

78TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 13, 1974

1. PRESIDENT:

2. The Senate will come to order. The Senate will come to
3. order. Prayer will be offered by Chaplain Robert Schwyhart
4. of the American Baptist Regional Office of Springfield.
5. Chaplain Schwyhart.

6. (Prayer by Chaplain Schwyhart)

7. PRESIDENT:

8. Reading of the Journal. Senator Soper.

9. SENATOR SOPER:

10. Mr. President, I now move that we postpone the reading.
11. and the approval of the Journals for June 5th, June 6th,
12. June 10th, June 11th and June 12th pending the arrival of the
13. printed Journals.

14. PRESIDENT:

15. Senator Soper has moved that we postpone the reading of
16. the Journals of June 5th, 6th, 10th, 11th and 12th pending
17. the arrival of the printed Journal. Is there discussion?
18. All in favor of the motion signify by saying Aye. Contrary
19. No. The motion carries. So ordered. Committee reports.

20. SECRETARY:

21. Senator McBroom, the Chairman of the Committee on Appro-
22. priations reports SB 1424 with a recommendation the bill Do
23. Pass As Amended. Senate Bill...HB 2609 with a recommendation
24. the bill Do Pass. House Bills 2264, 2274, 2286, 2298, 2346,
25. 2353, 2357, 2415 and 2426 with a recommendation the bills Do
26. Pass As Amended.

27. PRESIDENT:

28. Resolutions.

29. SECRETARY:

30. Senate Resolution No. 479 by Senator Mitchler.

31. PRESIDENT:

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Mr. President, I ask for suspension of the rules, immediate
2. consideration, adoption of this resolution. Resolution honoring
3. our United States Flag on Flag Day tomorrow and it points out
4. that Dr. B. J. Segrand of Aurora who nationally recognized as
5. Father of Flag Day because in 1916 he persuaded Congress and the
6. President, Woodrow Wilson, to issue the proclamation calling for
7. nationwide observance of Flag Day.

8. PRESIDENT:

9. Senator Mitchler moves to suspend the rules for the
10. immediate consideration of the adoption of the resolution. All
11. in favor signify by saying Aye. Contrary no. The motion
12. carries. On the motion to adopt. All in favor signify by
13. saying Aye. Contrary no. The motion carries and the resolu-
14. tion is adopted.

15. SECRETARY:

16. SJR No. 74 by Senator Regner.

17. PRESIDENT:

18. Senator Regner.

19. SENATOR REGNER:

20. Yes, Mr. President and Members of the Senate, Senate Joint
21. Resolution repeals HJR 31 of last June in which created the
22. Legislative Information Systems Committee. When the committee
23. was created, it had some twenty-eight members on it which has
24. been just totally unworkable. I do have the agreement with the
25. Minority Leader and with the President and with the Chairman of
26. the Executive Committee to move to suspend the rules for the
27. immediate consideration of SJR 74 which constitutes a committee
28. made up of four members of the Senate; two appointed by the
29. President, two by the Minority Leader and the same make-up in
30. the House and then the four leaders on it as ex-officio members.
31. And, I would make that motion to suspend the rules for the
32. immediate consideration.

33. PRESIDENT:

1. Senator Regner has moved to suspend the rules for the
2. immediate consideration of SJR 74, is it? Yes. Is there dis-
3. cussion? On that motion all in favor signify by saying Aye.
4. Contrary no. The motion carries. On the motion to adopt. All
5. in favor signify by saying Aye. Contrary no. The motion
6. carries and SJR 74 is adopted.

7. SECRETARY:

8. SJR No. 75 by Senators Ozinga, Course, Donnewald, Harris,
9. Knuepfer, McCarthy, Mitchler, Partee, Regner and Shapiro.

10. PRESIDENT:

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Mr. President and Members of the Senate, this resolution
14. is the resolution that's sponsored by members of the Legislative
15. Council. Over the years, or since 1967, we have sponsored the
16. Information Booth out there in the corridor of the General
17. Assembly and this is a resolution that would eulogize and give
18. a little bit of word of thanks to the League of Women Voters
19. of Sangamon County, the Springfield Chapter of American Asso-
20. ciation of University Women and the Federated Junior Women's
21. Club. I would now move you, Mr. President, for a suspension of
22. the rules for immediate consideration of this resolution.

