

78th GENERAL ASSEMBLY

June 1, 1973

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. The Senate will be in order. We will get ourselves
3. prepared for the prayer. The invocation will be given
4. by Dr. Kenneth R. Ahlstrand, Pastor of Grace Lutheran
5. Church here in Springfield, Illinois. Reverend
6. Ahlstrand.

7. (Prayer by Reverend Ahlstrand,
8. of Grace Lutheran Church,
9. Springfield, Illinois)

10. Thank you Reverend. It's nice to have you with us this
11. week. Reading of the Journal, Senator.

12. SECRETARY:

13. Wednesday, May 23, 1973.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Soper.

16. SENATOR SOPER:

17. Mr. President, I move that we dispense with the
18. further reading of the Journal of May 23 and unless there's
19. some corrections to be made that the Journal stand approved.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. You have heard the motion of Senator Soper. All in
22. favor will signify by saying aye. Opposed. The ayes
23. have it, the motion carries. Committee Reports.

24. SENATOR SOPER:

25. How about the other Journals Mr. President?

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Soper, I'm sorry.

28. SENATOR SOPER:

29. I move that we postpone the reading of the Journals
30. of May 24th, 25th, 29th, 30th and 31st, and the approval
31. of those Journals pending the arrival of the printed
32. Journal.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. You've heard the motion of the Senator from Cicero.
2. All in favor signify by saying aye. Opposed. The ayes
3. have it. The motion carries. Reading...Committee Reports.
4. SECRETARY:
5. (Secretary reads Committee Reports)
6. PRESIDING OFFICER (SENATOR GRAHAM):
7. Let's start off being a little, quiet, shall we.
8. SECRETARY:
9. (Secretary reads Committee Reports)
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Messages...anything from the House? Go to the order
12. of Resolutions.
13. SECRETARY:
14. Senate Resolution 183 offered by Senator Newhouse.
15. It's congratulatory.
16. PRESIDING OFFICER (SENATOR GRAHAM):
17. Senator Newhouse moves for...
18. SECRETARY:
19. Margaret G. Burroughs.
20. PRESIDING OFFICER (SENATOR GRAHAM):
21. Senator Newhouse moves for the suspension of the rules
22. for immediate consideration of the Resolution. All in favor
23. signify by saying aye. Opposed. The rules are suspended.
24. Senator Newhouse now moves for the immediate consideration.
25. All in favor signify by saying aye. Opposed. The ayes have
26. it, the Resolution is adopted.
27. SECRETARY:
28. Senate Resolution 184 by Senators Kosinski and all
29. Members of the Senate.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Senator Kosinski moves for the suspension of the
32. rules for the immediate consideration of this Resolution.
33. All in favor will signify by saying aye. Opposed. The

1. ayes have it. The rules are suspended. Senator Kosinski
2. now moves for the immediate adoption of the Resolution.
3. All in favor will signify by saying aye. Opposed. The
4. ayes have it and the Resolution is adopted. Introduction
5. of Bills.

6. SECRETARY:

7. SB 1187 by Senators Hynes, Saperstein, Partee, Rock
8. and Donnewald.

9. (Secretary reads title of bill)

10. SB 1188 by Senators Rock, Partee and Donnewald.

11. (Secretary reads title of bill)

12. SB 1189 by Senators Swinarski, Partee, Rock and
13. Donnewald.

14. (Secretary reads title of bill)

15. 1st reading of the bills.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Is that the completion of the introductions? For
18. what purpose does Senator Knuppel rise?

19. SENATOR KNUPPEL:

20. Mr. President, Members of the Body, I had to
21. leave the Floor early yesterday evening because I had
22. made an commitment to address the graduating class of
23. Eaton High School. I thought that...

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Congratulations, for what purpose do you rise?

26. SENATOR KNUPPEL:

27. ...we were going to adjourn shortly. I thought we
28. were going to adjourn shortly after 5:00, I left about
29. 5:00. I read in the paper this morning that the...

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. For what purpose do you rise Senator? We know
32. what we did yesterday.

33. SENATOR KNUPPEL:

1. All right. I want to make an explanation but I
2. would like to have a suspension of the rules in order
3. that my name may appear as voting favorably on the roll
4. call on SB 1112, 1113, 1114, 1115, 1116 and 1117. Those
5. are highway bills effecting my district, and no one has
6. been more...stronger advocate of better highways in
7. west.central.Illinois than I have. And it was because
8. I was unavoidably off the Floor, I would otherwise have
9. voted for those bills. I'd like to have a suspension of
10. the rules in order that my name may appear on the roll
11. call as voting in the affirmative.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Knuppel, there is a long standing rule
14. and tradition in the Senate that that is one of the
15. rules that cannot be suspended and the Chair would
16. like to accommodate you, but I can't. We've gone through
17. this dozens of times before and it...this kind of a...
18. May we have some order, please. I want some order
19. before I recognize the Senator from Virginia. May we
20. have some order, please? That means the Senators on
21. the Floor. Gentlemen, let's don't start off like we
22. did yesterday, an hour and a half confusion. We've
23. got a big day. Senator Knuppel to reinstate what I
24. said before, in fifteen years this has been tried on
25. numerous occasions, and your motion has always failed,
26. and the Chair rules that we cannot accommodate you on
27. this, and I'm sorry. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Am I to understand that we can't even have a vote
30. on the suspension of the rules?

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. That is correct. That is one rule that cannot be
33. suspended, so why have a vote on it?

1. SENATOR KNUPPEL:

2. Point of order. In the rules, where in the rules
3. does it say that any rule, particularly this rule...

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Try rule 21.

6. SENATOR KNUPPEL:

7. All right. Thank you very much.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Messages from the House.

10. SECRETARY:

11. (Secretary reads Messages from the House)

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Gentlemen, Ladies, according to the...according
14. to the notice you were given yesterday and the plan
15. adopted by the leadership, following our information
16. you with regard to sponsorship of House Bills, I would
17. suggest that while we complete the cleaning up of the
18. Secretary's desk here, if anyone is desirous of sponsoring
19. a House Bill, sign up. Otherwise, we're not going
20. to call it the first time, we're not going to read
21. it and there will be no desire on the Chair's part
22. to go back to House Bills on 1st reading any time
23. during the day. Senator Sours, for what purpose do
24. you rise?

25. SENATOR SOURS:

26. On that identical issue Mr. President, I noticed
27. on the Calendar today that HB 683 appropriating \$132
28. for a World War II bonus. Representative Schraeder
29. from my district is the sponsor in the House. Now
30. with time being so limited, I'd like to make the proper
31. motion that that be advanced to 2nd reading without any
32. reference. It's gone through all the rigamarole in the
33. House, and it'd just be simple to put it on and pass it.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator, your proper...proper steps on this would
3. be to come down and sign up and indicate you're going to
4. be the sponsor and when we read the bill a first time,
5. then a proper motion could be made at that time. Any
6. other business on the Secretary's desk? Senate Bills,
7. 2nd reading. If you have any desire to pick up House
8. Bills, do it now, because we're going to House Bills,
9. 1st, real quickly. Senator Mitchler, for what purpose
10. do you rise?

11. SENATOR MITCHLER:

12. Yes, Mr. Chairman, at this time I would like to
13. move that SB 1165, that's the permit bill of the
14. Environmental Protection Agency, that that bill be
15. recommitted to the Senate Agriculture, Conservation and
16. Ecology Committee for further study. The reason is,
17. there's a number of proposed amendments from various
18. sources and rather than take the time of the Senate,
19. we'll recommit that bill to the Committee...

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. You're the sponsor, we don't need the reason. You
22. just make the motion. It's been moved by Senator Mitchler
23. that SB 1135 be recommitted, 65, 1165 be recommitted
24. to the Committee on Agriculture, Conservation, all in
25. favor will signify by saying, aye. Opposed. The ayes
26. have it, the bill will now be residing in the Committee
27. on Agriculture. We have another congratulatory Resolution,
28. if the Senator from Carbondale will be in his place.

29. SECRETARY:

30. Senate Resolution 185 by Senator Buzbee. It's
31. congratulatory.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Buzbee moves for suspension of the rules

1. for immediate consideration of this Resolution. All
2. in favor will signify by saying aye. Opposed. The
3. ayes have it, the rules are suspended. Now, Senator
4. Buzbee moves for the immediate consideration of this
5. Resolution. All in favor will signify by saying aye.
6. Senator Buzbee asks that all members join in sponsorship
7. of the...this Resolution, all in favor of its adoption
8. will signify by saying aye. Opposed. The ayes have it.
9. The Resolutinn is adopted. If we can get all of our
10. miscellaneous business taken care of during this time,
11. we'll get on the order of Senate Bills 3rd reading,
12. we can remain there, for what hopefully will not be
13. too long a day. Mr...or Ladies and Gentlemen of the
14. Senate the Senate sponsor of Senate Bills 1110 and 1111
15. would like consent of the Senate to have those bills
16. recommitted to the Committee on Licensed Activities
17. and I recognize Mr. President, Senator Harris.

18. SENATOR HARRIS:

19. This is on the motion to recommit...they are Senator
20. Graham's bills. I want to support him in that motion.
21. This makes a very brief explanation that there has been
22. a great deal of public misrepresentation about the
23. effect of these two bills on State revenue. There's
24. a matter of fact, in their existing form they produce
25. an increase in State revenues as...calculated and
26. evaluated by the board, I mean the staff of the Illinois
27. Racing Board. However, as I have represented before,
28. the formula is not entirely acceptable to the Board and
29. they...and they do accept the principles expressed.
30. But we want to do some more work on these bills. We
31. will ultimately exempt them and keep them in form of
32. a continuing evaluation by the committee, hold some
33. hearings this summer and try and get this problem worked

1. out and take action on them in the fall. So, I support
2. Senator Graham in his motion to recommit Senate Bills
3. 1110 and 1111 to the Committee on Licensed Activities.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. All in favor of the motion...

6. SENATOR HARRIS:

7. Senator Partee I think wanted recognition.

8. SENATOR PARTEE:

9. Yes, I would join in the motion, and I would also
10. say that there has been a great deal of public mis-
11. representation made about the bills. Their genesis and
12. their effect. I personally talked to the head of the
13. Racing Commission who told me they were good bills, and
14. asked me to vote for them. He said that he had...he was
15. astounded at the misrepresentation in one of the news-
16. papers were that they were not good, and that he wanted
17. us to vote for them, that the formula would be put in
18. in the House. Yesterday I saw an article in the paper
19. where he said just the opposite. It sort of troubled me,
20. but I'm assuming that now we can put them in the
21. shape that they need to be in and I think the motion
22. should carry.

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. All in favor of the motion to recommit Senate Bills
25. 1110 and 1111 will signify by saying aye. Opposed. The
26. ayes have it and the bills will be recommitted to the
27. Committee on Licensed Activities. Senator Harris.

28. SENATOR HARRIS:

29. Now, Mr. President, I'm not sure the rule number
30. that provides for the authority of the Committee on Rules
31. to report at any time, but I want to proceed with a
32. report and a recommendation of the Committee on Rules
33. and get that...effect acted upon by the Senate. What we

1. propose..

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Gentlemen, soon you'll be asking what happened, and
4. we're trying to tell you now. If we may have your attention,
5. way in the back row. Continue, Senator Harris, I think we have
6. attention. All right fellows...Senator Harris. Gentlemen,
7. let's be in our seats.

8. SENATOR HARRIS:

9. Committee on Rules recommends to the membership
10. that during the month of June, 1973 rule 31 be amended
11. to read, during the month of June, 1973, no Senator
12. shall speak on the same question during debate longer
13. than five minutes without the consent of the Senate.
14. During this month there shall be no explanation of a
15. Senator's vote on any roll call. This will have the
16. effect of being operative only during the month of
17. June. I think it's perfectly clear that we need to
18. take this action, and I move that the Senate adopt
19. the Committee on rules report.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. All in favor of the motion by Senator..you haven't
22. been recognized Senator Chew. You have not been
23. recognized Senator Chew. Senator Sours, and then
24. Senator Chew. I'll recognize you in due time.

25. SENATOR SOURS:

26. I just have a question now. Is this prospective?
27. Does it effect the Calendar on today's business, because
28. I have a few comments on some of the bills.

29. SENATOR HARRIS:

30. Well, you will have the opportunity to make comments
31. during five minutes or unless you receive consent of the
32. Senate for debate.

33. SENATOR SOURS:

1. By that you mean unanimous consent.

2. SENATOR HARRIS:

3. Consent of the Senate means they support it by a
4. majority of the Senate. But I...I just think it's
5. perfectly clear that for the remainder of this month,
6. this is a kind of limitation that we just got to observe.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Chew. Did you have an observation?

9. SENATOR CHEW:

10. Yes, Mr. President of the Senate, not you. I wish you
11. would amend that rule and make it one minute instead of
12. five.

13. PRESIDIND OFFICER (SENATOR GRAHAM):

14. You're out or order, Senator, you recognized the
15. wrong person. All in favor of the motion of Senator
16. Harris' will signify by saying aye. Opposed. The ayes
17. have it and the rule is adopted. Senator Walker, for
18. what purpose do you rise?

19. SENATOR WALKER:

20. Thank you, Mr. President. If this works out well,
21. couldn't we extend it to the remainder of the 78th
22. General Assembly?

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. We might...Senator Sours might say ad infinitum.
25. Now, Gentlemen, if you will be alert to your Calendars,
26. if you have signed up and you have not, one time over.
27. We will call the...House Bills on 1st reading, then we have
28. information of...information on indicating a sponsor.
29. And we will not call the entire group. It has been
30. requested by the Minority Leader that...that the Senate
31. do now...Senator Weaver will. Democrats have asked
32. for a thirty minute caucus and Senator Weaver you are
33. recognized.

1. SENATOR WEAVER:

2. Republicans will meet in the Presidents office the
3. same time for purpose of a caucus.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senate will stand in recess for thirty minutes
6. for purpose of Democrat and Republican caucus.

7. (RECESS)

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. The Senate will be in order. If I could have your
10. attention, maybe we'll only have to state this fact of
11. life one time today. I see I'm not getting through yet.
12. Senators. Senators. I would like to get by with only
13. making this announcement once. Senators, I'm trying to
14. get your attention. That includes Course and Knuepfer.
15. I don't want to have to tell you again. Gentlemen,
16. your lights don't work, so after we recognize you, then
17. start talking shortly, don't. Now, you've been told.
18. Senate will be on the order of Consideration Postponed,
19. SB 320. The order, I announced just now, we'll be on
20. the order of Postponed Consideration for this one bill,
21. 320. First...first bill will be...Senator Harris.

22. SENATOR HARRIS:

23. Well, Mr. President, I've just discussed this
24. matter. We have...a problem here. This bill has already
25. been on Consideration once and we do have...a couple
26. that are noncontroversial that we obviously don't have
27. a problem. It maybe the best thing to do, I see our
28. members are arriving now. Let's go ahead with it.

29. Proceed with Senator Schaffer.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. The bill has been read a 1st time...or a 3rd time.
32. So, Senator Schaffer. will discuss his bill. SB 320
33. on the order of Consideration Postponed.

1. SENATOR SCHAFFER:

2. SB 320 provides the rights for employees who are
3. being laid off. Gives them the right to fifteen days
4. notice before they're laid off. It gives them a right
5. to a hearing within thirty days after they have been
6. laid off to see that the lay off was in compliance with
7. the statutes and the rules set down by the Department of
8. personel. The papers in Springfield and around the
9. State are filled with the stories of various employees
10. who have gone to court and been succesful to get these
11. rights. I think that they should be a matter of statute,
12. and I would appreciate a favorable roll call.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. The question before the Senate is, shall SB 320
15. pass. Senator Rock.

16. SENATOR ROCK:

17. Well, Mr. President, Members of the Senate...

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Any further discussion? If not, on the question
20. the Secretary will call the roll.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Merritt, aye. On this question the yeas are thirty.

1. the nays are twelve. The bill having received a con-
2. stitutional majority required is therefore declared
3. passed. We're...Senator Rock.

4. SENATOR ROCK:

5. I was Mr. President, going to request a verification
6. but with your assurance that all the...everybody is here,
7. I will not. So we don't delay.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. I see that they are, or were in and out of the
10. phone booth. You know how hard it is to keep track
11. of them, so I'll keep going. Senator Mitchler moves
12. to reconsider the vote by which it was passed. Senator
13. Schaffer moves to Table Senator Mitchler motion. All
14. in favor of Senator Schaffer's motion will signify by
15. saying aye. Opposed. The ayes have it, the motion is
16. Tabled. Now Mr. President...are we, Mr...Senator Harris.
17. Senator Harris, is it agreed now that we start on the
18. top of the Calendar on...

19. SENATOR HARRIS:

20. On Senate Bills on 3rd reading.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. First bill in that order will be SB 115. The
23. Secretary will read it by title a 3rd time. Ladies and
24. Gentlemen.

