will call the roll.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR WEAVER):

33. McBroom, aye. Regner, aye. Nimrod, aye. Who? Senator

1. Don Moore.
2. SENATOR MOORE:
3. I would request a poll of the absentees, Mr. President.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. Request of the absentees has been made, the absentees
6. will be called.
7. SECRETARY:
8. Buzbee, Carroll, Chew, Daley, Harber Hall,
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Graham.
11. SENATOR GRAHAM:
12. Mr. President, I don't know if the Secretary can hear
13. or not, but I can't hear and I think the caucuses ought to
14. be stopped. I think the House Members ought to respect the
15. decorum we're trying to keep in this Senate and let's get
16. the noise calmed down so we know what we're doing. If you
17. please, Sir.
18. SECRETARY:
19. Kenneth Hall, Hynes, Johns, Keegan, Knuppel, McCarthy,
20. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Palmer, Partee,
21. Romano, Saperstein, Savickas, Smith, Swinarski, Vadalabene,
22. Walker, Welsh.
23. PRESIDING OFFICER (SENATOR WEAVER):
24. Upon that question, the ayes are 30. The nays are 8.
25. SB 1076 having received the constitutional majority is declared
26. passed. Senator Graham.
27. SENATOR GRAHAM:
28. I...having voted on the prevailing side, I move this vote
29. by which this bill was just passed be reconsidered.
30. PRESIDING OFFICER (SENATOR WEAVER):
31. The motion's made to reconsider by Senator Graham. Senator
32. Moore moves to Table. All in favor of Tabling signify by
33. saying aye. Opposed nay. The ayes have it. SB ... Senator

1. we...we've already had two motions since...all 30 are...I'm
2. sorry, Senator. 1078, Senator Glass.

3. SECRETARY:

4. SB 1078 (Secretary reads title of the bill)
5. 3rd reading of the bill.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Glass.

8. SENATOR GLASS:

9. Thank you, Mr. President and Members of the Senate,...
10. this bill is the product of the Commission on Urban Education
11. which Senators Berning, Hynes, Newhouse and myself are members.
12. ...One of the projects that the Commission under...is undertaken
13. and has completed this past year, is a response to what I
14. would describe as a public demand for accountability in our
15. schools. ...Because the Commission deals with urban education,
16. the bill is directed at urban schools primarily and would
17. require each School District to develop a plan for a com-
18. prehensive and...assessment and evaluation of basic skill
19. and learning areas in their schools. I think one of the ...
20. strengths...bill is in planning that assessment and evaluation
21. it would involve not only the School Board, but the staff and
22. the citizens of the local school district. ...The...the bill
23. somewhat parallels the measure that OSPI sponsors...is
24. sponsoring for the entire State, however, we have attempted
25. to determine whether there is any conflict, we don't believe
26. there is. We...amended the bill to delay the...effect what
27. I think the first reporting date would be until 1976 so it
28. would give...OSPI an opportunity to provide enough...per-
29. sonnel to implement the bill. I would be happy to answer
30. any questions.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Sours.

33. SENATOR SOURS:

1. Senator Glass...what do you project or project this
2. to be the cost? Of this in depth study?
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Senator Glass.
5. SENATOR GLASS:
6. Well, Senator Sours, there is an appropriation bill
7. ...for 2 million dollars and the...bill would provide for
8. reimbursement to the district who participates in the pro-
9. gram. And...if you look in Section 9 of the bill you will
10. see the basis for that...reimbursement, \$2 per student and
11. average daily membership...
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Sours.
14. SENATOR SOURS:
15. Let me compliment both you and your study group. You're
16. no tinhorns believe me. Now, may I say this, that this kind
17. of a study is all we don't need. Now or next year at this
18. price or even less. All one has to do today is to get an
19. occasional letter from a high school senior and he'll know
20. what's wrong without spending, frittering away 2 million
21. dollars. If there were a sewer here I think it would be
22. put to better use by simply putting it down in thousand
23. dollar bills seriatim.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. Senator Soper.
26. SENATOR SOPER:
27. Mr. President, Members of the Senate, you know what
28. we're doing again is accommodating some study...study group
29. that that the Superintendent of Public Instruction wants
30. so that...he can have a few more jobs and spend a little
31. more money. And...the School Boards and the Superintendent of
32. Schools and the Principal of the Schools don't need anymore
33. forms to fill out. They don't need to have to hire some more

1. people and kick around. What they need is to teach the kids
2. how to read and write and...when...a kid leaves grammar
3. school and he leaves high school it's a sad commentary on
4. the fact, and it's the truth, that when you get a letter
5. from him, they don't know how to punctuate, they can't
6. write, they can't spell, I doubt if they can read and I
7. doubt if they give a damn. Now, we should spend some
8. of this money for teaching and not for filling out forms,
9. ...to inform somebody what's wrong with the school system
10. when we already know. If...if the Superintendent of Public
11. Instruction in this State would spend more time reading
12. some of the letters...just have a writing contest and they
13. try to read...read the letters and the answers to some of the
14. subjects, I'd think he's soon find out what's wrong
15. with the system. I think this bill should be defeated,
16. soundly.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Netsch.

19. SENATOR NETSCH:

20. Mr. President, I might...I wonder if I might have
21. the privilege of doing something I have never taken the
22. Senate's time to do before and that is to introduce a
23. group of stu...school children from my area. They are
24. from the Cooley Upper Grade Center in the Balcony, largely
25. up on this side and, I think, a few on the other side
26. and their teacher, Mr. Kakowski, is down here on the Floor
27. with me. Would the Students stand up and be recognized.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Kosinski.

30. SENATOR KOSINSKI:

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

32. PRESIDING OFFICER (SENATOR WEAVER):

33. The motion is move the previous question. All in

1. favor signify by saying aye. Opposed, nay. Senator
2. Glass may close the debate.

3. SENATOR GLASS:

4. Well, thank you, Mr. President, I'd like to say that
5. I don't think Senator Sours is a tinhorn either and I
6. appreciate his acknowledgement that the committee isn't.
7. And to Senator Soper who says he already knows what's
8. wrong with the schools, I would say he's...perhaps alone
9. in this area. ...Neither of these Senators spent the
10. time, during the last two years, that this commission
11. did...to look into the problems of our schools and I...
12. I'll suggest to you that the public is concerned about
13. the product ... of urban education and the advantage of
14. a...of an approach like this is that it lets the schools
15. take a look at their own program and evaluate it and
16. report to the public. I think the public is interested.
17. I'd ask also that this is not a bill that OSPI is sponsoring,
18. this is a bill that came directly out of the commission.
19. ...The legislation of this type has been enacted in varying
20. degrees in many States. I would repeat to you that the
21. advantage of an approach like this is that it involves
22. the entire community as well as the School Board and the
23. staff in devising their accountability or assessment plan.
24. I would urge an aye vote on SB 1078.

25. PRESIDING OFFICER (SENATOR WEAVER):

26. The question is shall SB 1078 pass? Upon that question,
27. the Secretary will call the roll.

28. SECRETARY:

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

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Berning.