23. PRESIDENT:

24. Is there further discussion? Senator Ozinga moves to
25. suspend the rules for the immediate consideration of the joint
26. resolution. All in favor of the motion to suspend signify by
27. saying Aye. Contrary no. The motion carries. On the motion
28. to adopt. All in favor signify by saying Aye. Contrary Nay.
29. The resolution is...the motion carries and the resolution is
30. adopted. Introduction of bills. Senator Graham.

31. SENATOR GRAHAM:

32. I'm informed the Secretary has some bills on his desk. I
33. would like to move now for the suspension of the rules so the

1. bills may be given a number, that the chief sponsor indicated
2. and that they there...then be referred to the Committee on Rules.

3. PRESIDENT:

4. Senator Graham moves that the rules be suspended and that
5. the bills on the Secretary's desk be assigned a number, identified
6. by principal sponsor and referred to the Committee on Rules.
7. All in favor of that motion signify by saying Aye. Contrary
8. no. The motion carries. For what purpose does Senator Soper
9. arise?

10. SENATOR SOPER:

11. Mr. President, at this time I'd like to...I'd like to make
12. a motion to be removed as principal sponsor...as sponsor of
13. HB 2506.

14. PRESIDENT:

15. Well, Senator, let's proceed with the item of business that
16. is before us now. We're on the introduction of bills. Let's
17. proceed with that. You'll be recognized for that on the order
18. of motions.

19. SECRETARY:

20. SB 1653 by Senators Rock, Partee and Donnewald.

21. ...1654 by the same sponsors.

22. ...1655 by Senators School, Chew and Conolly.

23. SB 1656 by Senators Bruce, Partee, Rock and Donnewald.

24. ...1657 by Senators Hall, Partee, Rock, Donnewald and

25. Vadalabene.

26. SB 1658 by the same sponsors.

27. PRESIDENT:

28. Pursuant then to Senator Graham's motion, Senate Bills 1653
29. through 1658 are referred to the Committee on Rules. Messages
30. from the House.

31. SECRETARY:

32. (The House asks concurrence of the Senate to HB 1277. The
33. House has concurred with the Senate in the passage of SB 831 and
House Amendment No. 1.)

1. PRESIDENT:
2. Senator Soper did you have a matter on the order of
3. motions?
4. SENATOR SOPER:
5. Yes, Mr. President. Thank you very much. I'd like to be
6. removed as the sponsor of HB 2506.
7. PRESIDENT:
8. Senator Soper seeks leave of the Senate to be removed as
9. the principal sponsor of HB 2506. Is there leave? Leave is
10. granted. Senator Bell.
11. SENATOR BELL:
12. Yes, Mr. President, I seek leave to be removed from SB 1568
13. as a co-sponsor.
14. PRESIDENT:
15. Senator Bell seeks leave of the Senate to be removed as
16. a co-sponsor of SB 1568. Is there leave? Leave is granted.
17. So ordered. Senator Scholl.
18. SENATOR SCHOLL:
19. Mr. President, I'd...I ask leave for...I want to introduce
20. some guests in the Gallery.
21. PRESIDENT:
22. You're recognized. Proceed.
23. SENATOR SCHOLL:
24. I'd like to introduce to the Members of the Senate, some
25. neighbors of mine, come down to Springfield. The Schwygart
26. family. Steve is a Chicago policeman and is a member of the
27. Confederation of Police. I'd like them to stand and be recognized.
28. PRESIDENT:
29. For what purpose does Senator McBroom arise?
30. SENATOR MCBROOM:
31. Mr. President and Members of the Senate, for the same
32. purpose as Senator Scholl on a...
33. PRESIDENT:
34. Proceed.