25. SECRETARY:

26. SB 115 (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Knuppel. SB 115. Take it from the record.
30. The next bill will be SB 150. Senator Conolly. Going to
31. call it. Next bill will be SB 166, we're not going to
32. call it. Oh, Senator Vadalabene, Read it by title a
33. 3rd time.

1. SECRETARY:

2. SB 166 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Vadalabene. Senator Rock, I think we need
6. to proceed attempting to get a little order Senator.

7. SENATOR ROCK:

8. That was my point Mr. President...

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Gentlemen, please.

11. SENATOR ROCK:

12. We were kind enough to give some order for SB 320,
13. I think Senator Vadalabene deserves no less.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Gentlemen, about 4:00, you'll want to be going home
16. or thinking about it. Can we have some order. Senator
17. Vadalabene.

18. SENATOR VADALABENE:

19. Thank you Mr. President and Members of the Senate.

20. SB 166 addresses itself to creating the Metro-East
21. Exposition and Performing Arts Authority. I would
22. like to stress just briefly the importance of the Metro-
23. East area to the State of Illinois as a whole and the
24. importance of further development...

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Just a minute Senator. Will the Senators please
27. show the Gentlemen from Edwardsville some courtesy. For
28. goodness sake.

29. SENATOR VADALABENE :

30. I might add at that point Senator that I show every
31. Senator in this Chamber over the past four terms all the
32. courtesy that I could. I sit here diligently, and I
33. would appreciate if I could get that consideration on...

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. I'm trying to help you. Continue now, Senator
3. Vadalabene.

4. SENATOR VADALABENE:

5. I would like to stress just briefly the importance
6. of the Metro-East area to the State of Illinois as a whole
7. and the importance of further development of this area
8. and as a part of that development this proposal to ok
9. here an exposition and performing arts convention center.
10. Now, I'm sure that no Senator here has a tendency to think
11. of southern Illinois as an adjunct, or as a section of
12. Illinois of lesser importance. You know of course that
13. this is not true. And statistics on the economic importance
14. of the Illinois Metro-East area amply attests to the
15. contrary. The population of the Metro-East area according
16. to the last census is between 550,000 and 600,000 people,
17. which is the largest concentration in Illinois next to
18. Cook County, and it's over 200,000 people more than the
19. next largest concentration. Illinois Metro-East does
20. not represent any one town or community. Its membership
21. comes from and it represents a large metropolitan area.
22. And particular that of St. Clair County, Madison and Monroe
23. Counties as well as the immediately adjoining counties.
24. SB 166 would pave the way for the building of a Metro-
25. East Exposition and Performing Arts Center. And in this
26. part of southern Illinois is the largest concentration
27. of population outside of Cook County, and in the view
28. of its economic importance as well as its growth potential
29. due to its strategic location and the ample and attractive
30. sites for industry. Then this is the place to build the
31. next McCormick place, and I would appreciate your favorable
32. vote.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Sours.

2. SENATOR SOURS:

3. I heard the comments about that part of Illinois
4. which will be benefited, of course, that can't be denied.
5. If I could have some attention here, Mr. President, I'd
6. like to explain to the Chamber here why this in nothing
7. more...why this is nothing more than the rankest special
8. legislation. This exposition authority would differ with
9. ...from the general Metropolitan Civic Center Act in five
10. or six very important characteristics. The Authority is
11. not authorized to sell general obligation bonds. Second,
12. it's specifically prohibited from levying any local tax
13. for any purpose while the other four authorities, by that
14. I mean the other towns, may levy up...a property tax
15. up to five cents per \$100 equalized assessed valuation.
16. This act would definitely earmark State horse racing
17. receipts for this authority only. After sufficient funds
18. have been set aside for the number one, McCormick Place.
19. Now, this is in direct conflict with all the other acts,
20. every single one of them. This would also, the Governor
21. would be required to appoint twelve members with the
22. advice and consent of the Senate. The Governor himself
23. would be the thirteenth member. This is the only enabling
24. act that involves State officials in a regional matter.
25. The only one. Now, says the authority could have subpoena
26. power which the other authorities do not have. Further
27. the authority's office is to be located right in the
28. sponsor's home town of Edwardsville. But no mention
29. is made where the actual plant will be. That can be
30. almost anywhere, depending on what's determined by those
31. in authority. Now, I don't think we should dissipate
32. or take for the peculiarly local use, money that would
33. otherwise be in the State treasury. If this principle

1. is followed we'll all come up to the trough and he who
2. has the heaviest clout will get the heaviest grant.
3. This in essence, Gentlemen and Ladies, is nothing more
4. than a grant and a grant is nothing more than a give
5. away. Now, if it's a disposition of this Chamber to
6. give it to a certain area, but not give it to the others.
7. I think we're commencing a very dangerous precedent. And
8. the money in the treasury in situations like this will go
9. to the most fleet footed. This is definitely bad special
10. legislation...designed to benefit only one area of the
11. State, without any reference made to the other. Normally
12. a State treasury is to be devoted for the general use of
13. all. This is a special, specific and I might say specious
14. legislation.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. No further discussion. The question before the
17. Senate shall be, shall SB 166 pass. The Secretary will
18. call the roll.

19. SECRETARY:

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

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Vadalabene, aye. On this question the yeas are
32. thirty-nine...forty, Johns, aye. The yeas were forty,
33. the nays...let me announce the roll call then Senator.

1. The yeas are thirty-nine, the nays are seven. The bill
2. having received a constitutional required majority is
3. therefore declared passed. Senator John moves having
4. voted on the prevailing side the vote by which this
5. bill was passed be reconsidered. Senator Rock moves
6. to Table Senator Johns motion. All in favor of Senator
7. Rocks motion, signify by saying aye. Opposed. The ayes
8. have it, the motion is Tabled. The next bill to be called
9. will be SB 417. Gentleman from Chicago. We'll read
10. the bill by title a 3rd time.

11. SECRETARY:

12. SB 417 (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Chew. Could we have some order before Senator
16. Chew starts to explain his bill. Please.

17. SENATOR CHEW:

18. I shall take one minute on this Mr. President. The
19. bill has been amended to allow dealers that are disposing
20. of automobiles to other dealers will not have to place
21. new tires on these cars as long as they are being shipped
22. from one dealer to another. That's what the bill does.
23. It was amended to satisfy the objections.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Any further discussion on the bill? The question
26. before the Senate is shall SB 417 pass. The Secretary
27. will call the roll.

28. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR MOHR):

33. Gentlemen if you can hold it down so the Secretary

1. can hear the votes, please.

2. SECRETARY:

3. Fawell, Glass, Graham, Harber Hall, Kenneth Hall,
4. Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski, Latherow,
5. McBroom, McCarthy, Merritt, Mitchler, Howard Mohr, Don
6. Moore, Netsch, Newhouse, Nimrod Nudelman, Ozinga, Palmer,
7. Partee, Regner, Rock, Roe, Romano, Saperstein, Savickas,
8. Schaffer, Scholl,

9. PRESIDING OFFICER (SENATOR MOHR):

10. Gentlemen, please, let's keep it down so the
11. Secretary can hear. It's going to be a long day.

12. SECRETARY:

13. Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
14. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Newhouse, aye. On that question the yeas
17. are forty-eight, the nays are none. SB 417 having
18. received a constitutional majority is declared passed.
19. SB 981, Senator Partee. Senator Partee.

20. SENATOR PARTEE:

21. I think we just skipped 361. Would you call that
22. one first, Senator Johns is ready.

23. PRESIDING OFFICER (SENATOR MOHR):

24. SB 361, Senator Johns.

25. SECRETARY:

26. SB 361 (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Johns.

30. SENATOR JOHNS:

31. Mr. President, Ladies and Gentlemen of the Senate.
32. There are only five township hospitals in the State of
33. Illinois: Wood River, Centerville, Salem Memorial, Naperville,

1. and Carmi. What I am attempting to do here is authorize
2. the issuance of general revenue bonds payable...

3. PRESIDING OFFICER (SENATOR MOHR):

4. Gentlemen, please. You can't imagine the noise up
5. here. Now, let's hold it down and take our conferences
6. off the Floor. Continue Senator Johns.

7. SENATOR JOHNS:

8. Thank you Mr. President. Under Section 8-A of
9. this amendment of this act, what I want to do is authorize
10. the issuance of the selling of revenue bonds payable from
11. the revenue derived from the operation of the public
12. hospital for the purpose of acquiring by purchase the
13. grounds, the improving extensions and the repairing
14. and so forth. These bonds shall be authorized by an
15. ordinance without submission thereof to the electors
16. of the town, shall mature at such date not to exceed
17. forty years from the date of issue and bear such rate
18. of interest not to exceed 6% per annum, payable annually
19. or semi-annually as the board of directors may determine
20. and may be sold by the board of directors in such manner
21. as they deem to be in the best public interest. We
22. are in desperate need of hospitals in this town of
23. Carmi, of which I am a representative of and Senator.
24. And I tell you this will authorize this hospital and
25. this...extension of this hospital to be constructed.
26. I would appreciate a favorable roll call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Harris.

29. SENATOR HARRIS:

30. Senator Johns, there is no provision for referendum
31. in this bill is there?

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Johns.

1. SENATOR JOHNS:

2. Senator Harris, it is strictly up to the board of
3. directors and the revenue derived from the payment of
4. the hospital...I mean from the revenue from the hospital
5. pays for the bonds. There is no taxation of the people
6. by this particular act. The money that's to pay for
7. these bonds must come from the revenue derived from
8. the hospital.

9. SENATOR HARRIS:

10. It's ...now, does this not also apply to a situation
11. where the hospital has already been built?

12. SENATOR JOHNS:

13. It is being constructed. Yes sir. It is not
14. completed Senator Harris, that I know of.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Any further discussion? The question is shall
17. SB 361 pass. And on that question the Secretary will
18. call the roll.

19. SECRETARY:

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

30. PRESIDING OFFICER (SENATOR MOHR):

31. On that question the yeas are twenty-six, the nays
32. are four, one voting present. SB 361 failing to receive
33. the constitutional majority is declared lost. Senator Partee,

1. SB 981. That...we are requesting that to be put on the exempt
2. list. Senator Harris.

3. SENATOR HARRIS:

4. Mr. President, we do have some problems that haven't
5. been worked out yet insofar as amendments. This bill
6. ultimately is going to pass, there's no question about
7. that. We're not trying to beat the bill. Senator Knuepfer,
8. just informed me today that he's been working with the
9. department and with some people on my staff. There's no
10. problem about ultimately passing this. But we are going
11. to have an amendment for this bill. If we can get it done
12. today, we'll come back to it today, otherwise, we'll put
13. it on the exempt list and get to it Monday or Tuesday.
14. Senator Knuepfer is not on the Floor now, but...we've
15. just been working out some problems with the department.
16. We do know that this bill does have to pass, and pass
17. pretty soon. We're talking now about Senator Johns'
18. bill that provides for some changes within the original
19. authorizations for the Capital Development Board.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Johns.

22. SENATOR JOHNS:

23. Mr. President, what Senator Harris has said. We
24. have had some problems in getting information to Senator
25. Knuepfer to explain the various allocations of money in
26. this particular bond. There's about seventeen and a half
27. million dollars here. I'm surprised that the Chicago
28. Bankers haven't been down here all over us about this
29. particular bill. But we are working to resolve it, and
30. I appreciate your exempting this bill. Thank you.

31. PRESIDING OFFICER (SENATOR MOHR):

32. All right, if you members want to just mark your
33. Calendars, SB 513 and 516 will not be called. SB 673.

1. 720, 758 and 759 will not be called. 761, 762 and 784 will
2. not be called. That too fast? All right, we'll start
3. over. 513, 516, 673, 720, 758 and 759, 761, 762, 784,
4. 960, there we are. We'll go with SB 981 and I'm telling
5. you it's just amazing how quiet you gentlemen can be
6. when you want to be. And if we could do half that well
7. the rest of the day, it would be great. SB 981, Senator
8. Partee.

9. SECRETARY:

10. SB 981 (Secretary reads title of bill)
11. 3rd reading of the bill.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Partee.

14. SENATOR PARTEE:

15. Mr. President, and Members of the Senate. This bill
16. simply takes property which is owned by an exempt cor-
17. poration which is not used for an exempt purpose, but
18. which is in fact used for a commercial purpose, like
19. renting, back on the tax rolls. There are many instances
20. of schools and other exempt corporations that own down-
21. town real estate of immense value which should be on
22. the tax rolls. This bill addresses itself to that problem,
23. and we have very carefully worded it so that under the
24. new Constitution we feel that it will not have any
25. constitutional difficulties. I appreciate a favorable
26. roll call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Soper.

29. SENATOR SOPER:

30. Mr. President, Members of the Senate, I rise to
31. support this bill. I think it's a good bill and it's
32. about time the corporations that are exempt from paying
33. taxes on the property that's used for school purposes

1. or other municipal purposes should...should pay taxes
2. on property that's used for profit. And I think it's
3. a good bill and it should be passed.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Glass.

6. SENATOR GLASS:

7. I...I'd like to ask Senator Partee a couple of questions,
8. and let me preface my remarks Senator Partee by agreeing
9. with the statement of Senator Soper, I believe also
10. that the property that is tax exempt...there is a good
11. reason for taxing that property, my concern is with
12. the approach of this bill when you are taxing the lease-
13. holder, the tenant, and I would ask you this question,
14. specifically. Are you aware that under existing statutes,
15. it's possible to tax the leaseholder, and therefore you
16. really don't need this bill to do it?

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Partee.

19. SENATOR PARTEE:

20. You say that is possible. They tell me at the
21. assessors office that it is not possible that they need
22. this bill in order to...to do it. If they didn't think
23. they needed it, I sure wouldn't be here with it.

24. SENATOR GLASS:

25. Well, I would like to show you the citation. The
26. other...the other question I would have is how you can
27. square the bill with...with the new Constitution, Article 9,
28. Section 4-A which requires the taxes upon real property
29. shall be levied uniformly by valuation, and under your
30. bill the lease is taxed as if the lessee were the owner
31. of the real estate. And I would be interested in your
32. comments on how that can be constitutional.

33. SENATOR PARTEE:

1. Well, the bill does three things. It forces the
2. taxable leasehold estate to be valued as if the lessee
3. is the owner of the real property. It emphasizes that
4. the incident of taxation is upon the lessee as opposed
5. to his assignee as set forth in Section 26. And it
6. uses the Black's Law Dictionary in defining when real
7. estate is leased. Now constitutionally, we don't think
8. we have any problem with it. There are of course other
9. opinions. I'm sure that this question will finally
10. find itself in the Supreme Court. But we have the
11. feeling based on research done by the Assessors Office,
12. that the manner in which we are doing it by the terms
13. of this bill will make it constitutional. There was
14. a similar bill in a few years ago which went to the
15. Supreme Court and was found to be unconstitutional.
16. We've taken all of that into consideration and the
17. wording here satisfies the Assessor's Office that it
18. is constitutional. They did an awful lot of work on it.

19. SENATOR GLASS:

20. Well, I would respect your...the work that has
21. been done. I would just also respectfully disagree
22. with you and indicate that the information I have by
23. tax attorneys is that it is flagrantly unconstitutional
24. and I...I therefore oppose the bill and also for one other
25. reason. You would be taxing tenants of real property
26. on leases, some of which are twenty-five, fifty years
27. maybe longer. They are already committed to pay
28. relatively high rent and in addition to that, you
29. are now saying, they, the tenant is going to have to
30. pay the tax rather than the owner. So I...while I
31. agree with you in concept, I think this is a bad vehicle
32. for reaching a result, and would therefore urge a no
33. vote.

1. SENATOR PARTEE:

2. Well, we can't always expect a status to remain the
3. same. I would assume that many people and corporations
4. had entered into agreements, contracts, employment contracts,
5. and other things based on the fact that they pay no
6. income tax. We came along, we passed an income tax
7. and there is an American way of readjusting. So I am
8. certain that if there are outstanding leases there can
9. be readjustments because competition will force it.
10. And many of those leases have adjustment clauses
11. in them because they know that this question has been
12. discussed and debated for a number of years and knew
13. that this was coming.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Harris.

16. SENATOR HARRIS:

17. Well, Mr. President, this is a matter of course that
18. relates primarily to those exempt educational institutions
19. prior to the 1870 Constitution. We've been trying for
20. years to assist the taxing bodies in those jurisdictions
21. that are affected by this. It seems to me that we've
22. just got to go ahead and make an attempt. There may be
23. some adjustments that cut both ways, but the taxing
24. bodies are certainly being denied the effective tax
25. assistance that comes from the commercial use of these
26. leaseholds. And, I supported this kind of legislation in
27. the past. And, if it is in fact constitutional, that's
28. a matter for the courts to determine, not for us in
29. advance, and the purpose of this bill is laudatory.
30. And, I certainly am going to support it.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Latherow.

33. SENATOR LATHEROW:

1. Senator Partee, I'm just wondering in case the person
2. leasing the property fails to pay, then who are we going
3. to collect from?