32. SENATOR BERNING:

33. Thank you, Mr. President, I had wanted to make a comment

1. before we were cut off, so let me do it in explaining my
2. vote. I think there are probably very few, if any of
3. us here, who do not decry the lack of basic understanding
4. and basic 3-R education in our systems today. I don't
5. know how we achieve good, elemental education among our
6. students but through the Urban Education Commission this
7. proposal has been recommended as an answer. Now, if any-
8. body needs a graphic example of the lack of education
9. among our young people, I'd like to have you examine a
10. letter which I received here from an 18 year old in
11. support of the 19 year-old drinking. I wish you could
12. see how appreciate is spelled. It's a-p-r-i-s-h-i-a-t-e
13. and there are enumerable examples. Most of this is not
14. in writing, it is in very poor third or fourth grade level
15. printing. Now, I submit to the Members of this Body that
16. we are spending vast sums, untold millions, yes billions
17. of dollars on education and obviously we are not getting
18. the end product we would like to have. This, gentlemen,
19. in my opinion, is a justification for SB 1078. It may
20. not be the ideal answer, but it does give us one concrete
21. effort to evaluate what is being done by our schools,
22. school administrators, school teachers and thereby put
23. the burden where it belongs and give us the justification
24. for proceeding to rectify what obviously are serious short
25. comings. I would urge a reconsideration on the part of
26. those who oppose it and I recognize the justification in
27. their eyes and I sympathize to a degree but something has
28. to be done. We are spending too much money uselessly. I
29. vote aye.

30. SECRETARY:

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

1. Knuepfer, Knuppel, Kosinski, Latherow,

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Latherow.

4. SENATOR LATHEROW:

5. Mr. President, I hope the Members can recognize that
6. once again we're on a broad expanse of filling out question-
7. naires and papers of which we will finally after the first
8. year of operation and eval...assessment and evaluation. This
9. plan shall have been submitted to the Superintendent and also
10. the local news media shall be so by informed and it shall be
11. published in a newspaper of general circulation. Annual
12. reports shall be given on the same basis hereafter. Now
13. let's understand that if that particular participating dis-
14. trict fails then a...to submit their plan of assessment,
15. their evaluations, a Superintendent of Public Instruction
16. is authorized to prepare the plan for the district. I want
17. you to recognize once again we are creating a big cabinet
18. within a cabinet in the Superintendent's office. I vote no.

19. SECRETARY:

20. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr,
21. Don Moore, Netsch, Newhouse, Nimrod, Nudelman, Ozinga,
22. Palmer, Partee.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Partee.

25. SENATOR PARTEE:

26. Mr. President, and I'd like for Senator Glass to pay
27. particular attention to what I am going to say. I think
28. that the idea which is embodied here is a good idea. Be-
29. cause I, for one, am tired of school people telling us that
30. schools will get better when you spend more money. We
31. spend dollar after dollar after dollar, increasing the
32. amount each year and the quality of education does not
33. come up in kind. We've got kids that are finishing

1. grammar in high school that read at the third, fourth, fifth
2. grade level and if...there is a problem, something has to
3. be done about it. But this bill isn't the answer to it and
4. one of the things that distresses me is that each district
5. decides which kind of achievement test it wishes to use.
6. So how are you going to make any comparisons between one
7. district and another if one using one type of achievement
8. test and another's using another. If you...if this bill
9. doesn't pass, if you would postpone consideration let's
10. see if we could find the proper amendments to make it the
11. kind of bill that you want it to be. It could be a viable
12. vehicle for determining the accountability of our school
13. system. But this bill just won't do it all. And it's
14. just a raggedy kind of operation. The bill needs a lot of
15. work. Vote no.

16. SECRETARY:

17. REgner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
18. Scholl, Shapiro, Smith, Sommer, Soper, Sours,

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Sours.

21. SENATOR SOURS:

22. I've been importuned to say nothing but I have a letter
23. here from a Chicagoan. Talk about where the money ought to
24. go, Senator Glass, physical conditions in many Chicago public
25. schools are deplorable. Ancient buildings, unpainted walls,
26. poor wiring, lack of adequate lunch rooms, gymnasium, audit-
27. oriums, one way to rathole 2 million dollars is to put it in
28. the custody, the great care and custody of this committee,
29. which will be dealing with people who have created the evil
30. already. I vote no.

31. SECRETARY:

32. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
33. Mr. President.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Course, aye. Senator Newhouse, did you wish? Aye.

3. Senator newhouse, aye.

4. SENATOR NEWHOUSE:

5. Mr. President, Senators, I want to vote aye on this
6. bill and I want to rec...ee...echo the Pro Tem's recommendation
7. that the bill...be placed on...I'm sorry, Mr. President, I
8. want to be voted present on this bill and I follow the Pro
9. Tem's recommendation that the bill be placed on postponed
10. consideration to work out the bugs that are presently in
11. it.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. On that question, the ayes are 15. The nays are 14.
14. Senator Senator Glass.

15. SENATOR GLASS:

16. I just want to say, Mr. President, I appreciate the
17. suggestions the Senators from the other side of the aisle
18. but I think it is too late in the Session to attempt to
19. do that, there may be another assessment bill that will
20. be coming before you so I think the best thing to do is
21. let the roll call be announced.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. On that question, the ayes are 15. The nays are 14.
24. One present. SB 1078 having failed to receive the con-
25. stitutional majority is declared lost. 1082, Senator Latherow.

26. SECRETARY:

27. SB 1082 (Secretary reads title of the bill).

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Latherow.

31. SENATOR LATHEROW:

32. Mr. President, Members of the Senate, this bill that we
33. amended earlier today that gives local government the right

1. to have the State of Illinois participate and share in the
2. cost incurred in the preliminary planning and determination
3. of the economic and engineering feasibility for land-fills.
4. I appreciate a favorable consideration.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Is there any discussion? The question is, shall SB 1082
7. pass? And upon that question the Secretary will call the
8. roll.

9. SECRETARY:

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

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Roe, aye. Buzbee, aye. Netsch, aye. Buzbee,
22. Netsch, Roe, Vadalabene, aye. There's been a request to
23. call the absentees. Absentees will be called.

24. SECRETARY:

25. Bell, Carroll, Chew, Conolly, Course, Daley, Donnewald,
26. Dougherty, Fawell, Glass, Harber Hall, Kenneth Hall, Johns,
27. Keegan, Knuepfer, Knuppel, Kosinski, Latherow, Mc...

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Con...Conolly, aye.

30. SECRETARY:

31. ...McCarthy, Mitchler, Netsch, Newhouse, Nimrod, Nudelman,
32. Palmer, Partee, Rock, Romano, Saperstein, Savickas, Schaffer,
33. Scholl, Smith, Soper, Swinarski, Welsh.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Newhouse, aye. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Mr. President and Members of this Body, I consider
5. this good legislation and I...it's similar to the legis-
6. lation I have been sponsoring in the sense of accomplishing
7. restoration of lands and...and meeting the eco...ecological
8. challenge that we have and I'd ask the members on this side
9. of the aisle who haven't voted to vote for the legislation.
10. I vote aye.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. On that question, the ayes are 34. The nays are none.
13. SB 1082 having received the constitutional majority is
14. declared passed. 1089.

15. SECRETARY:

16. SB 1088 (Secretary reads title of the bill).
17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Bartulis.

20. SENATOR BARTULIS:

21. Thank you, Mr. President, Members of the Senate, SB 1088
22. is a bill that prohibits the owner or operator of a service
23. station from advertising the per-gallon price of gasoline
24. upon any sign on the premises of the station. Unless such price
25. includes, all State and Federal Motor Fuel Taxes and unless
26. the advertised price corresponds with the price on the pump
27. but requires other taxes to be collected as a separate item.
28. Now gasoline is subject to a high excise tax, 4 cents Federal
29. tax plus a 7 1/2 cent Illinois Motor Fuel Tax and, in addition,
30. the retail sale of gasoline in Illinois is subject to the
31. Illinois Retailer's Occupational tax of 4% ^{or} 1% for municipal
32. ...municipal or county level. Now, every retailer in Illinois
33. collects taxes as a separate item. And the tax appears as a

1. separate on the bill. Now, there's no logical reason why
2. the service station should be treated any differently.
3. Now, subject to this bill the owner or operator of
4. service station would be...would do this , post a sign
5. showing his actual selling price and the specific tax
6. to be added for a total purchase price. Be...put his
7. posted selling price on the pump as a posted pump price
8. and refer a chart to determine the amount of taxes to
9. collect at the pump price. Then collect all taxes due
10. him. Now, in other words, Members of the Senate, as
11. a service station operator, they are the only ones that
12. has to have a tax put on ...on the pump for the collection
13. of their sales tax and I think should be collected as a...
14. as a separate item.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion?