1. SENATOR MCBROOM:
2. ...a point of personal privilege. I have two very, very,
3. as you know Mr. President, very, very close friends of mine
4. sitting behind me. A gentleman who has spent a lifetime in
5. public service in our county. Eight years as our coroner, eight
6. years as our mayor, six years as our county chairman, as is
7. down here, let me buy his dinner last night Mr. ...Mr. President.
8. PRESIDENT:
9. Good for Ed Madison.
10. SENATOR MCBROOM:
11. And, and our Circuit Clerk, Roger Saraphenie.
12. PRESIDENT:
13. Senate bills on second reading. Senator McBroom are you
14. ready with your action on amendments...on Senate bills second...
15. the appropriation bills? Yes, all right. Then we'll proceed
16. with some of these other bills then. 1432. Senator Vadalabene.
17. Do you wish that advanced? Advance.
18. SECRETARY:
19. SB 1432.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Are there amendments from the Floor? Third reading. 1459.
24. Senator Rock. All right. 1482. Senator Johns. Do you wish
25. that advanced? Advance.
26. SECRETARY:
27. SB 1482.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.
30. PRESIDENT:
31. Are there amendments from the Floor? Third reading. 1535.
32. Senator Graham. Advance.
33. SECRETARY:

1. SB 1535.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. No committee amendments.

4. PRESIDENT:

5. Are there amendments from the Floor? Third reading. We'll
6. revert to the order of resolutions. The House has requested
7. us to initiate the adjournment resolution. So, we'll proceed
8. with that order of business so that we can get it over to them.
9. Resolutions.

10. SECRETARY:

11. SJR No. 76 by Senator Graham.

12. (Secretary reads SJR 76)

13. PRESIDENT:

14. Senator Graham.

15. SENATOR GRAHAM:

16. I move the adoption of the adjournment resolution.

17. PRESIDENT:

18. Senator Graham moves the adoption of the adjournment
19. resolution. It provides for adjournment to Monday at 1 p.m.
20. All in favor of the adoption of the resolution signify by
21. saying Aye. Contrary no. The motion carries and the joint
22. resolution is adopted. We will revert to the order of second
23. reading. Senator Berning. 1538.

24. SECRETARY:

25. SB 1538.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. No committee amendments.

28. PRESIDENT:

29. Are there amendments from the Floor? Third reading.
30. Senator Course. You wish to advance 1552? Senator Course.

31. SENATOR COURSE:

32. Yes, Mr. President, Senator Hall has an amendment, Mr. Pres-
33. ident.

1. SECRETARY:

2. SB 1552.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendments. Amendment
5. No. 1 by Senator Hall.

6. PRESIDENT:

7. Senator Hall. Senator Hall.

8. SENATOR HALL (HARBER):

9. This amendment was agreed on in the Revenue Committee. It
10. permits a penalty of two and a half percent per month until
11. twenty-five percent penalty is collected and it also extends for
12. the department to ninety days. It's approved by both sides of
13. the aisle and all members of the Revenue Committee. I move
14. adoption.

15. PRESIDENT:

16. Senator Harber Hall moves the adoption of Amendment No. 1.
17. Is there discussion? All in favor of the adoption of the amend-
18. ment signify by saying Aye. Contrary no. The motion carries.
19. The amendment's adopted. Are there further amendments from the
20. Floor? Third reading. Senator Dougherty, do you wish to
21. advance 1553?

22. SECRETARY:

23. SB 1553.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Revenue offers one
26. amendment.

27. PRESIDENT:

28. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. Mr. President, this amendment is being offered by myself
31. on behalf of a question that was asked by Senator Nimrod.

32. PRESIDENT:

33. Senator, there is a committee amendment first.

1. SENATOR DOUGHERTY:

2. Oh, that's right. That's right.

3. PRESIDENT:

4. Let's dispose of that. Yes.

5. SECRETARY:

6. The Committee on Revenue offers one amendment.

7. PRESIDENT:

8. Senator Dougherty.

9. SENATOR DOUGHERTY:

10. I move the adoption of the amendment.

11. PRESIDENT:

12. Senator Dougherty moves the adoption of the committee amend-
13. ment which is Amendment No. 1. Is there discussion? All in
14. favor signify by saying Aye. Contrary no. The motion carries.
15. Amendment No. 1 is adopted. Senator Dougherty.

16. SECRETARY:

17. Amendment No. 2 by Senator Dougherty.

18. SENATOR DOUGHERTY:

19. This bill...what this amendment does is just provides that
20. the authority for accepting this goes to the Town Board of
21. Auditors. It changes a section.