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Partee.

6. SENATOR PARTEE:

7. Well, I suppose it would then be a lien against the
8. taxes, is a lien, I suppose eventually against the property.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Latherow.

11. SENATOR LATHEROW:

12. Well, then the lien, you mean would come back against
13. the property then, the owner of the property. Is that
14. what I understood you to say? Like any other real property.

15. SENATOR PARTEE:

16. I'm sorry, I...I couldn't hear you.

17. SENATOR LATHEROW:

18. I say, I didn't catch. Did you mean that the lien
19. would come back against the owner of the property or the
20. property itself in that case?

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Partee. Would you repeat the question, Senator?

23. SENATOR LATHEROW:

24. Well, his failure to pay the taxes, then who is the
25. lien against in that case. Maybe the guy fails to pay
26. and he leaves the country, what are we going to do. This
27. seems to me to be a tax something like a personal property
28. tax, or a...

29. SENATOR PARTEE:

30. Well, it's like anything else, if we...could we have
31. some order, please. It's like anything else, if the
32. lessee put in new plumbing or put in new walls or put
33. in anything, and didn't pay for it, the eventual lien

1. would be against the owner of the property. There's
2. no question about that.

3. SENATOR LATHEROW:

4. I don't think that...I'm talking about just a
5. tax on the property now. That's what we're talking about
6. here.

7. SENATOR PARTEE:

8. ...the tax on the leasehold interest.

9. SENATOR LATHEROW:

10. Right.

11. SENATOR PARTEE:

12. On the lessee.

13. SENATOR LATHEROW:

14. Then he fails to pay. He's assessed, and he fails
15. to pay. Now, who...who do you attach to try to...try to
16. collect? That's what I want to know, who's the responsibility
17. going to be on?

18. SENATOR PARTEE:

19. If the government could not collect from the leasehold,
20. leaseholder then the lien would be against the property
21. just as anything else that any other obligation that
22. the leaseholder had in connection with the property, if
23. he didn't pay it eventually the lien would be against
24. the property. But the leaseholder...the owner of the
25. real estate would certainly require monthly deposits
26. along with his rent to make certain that it's paid,
27. just as...just as a mortgage company requires monthly
28. deposits to make sure that he's saved the money for
29. his taxes. And, they'd have it.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Bartulis.

32. SENATOR BARTULIS:

33. Mr. President, Members of the Senate, I think this

1. is a very good bill and we have the same problem in our
2. county, only it is leased ground, owned by a college and
3. as ex-tax collector of Macoupin County he's lost quite...
4. a considerable lot of money in taxes and revenue off
5. that property and it will do. I think this would fit
6. into it, wouldn't it Cec?

7. PRESIDING OFFICER (SENATOR MOHR):

8. Senator Sours.

9. SENATOR SOURS:

10. Mr. President, Senators, as I understand the law today,
11. charities are exempt. Now, so we're not going to tax the
12. charities, we're going to tax their lessees, and that is
13. ultimately going to be the burden, the tax is now going
14. to be the burden of those charities which by law are
15. exempt. So, we're doing with the left hand what we can't
16. do with the right hand. I'd like to call the attention
17. to Senator Partee of the famous Dartmouth College case,
18. that held that, a State may not impair the obligations
19. of contract. And, this legislation runs right smack jam
20. into the Dartmouth College case. It's unconstitutional.
21. It's evasive. And one other little comment and I'll
22. quit on this. Statistics suggest that a private college
23. the cost of educating a young man or woman in a private
24. college approximates one third of the actual cost of
25. educating a young man or woman in any of the State
26. institutions. So, what we're going to do, we're going
27. to burden the charities, Northwestern University, Chicago
28. University, Lincoln College, Illinois College, so they'll
29. be in the legislature next week and next month for a hand-
30. out. This is patently unconstitutional and is vicious
31. legislation.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Partee.

1. SENATOR PARTEE:

2. Senator, I am familiar with the Dartmouth College
3. case. It was about three cases in my textbook from
4. Marlboro Vs. Madison. This doesn't have anything at all to
5. do with the Dartmouth College case, because there
6. are two classes of exemption. One class of exemption
7. is that real estate and property used for a charitable
8. purpose, which means under the Dartmouth College case la-
9. rges that any real estate used for charitable purpose
10. would not and could not by any stretch of the imagination
11. be taxed under this bill. The other classification of
12. property, to which this bill addresses itself is that
13. property owned by a charitable exempt corporation, which
14. is not used for charitable purposes, but which is used
15. for a commercial purpose where a university for example,
16. would own the Sears...the Lyon-Healy building is owned
17. by a university. It is not in any stretch of the imagination
18. used for charitable purpose, it is rented on a monthly
19. basis, as though the landlord were Hudson Sours, or any
20. other individual or corporation. And, this is the only
21. kind of real estate that this bill addresses itself to.
22. It does not in any way diminish, damage or lessen or
23. address itself even to the charitable aspect of exemption.
24. Roll call.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Chair would like to just briefly say that I did sponsor
27. this legislation, Senator Partee, in 1969. I think...thought
28. it was very good legislation then and I still think it's
29. good. The question is shall SB 981 pass, and on that
30. question the Secretary will call the roll.

31. ACTING SECRETARY (MR. WRIGHT):

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 MOHR):

10. McBroom, aye. Ozinga, aye. Merritt, aye. On that
11. question the yeas are forty-eight, the nays are three.
12. SB 981 having received the constitutional majority is
13. declared passed. SB 992, Senator Rock.

14. ACTING SECRETARY (MR. WRIGHT):

15. SB 992 (Secretary reads title of bill)
16. 3rd reading of the bill.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President, Ladies and Gentlemen of the
21. Senate. SB 992 and 993 are companion bills. Presently
22. State funded leases are limited to a term of two years,
23. or the end of the June 30, biennial appropriation period,
24. whichever is less. These two bills, proffered by the
25. Department of General Services present that Department
26. with the necessity of evaluating currently, they have
27. to evaluate and then renew 1,200 leases every two years.
28. These two bills would provide for longer term leases.
29. I would significatly increase the State's opportunity
30. to rent available space in any locality. It would
31. reduce the cost of leased space to the State. It would
32. allow new leases, most of which require significant
33. remodeling to amortize remodeling costs over a longer

1. period of time and thereby reduce rental cost to the
2. State. I think this is good legislation. It was
3. amended at the request of certain members in the Executive
4. Committee to provide for a term of five years with a
5. five year option, as opposed to the original bill as
6. introduced which provided for a ten year lease. Any
7. lease that will be in excess of two years is subject
8. to competitive bidding. I would ask a favorable roll
9. call.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Any further discussion? Senator Harris.

12. SENATOR HARRIS:

13. Well, I would just point out that this procedure
14. that's contained in these bills of course does provide
15. for a great deal of latitude in the power of the Director
16. of General Services. And I'm...not entirely persuaded
17. that long term leases do provide for a savings of money.
18. They also usually, in being drawn provide for escalation
19. for matters that come along that can't be anticipated
20. at the time of the leases, and I'm just skeptical about
21. this concept...take a negative view.

22. PRESIDING OFFICER (SENATOR MOHR):

23. The question is shall SB 992 pass. And on that
24. question the Secretary will call 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 MOHR):

4. Senator Rock. Newhouse, aye. Senator Rock.

5. SENATOR ROCK:

6. Yes, Mr. President, I would vote aye and request for
7. a call of the absentees.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Request to call the absentees.

10. SECRETARY:

11. Conolly, Davidson, Fawell, Glass, Graham, Keegan,
12. Knuepfer, Latherow, McBroom, McCarthy, Nimrod, Ozinga,
13. Regner, Scholl, Shapiro, Soper, Sours, Walker, Weaver.

14. PRESIDING OFFICER (SENATOR MOHR):

15. On that question, the yeas are twenty-six, the nays
16. are fourteen. SB 992 having failed to receive the
17. constitutional majority is declared lost. SB 993.
18. Senator Rock. Senator Partee, SB 994.

19. SECRETARY:

20. SB 994 (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Partee.

24. SENATOR PARTEE:

25. Mr. President and Members of the Senate, SB 994
26. is a bill introduced at the behest of the Department
27. of General Services. It does exactly what the Calendar
28. says. There was some question about it originally when
29. it came into the Executive Committee. There was question-
30. ing there, and I think Senator Harris and others were
31. satisfied that this is an attempt to make certain that
32. small businesses in this State have an opportunity to
33. share the State's dollar in terms of the furnishing of

1. services and products. I'd appreciate a favorable roll
2. call.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator...Any further discussion? Senator Harber
5. Hall.

6. SENATOR HARBER HALL:

7. Well, I rise to oppose 994. Mr. President, the
8. legislative audit commission working in cooperation with the
9. General Services and other agencies in the State have
10. introduced in the House a bill that is entirely revamped,
11. the purchasing act, and I think they had an opportunity
12. to provide input for the possibility of eliminating
13. three bids, competitive bids. And they certainly did
14. provide us a lot of good recommendations which we did
15. accept, and work with them on it. So, I don't think this
16. is a good measure, and if it is, why I'd like to know
17. more about it. I think eliminating the necessity for
18. three bids irrespective of the fact that we're trying
19. and I would certainly agree that we should encourage
20. small business but eliminating the bidding procedure
21. as we have it outlined in the Purchasing Act would not
22. be advisable as I can see. And accordingly I would suggest
23. we not pass this.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Any further discussion? The question is shall
26. SB 994 pass. And on that question the Secretary...
27. Senator Partee.

28. SENATOR PARTEE:

29. Just a one word answer. There's no requirement
30. that three or more bids be received on a normal bidding
31. procedure, and we felt there was no reason to impose
32. that hardship on the small businessmen who want a share
33. of the State's dollar also. I'd appreciate your vote.

1. PRESIDING OFFICER (SENATOR MOHR):

2. The question is shall SB 994 pass. And on that
3. question the Secretary will call the roll.

4. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR MOHR):

16. On that question the yeas are twenty-seven, the
17. nays are ten. SB 994 having...having failed to receive
18. the constitutional majority is declared passed...or lost,
19. I'm sorry. The next three bills, 998, 1014, 1015 will
20. be on the exempt list. SB 1021, Senator Daley.

21. SECRETARY:

22. SB 1021 (Secretary reads title of bill)

23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Daley.

26. SENATOR DALEY:

27. What this bill does is give every taxpayer who
28. is affected by the following tax bodies, the City of
29. Chicago, the County of Cook, Cook County Forest Preserve,
30. the Board of Education in the City of Chicago, the
31. Junior College System, the Chicago Park District, the
32. Sanitary District in the Cook County area an opportunity
33. to receive notification of the tax levy ordinance. What

1. this does is when the eight tax levying bodies issue
2. the tax levy ordinance, every taxpayer who will receive
3. notification number one, through the newspapers, legal
4. publications, number two, through an actual mailing
5. of notification to every taxpayer that is effected
6. by these eight taxing bodies. In turn, anyone can
7. challenge the tax levy ordinance. If it's...if there's
8. any defect within three months, they have three months
9. to challenge the tax levy ordinance, they receive
10. notification. If there's any defect, the defect can
11. be cured before any tax bills, before the Department
12. of Local Government, before the County of...County
13. Clerk, before the assessor takes any activity. This
14. bill will save quite a bit of money for these eight
15. taxing bodies, but most of all it will benefit each
16. and everyone of the taxpayers in the City of Chicago,
17. and the County of Cook, since the..today's process,
18. what's happening now is, when the tax levying body
19. issues the ordinance, it goes to the County Clerk,
20. it goes to the assessor, it goes to the Department
21. of Local Government, and eventually a tax bill is sent
22. out. The only people that benefit are the ones that
23. challenge or pay under protest, whether it's the rail-
24. roads and a few of the taxpayers that really pay under
25. protest. What this law is doing, this...this bill is
26. doing, it's saying that once the tax levying body issues
27. an ordinance, let's find out if it's constitutional.
28. Let's find out if they followed the statutory proceedings
29. according to law. This is all it's asking for. And
30. it's giving most of all notification to every taxpayer
31. to come in and to question the tax levy ordinance. It
32. also allows a class action, for anyone to come in and
33. sue for...all the taxpayers, whether it's corporate,

1. whether it's individual taxpayer. I think this is a good
2. bill that it's needed. That because it really will
3. find out whether or not the eight taxing bodies did follow
4. the laws according to issuing the tax levy ordinance.
5. I would ask for a favorable roll call.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Sours.

8. SENATOR SOURS:

9. I know this bill's going to pass Mr. President, but
10. I want to call the attention of the Chamber to Section 7,
11. of SB 1021, appearing on page 3, which reads very briefly,
12. upon motion of the County Clerk, which motion shall be
13. filed by the State's Attorney within three days after
14. the petition has been filed and heard by the Circuit
15. Court within four days thereafter, the Circuit Court
16. shall set a date for hearing on a petition on the fifth
17. day of July of each year, or if such date falls on
18. Sunday then upon the following Monday. Seems to me we're
19. assuming a lot there. I don't know how many of the lawyers
20. here handle tax matters, but that would make it almost
21. impossible at least down in my District, in my community.
22. Now I know this applies to Chicago only, but I'm wondering
23. just how much time the people will have to actually prepare
24. justifiable complaints for real estate overassessments.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Daley.

27. SENATOR DALEY:

28. Well, what happens is the...the individual taxpayer
29. is going to receive a notification in June. They receive a
30. notification by newspapers in May, notification in June
31. of the tax levy ordinance. But see, we're only challenging
32. the tax levy ordinance. We are not challenging the
33. Department of Local Government, putting on the equalizer,

1. we're taxing...challenging the assessors conduct. We're
2. only finding out whether or not the tax levy ordinance,
3. whether the taxing body did follow the law. Whether
4. there was proper purpose, where there was notification.
5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Glass.

7. SENATOR GLASS:

8. Senator Daley, did you amend the bill with respect
9. to eliminating the fine provision for...that had to do
10. with failing to forward the notice to the State's
11. Attorney?

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Daley.

14. SENATOR DALEY:

15. We did...take out the fine requirement for a taxpayer
16. who did not send the tax bill to the original taxpayer.

17. SENATOR GLASS:

18. ...That was the main concern I had with the bill,
19. and I think with that regard to that, it's now in good
20. shape and I agree with you that the time for a taxpayer
21. to appeal the tax levy ordinance is somewhere it seems
22. to me between thirty and forty - five days that he gets
23. a published notice and then a personal notice and will
24. have thirty days after that. So I think it is fair and
25. will support the bill.

26. SENATOR DALEY:

27. I ask for a favorable roll call.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Swinarski.

30. SENATOR SWINARSKI:

31. I rise to introduce a wife of my seatmate here,
32. Senator Kosinski, up in the gallery, Mrs. Kosinski.

33. PRESIDING OFFICER (SENATOR MOHR):

1. . The question is shall SB 1021 pass. And on that
2. question the Secretary will call the roll.

3. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR MOHR):

15. Mitchler, aye. Ozinga, aye. Graham, aye. Daley,
16. aye. Latherow, aye. On that question the ayes are
17. forty-six, the nays are none. SB 1021 having received
18. the constitutional majority is declared passed. We have
19. asked Senator Daley to hold SB 1020, and we will get
20. back to that. SB 1050, Senator Wooten.

21. SECRETARY:

22. SB 1050 (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Wooten.

26. SENATOR WOOTEN.

27. Mr. President and colleagues. We have already
28. discussed this bill at some length and I wish to express
29. my thanks now, I forgot to last time, for really the bi-
30. partisan support I have, both from President Harris,
31. our Minority Leader, Senator Partee and for the eloquence
32. of Senator Sours speaking in behalf of this bill. I'd
33. like to mention once again really the most salient point

1. of the bill. We passed SB 1049 which changes the law
2. relative to abortions to bring Illinois statutes into
3. line with the decision of the Supreme Court. However
4. much some of us may disagree with that decision, I
5. felt it was a necessary step. What we are left with
6. is the Medical Practices Act which provides for the
7. loss of license and standing as a physician if an
8. abortion is performed. We'd like to change that language
9. and substitute language saying where abortions can be
10. performed. This is a bill requested by the Medical
11. Society. They would like their...their regulations by
12. law to be brought in line with the Supreme Court's
13. decision. I might mention by the way the Chicago Board
14. of Health has passed a series of regulations relating
15. to the places where abortions can be performed and so
16. on. But 1050 is I think a very simple bill, it merely
17. says that abortions must be performed in a hospital or
18. a facility that is specially licensed to perform minor
19. surgery that does not require an overnight stay. I
20. might mention that the effect of this and regulations
21. in the Medical Society would be to place the whole
22. operation under fairly strict controls. And, as I told
23. you before my concern was not only for the health of
24. the mother, but what I think is a developing interest
25. the State has in the unborn child. I've also amended
26. this to forbid fee splitting which turns out to be a
27. very unhappy practice that has occurred in New York
28. between abortion referral clinics and abortion clinics.
29. So, it simply makes that statement that abortions must
30. be done in a hospital. Of course, that's true by the
31. way for the last six months regardless, it must be in
32. a hospital. But in the first trimester they must be
33. done in a hospital or in a very specially licensed

1. clinic that is under very strict control. As I say, I
2. thank those Senators on both sides of the aisle who've
3. supported this and already spoken in its behalf. And
4. I'd ask for a favorable roll call.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Any further discussion? The...Senator Knuppel.