17. SENATOR BARTULIS:

18. And urge a fav...favorable roll call.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Rock.

21. SENATOR ROCK:

22. Yes, Mr. President, if the sponsor will yield? I can
23. understand the intent is to...to obviously give some infor-
24. mation to the unwary consumer. What is, if...if you can
25. just give me an example, Senator, what is the current
26. practice?

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Bartulis.

29. SENATOR BARTULIS:

30. Well, as you would read in some places, Phil, that
31. there would be a sign say 40.9 tax included. Then you'll see
32. a big sign down the street, it'd be an operator it'd have a
33. 30.9 and then the real small print will say plus taxes.

1. In other words, just to get the driver to get in the drive-
2. way and in other places they'll have such as 38.9, say the
3. regular selling price would be 40.9 and he'll put 38.9 without
4. stamps in very small letters which is not...which really isn't
5. legible from the highway and they'll have that on there but
6. you pull up to the pump and there's a 40.9 on the pump. And
7. this...this bill here would do away with such things.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Senator Rock.

10. SENATOR ROCK:

11. Well, what is the...price on the pump, the price with-
12. out tax?

13. PRESIDING OFFICER (SENATOR WEAVER):

14. Senator Bartulis.

15. SENATOR BARTULIS:

16. No,...the price on the pump is usually with the tax
17. included. But what I'm getting at is what, how they
18. advertise on the outside...or on their markers. They will
19. put a different price and add plus stamps or without stamps
20. or without tax. And this would put it all together.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Any further discussion? If not, the question is, shall
23. SB 1088 pass? And upon that question the Secretary will call
24. the roll.

25. SECRETARY:

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

1. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
2. Weaver, Welsh, Wooten, Mr. President.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Carroll, aye. McCarthy, aye. Sours, aye. Buzbee, aye.
5. Saperstein, aye. Hynes, aye. Kosinski, aye. Kenneth Hall,
6. aye. On that question, the ayes are 38. The nays are none.
7. SB 1088 having received the constitutional majority, is
8. declared passed. 1089.
9. SECRETARY:
10. SB 1089 (Secretary reads title of the bill).
11. 3rd reading of the bill.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Senator Bartulis.
14. SENATOR BARTULIS.
15. Thank you, Mr. President, Members of the Senate, SB 1089
16. is a bill that amends the Environmental Protection Act. It
17. provides that one member of the Pollution Control Boards shall have
18. practical experience and technical knowledge of agriculture.
19. Now, if you consider the size of this amendment it is only 16
20. words which may be ... may seem like a small bill but if you...
21. you consider the overall economic value of agriculture in the
22. State of Illinois, then this bill gains greatly in size.
23. On information I have, approximately 85% of the land in
24. Illinois is now used for agriculture purposes. The total
25. dollar value of cash received for ag commodities was
26. approximately 2.7 billion dollars in 1970. With increase
27. in grain and livestock prices, as we've seen in the last few
28. months, the 1972 figure should even be larger. This 2.7
29. billion doesn't take into consideration the further impact
30. of agriculture has on the total economy of the State. Now,
31. this figure would be increased many times if it reflected
32. the money that it spent for machinery, fertilizers, taxes
33. and etc. Now, agricultural...agriculture...

1. is big business in Illinois. And, because it's so important
2. to Illinois, and because the five member Pollution Control
3. Board, among other things, determines, defines and implements
4. environmental control standards which effects the agricul-
5. tural industry of State. I think that it is imperative that
6. agriculture be assured representation on the Board. Now, I
7. think that each of you is aware of the importance of agri-
8. culture in Illinois. And I would appreciate a favorable
9. roll call.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Thank you, Mr. President, I rise in opposition to this
14. bill. Not because I am opposed to agriculture having a
15. strong voice in EPA activities on the contrary I applaud
16. the efforts that have been made by EPA to take a far more
17. realistic view of agricultural problems. But, Ladies and
18. Gentlemen of the Senate would you please notice what we
19. are doing in this bill. We are granting a particular
20. interest representation on the Board and you know what
21. will happen next Session. Business, retail business, will
22. demand a position, manufacturing, aviation, transportation
23. and what is the rationale to keep us from granting them
24. the same kind of a representation. I firmly believe that
25. we should oppose this and in opposing it make it quite
26. clear that all of us are deeply concerned about agriculture's
27. legitimate economic needs. And we must continue to insist,
28. as we have insisted, I think, to the EPA that they give
29. careful attention to the economic implication of anything
30. they do and they must remember that agriculture does occupy,
31. as Senator Bartulis has suggested, a very important position
32. in this State, but if we establish this precedent we'll have
33. to go right down the line and I simply don't think that's the

1. best way to conduct the work of the agency.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator Harris.

4. SENATOR HARRIS:

5. Well, I just wanted to encourage the Membership of the
6. Senate to support this bill. This industry which is the
7. largest basic industry in Illinois does need this concern
8. and this expertise on the Pollution Control Board. I just
9. want you to take notice the fact that there is a vacancy
10. on the existing numbers of people serving on the Board.
11. There are two lawyers and two engineers. Each of which,
12. have a broad capacity of understanding but there is a
13. perfectly legitimate reason to have the special knowledge
14. of agriculture in the experience and background of one
15. person on this five-member Board. I think this is an
16. excellent piece of legislation and hope that the Body
17. will support it.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Mr. President and Members of this Body, we saw fit
22. on Friday to be assured that there be a licensed engineer
23. have a position of importance on this Body. At the pre-
24. sent time, I think about 70 to 75% of the members and em-
25. ployees of this Body are engineers. I think that other...
26. occupations, other professions need representation and I
27. would encourage people on this side of the aisle to guarantee
28. a broader spectrum to the outlook of the...of this Board
29. by voting for this legislation.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Graham. Senator...Senator Partee.

32. SENATOR PARTEE:

33. Well, Mr. President, I'm motivated to say a word or

1. two here because just last week when we were considering
2. the Pardon and Parole Board, it was I who said that this
3. diversification of memberships was a good thing. And I
4. still believe that if you can diversify on some of these
5. boards, you will have more of a...cross-the-board input
6. into the considerations and decisions. I have a little
7. reluctance, however, to write that kind of a diversification
8. into a Statute. I think it can be accomplished without a
9. Statute and I am just reluctant to put it into a Statute.
10. Now, I haven't yet decided how I'm going to vote on this
11. bill but when I do vote you will know what my thought
12. process was.

13. PRECIDING OFFICER (SENATOR WEAVER):

14. Senator Latherow.

15. SENATOR LATHEROW:

16. Well, Mr. ...Mr. President, I would like to rise in
17. support of this piece of legislation and to rephrase my
18. remarks by wondering how they ever made the determination
19. they needed two engineers and two attorneys on this
20. particular board. The largest industry in the State of
21. Illinois is involved with this five-man board. When you
22. begin to talk in terms of feed additives you need some-
23. body who knows what feed additives mean. When you begin
24. talking the application of the fertilizer and nitrogen
25. on the soil in these farms, you need to know somebody
26. that knows what that means. You can't prove to me that
27. a constructural engineer knows much about nitrogen and
28. so on and nothing says these engineers should be civil,
29. construction or otherwise. I want to say, also, that
30. in many of the things that effect agriculture and En-
31. vironmental Protection Agency and the Pollution Control
32. Board you people well know, I have talked about before,
33. but when you talk about determining the mechanical operations

1. that Pollution Control Board Letter No. 23 suggest may be
2. considered and also determining the fact of whether or not
3. you should exclude livestock from streams, lakes and so
4. forth except for a place for watering or crossing. You
5. need somebody on there that knows something about what's
6. going to happen to agriculture and the livestock market
7. if something like this comes about. When you start telling
8. these people in agriculture, from the Pollution Control
9. Board and that's what I'm talking about, the five members
10. that we're talking about now, that you're going to require
11. the fencing of all streams except for livestock to have a
12. place to water or cross, you're talking about putting food,
13. not on your table, but off your table. I have said many
14. times some of the environmentalists and we might say, do-
15. gooders, and so on in this State of Illinois and in this
16. Nation, will not wake up until the day they find no food
17. on their tables. And I think you need a man who has some
18. jurisdictional background and some advantage of what
19. practical knowledge of agriculture is on that Pollution
20. Control Board. A man who can say to them, I think possibly
21. you're going too far. I don't think, without question, you
22. need a man of reason and I've said many of times, when
23. Sam Aldridge got off that Board there was no one on there
24. who had the background of agriculture to tell them what their
25. problems are. Now, this is certainly a good bill and should
26. be...receive the favorable consideration of all of us.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Bartulis may close the debate. The question is...

29. SENATOR BARTULIS:

30. I request a favorable roll call.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. ...shall. The question is, shall SB 1089 pass? And upon
33. that question the Secretary will call the roll.

1. SECRETARY:

2. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll, Chew,
3. Clarke, Conolly, Course, Daley, Davidson, Donnewald,
4. Dougherty, Fawell, Glass, Graham,

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Graham.

7. SENATOR GRAHAM :

8. Just very briefly, in reply to the Gentlemen from Rock
9. Island. If experience teaches us that next year we need
10. a man on street, a merchant so to speak, on the Board, so
11. be it. And if the following year, we need a manufacturer
12. on this Board, so be it because I haven't ever been con-
13. vinced that the fountain of wisdom is in a school for
14. engineering or in one of our law schools. I don't believe
15. they have a monopoly on brains. I vote aye.

16. SECRETARY:

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

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Donnewald, aye. Daley, aye. Course, aye. Buzbee, aye.
26. On that question, the ayes are 39. The nays are 2. SB 1089
27. having received the constitutional majority is declared passed.
28. 1094.

29. SECRETARY:

30. SB 1094 (Secretary reads title of the bill)
31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Bartulis.

1. SENATOR BARTULIS:

2. Thank you, Mr. President, and Members of the Senate,
3. SB 1094 is a bill that amends the Internal Auditing Act.
4. It changes the definition of the term, contractual services,
5. only when the term is used in an appropriation act. And
6. it provides that the contractual service expenditures
7. for professional or technical services must designate in
8. the appropriation the amount and purpose of such expendi-
9. tures. Now, currently there are two means of paying
10. salaries of persons employed by the State. One, the
11. employee is paid from the personal services line item of a
12. particular department's budget and he goes on the regular
13. payroll and is subject to provisions of the Personnel
14. Code. Two, the employee is paid from the contractual
15. service line item of the department's budget and is paid
16. by a voucher and is not subject to any provisions of the
17. Personnel Code. And with this present system it is
18. possible to take those persons who cannot pass an appro-
19. priate Civil Service Exam and therei...thereby qualify
20. for payments from personal services line. They pay
21. him contractually, or in other words, from the contractual
22. service line. Now, I will concede the fact, that the idea
23. behind the contractual services line item is to allow the
24. department to employ consultants or any special short-term
25. project specialist and have a ^{way} to pay them. But I
26. know this contractual services line item is abused and in
27. many cases the employees should be paid on a regular payroll.
28. If you want to use the term hidden contractual services, well
29. it has been, in the former administration and in this admini-
30. stration also. And I think this practice is also in conflict
31. with the Attorney General's opinion which has been issued
32. on the subject in the past. Now, to sum it up I would remind
33. you that since the trend is to remove State employees

1. from political pressure and give them the full protection
2. of the Personnel Code, I submit that this bill consistent
3. with the intended use of the Personnel Code and also con-
4. sistent with the trends to make people subject to it and
5. I would appreciate a favorable roll call.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Rock.

8. SENATOR ROCK:

9. Yes, Mr. President, Mem...Ladies and Gentlemen of
10. the Senate, I rise in opposition to SB 1094. I opposed
11. it in Committee and I still think it's a bad bill. There
12. really isn't any need for this bill. That is why we have
13. appropriations bills. That's why we have an Appropriation
14. Committee to find out just exactly what these expenditures
15. are. But to mandate that an agency come in with this
16. kind of a breakdown a full year in advance of whatever
17. their needs might be I think is just a little too much.
18. I might also point out that this would include that
19. appropriation which we've already passed out of here,
20. that for the General Assembly to ask that this be broken
21. down into some accounts, is just too much. When the agency
22. comes before the Appropriations Committee before it's
23. respective task forces, Republican and Democrat, they
24. have to answer these types of questions. But, to curtail
25. them in this way, I think, is just bad management. I would
26. urge a no vote.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Sours.

29. SENATOR SOURS:

30. Mr. President, Ladies and Gentlemen of the Senate,
31. I am not a newcomer in favoring this kind of a legislation.
32. In 1969, Senator Latherow and I and some others who were
33. then here and no longer are...called to the administration's

1. attention then that the contractual services concept was
2. being abused. ...Rather than have a line item for a certain
3. function in a certain department, some of the legislation
4. then would have large contractual services appropriations
5. so that the director or the man in charge of the department
6. even going up to the...the top, up to the Governor, could
7. manipulate that fund. Not only for political purposes but
8. for maybe purposes that weren't just...kosher. Now, anyone
9. who is a head of a department can certainly with all the
10. knowledge and...ability of the people under him, prepare a
11. budget that will have contractual services to the very,
12. very minimum. I think, they're inherent of great evil.
13. I think the past has suggested they have been abused, and
14. this is a good bill and ought to be supported by every-
15. body who believes in...in good auditing and good accounting.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Partee.

18. SENATOR PARTEE:

19. Well, it's of course obvious that anyone who deals
20. with any amount of money can abuse it. So, nothing is
21. going to stop abuse as far as that's concerned. The
22. thing that troubles me about this is that it makes for
23. inelasticity in the operation of a division of govern-
24. ment. Flexibility is the thing that made America the
25. great, strong country that it is and we have to know
26. that from time to time new things come up that weren't
27. contemplated and these agencies must be prepared and
28. able to deal with those matters as they arrive. Now,
29. to make this as inelastic as this amendment would,
30. would just hamper, it seems to me, the operation of
31. government. I don't think that is intended to do that
32. but it actually and factually brings about that kind of
33. very terrible situation. I think it's a bad bill and

1. should be defeated.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President, Members of the Senate, I, too, oppose
6. this bill. It seems to me to be completely unrealistic
7. to suggest that we are going to line item and earmark and
8. specify precisely to the penny how all money for pro-
9. fessional and technical services will be expended in the
10. forthcoming year is impractical. We do not, at
11. present for example, itemize by line item how the general
12. personal services money for a given agency is to be spent
13. we simply get supporting data from the agency and if that
14. plan is not followed during the year the Appropriation's
15. Committee the following year will make the necessary
16. adjustments. There's even a stronger argument for
17. giving that flexibility in the case of professional and
18. technical services. It would completely hamstring the
19. agencies in State government and I think it's an un-
20. realistic proposal.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Regner.