7. SENATOR KNUPPEL:

8. I talked against this bill the other day, and I'm
9. not going to waste a lot of time today, it's not any better
10. today than it was the other day. And an abortion, particularly
11. in the second trimester is not minor surgery.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Wooten.

14. SENATOR WOOTEN:

15. This has no relation to the second trimester.

16. PRESIDING OFFICER (SENATOR MOHR):

17. The question is shall SB 1050 pass. And on that question
18. the Secretary will call the roll.

19. SECRETARY:

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

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Sours. We'll let you talk this time, but
31. we're going to remind you and all the Senators that there's
32. no explanation of votes as of today.

33. SENATOR SOURS:

SB 1051
H.C. 2-28-51
6/11/73

1. Well, all right.

2. PRESIDING OFFICER (SENATOR MOHR):

3. We will grant you leave...

4. SENATOR SOURS:

5. I vote aye. I vote aye.

6. PRESIDING OFFICER (SENATOR MOHR):

7.this time. Aye.

8. SECRETARY:

9. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
10. Mr. President.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Mitchler, aye. Bell, present. Clarke, aye. Request
13. to call the absentees.

14. SECRETARY:

15. Bartulis, Chew, Clarke, Daley, Donnewald, Dougherty,
16. Fawell, Kenneth Hall, Hynes, Keegan, Kosinski, McCarthy,
17. Merritt, Nimrod, Nudelman, Palmer, Rock, Romano, Smith,
18. Sommer, Walker, Welsh.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Senator Palmer, On that...on that question the yeas
21. are thirty-one, the nays are ten, one voting present.
22. SB 1050 having received a constitutional majority is
23. declared passed. SB 1051, Senator Wooten.

24. SECRETARY:

25. SB 1051 (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Wooten.

29. SENATOR WOOTEN:

30. Thank you, Mr. President. This is another one of
31. those bills that cuts across lines in all kinds of ways.
32. The Illinois State Medical Society asked that it be
33. presented in a series with the two previous bills, one

1. changing the law relating to abortion, the other changing
2. the Medical Practices Act. While this has a relation-
3. ship to abortion, it actually goes much beyond that. It
4. provides for the establishment and licensing of facilities
5. which can perform minor surgery. This would be things
6. like tonsillectomy, hernias, abortions would be included,
7. facial surgery, plastic surgery and so on. In other
8. words procedures which would not require an overnight
9. stay. And indeed these ambulatory surgical treatment
10. centers are forbidden to keep patients overnight. However,
11. those of you who have kept close to medical practices
12. know that untoward things can occur at any time, and so
13. provision is made in here that doctors who function
14. in such a center must also be licensed to practice in
15. a hospital nearby so that if any complications occur
16. they can quickly move the patient to that place. Now,
17. I handed out an outline to explain to you how these
18. things would work, definitions, they must get a license,
19. some of these things are left open as to regulations.
20. The Department would like to take a hand in that. This
21. is something doctors have been urging us to do for a
22. couple of years now, and ambulatory surgical treatment
23. centers are...are in effect out west. The idea is they
24. can be a great saving to a patient. One of the big costs
25. in a hospital, if you remember it's kind of like a hotel
26. which has special services. And if you don't need that
27. overnight stay, you can save a great deal of money. So
28. there's a great savings possible for the patient who needs
29. this kind of a one-day surgical treatment. It does
30. include abortion, and everything would be rather closely
31. regulated and inspected. I'll be glad to answer any
32. questions I can on this.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Knuppel.

2. SENATOR KNUPPEL:

3. Mr. President, I'd like to ask the sponsor a question
4. if he'll yield.

5. PRESIDING OFFICER (SENATOR MOHR):

6. He indicates he will.

7. SENATOR KNUPPEL:

8. Senator Wooten, you relate this to abortions. I've
9. read this bill and I don't find where abortion is mentioned
10. in here anywhere.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Wooten.

13. SENATOR WOOTEN:

14. Actually, it is one of the procedures that would be
15. possible. I must point out though that in bill 1049,
16. that in 1049 such a center like a hospital is free to
17. refuse to do abortions.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. This...this bill is a good bill. It's not related
22. in any way to abortions. It's sponsored by the Medical
23. Association. There's nothing wrong with ambulatory
24. medical services. The question of abortion is a moral
25. one as far as I'm concerned. I can support this bill,
26. because it doesn't mention abortion. And I don't under-
27. stand how or why anybody would relate it to abortions.
28. If somebody wants to have an abortion and they want to
29. go there, that's their business. But there's isn't ...
30. the word abortion isn't mentioned in this act anywhere,
31. and it has no relation to it.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Ozinga.

1. SENATOR OZINGA:

2. Mr. President, this is a good example of...you give
3. them an inch, they want a mile. Now, right off the bat,
4. you have just voted on allowing abortions in Illinois.
5. Ok, so we're opening the door wide open already by having
6. an ambulatory services come right to the door, if you need
7. it. This is ridiculous. If you...created or associate
8. with anything you want, morality or anything else you
9. want. It's part of the abortion series. Let's face
10. it, this bill should be defeated along with all the rest
11. of them.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Wooten may close the debate.

14. SENATOR WOOTEN:

15. In responding to Senator Ozinga, I'm afraid you've
16. misstated the situation Senator. We did not do anything
17. in any of these series of bills to permit abortion. That
18. has been done by the Supreme Court. All we have done is
19. change language to bring our Illinois statutes in line
20. with the Supreme Court. We really don't change the law
21. ...the practical effect of the law one way or the other.
22. The only reason this is here, and I question the Medical
23. Society about the good sense of putting it in this
24. series. I did not think, strictly speaking it belonged
25. here. But you see, just as a hospital can perform an
26. abortion, if it so chooses, so could such a treatment
27. center. The main thrust of this is to try to save some
28. money by getting minor surgical treatment out of the
29. hospital where it is hideously expensive and into a
30. clinic. I shouldn't call it a clinic because it's far
31. more than that. It has life support facilities available.
32. And, I might further add, as I say, I don't like to bring
33. the subject of abortion really too close to this, because

1. as Senator Knuppel says it really goes beyond it. This
2. would only affect this particular surgery-center they're
3. called in other parts of the country in the first tri-
4. mester anyway. They could not participate in abortions
5. in the last six months. Absolutely forbidden by the
6. legislation we just passed.

7. PRESIDING OFFICER (SENATOR MOHR):

8. The question is shall SB 1051 pass. And on that
9. question the Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR MOHR):

22. Request to call the absentees.

23. SECRETARY:

24. Bartulis, Bell, Chew, Clarke, Conolly, Course, Daley,
25. Dougherty, Harber Hall, Kenneth Hall, Hynes, Keegan,
26. Kosinski, McBroom, McCarthy, Howard Mohr, Nimrod, Nudelman,
27. Palmer, Rock, Romano, Shapiro, Smith, Sommer, Soper,
28. Vadalabene, Welsh.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Clarke, aye. On that question the yeas are thirty,
31. the nays are six, one having voted present. SB 1051
32. having received the constitutional majority is declared
33. passed. SB 1052, Senator Hynes.

1. SECRETARY:

2. SB 1052 (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Hynes.

6. SENATOR HYNES:

7. SB 1052 requires all persons who seek an exemption
8. of real property to file copies of any leases that exist
9. on that property with the assessor at the time the annual
10. certificate or affidavit seeking exempt status is filed.
11. This will enable county assessors to evaluate the types,
12. the number of leases that exist on exempt property and
13. in particular in conjunction with SB 981 which we passed
14. earlier will give the assessor an opportunity to determine
15. what the appropriate tax should be, what the value is
16. of these leases. It will expedite I think, the operation
17. of the...assessors offices throughout the State. It is
18. a very desirable piece of legislation, even apart from
19. SB 981. And, I would ask for a favorable consideration.
20. It passed the Revenue Committee unanimously.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Further discussion? The question is shall SB 1052
23. pass, and on that question the Secretary will call the
24. 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 MOHR):

4. Romano, aye. On that question the yeas are forty-
5. four, the nays are one. SB 1052 having received the
6. constitutional majority is declared passed. SB 1055,
7. Senator Hynes.

8. SECRETARY:

9. SB 1055 (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Hynes.

13. SENATOR HYNES:

14. SB 1055 clarifies the school code and makes it possible
15. to attain an administrative certificate for a person who
16. has a Master's degree from an accredited college or
17. university, and who has taken the requisite number of
18. courses in administration. Under the present law, or at
19. least the interpretation of it by the State Certification
20. Board, many universities in this State which offer
21. Master's degrees in education and also offer courses
22. in administration but not a Master's degree in administra-
23. tion have graduates who cannot qualify for an administrative
24. certificate. And this is particularly true in the Cook
25. County area. This bill will simply make it possible for
26. these graduates who have a Master's degree and who have
27. the requisite hours in educational administration to
28. obtain a State Administrative Certificate. I would
29. ask for your favorable consideration.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Any further discussion? Senator Bruce.

32. SENATOR BRUCE:

33. Well, my question is to Senator Hynes, why doesn't

1. the Certification Board give these people the certificate
2. if they've met all the requirements. And second question
3. is if the requirements are there, why should some institu-
4. tions be able to give a certificate and others not? It
5. seems the purpose of the State Certification Board is to
6. make uniform the requirements for this certificate. To
7. allow each institution to give their own certificate it
8. seems to be no reason for the Certification Board.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Senator Hynes.

11. SENATOR HYNES:

12. No. The bill does not...each institution to give the
13. certificate. It simply says that a graduate of that
14. institution can qualify for a certificate from the Board.
15. The problem has been that...and I believe the Board has
16. been incorrectly interpreting the existing law. This
17. will make it clear as to what was intended in the original
18. law. For example, in Chicago you could attend Loyola
19. University or Northwestern and obtain a graduate degree
20. in education, a Master's degree in education, for example
21. in geography or something else. And in addition take 20
22. hours of administration, not have a Master's degree in
23. administration, you would be qualified for a State
24. certificate. You could take the identical courses at
25. Chicago State University and you would not, under the
26. interpretation that the Board has given be entitled to
27. this administrative certificate. The Board has designated
28. certain schools as being entitled, and many of the schools
29. since they do not offer a Master's program in administration
30. have not received this so called entitlement. This makes
31. it clear that if you... he takes the same courses that you
32. will be entitled to receive the certificate.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Any further...Senator Berning.

2. SENATOR BERNING:

3. One...one clarifying question. This does not in any
4. way allow an individual to receive the benefit of some
5. kind of endorsement or certificate, and I must confess
6. I don't understand the term endorsement. But this does
7. not allow an individual to receive a windfall so to
8. speak or an unusual additional endorsement or certificate
9. to which he would not ordinarily be entitled?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Hynes.

12. SENATOR HYNES:

13. No, it...no it would not. It...it, well, perhaps in
14. another sense it would. There...there are many individuals
15. and I have a letter here for example from Dr. Byrd, the
16. President of Chicago State University endorsing this bill.
17. There are many individuals who have graduated from Chicago
18. State University with a Master's degree in education,
19. and also have the requisite 20 hours of educational
20. administration, who have been denied a...an administrative
21. endorsement by the Board because Chicago State did not
22. have a Master's degree program in administration. That
23. same student, if he had taken the identical courses at
24. some other school would have gotten it.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Senator Berning.

27. SENATOR BERNING:

28. Well, then, what Board is it you are talking about
29. that is denying this certification, and why must the State
30. Legislature be setting up criteria for one institution
31. or another in determining whether their graduate students,
32. or...or degree achieving students qualify as compared
33. to others.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Hynes.

3. SENATOR HYNES:

4. Well, the State Legislature has already set up the
5. standards for receiving an administrative certificate.
6. And the State Teacher's Certification Board is given the
7. job of interpreting the meaning of the law. This amendment
8. to that existing statute will clarify the existing law in
9. my judgment. Make it clear as to what was intended.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Any further...Senator Fawell.

12. SENATOR FAWELL:

13. I...I simply wanted to say that this did have a full
14. hearing in Education, and I don't believe there was any
15. opposition to it. Certainly no one from the Certification
16. Board indicated that they were opposed to it, and I
17. don't think any of us even quite understand why entitle-
18. ment has not been given to some of these schools in
19. the Chicago land area. I would rise in support of
20. the bill and think that it's a sound piece of
21. legislation.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Any further discussion? The question is shall
24. SB 1055 pass, and on that question the Secretary will
25. call the roll.

26. SECRETARY:

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

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

4. PRESIDING OFFICER (SENATOR MOHR):

5. Netsch, aye. On that question the yeas are forty-nine
6. the nays are none. SB 1055 having received a constitutional
7. majority is declared passed. SB 1061, Senator Hynes.

8. SECRETARY:

9. SB 1061 (Secretary reads title of bill)
10. 3rd reading of the bill.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Hynes.

13. SENATOR HYNES:

14. Mr. President, Members of the Senate, this bill
15. provides that in the event the court determines that a
16. taxpayer who has paid taxes under protest is entitled
17. to a refund that the taxpayer shall get in addition
18. to the refund interest on the money deposited, not to
19. exceed 4%. And that interest is to be paid out of any
20. earnings that the county has made through the deposit
21. of the money paid under protest. Now, the bill has been
22. amended to eliminate the objections of Senator Harber
23. Hall and others as to...so that there is a specific
24. limitation on interest, not to exceed 4%. It is I think
25. a necessary measure, because what has been happening
26. is that taxpayers have been filing law suits in Federal
27. court inequity, in other words have been avoiding the
28. normal...normal legal method of obtaining relief. And
29. they have been able to do so because the courts have
30. found that the legal remedy is inadequate since the
31. taxing body need not pay interest. This will make or
32. should make in my judgment the legal remedy adequate
33. and therefore will have the effect of consolidating

1. these suits so that they will be brought at law and will
2. not be spread over Chancery court and the Federal court.
3. I'd ask for your support.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Davidson.

6. SENATOR DAVIDSON:

7. Mr. President, Ladies and Gentlemen of the Senate,
8. I'd like to rise in opposition to this bill, because this
9. is going to create a burden on every county treasurer in
10. the State of Illinois that will cost more for them to
11. keep the books and to appropriate or prorate this interest
12. rate out over the protest taxes and it's impossible. Now,
13. the other one item you also must consider is that under
14. the present law any interest raise or gain by any treasurer
15. that invests the money. this interest goes into the general
16. fund to help pay the cost of operating the county. Now
17. under the new Constitution every county in the State is
18. in trouble due to the loss of collectors fee. It runs
19. from thousands of dollars to millions of dollars in
20. different counties. This is one small item where the
21. interest off this protest tax fund is gone in general
22. fund and is some slight help to the county. But more
23. importantly this bill to have the county treasurer pro-
24. rate this interest is going to create a boondoggle of
25. work that they're not only holding up the refunds that have
26. to go, but it's going to have to cause added employees
27. to prorate this tax...the interest out over this tax
28. money that's being refunded. And this, I urge all of you
29. to be against for two reasons. One because it's a hard-
30. ship on the treasurer, but more importantly this would
31. deny some source of revenue to the counties which in a
32. slight way this interest will help replace the loss
33. from the collector's fee.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Berning.

3. SENATOR BERNING:

4. ...my voice also in opposition. This really is a
5. fat cat bill. The only ones who would benefit would be
6. the huge taxpayers. The little guy that pays an ordinary
7. tax bill would possibly get a few cents. And it's not
8. worth the trouble.

9. PRESIDING OFFICER (SENATOR MOHR):

10. Any further discussion? Senator Hynes may close the
11. debate.

12. SENATOR HYNES:

13. May I have...I would describe this as anything but
14. a fat cat bill, Senator. Very frankly the amount...I do
15. not have an estimate of exactly the cost. It will not
16. be that great. The purpose of this bill and it's particularly
17. important in Cook County, the purpose of this bill is
18. to simplify the administration of the tax laws of this
19. State, in the collection of taxes. As I indicated law
20. suits are being filed in Cook County in Federal court,
21. in Chancery court. There is...there is no uniformity
22. because of the fact that the courts have been holding
23. that, the the legal remedy is inadequate since interest is
24. not paid. And it is hoped that this will eliminate that
25. argument and will allow these suits all to be brought
26. in the same...in the same form...forum or tribunal. Now,
27. secondly on a point of administration. In...in this
28. day and age of computer,...I do not believe this is
29. going to be a significant problem. And secondly, I
30. think...think that in terms of the numbers of cases
31. involved the local officials are going to be able
32. to administer this. I cannot accept the fact that
33. it's going to be an unreasonable administrative burden.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. The question is shall SB 1061 pass. On that question
3. the Secretary will call the roll.
4. SECRETARY:
5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
7. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
8. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
9. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
10. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
11. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
12. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
13. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
14. Weaver, Welsh, Wooten, Mr. President.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Clarke, aye, Savickas, aye. Harber Hall, aye. Bruce,
17. aye. Buzbee, aye. Romano, aye. Vadalabene, aye. Been
18. a request for a call of the absentees. The absentees will
19. be called.
20. SECRETARY:
21. Carroll, Chew, Conolly, Course, Fawell, Glass,
22. Graham, Keegan, McCarthy, Howard Mohr, Nimrod, Ozinga,
23. Regner, Soper, Sours, Walker, Weaver.
24. PRESIDING OFFICER (SENATOR GRAHAM):
25. On this question the yeas were twenty-seven, the
26. nays were eighteen. The bill having failed to receive
27. the constitutional majority is therefore declared lost.
28. Next bill will be SB 1097, Senator Nimrod, we will read
29. your bill by title a 3rd time.
30. SECRETARY:
31. SB 1097 (Secretary reads title of bill)
32. 3rd reading of the bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Senator Nimrod.