23. SENATOR REGNER:

24. Yes, Mr. President, Members of the Senate...over
25. the past several years or the past two years, we in the
26. General Assembly have practically eliminated all con-
27. tingency amounts from the appropriation bills. What the
28. bulk of the departments have done, while we realize the
29. misuse of the funds...the way we didn't want them to
30. be used...on the contingency and what the bulk of the
31. departments have done now is taken the same amount of
32. money that was in the contingencies and have shifted
33. that appropriation into contractual services so that

1. they can have any kind of leeway they want to do whatever
2. they want with the money and...this, this bill defines it.
3. It has to be line item and I think it's a good bill, should
4. be passed to somewhat tie up the ...the expenditures of
5. the departments and not give them a completely free hand.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any further discussion? Senator Bruce.

8. SENATOR BRUCE:

9. Well, my point is more technical in nature and that is,
10. the question to the Chair is, has this bill been read three
11. times by title as required by the Illinois Constitution
12. in that the title and the Act amended has been amended by
13. the amendment. Now, the question is then, have we read
14. this bill three times by title?

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Bartulis.

17. SENATOR BARTULIS:

18. I believe so. I...I don't know really.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Bruce.

21. SENATOR BRUCE:

22. Well, my question is to the Chair. I...I don't
23. remember in my short history here of amending the title,
24. to take a bill and amend one act and then by amendment
25. make that apply to another act and I just want to know
26. if that's going to happen, whether or not this bill has
27. been read three times by title. It was an act, at first
28. to amend an Act relating to internal auditing, now it
29. amends the State Finance Act. I've...I've never seen a
30. that done in my short time. I'd just like to have
31. ruling from the Chair whether or not this bill has been
32. read three times by title?

33. PRESIDING OFFICER (SENATOR MOHR):

1. I'm advised that we have read the bill three times,
2. Senator.

3. SENATOR BRUCE:

4. Then your ruling is, that any bill that's on the
5. calendar today can be amended to apply to another section
6. of the Revised Statutes and still be Constitutional.

7. PRESIDING OFFICER (SENATOR MOHR):

8. No. I'm not saying that. I'm saying that this bill
9. has been read three times. It has been read three times
10. by title.

11. SENATOR BRUCE:

12. By which title? It...it could not have been read the
13. first and second time by title, since the title was
14. changed when it was on... 3rd reading. That's my point,
15. it could not have been read three times.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Well, Senator, we're still talking about SB 1094
18. and the Chair will rule that it's been heard...or read
19. three times by title.

20. SENATOR BRUCE:

21. Yes, all right, then...I have a question of the
22. sponsor, if I might.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Proceed, Senator.

25. SENATOR BRUCE:

26. ...Senator Bartulis, by this bill do you intend to
27. make professional and technical services a major object
28. account or remain a sub-account in the account of con-
29. tractual services?

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Bartulis.

32. SENATOR BARTULIS:

33. No. All I'm asking is on a contractual services that

1. they put that in their appropriations what it's for and how
2. much and who to. It's that simple.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Bruce.

5. SENATOR BRUCE:

6. But, my question is, do you intend to make it a mo...
7. major object account or a sub-account and that's important
8. for the people who keep books in this State who run com-
9. puters and we need to know that this is now going to be a
10. major object account. If it's going to be a major object
11. account it must be defined and set forth in the State Finance
12. Act. That's not being done and I...I want to know what the
13. definition is, you've broken it out of contractual, we...
14. this bill becomes effective upon signature and the diffi-
15. culty there is, all these appropriations have gone through un-
16. der the State Finance Act and major object accounts. If
17. this is now a major object account, we've got a great deal
18. of difficulty, if it's a sub-account we're going to have
19. to change some of the computer tapes, that's all. We
20. wouldn't need to know for the record what you planned to
21. do with this.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Bartulis.

24. SENATOR BARTULIS:

25. Well, I'm no accountant or an analyst but I'm sure
26. we can find a way of working that out if we get the bill
27. passed.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Any further discussion? Secretary call the roll.
30. The question is, shall SB 1094 pass? And on that question
31. we will call the roll.

32. SECRETARY:

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

1. Clarke, Conolly, Course,

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Clarke.

4. SENATOR CLARKE:

5. Mr. President, I'm not sure of the entire implications
6. of this bill, but I just like to suggest to the sponsor
7. that we do have a complete revision of the Purchasing Act
8. that is in the House and it's being debated and it hopefully
9. will be coming over here. I'll vote aye for this bill but
10. if it doesn't fall in line with what we have worked out and
11. have been working on for some time, I'm going to have to
12. resist changes to that bill in this nature. I vote aye.

13. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR MOHR):

23. Regner, aye. Ozinga, aye. Don Moore, aye. Re...
24. request to call the absentees.

25. SECRETARY:

26. Carroll, Chew, Course, Daley, Donnewald, Kenneth Hall,
27. Hynes, Johns, Keegan, Knuppel, Kosinski, McBroom, McCarthy,
28. Netsch, Newhouse, Nudelman, Palmer, Partee, Rock, Romano,
29. Saperstein, Savickas, Smith, Swinarski, Vadalabene, Welsh.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Walker.

32. SENATOR WALKER:

33. ...I had a question in mind...Mr. Clerk...how am I

1. ...I had a question in mind, it slipped me. How am I
2. recorded...

3. PRESIDING OFFICER (SENATOR MOHR):

4. How is he recorded? You're recorded aye.

5. SENATOR WALKER:

6. Thank you,

7. PRESIDING OFFICER (SENATOR MOHR):

8. McBroom, aye.

9. SENATOR WALKER:

10. Oh, thank you, Mr. Clerk.

11. PRESIDING OFFICER (SENATOR MOHR):

12. On that question, the yeas are 30. The nays are 4.

13. Did someone call for a verification? REquest for a verification.

14. I'll announce the roll call and then go for a verification.

15. On that question, the yeas are 30. The nays are 4. Request
16. for a verification. Members please...

17. SECRETARY:

18. The following voted...

19. PRESIDING OFFICER (SENATOR MOHR):

20. ...Be in your seats and help the Secretary.

21. SECRETARY:

22. The following voted in the affirmative: Bartulis,
23. Bell, Berning, Clarke, Conolly, Davidson, Fawell, Glass,
24. Graham, Harber Hall, Knuepfer, Latherow, McBroom, Merritt,
25. Mitchler, Howard Mohr, Don Moore, Nimrod, Ozinga, Regner,
26. Roe, Schaffer, Scholl, Shapiro, Sommer, Soper, Sours,
27. Walker, Weaver, Mr. President.

28. PRESIDING OFFICER (SENATOR MOHR):

29. The roll call has been verified and SB 1094 having
30. received the constitutional majority, is declared passed.
31. Senator Graham.

32. SENATOR GRAHAM:

33. I move that the vote by which this bill was just

1. passed be reconsidered.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator Graham moves to reconsider. Senator Don Moore
4. moves to Table. All those in favor signify by saying aye.
5. Opposed. The motion is Tabled. SB 1026, Senator Daley,
6. Senator Da...if you'll hold one minute please. Senator
7. Graham.

8. SENATOR GRAHAM:

9. I would just like to suggest to the Gentlemen on the
10. other side, when we have 30 votes here on the first roll
11. call, we're going to have them here on verification of
12. the roll call and in...in the meantime, while we're going
13. through this monkey business, we might have passed another
14. bill.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Daley. SB 1026.