2. SENATOR NIMROD:

3. Mr...Mr. President, fellow Senators, this bill was
4. presented for...remedying an inequity. It concerns the
5. Director of Labor and amendment that was put on the other
6. day, and I would ask for a favorable roll call.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Any further discussion? The question before the
9. Senate is shall SB 1097 pass. Secretary will call the
10. roll.

11. SECRETARY:

12. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
13. Chew, Clarke.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Clarke.

16. SENATOR CLARKE:

17. I'd just like to point out from a procedural stand-
18. point that this bill is a bill incorporating an amendment
19. which was another bill that was presented and defeated
20. before the Executive Committee that Senator Swinarski
21. had. And I think...

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Think you might be out of order Senator Clarke.

24. SENATOR CLARKE:

25. ...want to vote no.

26. SECRETARY:

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

1. Swinarski, Vadalabene, Walker, Weaver, Welsh, Wooten,
2. Mr. President.
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Saperstein, aye. Senator Clarke.
5. SENATOR CLARKE:
6. I just want to apologize to the Body. I didn't
7. know June 1st had arrived.
8. PRESIDING OFFICER (SENATOR GRAHAM):
9. That was at 12:00 this morning. McBroom, aye.
10. On this question the yeas...are thirty-four, the nays
11. are five, one voting present. The bill having received
12. a constitutional majority is therefore declared passed.
13. Next bill will be SB 1135. This bill will be read by
14. title a 3rd time.
15. SECRETARY:
16. SB 1135 (Secretary reads title of bill)
17. 3rd reading of the bill.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. Senator will explain his bill. Senator Knuppel.
20. SENATOR KNUPPEL:
21. ...President and Members of the Body. The bill
22. was fairly...fairly well discussed the other day when
23. it was removed from the roll call, and amended. The
24. amendments have been designed to provide that a delegate
25. to the Constitutional Convention would pay the same
26. amount into the State pension fund as if he had been
27. a member of the General Assembly elected in 1968, which
28. I believe would have been on \$24,000 at 4% interest
29. since 1970. He would then qualify for two years the
30. same as if he had served in the General Assembly. I
31. think the members of the Body are familiar with what
32. the bill provides. The...Mr. Wineburg from the Pension
33. Laws Protection...Commission appeared, and said that...

1. appeared and spoke on the bill. Said that it would no
2. way affect the pension system. I'd ask for a favorable
3. roll call.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any further discussion? If not the question before
6. the Senate is shall SB 1135 pass. The Secretary will call
7. the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. On that question the yeas were twenty-two, the nays
21. were eleven. The bill having failed to receive the
22. constitutional majority is therefore declared lost.
23. Next bill will be SB 1172, Senator Walker, 1172.

24. SECRETARY:

25. SB 1172 (Secretary reads title of bill)
26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Senator Walker will explain our bill.

29. SENATOR WALKER:

30. Thank you Mr. President, Members of the Senate. SB 1172
31. does just exactly what the synopsis says. It amends
32. the pension code permitting a judge to designate his
33. wife or a prior wife or wives to receive a widow's annuity.

1. These judges have paid for these annuities, and I feel
2. they should have the right to designate to whom they
3. should go and in what proportion. If we let them do that
4. insofar as social security and insurance policies are
5. concerned. I'd appreciate a favorable vote.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Senator Kenneth Hall.

8. SENATOR KENNETH HALL:

9. Mr. President, Members of the Senate, I'd just like
10. to ask the sponsor a question. Why is this only applying
11. to judges?

12. SENATOR WALKER:

13. Pardon?

14. SENATOR KENNETH HALL:

15. Why does this only apply to a judge?

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Let's have order please...

18. SENATOR WALKER:

19. Because it happens that a judge of the Appellate Court
20. has requested it and no one else has. But if they do, I'll
21. be happy to include them.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. The Chair might state that the genesis of this bill,
24. the judge so involved is not desirous of his wife being
25. a charge of her family or otherwise on relief, and
26. they have a mental problem involved there, and he would
27. like to be able to give his pension to her. No further
28. discussion? The Secretary will call the roll.

29. SECRETARY:

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 GRAHAM):

8. Knuepfer, aye. Senator Harris voted aye. On this
9. question the yeas are thirty-two, the nays are three.
10. The bill having received the constitutional majority
11. is therefore declared passed. Senator Moore moves that
12. the vote by which this bill was just passed be reconsidered.
13. Senator Walker moves to Table Senator Moore's motion.
14. All in favor of the motion to Table signify by saying
15. aye. Opposed. The ayes have it, the motion is Tabled.
16. The next bill will be SB 1186. Senator Palmer.

17. SECRETARY:

18. SB 1186 (Secretary reads title of bill)
19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Palmer, explain your bill, please.

22. SENATOR PALMER:

23. May I have the juice?

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. The light isn't working, Senator. You may start
26. talking though. You're on.

27. SENATOR PALMER:

28. I'm not on.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Yes you are.

31. SENATOR PALMER:

32. Oh, the light is not...the light's not working. Mr.
33. President, Members of the Senate. SB 1186 amends the Ethics

1. Act and provides for a 30 day grace period to file
2. disclosure statements. It further provides that those
3. that did not file on April 30th may do so 30 days after
4. this bill becomes law. Gentlemen and Ladies of the Senate,
5. in this Session, we've passed two bills amending the
6. Ethics Act, one sponsored by President Harris and another
7. one by Senator Harber Hall. And as they stated, when
8. we passed the Ethics Act we knew, and we said at the
9. time of passage that the act would require further
10. treatment. And I state to you now that the rigid,
11. ironclad deadline of April 30th has brought about
12. many defaults and thousands of people throughout the
13. State are in trouble. They need further treatment, they
14. need your help.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Please Gentlemen.

17. SENATOR PALMER:

18. They need this bill. Many things happen to people...

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Just a minute Senator. I don't know what happened,
21. but may we please gentlemen. Continue Senator Palmer.

22. SENATOR PALMER:

23. Many things happen to people, illness, accidents,
24. unforeseen circumstances beyond their control which prevent
25. them from meeting deadlines. And you know something,
26. Gentlemen and Ladies, elected officials, judges and
27. legislators are just people. I just want to give you
28. a few statistics. I have a memo here from the Secretary
29. of State's Office issued to me yesterday, dated May 31st,
30. that as of yesterday there were filed 4,454 ethics
31. statements. That after April 30th, 1973, 459 were
32. received after April 30th. You also must realize that
33. most and many of thousands and thousands of statements

1. are filed at each and every county clerk...

2. (Machina trouble)

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. ...a two page bill.

5. SENATOR NETSCH:

6. Is the amended part a two page bill though? I'm
7. wondering if the amended language might not be relatively
8. short.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Senator Netsch, the Secretary will make the bill
11. available to you. You can probably read it better than
12. Senator Palmer can. If you would come forward. Senator
13. Mohr.

14. SENATOR HOWARD MOHR:

15. Yes...yes Mr. President, I think Senator Palmer
16. has a good bill, it's very much like Senator Harber
17. Hall's bill and I would urge both sides of the aisle
18. to support both measures.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Is there further discussion? Senator Netsch is
21. reading the bill. I think we'll show her the courtesy
22. of a moment or two here while we observe a moment of
23. silent prayer. That includes you. Any further discussion?
24. The question is shall SB 1186 pass. And on that question
25. Mr. Secretary will call the roll.

26. ACTING SECRETARY (MR. WRIGHT):

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

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

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. We're on roll call Gentlemen, we're having a hard
6. time again please.

7. ACTING SECRETARY (MR. WRIGHT):

8. Weaver.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. Please Gentlemen.

11. ACTING SECRETARY (MR. WRIGHT):

12. Welsh, Wooten, Mr. President.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Savickas, aye. Palmer, aye, on his own bill.

15. On this question the yeas are fifty, the nays are one.

16. The bill having received a constitutional majority
17. therefore is declared passed. This completes our Senate
18. Bills on 3rd reading exercise at this time, so if I may
19. have your attention please. Will our guests in the gallery
20. please leave quietly as possible. Have your attention
21. please. We're now going to the order of Consideration
22. Postponed. Ladies and Gentlemen of the Senate, we are
23. going to the order of Consideration Postponed. The first
24. bill to be called will be SB 3. Senator Mitchler will
25. explain his bill.

26. SENATOR MITCHLER:

27. Mr. President, Members of the Senate, SB 3 is an
28. act to create the sewage disposals contractors lincing
29. act. I believe all of you are acquainted with it. Pardon
30. me. Retract that last one. I've got two of them here,
31. and they're so simple, you've heard so much about them.
32. I just didn't want to even get the file out. This is
33. a lead poisoning substances control act and I would

1. appreciate a favorable vote. Is that brief enough?

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The question before the Senate is shall SB 3 pass.

4. On that question the Secretary will call the roll.

5. ACTING SECRETARY (MR. WRIGHT):

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

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

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

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

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

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

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

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

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

15. Weaver, Welsh, Wooten, Mr. President.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Roe, aye. Kosinski, aye. Schaffer, aye. Please

18. gentlemen, please. On this question the yeas were thirty-

19. two, the nays were two. The bill having received the

20. constitutional majority is therefore declared passed.

21. Senator Merritt moves having voted on the prevailing

22. side, the vote by which the bill was passed be reconsidered.

23. Senator Mitchler moves to Table Senator Merritt's motion.

24. All in favor of the motion to Table signify by saying

25. aye. Opposed. The ayes have it, the motion is Tabled.

26. Next bill will be Senator Partee's bill, number Senate...

27. number SB number 28. The Senator will explain his bill

28. and we'll have some order and show the Minority Leader

29. respect. 38, I'm sorry. 38.

30. SENATOR PARTEE:

31. This is a bill that we debated yesterday. I'm

32. not going to debate it today. It provides that all

33. motor fuel used in pleasure craft shall be taxed. Today

1. gasoline is and the others aren't. The other one, isn't.
2. So I'm saying that the...point was raised yesterday that
3. the Department of Revenue was against it. I want you to
4. know the Department of Conservation is for the bill. I'll
5. accept a roll call. I'm hoping it'll...we can pass it.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Any further discussion? The question before the
8. Senate is shall SB 38 ...Senator Clarke.

9. SENATOR CLARKE:

10. I'd just like to express a...facts that were stated
11. yesterday that there was a Circuit Court decision that
12. this bill in effect would affirm that decision. The State
13. is suing. It's in the Supreme Court. I personally think
14. this type of legislation should be held until we have a
15. court decision. The amendment makes it a better bill though
16. because it means much less, Just to the recreation rather
17. than to all waterway facilities. So, that's my position.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. The question is shall SB 38 pass. On that question
20. the Secretary will call the roll.

21. ACTING SECRETARY (MR. WRIGHT):

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

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Latherow, aye. Latherow. Scholl, no. Daley, aye.

1. On that question the yeas are thirty-one, the nays were
2. nine. The bill having received a constitutional majority
3. therefore is declared passed. Senator Rock, moves having
4. voted on the prevailing side, the vote by which the SB 38
5. was passed be reconsidered. Senator Vadalabene moves to
6. Table Senator Rock's motion. All in favor of Senator
7. Vadalabene's motion signify by saying aye. Opposed.
8. The ayes have it, the motion is Tabled. Next bill to
9. be called is SB 89, Senator Walker will explain his bill.
10. Gentlemen the former speaker of the House deserves our
11. attention while he explains his bill. Senator Walker.
12. you are ready. We are if you are. Is your microphone
13. ready?

14. SENATOR WALKER:

15. All right, this is a bill Mr. President members of
16. the Senate that I called the other day and there were
17. only forty or forty-four here and I think I had twenty-
18. six, twenty-seven, twenty-nine votes on it. All it does
19. is permit members that are working at the present time
20. to obtain credit for services rendered before January 1,
21. '74, and paid for as contractual services rather than
22. personal services. In other words in the last Session
23. of the Legislature we passed legislation providing that
24. if first someone was paid for contractual service that
25. worked for us, and then went on the payroll, were paid
26. personally, that they could pay into and become a part
27. of the system. This merely reverses that and says if
28. for instance they were first a committee clerk and then
29. went on contractual services, now they too can pay in.
30. I think it's a good bill and I'd appreciate a favorable
31. roll call.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. You're not listening to the Senator from Lansing,

1. I'm afraid. Further discussion? Senator Knuppel.

2. SENATOR KNUPPEL:

3. I have a question of the sponsor, if he'll yield.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Senator Walker indicates he would be glad to yield
6. to a question.

7. SENATOR KNUPPEL:

8. Does this have the approval of the Pension Laws
9. Commission?

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. Senator Walker.

12. SENATOR WALKER:

13. I think with the amendment limiting it to January 1,
14. 1974, it does.

15. SENATOR KNUPPEL:

16. And...and secondly, does it call for the person
17. who's on contractual pay both the State and his individual
18. part?

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Walker.

21. SENATOR WALKER:

22. No, the previous bill didn't do that. This bill does
23. what the former bill did. Requires them to pay in their
24. share. The State would match it, as they did under
25. the previous bill.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Mr. Chairman, I have a report here which says that
30. the proposal has been disapproved by the Commission. This
31. is...deserves probably the same fate as the Constitutional
32. Convention delegates, because in that case at least they
33. were paying almost two times as much on...almost two times

1. as they actually made. In this case they are not paying
2. the State's part. This bill should be defeated, the same
3. as 1135. It's no different.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. No further discussion? Senator Walker.

6. SENATOR WALKER:

7. Might say that report he's looking at is about five or six
8. ...weeks old. It's not at all current. We aren't talking
9. about people who came down and served a short period of
10. time as Con-Con delegates. We're talking about a few
11. people who have worked around here for twelve, thirteen,
12. fourteen, fifteen years and are precluded, and now we're
13. trying to put them in the plan. This isn't a short term
14. deal, like the Con-Con was. I'd appreciate a favorable
15. vote.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. The question is shall SB 89 pass. On that question,
18. as soon as we can get some order so the Secretary can
19. hear your names, we will call the roll. May we please,
20. gentlemen.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Merritt, aye. Mommy Mitchler, aye. Daley, aye.

1. Soper. On this question the yeas were thirty-three, the
2. nays were six. The bill having received a constitutional
3. majority therefore is declared passed. Senator Moore moves
4. having voted on the prevailing side the vote by which SB 89
5. was passed be reconsidered. And, Senator Ozinga moves to
6. Table Senator Moore's motion. All in favor of Ozinga's
7. motion will signify by saying aye. Opposed. The ayes
8. have it, the motion prevails. Next bill will be SB 114.
9. Senator Knuppel will explain his bill.

10. SENATOR KNUPPEL:

11. Mr. Chairman, Members of the Body, SB 114 is the
12. same bill that passed out of the Senate forty-two to
13. three virtually a year ago with the support of both
14. the then Republican administration, Governor Ogilvie,
15. supported by Jim Nolan who has a similar bill in the
16. House. Bill calls for restoration of lands stripped
17. prior to reclamation laws in the State of Illinois.
18. It's orphaned land and as Senator Collins said last
19. year, it's twenty years past due. It's a good bill.
20. It's a bill that we should pass. It's the only way
21. that these lands will ever be reclaimed. The bill will
22. pass sooner or later. And, it should pass sooner, and
23. it gives us the leverage of having these lands for pro-
24. ductivity and food which is becoming in short supply
25. throughout...throughout the world. I would encourage a
26. favorable roll call. Thank you.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Any further discussion? The question is shall SB 114
29. pass. The Secretary will call the roll.

30. SECRETARY:

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

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

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Johns, aye. Daley, aye. Romano, aye. Vadalabene,
10. aye. Buzbee, aye. Am I going too slowly? Netsch, aye.
11. I can't see with the blinds up. On this question the
12. yeas were twenty-four, the nays were two, voting present
13. one. The bill having failed to receive the constitutional
14. majority is therefore declared lost. Next bill will be
15. SB 132, Senator Ozinga will explain his bill.

16. SENATOR OZINGA:

17. ...Members of the Senate, this is again one of the
18. Bar Association...this is both of the Bar Associations'
19. bill, really. This bill amends the Evidence Act, so called
20. dead man's act, in order to permit the admission into
21. evidence of certain testimony that is barred under the
22. present language of the Act. And it clarifies certain
23. inconsistencies resulting from decisions construing
24. the Act. The proposed bill would narrow the scope of
25. the Statute by preventing an interested adverse party,
26. or interested person from testifying on his own behalf
27. to any conversation with the decedent, or incompetent
28. person, or to any event which took place in his presence
29. with certain exceptions. Now, I can go on, in addition
30. the exceptions would permit testimony...rebut the
31. testimony of any witness testifying on behalf of the
32. estate. I would appreciate a most favorable roll call.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any discussion on the bill? If not the question
2. before the Senate is, shall SB 132 pass. The Secretary
3. will call the roll.

4. SECRETARY:

5. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
6. Chew, Clarke, Conolly, Course,

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. We're having a hard time again gentlemen.

9. SECRETARY:

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

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Sours, aye. Walker, aye. Berning, aye. Schaffer,
20. aye. Merritt, aye. On this question the yeas were
21. thirty-five, the nays were three. The bill having received
22. a constitutional majority is therefore declared passed.
23. Next bill will be SB 135. The Senator from Peoria, Senator
24. Sours will explain his bill.

25. SENATOR SOURS:

26. Mr. President and Ladies and Gentlemen of the Senate,
27. I won't bother to re-explain this bill. We had it in
28. here oh, about a month ago. It's one way of salvaging
29. for the county monies that are paid to the public defenders
30. office, where the accused is perfectly capable of paying
31. for his own counsel which is evidenced by the fact that
32. he and he alone of his own property and his own money
33. has put up a bail bond. I'd appreciate a favorable roll

1. call.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Any further discussion on the bill? If not the
4. question before the Senate is shall SB 135 pass. The
5. Secretary will call the roll.

6. SECRETARY:

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

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Don Moore, aye. They're voting...Conolly, aye.
19. Don't vote and run fellows, I'm looking for you.
20. Shapiro, aye. Senator Walker, for what purpose do
21. you rise? Let's have some order, the Senator from
22. Lansing wants to speak again. Will you talk in your
23. microphone sir?

24. SENATOR WALKER:

25. Yes. Point of personal privilege. A group of
26. students from my district from the Dr. Charles E.
27. Gaven School in Chicago Heights on both sides of the
28. balcony. Will they please stand and be recognized?

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. On the last question the yeas were twenty-five,
31. the nays were nine. The bill having failed to receive
32. a constitutional required majority therefore is declared
33. lost. I can't even hear you Senator Partee, and you

1. can understand why. We have the pleasure...Oh, I'm
2. going to recognize you. You're going to ask me some-
3. thing.

4. SENATOR PARTEE:

5. ...ask you something. Mr. President, this is a
6. point of ocular inquiry. Could you tell us who the
7. charming bit of pulchritudinous femininity is who's
8. on the podium?

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. This is Miss Amanda Jones from Evanston, Miss
11. U.S.A.

12. MISS AMANDA JONES:

13. Thank you very much. It's very nice to be here.
14. It's very seldom that one of the constituents gets a
15. change like I've had today to view the process of
16. what goes on in the Legislature. I'm impressed. I'm
17. a little bit confused, and I have certainly been made
18. to feel very welcome. Thank you very much.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Don't go away Amanda. Senator Glass would like a few
21. words with you.

22. SENATOR GLASS:

23. Thank you, Mr. President. I think Miss Jones you
24. will be pleased to know that this Body adopted a
25. Resolution, Senate Resolution 1...number 167 in your
26. honor and also designated today, June 1st, as Amanda
27. Jones Day in Illinois. And I'm proud to present this
28. Resolution to you on behalf of the Illinois Senate.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Go ahead, suffer. The Minority Leader and the
31. President of the Senate want to have their picture taken
32. with her. And if you fellows can arrange to get lined
33. up...when Doc has some film. Senator Palmer.

1. SENATOR PALMER:

2. I would like to make a suggestion that in order to
3. keep the Senators in their seats that Miss America stay
4. here a little while.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. This is a...the most popular this podium has been all
7. day. Senator Hall, Harber Hall.

8. SENATOR HARBER HALL:

9. Mr. President there are many women's libers around
10. the country would perhaps object to such a pretty girl
11. being on the rostrum with you this morning, but she shows
12. so much intelligence...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Senator, I think you're out of order...wonderful
15. interlude. Senator Sours, for what purpose do you rise?
16. If you hadn't translated that I would say if you were
17. going to do it here you'll have to clean it up...going
18. to be a little tough, but the Senate will be back in
19. order on the order of Considerations Postponed. And
20. try to keep your eyes on the Calendar, that's a little
21. tough. Next bill will be Senator Glass' bill. SB 180.
22. The Senator from Evanston will explain his bill.

23. SENATOR GLASS:

24. Thank you, Mr. President, and Senators. SB 180
25. would establish the Uniform Management of Institutional
26. Funds Act. There was some concern about one provision
27. of the bill which would have given universities, churches
28. and other institutions the right to invade...or to
29. invest the funds by eliminating certain restrictions
30. that have been put on them by the donor. I have consulted
31. with Senator Rock on that provision and have eliminated
32. by amendment, and I think therefore the bill is...should
33. be satisfactory to most the Body at least and I will ask for a

1. favorable roll call.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The question before the Senate is where do we find
4. a prettier girl and shall SB 180 pass. On the latter
5. question the Secretary will call the roll. Senator...
6. Gentlemen. Heaven will last forever later. Now, we're
7. doing business. As soon as we can have your attention,
8. we will call the roll. Call the roll, Mr. Secretary.

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,

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Latherow, aye.

17. SECRETARY:

18. McBroom,

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. May we have some order, please, gentlemen. Please.

21. SECRETARY:

22. McCarthy, Merritt, Mitchler, Howard Mohr, Don Moore,
23. Netsch, Newhouse, Nimrod, Nudelman, Ozinga, Palmer, Partee,
24. Regner, Rock, Roe, Romano, Saperstein, Savickas, Schaffer,
25. Scholl, Shapiro, Smith, Sommer, Soper, Sours, Swinarski,
26. Vadalabene, Walker, Weaver, Welsh, Wooten, Mr. President.

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Sours, aye. Regner, aye. Senator Fred Smith, aye.
29. Senator Berning, aye. Senator Partee, aye. Senator Hynes,
30. aye. Senator Dougherty, aye. Senator Welsh, aye. No.
31. You want...On this question the yeas are thirty-nine,
32. the nays are two. The bill having received the constitutional
33. majority therefore is declared passed. For what purpose

1. does Senator Welsh rise?

2. SENATOR WELSH:

3. Mr. President, Members of the Senate, I'm pleased
4. to present to this Body students from the Chalmers School,
5. Chicago. In my district, led by Mrs. Reed.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. I guess my eyes were a little affected too just
8. before the last bill. Next bill will be SB 157, Senator
9. Berning will explain his bill.

10. SENATOR BERNING:

11. Mr. President and Members of the Body. I call your
12. tender attention to SB 157. May I just point out simply
13. it is a may bill, strictly permissive, imposes no obligation
14. on anyone, any municipality. Has the Home Rule Amendment,
15. so it applies only to the downstate counties and the
16. municipalities under 25,000. This bill would give the
17. smaller communities the authorities now held by the
18. home rule units. I have communication from many of the
19. villages in my area who feel this is of great importance
20. to them. They would like to be able to accommodate the
21. senior citizen with a lowered vehicle tax fee. I might
22. point out that in the Gallery is Mr. and Mrs. Zeldeko
23. from Lake Zurich. They are here to observe the operations
24. of and they have a great interest in SB 157. Would you
25. just rise and be recognized by the Body.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. If there is...

28. SENATOR BERNING:

29. I would appreciate a favorable roll call, Mr. President.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Any further discussion? The question before the
32. Senate is shall SB 157 pass. The Secretary will call
33. 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 GRAHAM):

13. On this question the yeas were thirty-seven, the
14. nays were two, one was voting present. The bill having
15. received a constitutional majority is therefore declared
16. passed. Next bill will be SB 195. Senator Glass will
17. explain his bill.

18. SENATOR GLASS:

19. Thank you, Mr. President and Senators. SB 195 would
20. permit a group of people, 7500 or more in number in a four
21. square mile area to vote on the question on whether they
22. wish to incorporate into a city. At the present time,
23. this cannot be done unless neighboring municipalities
24. consent. I have amended the bill to give neighboring
25. municipalities the opportunity to file objections and
26. for those objections to be heard if they are valid for
27. appropriate changes to be made in the boundry lines.
28. We've done a lot of work...Thank you, Mr. President.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Please Gentlemen..

31. SENATOR GLASS:

32. On this with the Prospect Heights people who are very
33. interested in this legislation, and I would ask for a favorable

1. roll call.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Senator Fawell.

4. SENATOR FAWELL:

5. Senator Glass, I would like to ask a question. I
6. don't have a copy of the amendment, but in the original
7. version of the bill the effect, as I understand it is
8. that unless the population of the proposed municipality
9. is over that of 7,500 that there would be no right to
10. incorporate. Is that provision still in the bill?

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Senator Glass.

13. SENATOR GLASS:

14. Yes, it is Senator.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Fawell.

17. SENATOR FAWELL:

18. Well, I think that this is something the Body ought
19. to be fully aware of that if you have unincorporated
20. area and if you have as is often times the case, several
21. communities eyeing that area, wanting to incorporate it
22. but the people

23. (machine trouble)

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. ...discussion? Senator Knuepfer.

26. SENATOR KNUEPFER:

27. Well, Senator Glass knows my feeling on the bill.
28. I wish there were some way that we could accommodate him
29. without affecting the rest of the State. There does not
30. appear to be any way. The Municipal League opposes
31. this bill. I think it is an undesirable bill and obviously
32. it was considered by this Body to be such and that's
33. why it's on postponed consideration. It's not a good

1. bill for my area, in my view.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. ...further discussion. Senator Glass will close...

4. Senator Nimrod.

5. SENATOR NIMROD:

6. I rise in support of this bill, Mr. President. It
7. does take care of a particular problem that exists, and it
8. does give the neighboring municipalities a chance to
9. go into this area and certainly Senator Fawell, in answer
10. to you, I'm sure that if this bill were in, then it
11. could probably be amended if you wanted to take care of
12. your other communities that you object to. But in it's
13. present basis it does solve a community of an isolated
14. unincorporated area that needs some attention and help,
15. and it certainly acknowledges the particular situation
16. of where the surrounding communities do have a voice and
17. do have an input in this hole in the donut. We do have
18. to take care of people of this type. And I would urge
19. your support of this bill.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any further discussion? Senator Glass, close the
22. debate.

23. SENATOR GLASS:

24. Thank you, Mr. President. I think there was a little
25. confusion. I've been talking with Senator Fawell. At
26. the present time if a neighboring municipality objects
27. to a proposed incorporation by any number of people, the
28. referendum simply cannot be held. Now what the bill
29. provides is that if you are 7500 or more in a four square
30. mile area and you want to hold a referendum, you may do
31. so and the neighboring municipalities cannot withhold
32. their consent. What I have done by amendment is to give
33. them an opportunity to file their objections and have

1. the objections heard. And if they're reasonable, they
2. will be attended to. But I think the bill as it presently
3. stands is very fair, and I would ask for a favorable
4. roll call.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. We're going to ask the sergeant at arms to again
7. invoke rule number 2 and keep people from the Floor who
8. are not entitled to the Floor. Any further discussion?
9. The question before the Body is shall SB 195 pass. The
10. Secretary will call the roll.

11. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Mitchler, aye. Harber Hall, aye. Palmer, aye.
24. Senator Netsch, aye. On this question the yeas are
25. thirty-three, the nays are five. The bill having received
26. the constitutional majority is therefore declared passed.
27. Next bill will be SB 253, Senator Palmer will explain
28. his bill. SB 253, Senator.

29. SENATOR PALMER:

30. Mr. President, Members of the Senate. SB 253...

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. If there's no further discussion, the question is
33. shall SB 253 pass. 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 GRAHAM):
13. Scholl, aye. Schaffer, aye. Palmer, aye. You're
14. thirty, short. It's surprising how good this bill got.
15. The yeas were...the yeas are forty-five, the nays are
16. none. The bill having received a constitutional majority
17. is therefore declared passed. Senator Bell, for what
18. purpose do you rise?
19. SENATOR BELL:
20. Point of personal privilege.
21. PRESIDING OFFICER (SENATOR GRAHAM):
22. State your point.
23. SENATOR BELL:
24. Mr. President, I'd like to take a moment of the
25. Senate's time to introduce to you a group of fine young
26. ladies that are down here from my district. They are
27. Girl Scouts from Romeoville, Illinois, and if the Senate
28. would please give them recognition, I'm sure they'd be
29. pleased.
30. PRESIDING OFFICER (SENATOR GRAHAM):
31. Senator Bell, the Senate is always pleased to have
32. those girls in green. The next bill will be SB 280.
33. Senator Harber Hall.

1. SENATOR HARBER HALL:

2. Mr. President, SB 280 is an amendment to the
3. Ethics Act for the filing of statements of economic
4. interest. It has been improved through adding an
5. amendment on that was suggested by the Assistant
6. Minority Leader and it will be further improved if
7. it's passed here today in the House by taking the
8. suggestion of the Minority Leader himself, and I believe
9. it's a good bill now, and we'll further improve it
10. in the House proceedings if you'll give me thirty votes.

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Question before the Senate is shall SB 280
13. pass. On that question the Secretary will call the
14. roll.

15. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Swinarski, aye. The question has been directed
28. to the Chair why we are not reading the bills by title
29. a 3rd time on postponed. They were read a 3rd time
30. just prior to getting on that order of business is the
31. reason. On this question the yeas were thirty-five,
32. the nays were one. The bill having received a constitu-
33. tional majority is therefore declared passed. Next bill.

1. will be...I'm sorry, Senator Harris.

2. SENATOR HARRIS:

3. Mr. President, was I recorded on that last bill?

4. I would like to...I was diverted here. There was some
5. people talking to me.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. You are now recorded. Next bill will be SB 300.

8. Senator Partee will explain his bill. You'd like some
9. order too, wouldn't you Senator?

10. SENATOR PARTEE:

11. Yes sir, and I'll take the same favorable roll
12. call. You know what this bill is about. I'm not going
13. to waste your time. I know you want to get home. I'll
14. take a favorable roll call.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. The question is shall SB 300 pass. On that question
17. 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. Latherow, no. Merritt, no. Mitchler, aye. McBroom,
31. aye. On this question the yeas were thirty, the nays
32. were six. The bill having received a constitutional majority
33. therefore is declared passed. Senator Partee moves that

1. having voted on the prevailing side the vote by which
2. SB 300 was passed be reconsidered. And Senator Carroll
3. moves the motion of his leader. All in favor of the
4. Table motion...to Table signify by saying aye. Opposed.
5. The ayes have it and the motion is Tabled. The next
6. bill will be SB 3...20...next bill will be SB 350, Senator
7. from Oswego, Senator Mitchler will explain his bill.

8. SENATOR MITCHLER:

9. All...all the people in Oswego would appreciate
10. a favorable roll call on SB 350 which creates the Private
11. Sewage Disposal Licensing Act. I believe you all know
12. about that. I'd be glad to answer any questions. Ask
13. for a favorable roll call.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Any discussion? ...The question is shall SB 350
16. pass. Upon that question the Secretary will call the
17. roll.

18. SECRETARY:

19. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
20. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
21. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
22. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
23. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
24. Mohr, Don Moore, Netsch, Newhouse.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Please Gentlemen.

27. SECRETARY:

28. Nimrod, Nudelman, Ozinga, Palmer, Partee, Regner,
29. Rock, Roe, Romano, Saperstein, Savickas, Schaffer, Scholl,
30. Shapiro, Smith, Sommer, Soper, Sours, Swinarski, Vadalabene,
31. Walker, Weaver, Welsh, Wooten, Mr. President.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Davidson, aye. Wooten, aye. Been a request for a

1. call of the absentees. Absentees will be called.

2. SECRETARY:

3. Carroll, Chew, Course, Daley, Donnewald, Fawell,
4. Glass, Graham, Kenneth Hall, Hynes, Keegan, Knuppel,
5. Kosinski, McCarthy, Netsch, Newhouse, Nudelman, Ozinga,
6. Rock, Roe, Romano, Smith, Savickas, Smith, Swinarski,
7. Vadalabene.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Glass, aye. Nudelman, no. Nudelman, aye, I'm sorry.
10. You missed your aye. On this question the yeas were
11. thirty-four, the nays were six. The bill having received
12. the constitutional majority required is therefore declared
13. passed. Next bill will be SB 384, Senator Don Moore, the
14. Gentleman from Midlothian will explain his bill.