17. SECRETARY:

18. SB 1026 (Secretary reads title of the bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Daley.

22. SENATOR DALEY:

23. Mr. President, fellow Senators, what this bill does,
24. is that any stolen weapon so confiscated by a police agency
25. when no longer needed for evidentiary purposes so we...
26. shall be returned to the person entitled to the possession
27. of the gun. If not, the police agency...holds the weapon
28. and what this bill does, does is it prohibits that any
29. police agency throughout the State...they cannot sell any
30. weapons. That is all it does.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Any further discussion? The question is, shall SB 1026
33. pass? And on that question, the Secretary will call the roll.

1. SECRETARY:

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

12. PRESIDING OFFICER (SENATOR MOHR):

13. Regner, aye. Knuppel, aye. Berning, aye. Soper, aye.
14. Daley, aye. Bartulis, aye. Weaver, aye. On that roll call,
15. the yeas were 47. The nays one. SB 1026 having received
16. the constitutional majority, is declared passed. SB 1027,
17. Senator Daley.

18. SECRETARY:

19. SB 1027 (Secretary reads title of the bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Daley.

23. SENATOR DALEY:

24. This bill...what this bill does, provides that the
25. Department of Local Government Affairs shall administer a
26. program of State Aid to every city, town and village...
27. Financial assistance in the demolition of abandoned
28. buildings. I accepted two amendments in regards to this
29. program, whereby...first of all, the State would con-
30. tribute \$2 as compared to any municipality contribute
31. \$1. It's a matching fund of two to one. No municipality
32. may receive more than 50% of any such appropriation. This
33. bill is...needed throughout the State of Illinois, especially

1. for the metropolitan areas. Abandoned buildings is a pro-
2. blem in every city but most of all it's a problem for the
3. people of the State. You and I know, anyone who comes from
4. a large metropolitan area know the effects of an abandoned
5. building. How it affects the city block, how it affects
6. the community, how it affects the schools, how it affects
7. the ...churches and the whole community. This would be a
8. program...sponsored by the State of Illinois. It would be
9. the...I think the first in the nation. And I would ask for
10. a favorable roll call.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Merritt.

13. SENATOR MERRITT:

14. Mr. President, I wonder if Senator Daley would yield
15. to a brief question?

16. SENATOR DALEY:

17. Yes.

18. SENATOR MERRITT:

19. ...Senator, I assume you have a companion bill for the
20. appropriation?

21. SENATOR DALEY:

22. Yes, there's a companion bill would put in a...

23. SENATOR MERRITT:

24. How much is the total appropriation?

25. SENATOR DALEY:

26. Five million.

27. SENATOR MERRITT:

28. Fine, thank you.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Any further discussion? Senator Knuepfer.

31. SENATOR KNUEPFER:

32. Well, it seems to me that this concept would be a lot
33. better if it had the on it. This is

Howe Paul Anne Lewis

1. the kind of concept that says, in effect, we need your money,
2. we'd like your money but dammit we don't want any control.
3. And, it's seems to me that ought not, or is not, presently
4. in the scheme of priorities...of the State of Illinois.
5. Certainly it is not in the Governor's scheme of priorities
6. or he would have put it in his budget. Now, I'm not sug-
7. gesting that those things, all of those things in the Governor's
8. budget ought not to be reviewed by the Legislature to deter-
9. mine whether it is in our scheme of priorities or not. I'm
10. suggesting to you that what we're talking about here is
11. another direct subsidy program...frankly I think that
12. there are many more important programs than this. There
13. are many more programs dealing with services to people that
14. seem to me to be much more significant than this kind of a
15. thing. What strikes me, I suspect not unusual, but maybe
16. we ought to consider is the home rule amendment in the
17. Constitution did one thing, that municipalities don't seem
18. to want to recognize and that gave municipalities the power
19. to levy taxes. So that if you really think this is a
20. significant program for the City of Chicago, my own City of
21. Elmhurst or any other city, then it seems to me it ought to
22. be implemented at that local level and the funds raised at
23. that level. When you suggest that it is not significant
24. enough to be done by the local government but only impor-
25. tant if the State or Federal government kick in, then I
26. don't think you're pointing out to me a very important pro-
27. gram. Home rule gave you the tools, gave you the opportunity
28. and I suggest to you that you take advantage of that and
29. do that within the province of the City Council of what-
30. ever city wants this program rather than within the State
31. of Illinois.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Any further discussion? Senator Daley may close the

1. debate.

2. SENATOR DALEY:

3. Well, many municipalities throughout the State do
4. administer such a program as now. I know in the City of
5. Chicago they spent 3 1/2 million dollars in abandoned
6. buildings, many other municipalities throughout the State.
7. But this is one of the priorities of...me as a Senator and
8. I would hope that the Governor would...if it passes the
9. Senate and passes the House, would be a priority for him
10. because this is a problem facing every municipality re-
11. gardless of size. It effects crime, it effects the
12. schools, it effects the community. I would ask for a
13. favorable roll call.

14. PRESIDING OFFICER (SENATOR MOHR):

15. The question is, shall SB 1027 pass? And on that
16. question, the Secretary will call the roll.

17. SECRETARY:

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

28. PRESIDING OFFICER (SENATOR MOHR):

29. Graham, aye. McBroom, aye. Carroll, aye. Knuppel, aye.
30. Bruce, aye. On that question, the yeas are 43. The nays are
31. 2. SB 1027 having received the constitutional majority, is
32. declared passed. Senator Roe.

33. SENATOR ROE:

1. Well, Mr. President and Members of the Senate, Friday
2. I filed a motion asking that the vote on SB 777 be recon-
3. sidered. Yesterday it was postponed until today by leave
4. of the Senate. I would, at this time, ask the Body to
5. take action on my motion.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Any further discussion? Then...On Senator Roe's motion
8. to reconsider, SB 777 the Secretary will call the roll.

9. SECRETARY:

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

20. PRESIDING OFFICER (SENATOR MOHR):

21. Conolly, aye. Kosinski, aye. On the motion to recon-
22. sider, the motion prevails, the yeas 32 and the nays 10.
23. Now the question is, shall SB 777 pass? And the ...777 pass
24. and...any discussion from the sponsor? Request for a roll
25. call. Senator Rock.

26. SENATOR ROCK:

27. Mr. President, I would ask again that the Chair issue
28. a ruling under our new Constitution. It seems to me that
29. this is a bill which would preempt a home rule unit, namely,
30. the City of Chicago from enacting by ordinance this type
31. of thing and I would request, therefore, the Chair rule that
32. this require 35 or 36 affirmative votes.

33. PRESIDING OFFICER (SENATOR MOHR):

1. The Chair will rule that this requires 30 votes,
2. Senator. Senator Knuppel.

3. SENATOR KNUPPEL:

4. I don't want to belabor the point. As I pointed out
5. before, the language is expressly and exactly the same in
6. the Act that is...the purpose of the Act is to protect and
7. promote the health, safety morals and welfare of the public
8. and that is exactly what home unit, home rule unit powers
9. were. And nothing could be more clearly...nothing more
10. clearly could necessitate a three-fifths vote than this. I
11. don't know how you can have a black on black case that came
12. more squarely on here and I say again that as short as we
13. are on time, that we ought not to be wasting our time on
14. bills that are so clearly, conspicuously unconstitutional
15. if they only receive 30 votes.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further discussion? The question is, shall SB 777
18. pass? And on that question, the Secretary will call the
19. roll.

20. SECRETARY:

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

31. PRESIDING OFFICER (SENATOR MOHR):

32. Daley, no. Senator Newhouse.

33. SENATOR NEWHOUSE:

1. Mr. President, how am I recorded?

2. PRESIDING OFFICER (SENATOR MOHR):

3. How is Senator Newhouse recorded? No.

4. SENATOR NEWHOUSE:

5. I want to explain my vote. I think this is probably

6. one of the worst bills of the Session. It's been up once

7. and nothing's changed since the other day but I see an awful

8. lot of switches in votes that I consider kind of strange.