15. SENATOR DON MOORE:

16. Thank you, Mr. President, members of the Senate.
17. SB 384 amends the Election Code to provide that upon
18. the re-registration of voters the County Clerk, the
19. Board of Elections Commissioner shall cause to be printed.
20. It has been amended to...

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. The question before the Senate is shall SB 384 pass.
23. On that question the Secretary will call the roll.

24. ACTING SECRETARY (MR. WRIGHT):

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

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

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Bruce, no. Sours, aye. Netsch, aye. Buzbee, aye.

4. Merritt, no. On this question the yeas were forty-one,

5. the nays were two. The bill having received the con-

6. stitutional majority is therefore declared passed. The

7. next bill, SB 406. The Senator from Lansing, Senator

8. Walker, will explain his bill.

9. SENATOR WALKER:

10. Thank you, Mr. President, Members of the Senate.

11. I...explained this bill thoroughly a couple of weeks

12. ago and there were only forty of us present. I received

13. twenty-eight votes. It does just what the synopsis says,

14. and I'd appreciate a favorable vote.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. The question before the Senate is shall SB 406

17. pass. Any discussion? Senator Bruce.

18. SENATOR BRUCE:

19. Yes, Senator Walker, if you would yield to one

20. question. Does this change the rules of evidence when

21. an injury has occurred? The allowable evidence whether

22. or not this is prima facie evidence of an injury when

23. there's a violation of the Occupation, Health and Safety

24. Act?

25. SENATOR WALKER:

26. The answer to that Senator Bruce that I have from

27. the gentleman requested that...is that in many instances

28. an employer may voluntarily make a payment of a penalty

29. an administrative review or by reason of judicial assess-

30. ment; in the event that any employees injured and alleges

31. that an act or omission of an employer was the cause

32. of his injury or damage, it should be determined solely

33. by the trier of fact. Any previous voluntary payment

1. or judicial assessment based upon a charge of violation
2. of the Health and Safety Act should not be prima facie
3. evidence of negligence. So, in light of that I would
4. say it doesn't make any...any change.

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Bruce.

7. SENATOR BRUCE:

8. What you have stated is an opinion of one man.
9. The question is does it change the present rules on
10. evidence and whether or not this is prima facie evidence
11. of a...when there's a violation. That's the question.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Walker.

14. SENATOR WALKER:

15. I'm deferring to counsel.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. I don't see Senator Merritt there.

18. SENATOR WALKER:

19. Glass is substituting.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Glass, are you...he yielding to you?

22. SENATOR GLASS:

23. Yes, Senator Merritt says he's still on retainer,
24. but...as I understand the question it's whether there is
25. a change in the law. I...I guess I frankly don't know
26. the answer Senator whether it will change the law or
27. not. But...shall not...I don't know what...frankly
28. what your concern is that when you say that the...the
29. decision in another administrative hearing, what,..what-
30. ever happened in that hearing oughtn't to be brought in
31. as prima facie evidence of negligence. I mean, I can
32. think of instances in which the issuance of a citation
33. or the voluntary payment of a fine or one of the other

1. items listed under Section 2 here should not be held
2. against a party in a subsequent case. I mean, it seems
3. to me clear that the issuance of negligence ought to
4. be tried on its face without any presumption being
5. established as a result of another law suit or citation
6. or whatever. And I...I think it's a very fair bill, and
7. should be passed.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. Senator Sours.

10. SENATOR SOURS:

11. I think...I think your question had to do with
12. whether a violation of certain safety rules would be
13. of itself, negligence. Is that your question?

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. Senator Bruce.

16. SENATOR SOURS:

17. The answer is no.

18. SENATOR BRUCE:

19. Under present law, under the Occupational Health
20. and Safety Act, a citation cannot be used as prima facie
21. evidence of negligence in a personal injury suit. Is
22. that your statement? And this is no change whatsoever
23. it's only merely an expression of...of that intent that
24. it not be prima facie evidence.

25. SENATOR SOURS:

26. It is not prima facie evidence. And...and the
27. mere violation of a safety rule in itself is not negligence.

28. SENATOR BRUCE:

29. I'm aware of that. My question is under the Federal
30. Occupational Safety and Health Act whether they have not
31. made that.

32. SENATOR SOURS:

33. No.

1. SENATOR BRUCE:
2. All right.
3. SENATOR SOURS:
4. That is right.
5. PRESIDING OFFICER (SENATOR GRAHAM):
6. Senator Nimrod.
7. SENATOR NIMROD:
8. Mr. President the...Health and Safety, Occupational
9. Health and Safety does not have any reference or any
10. connection with this particular bill whatsoever.
11. PRESIDING OFFICER (SENATOR GRAHAM):
12. Any further discussion? Senator Harber Hall.
13. SENATOR HARBER HALL:
14. I don't believe you can uncomplicate it for me
15. because you can't. When I hear you lawyers talking,
16. I don't know what any of you are talking about. Just
17. give us a tip so we can vote.
18. PRESIDING OFFICER (SENATOR GRAHAM):
19. The question is shall SB 406 pass. Secretary will
20. call the roll.
21. ACTING SECRETARY (MR. WRIGHT):
22. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
23. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
24. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
25. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
26. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
27. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
28. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
29. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
30. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
31. Weaver, Welsh, Wooten, Mr. President.
32. PRESIDING OFFICER (SENATOR GRAHAM):
33. Latherow aye. Soper, aye. Buzbee, no. Wooten, no.

1. Daley, aye. Scholl, aye. Walker, aye again. On
2. this question the yeas are thirty-five, the nays are
3. three. The bill having received the constitutional
4. majority required is therefore declared passed. The
5. next bill will be SB 429. Senator Bell will explain
6. his bill.

7. SENATOR BELL:

8. Yes, Mr. President, Members of the Senate, We've
9. been over this before. It's part of a package of anti-
10. crime legislation that I've attempted to introduce
11. into the General Assembly. I think it's a good bill.
12. People in my district think it's a good bill. It has
13. to do with the increasing of bail cost for the habitual
14. offender in a 12 month period. I think it's meaningful
15. to the people of the State of Illinois. Really not
16. much more to say. Vote it up or vote it down. I think
17. it deserves to be supported.

18. PRESIDING OFFICER (SENATOR GRAHAM):

19. Question is shall SB 429 pass? On that question
20. the Secretary will call the roll.

21. ACTING SECRETARY (MR. WIRGHT):

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

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Soper, aye. Netsch, no. Weaver, aye. Berning, aye.

1. SENATOR BELL:
2. Mr. President...
3. PRESIDING OFFICER (SENATOR GRAHAM):
4. Conolly, aye.
5. SENATOR BELL:
6. Could I have a poll of the absentees?
7. PRESIDING OFFICER (SENATOR GRAHAM):
8. There's been a request for a call of the absentees.
9. The absentees will be called.
10. ACTING SECRETARY (MR. WRIGHT):
11. Chew, Course, Daley, Donnewald, Fawell, Graham, Hynes,
12. Johns, Keegan, Knuppel, Koginski, McCarthy, Don Moore,
13. Newhouse, Ozinga, Partee, Regner, Romano, Saperstein,
14. Savickas, Smith, Swinarski, Vadalabene, Welsh.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. On this question the yeas were twenty-seven, the
17. nays were eleven. The bill having failed to receive the
18. constitutional majority required is therefore declared
19. lost. SB 462, Senator Harber Hall.
20. SENATOR HARBER HALL:
21. Mr. President, this is the inheritance tax bill that
22. amended in its present amended form it would permit
23. the county to retain 25% of the inheritance tax in the
24. county for the use of the county going in...directly
25. to the county general fund. It would go a long way
26. to assist the counties who have lost a tremendous amount
27. of income from the loss of the collectors and the tax
28. extension fees. And it's supported by the county officials,
29. the county board, Association of County Boards and the
30. township officials. And all the other organizations
31. connected with the county government. I move...I would
32. hope for your support on this bill.
33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Any further discussion? The question...Senator
2. Schaffer.

3. SENATOR SCHAFFER:

4. I just wanted to comment that this is needed piece
5. of legislation. We have voted unfavorably or Tabled
6. numerous other suggestions, and this is about the lone
7. survivor to help county government and I sincerely hope
8. that this Body will pass this bill.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. The question before the Senate is shall SB 462
11. pass. Senator Dougherty, do you seek recognition? You
12. are recognized.

13. SENATOR DOUGHERTY:

14. I just wish to say that I've been in complete opposition
15. to the bill, even though it's been amended down to 25%.
16. This is the same position I assumed under a former
17. administration. The State needs the money, the counties
18. need it, I grant. But not at the expense of the State.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The question is shall SB 462 pass. Secretary will
21. call the roll.

22. ACTING SECRETARY (MR. WRIGHT):

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

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. Knuepfer, aye. Romano, aye. Sours, aye. Vadalabene
2. turned in his block, huh? Shapiro...On this question the
3. yeas are thirty-five, the nays are three. Bill having
4. received the consitutional majority is therefore declared
5. passed. Next bill will be SB 492, the Senator from Peoria
6. will explain his bill. Senator Sours.

7. SENATOR SOURS:

8. I'll be very brief, Mr. President, Senators. This
9. provides for the increase in the interest charged from
10. one to one and one half percent on loans between \$300
11. and \$800. I'd appreciate a favorable roll call.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Any discussion? Senator Rock.

14. SENATOR ROCK:

15. Well, Mr. President, I rise in opposition to this
16. bill. It hasn't gained any more validity since the
17. last time we talked about it. The only thing this bill
18. does is hurt the little people. I urge a no vote.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The question before the Senate is shall SB 492 pass.
21. The Secretary will call the roll.

22. ACTING SECRETARY (MR. WRIGHT):

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

33.

1. PRESIDING OFFICER (SENATOR GRAHAM):
2. Graham, aye. McBroom, aye. Hynes...Hynes, no.
3. Dougherty, no. Saperstein, no. Been a request for a
4. call of the absentees. The absentees will be called.
5. ACTING SECRETARY (MR. WRIGHT):
6. Buzbee, Chew, Clarke, Conolly, Course, Daley,
7. Donnewald, Fawell, Kenneth Hall, Johns, Keegan, Kosinski,
8. McCarthy, Newhouse, Nudelman, Ozinga, Palmer, Partee,
9. Regner,
10. PRESIDING OFFICER (SENATOR GRAHAM):
11. Regner aye.
12. ACTING SECRETARY (MR. WRIGHT):
13. Savickas, Soper, Smith, Soper, Sours, Swinarski,
14. Welsh.
15. PRESIDING OFFICER (SENATOR GRAHAM):
16. Were you indicating a vote, Ozinga? Daley, aye.
17. Ozinga, aye. Clarke, aye. On this question the yeas
18. are thirty-one, the nays are four. The bill having
19. received a constitutional majority therefore is declared
20. passed. Senator Sours moves that having voted on the
21. prevailing side the vote by which this bill was passed
22. be reconsidered. And Senator Scholl moves to Table Senator
23. Sour's motion. All in favor signify by saying aye. Opposed.
24. The motion to Table carries. Next bill will be SB 521.
25. SENATOR HOWARD CARROLL.
26. SECRETARY:
27. SB 521 (Secretary reads title of bill)
28. 3rd reading of the bill.
29. SENATOR CARROLL:
30. Thank you, Mr. President, Ladies and Gentlemen of
31. the Senate. SB 521 deals with the GED program on educational
32. development tests, reduces the age to 18. It allows
33. those to take the test if their classes have already

1. graduated. It allows the Job Corps, the Post Office,
2. the correctional institutions to authorize the taking of
3. a test. The purpose of this is to allow an equivalency
4. for high school tests to those who have not completed...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Please, gentlemen. Please, just a moment, Senator.
7. Please, may we have some order? Please, Please. Continue
8. Senator.

9. SENATOR CARROLL:

10. Thank you, Mr. President. There's not an attempt
11. to even invite those to stay out of school, but it is
12. an attempt to say to those who have left school, but
13. his classes have graduated that we will not stop them
14. from advancing their careers if they can pass an
15. equivalency test. Should we pass this bill we would
16. be joining forty-three other sister States that have
17. these exact limitations now on younger ages. I would
18. urge the adoption of this bill.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. The question before...Senator Fawell.

21. SENATOR FAWELL:

22. This...

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. The more quiet we are gentlemen, perhaps the earlier
25. we'll get through. Shall we, please gentlemen, please.
26. My goodness.

27. SENATOR FAWELL:

28. Mr. President and Members of the Senate. This bill
29. has been defeated once. I would hope that it can be
30. defeated again. I want to point out to you that it does
31. more, much more than simply drop the age from 19 to 18,
32. in regard to those who would be eligible for the high
33. school equivalency test. This bill actually invites

1. people to drop out of high school because it not only
2. takes the age category down to 18, but it also points
3. out that if a class of which the applicant was a member
4. has already graduated from high school, then he is
5. eligible also to take this test. The law as it now reads
6. is that you cannot take the test if you are in high
7. school, and there is no exception in regard to the fact
8. that a class of which you may have been a member has
9. graduated. Almost in all instances where a drop out
10. is involved you'll find that the class of which he was
11. once a member has already graduated. So, we're not
12. only taking it down to 18 but we're opening the door
13. so that a person who is in high school can simply drop
14. out and then go after the high school equivalency test.
15. And as the testimony in the Education Committee pointed
16. out, this also is a cruel hoax because the whole idea
17. here is for this type of a high school equivalency test
18. to be opened to adults who have been out of school for
19. several years and it's those individuals who are the
20. ones who customarily have the ability to pass this
21. test. So I would hope that...that on both sides of
22. the aisle we can give a negative vote to this bill,
23. and defeat it once again.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Shapiro. Senator Shapiro.

26. SENATOR SHAPIRO:

27. Mr. President and Members of the Senate. Just very
28. briefly I want to reiterate what Senator Fawell has said.
29. The...this bill defeats the purpose of the equivalency
30. test. The equivalency test is to allow those drop outs
31. who have no hopes or no chance of ever getting back to
32. high school to be allowed to take these tests so they
33. can obtain an equivalency diploma. By dropping it to 18

1. with out mandatory age of 16 for schooling, a person just
2. has to wait two years and can take this test, obtain his
3. diploma. The bill should be defeated soundly.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. No further discussion? Senator Carroll will close
6. very briefly.

7. SENATOR CARROLL:

8. Yes, Mr. President, Members of the Senate. Just by
9. way of very brief explanation. This bill comes to us
10. by way of most of the regional superintendents of schools,
11. the former county superintendents of schools. There was
12. only one who came in and opposed it. Almost all of the
13. rest in this State supported it. And the idea is exactly
14. as one of the Senators expressed to take those who mistakenly
15. drop out of school and allow them the opportunity to go
16. on with their lives in those areas of our State including
17. our...many of our own State service that require high
18. school or its equivalent. There are many safeguards
19. in here. All we are saying is where a person has made
20. a mistake we do not penalize him forever. We have by
21. this bill taken the same age and requirements as forty-
22. three of our sister states, and I would ask for a favorable
23. roll call.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Question before the Senate is shall SB 521 pass.
26. The Secretary will call the roll.

27. SECRETARY:

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

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

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. There's been a request for the call of the absentees.
7. Absentees will be called.

8. SECRETARY:

9. Bell, Bruce, Buzbee, Chew, Clarke, Conolly, Course,
10. Davidson, Glass, Harber Hall, Johns, Keegan, Knuppel,
11. Kosinski, McCarthy, Newhouse, Regner, Roe, Schaffer, Smith,
12. Sommer, Soper, Sours, Walker, Weaver.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. On this question the yeas were eighteen, the nays
15. seventeen. The bill having failed to receive the con-
16. stitutional majority is declared lost. Next bill will
17. be SB 658, Senator Saperstein will explain her bill.

18. SENATOR SAPERSTEIN:

19. Mr. President, Ladies and Gentlemen, Lady and
20. Gentlemen, 628 is...the synopsis on the Calendar is
21. not correct.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. 658.

24. SENATOR SAPERSTEIN:

25. 658, excuse me. It does not create a new Advisory
26. Board. It merely changes the name from Board to Council.
27. And adds seven public members, and six members who provide
28. the services for the aged and in day care. I urge your
29. vote.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. The question before the Senate is shall SB 658 pass.
32. Secretary will call the roll.

33. SECRETARY:

SECRETARY:

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

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Romano, aye. Saperstein, aye. Been a request for
13. a call of the absentees. They will be called.

14. SECRETARY:

15. Bartulis, Bell, Chew, Clarke, Conolly, Course,
16. Davidson, Fawell, Glass, Harber Hall, Keegan, Knuepfer,
17. Knuppel, Kosinski, Latherow, McBroom, McCarthy, Mitchler,
18. Howard Mohr, Don Moore, Newhouse, Nimrod, Ozinga, Palmer,
19. Regner, Savickas, Schaffer, Scholl, Shapiro, Smith,
20. Sommer, Soper, Sours, Walker, Weaver.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Knuppel, aye. On this question the yeas were twenty-
23. one, the nays were seven. The bill having failed to
24. receive the constitutional majority required is there-
25. fore declared lost. Next bill will be SB 825, Senator
26. Saperstein will explain her bill.