9. I just wanted to make that remark while I suggest...this

10. is a bad bill and I voted no again.

11. PRESIDING OFFICER (SENATOR MOHR):

12. On that question, the yeas are 33. The nays are 16.

13. SB 777 having received the constitutional majority is

14. declared passed. Senator Graham.

15. SENATOR GRAHAM:

16. Having voted on the prevailing side, I move that the

17. vote by which SB 777 was passed be reconsidered.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator, I am informed by the parliamentarian that we

20. cannot reconsider more than once.

21. SENATOR GRAHAM:

22. I will withdraw my motion.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Motion withdrawn. Senator McBroom.

25. SENATOR MCBROOM:

26. Mr. President, Members of the Senate, I'd like to move

27. SB 663 back to 2nd reading. Amendment No. 1 was Tabled in

28. error by me this morning. It should have been Amendment No.

29. 2 that was Tabled. Amendment No. 1 has been on that bill

30. for so long that it had slipped my mind. I'd like to move

31. to reconsider the vote by which Amendment No. 1 was Tabled.

32. Do I have leave of the Senate?

33. PRESIDING OFFICER (SENATOR MOHR):

1. Your...first motion is to...

2. SENATOR McBROOM:

3. Move the bill back to 2nd reading.

4. PRESIDING OFFICER (SENATOR MOHR):

5. And then...is there leave? The bill is back to 2nd

6. reading.

7. SENATOR McBROOM:

8. All right. Now, I'd like to move to reconsider the

9. vote by which Amendment No. 1 was Tabled.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator McBroom moves to Table...to take Amendment No...

12. SENATOR McBROOM:

13. Move to reconsider the vote by which Amendment No. 1

14. was Tabled.

15. PRESIDING OFFICER (SENATOR MOHR):

16. ...moves to reconsider the vote by which an Amendment No.

17. 1 was...

18. SENATOR McBROOM:

19. Was Tabled.

20. PRESIDING OFFICER (SENATOR MOHR):

21. ...was Tabled. All those in favor. Opposed. So ordered.

22. Do you have any further amendments now, Senator. ...

23. SENATOR MCBROOM:

24. I'd now like to move to Table Amendment No. 2.

25. PRESIDING OFFICER (SENATOR MOHR):

26. ...You want to move to adopt Amendment No. 1.

27. SENATOR McBROOM:

28. All right. Move to adopt Amendment No. 1.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator McBroom moves to adopt Amendment No. 1. All those

31. in favor signify by saying aye. Opposed. Amendment No. 1 is

32. adopted. Senator McBroom

33. SENATOR McBROOM:

1. ...I'd like to move to Table Amendment No. 2.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Moves to reconsider the vote by which Amendment No. 2...

4. was passed. I'd like to reconsider by which...well, Gentlemen

5. I'm listening to the parliamentarian here.

6. SENATOR MCBROOM:

7. So am I.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Amendment No. 2 has been adopted. He has to move to

10. reconsider.

11. SENATOR MCBROOM:

12. No, you didn't get me in trouble.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator McBroom moves to reconsider the vote by which

15. Amendment No. 2 was adopted. All in favor signify by saying

16. aye. Opposed. So ordered. Now, Senator McBroom moves to

17. Table Amendment No. 2.

18. SENATOR MCBROOM:

19. So moved.

20. PRESIDING OFFICER (SENATOR MOHR):

21. All in favor signify by saying aye. Opposed. So

22. ordered.

23. SENATOR MCBROOM:

24. Thank you, Mr. Wright and Mr. Fernandes.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Walker.

27. SENATOR WALKER:

28. ...Thank you, Mr. President, I would like to request

29. unanimous consent to ...discharge committee from further

30. consid...Personnel and Pensions Committee from further

31. consideration of SB 1172. I've discussed it with the

32. leadership on both sides of the aisle and the Chairman ...

33. It amends the Pension Code and permits the judge to

1. designate his wife and so forth. It...it...it involves a
2. judges' pension annuity and I'd like to request unanimous
3. consent to discharge the Committee and place the bill on
4. 2nd reading.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Walker...SB 1172 is that correct, Senator?

7. SENATOR WALKER:

8. Correct.

9. PRESIDING OFFICER (SENATOR MOHR):

10. It's a little hard to hear up here. Is there leave
11. to discharge the Committee on SB 1172? Leave of the Com-
12. mittee has been discharged. The bill will be placed on
13. 2nd reading. Senator Weaver.

14. SENATOR WEAVER:

15. Mr. President, yesterday...on 1st reading Senator
16. Knuppel picked up HB 857. I've talked to Senator Knuppel.
17. I'd like to be shown as principal sponsor on HB 857.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Is there leave? Senator Weaver will be shown as the
20. lead sponsor on SB 857. Senator Don Moore.

21. SENATOR DON MOORE:

22. ...Mr. President, appearing on the Calendar under
23. House Bills, 3rd reading, appears HB 160 that I would like
24. unanimous consent to bring back to 2nd reading for the pur-
25. poses of an amendment.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Is there leave?

28. SENATOR DON MOORE:

29. The amendment is on the Clerk's desk.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Leave is granted. HB 160 is...moved back to the order
32. of 2nd reading for the purpose of amendment. Would you
33. explain your amendments, Senator.

1. SENATOR DON MOORE:

2. The amendment...the amendment is on the Clerk's desk
3. and I...what it does is annexes another piece of property
4. to the Metropolitan Sanitary District. I've checked with
5. both sides of the aisle and there's no objection. I move
6. the adoption of the amendment.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Don Moore moves the adoption of Amendment No.
9. 1 to HB 160. All those in favor signify by saying aye.
10. Opposed. Amendment No. 1 is adopted. Any further amendments?
11. 3rd reading. Senator Knuppel.

12. SENATOR KNUPPEL:

13. I'd like leave of the Body to return SB 1135 to the
14. order of 2nd reading for the purpose of amendment.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Knuppel requests SB 1135 be brought back to
17. the order of 2nd reading for an amendment. Is there leave?
18. Will...

19. SENATOR KNUPPEL:

20. Mr. President...

21. PRESIDING OFFICER (SENATOR MOHR):

22. Will somebody say leave, please.

23. SENATOR KNUPPEL:

24. Mr. President, the Amendment No. 2 is on the Secretary's
25. desk and has been distributed. It has been designed to attempt
26. to cure the objections which were raised by Senator Fawell
27. yesterday and I move the adoption of Amendment No. 2.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Knuppel moves the adoption of Amendment No. 2
30. to SB 1135. All those in favor signify by saying aye.
31. Opposed. Amendment No. 2 is adopted. Any further amend-
32. ments. Senator Soper.

33. SENATOR SOPER:

1. Senator Knuppel, would you explain that last amendment
2. that you had. You didn't explain it. I'd like to know what
3. that does. Although we voted on it, it's on ...I'd like to
4. know what that is. And will you have it...will you have it
5. printed and on the desk before you call this bill, please.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. It has been distributed and on the desk. ...I'll be
10. happy to wait until it's printed. I assume it will be in
11. your book before I call it tomorrow anyway or...or Friday.
12. The purpose of the amendment was to meet the objection
13. that Senator Fawell raised which was that if a Constitu-
14. tional Convention Delegate paid only on the compensation
15. he received that he would be paying on less than a member
16. of the General Assembly would have and he would be getting
17. the same benefits. So, it's been amended so that a Con-
18. stitutional Convention Delegate would pay on the same
19. salary he would have paid on had he been elected a Member
20. of the General Assembly instead of the Constitutional
21. Convention in 1969.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Soper.