27. SENATOR SAPERSTEIN:

28. 825 is one of the bills in the series of the
29. Commission on Mental Health and Mental Retardation.
30. It received twenty-nine votes when it was first con-
31. sidered. And the opposition to it concerned whether
32. or not a psychiatrist or a physician should concur
33. with discharge. Now, it was agreed that the only way

1. to deter the dumping or the preliminary discharge or
2. premature discharge of mental health patients, the
3. method to deter it would perhaps be by the concurrence
4. of the superintendent, a psychiatrist and I amended the
5. bill to overcome the objections of only a psychiatrist,
6. and added licensed physician. Now I did this at the
7. request of those who were concerned about the psychiatrist.
8. This will not add any cost to the program in our mental
9. institutions because they have psychiatrists on the premise...
10. on the premises, the hospital is staffed by licensed
11. physicians. And this will not add to the burden of
12. bookkeeping because the...it is done by the regular
13. staff. Now, another thing this bill does that is
14. important it adds the after care for the mentally retarded
15. children. Now, I urge you, I urge you sincerely if we
16. mean to help the patients in our mental institutions,
17. and we do have a moral and a legal obligation to do so,
18. I ask you to support this bill. Thank you very much.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. No further discussion? The question before the
21. Senate is shall SB 825 pass. Secretary will call the
22. roll.

23. SECRETARY:

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

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. Romano, aye. Saperstein. Hynes, aye. Senator
3. Saperstein.

4. SENATOR SAPERSTEIN:

5. Call the absentees.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Request for a call of the absentees. Absentees will
8. be called...

9. SECRETARY:

10. Bell, Berning, Chew, Clarke, Conolly, Course, Glass,
11. Harber Hall, Keegan, Keegan, Knuepfer, Kosinski, Latherow,
12. McBroom, McCarthy, Mitchler, Howard Mohr, Don Moore, Newhouse,
13. Nimrod, Ozinga, Regner, Roe, Savickas, Schaffer, Scholl,
14. Shapiro, Smith, Sommer, Soper, Sours, Vadalabene, Walker,
15. Weaver.

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. Latherow, no. On this question the yeas were
18. twenty-four, the nays were seven. The bill having failed
19. to receive a constitutional majority therefore is declared
20. lost. The next bill to be called, shows on your Calendar,
21. it's 855, but it truly is 885. There's a typographical
22. error. Senator Hynes, SB 885, explain your bill.

23. SENATOR HYNES:

24. It has been suggested that perhaps...we might try
25. it under 855, and it might be better. But, we went
26. through this bill the other day and what it does is to
27. change the formula for the distribution of motor fuel
28. tax to increase essentially allocations to local governments
29. throughout the State. It's endorsed by the Illinois
30. Municipal League. It would have the effect of transferring
31. \$16,000,000 more to local governments to take care of
32. city, county and township roads. I would ask for your
33. favorable consideration.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. No further discussion? The question before the
3. Senate is shall SB 885 pass? The Secretary will call
4. the roll.

5. SECRETARY:

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

16. PRESIDING OFFICER (SENATOR GRAHAM):

17. On this question the yeas are twenty. The nays are
18. ten. The bill having received...failed to receive the con-
19. stitutional majority required therefore is declared lost.
20. Next bill will be SB 878. No. Next bill will be SB 918,
21. Senator Buzbee will explain...

22. SENATOR BUZBEE:

23. Thank you, Mr. President. Mr. President, I think
24. there was a little bit of misunderstanding on this bill
25. yesterday. All that this bill does...those school districts
26. which do have to issue to the teacher anticipation
27. warrants sometimes this would force them to issue that
28. which is a lower interest rate, 3 1/2% as opposed to
29. going to teacher script rate which they have to pay 7%
30. for. And I'd call for a favorable roll call.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. No further discussion? The question before the
33. Senate is shall SB 9...Senator Bruce.

1. SENATOR BRUCE:

2. Well, I...I would urge the members to favorably
3. consider this piece of legislation. It just says they
4. cannot issue teacher orders until they've exhausted all
5. their other funds. If they issue teacher orders then
6. they can issue general obligation bonds to fulfill those
7. without referendum. I think members on the other side
8. have consistently opposed that. And it seems to me that
9. this is the kind of bill that says to the school boards,
10. spend your available money before you go out and create
11. more money. And...it's a very good bill, and I don't
12. understand why it was defeated last time.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Question is shall SB 918 pass? Secretary will call
15. the roll.

16. SECRETARY:

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

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. Savickas, aye. Mr. President, no. Graham was no.
29. On this question the yeas were twenty-two, the nays were
30. five. The bill having failed to receive the constitutional
31. majority required therefore is declared lost. Next bill
32. will be SB 967, Senator Knuppel will explain his bill.

33. SENATOR KNUPPEL:

1. Mr. President, and Members of the Body, SB 967
2. is designed to fix a new minimum in the amount of
3. pensions to be drawn by teachers who have served and
4. it allows a minimum of \$10 for each year served up to
5. thirty years. So that the most...the largest amount
6. of pension that...minimum salary teacher could have
7. qualified for would be \$300 per month. At the present
8. time many of these teachers are getting \$83 plus or
9. \$133 plus and at one time were receiving a great deal
10. less than this. This will allow teachers who have served
11. our State and community to live in dignity without
12. going on welfare. As you know teachers do not qualify
13. for social security. This would of course cost approximately
14. \$10,000,000, but it's money well spent because it allows
15. these people to live in dignity where otherwise we'd
16. pay the money out in the form of old age assistance,
17. and be out of the money anyway. I suggest a favorable
18. roll call.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Senator Shapiro.

21. SENATOR SHAPIRO:

22. Mr. President, Members of the Senate, this bill was
23. defeated in the past, just a week or so ago. It is
24. contrary to good sound pension policy and I urge a
25. unfavorable roll call again.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Berning.

28. SENATOR BERNING:

29. Essentially, I want to echo what Senator Shapiro
30. has stated. This bill does not have the approval of
31. the Pension Laws Commission. As a matter of fact, it
32. is one of the most far reaching proposals that we've
33. considered and may involve an indeterminate obligation

1. for the State of Illinois. As you know the State
2. Teacher's Retirement System is already burdened with
3. an unfunded liability of about two billion dollars
4. and we just absolutely cannot, I repeat cannot add to
5. that. This measure ought to be defeated.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Question before the...Senator Knuppel.

8. SENATOR KNUPPEL:

9. In summary...

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. May we have some order, gentlemen we're getting close
12. to the end of the day...

13. SENATOR KNUPPEL:

14. In summary all I would say in answer to the remarks
15. of Senator Berning is that the teachers of the State of
16. Illinois and the teachers association and organizations
17. all support this. So they are very concerned about the
18. deficiency, they've been mistreated for a long time, and
19. I'm one of the strongest supporters of full funding of the
20. Teacher's Pension System, and I recall that we had roll
21. calls last year when only about two Republicans left who
22. would support this. I still ask for a favorable roll call.
23. Those of you who want to support the teachers who helped
24. you get through school and whom you respect, you will vote
25. for it.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. The question before the Senate is shall SB 967 pass.
28. Secretary will call the roll.

29. SECRETARY:

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. PRESIDING OFFICER (SENATOR GRAHAM):

2. Senator Kenneth Hall. Hall, aye. Please Ladies and
3. Gentlemen.

4. SECRETARY:

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

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. There has been a request for a call of the absentees.

13. SECRETARY:

14. Bartulis, Bell, Chew, Clarke, Conolly, Course,
15. Davidson, Fawell, Glass, Harber Hall, Keegan, Knuepfer,
16. Knuppel, Kosinski, McBroom, McCarthy, Merritt, Mitchler,
17. Howard Mohr, Don Moore, Newhouse, Nimrod, Ozinga, Regner,
18. Roe, Romano, Schaffer, Scholl, Smith, Sommer, Soper,
19. Swinarski, Weaver.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. On this question the yeas are twenty-one, the nays
22. are ten. The bill having failed to receive a constitutional
23. majority required is therefore declared lost. SB 1010
24. will be the next bill. Senator Harber Hall will explain
25. his bill. SB 1010.

26. SENATOR HARBER HALL:

27. Leave of the Senate to return this to order of 2nd
28. for purpose of amendment.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Do we have leave of the Senate? It's been requested
31. to return SB 1010 to the order of 2nd reading for the
32. purpose of considering an amendment. Leave is granted.
33. The bill is now on 2nd reading. Senator Hall will explain

1. his amendment.

2. SENATOR HARBER HALL:

3. This amendment simply inserts back into the statute
4. the word business so that we...there can be no discrepancy
5. or misunderstanding that the loans we're referring to
6. here, Senator Carroll are business loans. I've talked
7. to Senator McCarthy about it. He says that will make
8. a tremendous improvement as far as he's concerned in
9. the bill. I think there is...the ambiguity is out of it.
10. You would agree now I'm sure that it's a good bill. I
11. move for adoption of this minor amendment, improving
12. the bill.

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Secretary will read the amendment. Been a request.

15. SECRETARY:

16. (Secretary reads Amendment No. 1)

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. Senator Hall moves the adoption of Amendment No. 1...
19. Amendment No. 1 to SB 1010. All in favor signify by saying
20. aye. Opposed. The ayes have it. The amendment is adopted.
21. And the bill will be returned to the order of 3rd reading.
22. Senator...what do we have on the Secretary's desk? We
23. have a Resolution on the Secretary's desk. Secretary will
24. read the Resolution.

25. SECRETARY:

26. Senate Joint Resolution No. 40 by...President Harris

27. (Secretary reads Resolution)

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Harris, the Adjournment Resolution. Senator
30. Harris.

31. SENATOR HARRIS:

32. I move the adoption of the Adjournment Resolution.

33. PRESIDING OFFICER (SENATOR GRAHAM):

1. All in favor of the motion will signify by saying
2. aye. Opposed. The ayes have it, the Resolution is
3. adopted. We have a congratulatory resolution.

4. SECRETARY:

5. Senate Resolution 183...185 by Senator Bartulis,
6. and it's congratulatory.

7. PRESIDING OFFICER (SENATOR GRAHAM):

8. Senator Bartulis moves for a suspension of the
9. rules for a consideration of the resolution. All in
10. favor of suspension will signify by saying aye. Opposed.
11. The rules are suspended. Senator Bartulis now moves for
12. the immediate adoption of Senate Resolution 185. All
13. in favor will signify by saying aye. Opposed. The
14. ayes have it, the amendment is adopted. Next order of
15. business will be SB 1010 on 3rd reading...on Consideration
16. Postponed, I'm sorry.

17. SENATOR HARBER HALL:

18. Mr. President, SB 1010 will amend the interest act
19. which is the exemption for business loans to clarify that
20. such loans are exempt whether or not the business is
21. carried on for the purpose of investment or profit. We've
22. discussed it thoroughly. And I would move for a favorable
23. roll call on this important piece of legislation.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Hall has explained SB 1010. The amendment
26. has been read. Senator Carroll doesn't understand the
27. amendment, and he wants to question Senator Hall. Senator
28. Carroll.

29. SENATOR CARROLL:

30. Mr. President, I'd think you'd note that we're on
31. 3rd reading now. The amendments already been adopted,
32. and I do very well understand the amendment. I may not under-
33. stand the bill.

1. PRESIDING OFFICER (SENATOR GRAHAM):

2. I made a mistake, we're on the Consideration Post-
3. poned.

4. SENATOR CARROLL:

5. Right. And the...

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Now, you want to question him on the bill.

8. SENATOR CARROLL:

9. I'd...rather than take the time to question him,
10. I think I'll just make a few comments. And I talked
11. to Senator McCarthy about this after we acknowledge
12. the amendment. And as Senator Hall said it did improve
13. it quite a bit and it wasn't a bad bill as he said yes-
14. terday, it's just a bad bill today. The emphasis on bad
15. is not quite as much today as it was yesterday, it's still
16. a bad bill. It still effects the farm loans, it still
17. effects that normal 18 section, that 160 acres, it still
18. effects therefore being unending in it's interest rates,
19. it effects the food prices, all the other prices. It still
20. has that variable rate which means that I still can't
21. get that hair cut because when he gets half way up to the
22. top, he's going to raise the prices on me before he
23. comes half way down the other side. And although the
24. other side of the aisle has promised to raise the funds
25. necessary for that haircut, I haven't heard any more
26. about it, but the variable rate, the haircut rate is
27. still there. And I think it is a still a bad bill and
28. would urge that it not be passed.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Senator Glass.

31. SENATOR GLASS:

32. Mr. President just a word in support of this bill.
33. I...I think the objection raised by Senators McCarthy

1. and Carroll yesterday did have some merit. I think
2. there was some question as to whether the loans in
3. question were in fact business loans. But I can't
4. frankly see the concern today, because the word business
5. has been put back in and...and defined. So it seems
6. to me that there should be no objection in the present
7. form, and I would urge an aye vote.

8. PRESIDING OFFICER (SENATOR GRAHAM):

9. No further discussion? The question before the
10. Senate is shall SB 1010 pass. The Secretary will call
11. the roll.

12. SECRETARY:

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

23. PRESIDING OFFICER (SENATOR GRAHAM):

24. Berning, aye. Senator Merritt, for what purpose do
25. you rise? Senator Merritt. On this question the yeas
26. are thirty-one, the nays are nine. The bill having received
27. a constitutional majority required therefore is declared
28. passed. Senator Merritt.

29. SENATOR MERRITT:

30. Having voted on the prevailing side, I move the
31. vote by which SB 1010 passed be reconsidered.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. Senator Shapiro moves to Table Senator Merritt's

1. motion. All in favor of the motion to Table signify by
2. saying aye. The ayes have it. The motion is Tabled.
3. Senator Harris. Gentlemen, we have no completed...we've
4. got introduction of bills. Sorry, Senator.

5. SECRETARY:

6. SB 1190 by Senators Saperstein, Partee, Donnewald
7. and Rock.

8. (Secretary reads title of bill)

9. SB 1191.

10. (Secretary reads title of bill)

11. 1st reading of the bills.

12. PRESIDING OFFICER (SENATOR GRAHAM):

13. Senator Harris. May we have your attention, Gentlemen,
14. and Ladies, please? Recognize the President of the Senate.

15. SENATOR HARRIS:

16. Now, Mr. President; I move that all Senate Bills
17. on the Senate Calendar of June 1, 1973 except Senate
18. Appropriation bills and SB 94, 150, 459, 567, 878, 998,
19. and 1020 be Tabled pursuant to the operation of Rule 5
20. as amended for consideration of 3rd reading and passage
21. of Senate Bills.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. We...

24. SENATOR HARRIS:

25. Was a motion Mr. President, please.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Yes. The motion is, has just been made by Senator
28. Harris that all Senate Bills remaining on the Calendar
29. as of June 1st, except those...

30. SENATOR HARRIS:

31. That I excepted.

32. PRESIDING OFFICER (SENATOR GRAHAM):

33. ...that he alluded to in his motion, which are...

1. SENATOR HARRIS:

2. ...agreed to by the Joint Leadership.

3. PRESIDING OFFICER (SENATOR GRAHAM):

4. Agreed to by the Joint Leadership be Tabled.

5. All in favor of the motion signify by saying aye.

6. Opposed. The ayes have it and the bills are Tabled.

7. ...Motion carries. Mr. President, do you have any...

8. SENATOR HARRIS:

9. Mr. President, I just want to observe that this
10. has been a most productive day. We have been in our
11. seats. It's just great when this takes place. We do
12. have now for the remainder of June a great deal of work
13. remaining. I know we all thought that we were going
14. to be here late today, but by keeping debate to a mini-
15. mum we really can be productive. Now this has been a
16. most effective day. And I just encourage you all to en-
17. joy a good weekend because there's not going to be many
18. weekends remaining in June. Thank you, Mr. President.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Ladies and Gentlemen of the Senate, is there any
21. further announcements? We have a Death Resolution. Any
22. further announcements? Senator Rock.

23. SENATOR ROCK:

24. Mr. President, thank you. The Secretary needn't
25. read the Death Resolution. It's a resident of my district.
26. I would ask all Senate members to be shown, but it's
27. not necessary to read it. It's a man by the name of
28. Williams who was about forty years a resident of the
29. Austin district and the owner of a chain of liquor stores.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Rock has moved for suspension of the rules
32. for the purpose of adopting a Resolution. All in...
33. Senate Resolution 186. All in favor of the motion, signify

1. by saying aye. The rules are suspended. Senator Rock
2. now moves for the adoption of the amendment...of the
3. Resolution, I'm sorry. All in favor of the adoption of
4. the Resolution will indicate by rising. The Resolution
5. is adopted, and the Senate stands adjourned until 12:00
6. noon, Monday.

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