24. SENATOR SOPER:

25. While we're on this, Senator, you've got...this amend-
26. ment and another amendment. Is...is it part of this bill...
27. to state, that the, in case this bill should pass, that the
28. recipient would pay the State's share plus 4% interest on
29. the ...on the...into the Pension Fund?

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Knuppel.

32. SENATOR KNUPPEL:

33. No, it does not so provide but it does provide that he

1. will pay on almost twice as much. He'll be paying on \$24,000
2. and he only got \$12,500 so he will pay on only \$1,000 less
3. than if he paid both the State's share and his share. With
4. the amendment, in other words, it's ... it's a difficult job
5. to meet all the requirements here and I talked to both
6. Senator Shapiro and Senator Fawell, this comes as close as
7. possible it makes the Con Con Delegate pay on \$24,000. So,
8. he is paying on virtually both his share as well as the
9. State's

10. PRESIDING OFFICER (SENATOR MOHR):

11. SB 1135 is placed back on the order of 3rd reading.
12. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. ...I would ask...leave of the Body to discharge HB 264
15. from the Senate Committee on Agriculture, Conservation and
16. Ecology. ...I have talked to the Chairman of the Committee,
17. the reason for the discharge is I didn't realize until just
18. a few minutes ago when John Guillou ... approached me that
19. this is the '73 appropriation not one for next year so they
20. need immediate action. So, I would move to discharge and
21. place on the order of 2nd reading HB 264.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Knuepfer moves to discharge the Committee on
24. HB 264. Is there leave? Committee is discharged. The
25. bill will be placed on 2nd reading. Senator Nimrod.

26. SENATOR NIMROD:

27. Mr. President, I would move that the...Committee on
28. Appropriations be relieved of SB 1017...for purposes of
29. Tabling.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator...Nimrod asks leave to discharge the Com-
32. mittee on SB 1017 for the purpose of Tabling. As...that's
33. in Appropriations, is there leave? Leave. And, now

1. Senator Nimrod moves to Table SB 1017. All in favor signify
2. by saying aye.. Opposed. The bill is Tabled, SB 1017. Senator
3. Course.

4. SENATOR COURSE:

5. Yes, Mr. President, I'd like leave of the Senate to return
6. HB 390 to the order of 2nd reading for the purpose of amending
7. it. I discussed this amendment with...Senator Harris this
8. morning and he is in agreement. Senator Mitchler, too, and
9. they are in agreement with the amendment.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Course, asked leave to bring HB 390 back to the
12. order of 2nd reading. Is there leave? Back to 2nd reading.

13. Senator Course:

14. SENATOR COURSE:

15. What the amendment does...Mr. President, Ladies and
16. Gentlemen, is to bring this Act in line with the Korean Act
17. that is all it does. And it was suggested by the Director...of
18. Veteran's Commission.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Course moves the adoption of Amendment No. 1...
21. is that?

22. SENATOR COURSE:

23. Amendment No. 2.

24. PRESIDING OFFICER (SENATOR MOHR):

25. No. 2. Senator Course moves the adoption of Amendment
26. No. 2 to HB 390. All those in favor signify by saying aye.
27. Opposed. No. 2 is adopted. 3rd reading. Senator Bell.

28. SENATOR BELL:

29. Yes, Mr. President, I'd like leave of the Senate to discharge .
30. from...Transportation and Public Utilities Committee HB 1012.
31. It's ...bill that allows the City...Park Forest South to join
32. the...South Suburban Mass Transit District and it's...rather
33. important that this be acted on quite fast and...I will be

1. hopeful that this will be allowable.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Senator, have you discussed that with the Chairman?

4. SENATOR BELL:

5. No...

6. PRESIDING OFFICER (SENATOR MOHR):

7. Chairman of the Transportation.

8. SENATOR BELL:

9. No, no I haven't.

10. PRESIDING OFFICER (SENATOR MOHR):

11. He's not here. I would suggest that you discuss that

12. with him Senator and, and if you can see him before we ad-

13. journ, fine. If not, tomorrow. Senator...Knuepfer.

14. SENATOR KNUEPFER:

15. Oh, no. I move that. I would suggest that...

16. PRESIDING OFFICER (SENATOR MOHR):

17. Any further business? If not, we'll have a death

18. resolution and we'd ask that all members be in their seats

19. please. Senator Berning.

20. SENATOR BERNING:

21. Would it be inappropriate to ask that a congratulatory

22. resolution be taken?

23. PRESIDING OFFICER (SENATOR MOHR):

24. ...We have one congratulatory, Senator, and we're going

25. to do that in the morning. if it's all right. Is that...is

26. that Senator Berning's? Would that be all right in the morning

27. Senator?

28. SENATOR BERNING:

29. Ok.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Donnewald.

32. SENATOR DONNEWALD:

33. Is this the...adjournment resolution also?

1. PRESIDING OFFICER (SENATOR MOHR):

2. No.

3. SENATOR DONNEWALD:

4. Well, I may as well announce now there'll be a Democratic
5. caucus, 9:00 o'clock, 6th Floor, tomorrow morning. 9:00 o'clock,
6. 6th Floor, tomorrow morning.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Shapiro.

9. SENATOR SHAPIRO:

10. ...Mr. President and Members of the Senate, Senate Joint
11. Resolution No. 29, which is on the Secretary's desk and passed
12. out of Executive Committee by unanimous vote, I would like
13. read for the final time prior to passage.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senate Resolution 29 is on the Secretary's desk. Senator
16. Shapiro moves its adoption. The resolution will have to be
17. read...no? No? All right. The resolution has been read.
18. Is there...all in favor of adopting Resolution, Senate Resolu-
19. tion No. 29, signify by saying aye. Opposed. Senate Resolu-
20. tion 29 is adopted. Two announcements. Executive. Senator
21. Ozinga.

22. SENATOR OZINGA:

23. Executive Committee tonight 7:30 p.m., sharp. 15 minutes.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator McBroom has an announcement on Appropriations.
26. You want to make it or... Appropriations will meet at
27. 4:15 which was five minutes ago...five minutes ago. Senator
28. Merritt.

29. SENATOR MERRITT:

30. ...Just to remind the members of the Senate...Insurance
31. and Financial Institutions Committee, there will be a meeting
32. in the morning at M3 at 8:30. Appreciate all members being
33. there.

1. PRESIDING OFFICER (SENATOR MOHR):

2. I ask that all members please be in their seats.
3. Secretary will read the death resolution.

4. SECRETARY:

5. (Secretary reads Senate Resolution No. 180)

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Partee.

8. SENATOR PARTEE:

9. I move the suspension of the rules for the immediate
10. consideration and adoption of this resolution.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Partee moves to suspend the rules for the
13. consideration and adoption of the resolution. All those
14. in favor signify by saying aye. Opposed. The rules have
15. been suspended. Now, Senator Partee.

16. SENATOR PARTEE:

17. I now move, Mr. President, that this resolution be
18. adopted.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Partee moves the adoption of the resolution.
21. All... Senator Davidson.

22. SENATOR DAVIDSON.

23. Senator Partee. Since... Mr. Harper was an acquaintance
24. of mine, I would like to join in co-sponsorship of this
25. resolution with you.

26. SENATOR PARTEE:

27. I would appreciate that and I would hope that all
28. Members of Senate can be carried as co-sponsors.

29. PRESIDING OFFICER (SENATOR MOHR):

30. All members shall be shown. All those in favor of the
31. adoption of the resolution signify by arising. The resolu-
32. tion is adopted. The Senate stands adjourned until 10...

33. Senator Sours.

1. SENATOR SOURS:

2. I'd like to announce that Judiciary meets here instanter.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senate...Senate stands adjourned until 10:00 a.m. to-
5. morrow morning.

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