22. PRESIDENT:

23. Is there further discussion? All in favor of the adoption
24. of Amendment No. 2 signify by saying Aye. Contrary no. The
25. motion carries. Amendment No. 2 is adopted. Are there further
26. amendments from the Floor? Third reading. 1555. Senator Partee.
27. You wish that advanced? Senator Knuepfer.

28. SENATOR KNUEPFER:

29. I...I'm sorry this is 1555 you're on?

30. PRESIDENT:

31. Yes.

32. SENATOR KNUEPFER:

33. I have an amendment for that bill. I think it is an...I

1. think it is an agreed amendment. This is a bill that did not...
2. was bypassed the committee. It went on...on the order of
3. second reading and the bill, as it was originally drawn, would
4. have removed limitations completely, some time limitations that
5. were in the bill, for the issuance of notes and mortgages. And,
6. I got together with our staff and Senator Partee's staff and we
7. put some limitations back in again. That the...I'd a felt that
8. they could live with but we did not want to provide the kind of
9. open-ended bill with no time limitations that they had proposed.
10. So, the amendment that I would offer is Amendment No. 1 essen-
11. tially makes some time...gives them a little more time to
12. issue mortgages but doesn't give them an open-ended blanket
13. permission to do it whenever they want and I would move the
14. adoption of Amendment No. 1 and if anybody wants more detail on
15. it, I'd be happy to provide it.

16. PRESIDENT:

17. Senator Knuepfer, the bill has not been read. I...I'd
18. really inquired whether the sponsor did want the bill called.
19. He does wish it. All right. We'll read the bill a second
20. time then your motion will be in order.

21. SECRETARY:

22. SB 1555.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. No committee amendments. Amendment
25. No. 1 by Senator Knuepfer.

26. PRESIDENT:

27. Senator Knuepfer.

28. SENATOR KNUEPPER:

29. I think I've already explained the amendment. I'm sorry.
30. I thought we were on that stage and I would move the adoption
31. of the amendment unless anybody has any problems with it.

32. PRESIDENT:

33. Senator Knuepfer moves the adoption of Amendment No. 1 to

1. SB 1555. Is there further discussion? The question is do we
2. adopt Amendment No. 1. All in favor signify by saying Aye.
3. Contrary no. The motion carries and Amendment No. 1 is adopted.
4. Are there further amendments from the Floor? Third reading.
5. I'm sorry, I didn't see a response.

6. SECRETARY:

7. Amendment No. 2 by Senator Partee.

8. PRESIDENT:

9. Senator Partee.

10. SENATOR PARTEE:

11. Now, this second amendment was given us by the department,
12. IDA. They say that they want to change the interest rate on
13. the notes and bonds from the current rate of 7% to 8%. They say
14. that the rate of 7% is not competitive in the bond market and
15. they have 130 million dollars in bonds due in December. And,
16. they need to sell new bonds to pay off those that are maturing
17. in December and this simply raises the rate from 7% to 8% to
18. make it competitive, to make them saleable. And, I'd ask for
19. the adoption of the amendment.

20. PRESIDENT:

21. All right. Senator Hall and then Senator Kneupfer. Senator
22. Hall, Harber Hall.

23. SENATOR HALL:

24. Well, Mr. President and fellow Senators, I have some
25. hesitancy to support several bills introduced to raise the
26. maximum rate on tax exempt securities from 7 to 8 percent in
27. this General Assembly. I recognize there is a drouth of
28. money and we're all competing for it from various angles and
29. aspects. One of the reasons there is a shortage of money is
30. that we in government continue to proliferate the concept of
31. tax free securities through the bond measures and drainage of
32. this drains off sizable amounts of money. So that the free
33. ...the free contracting for money becomes limited and where you

1. provide the tax exempt basis, you in effect are saying to
2. those who hold vast amounts of money where their tax rate is
3. at 50% going in. When you offer these rates you are saying that
4. an 8% rate is the equivalent of 16% to the ordinary investor
5. and you make it very attractive and that makes the use and the
6. availability of money by the ordinary citizen all the more
7. expensive. Now, I don't know how important this is to the
8. function of this agency but I know that there are some tax
9. exempts being sold now at 7% and maybe we ought to consider
10. leaving it there until a more definite need is exhibited. So,
11. I...I think I will just have to oppose this on that basis at
12. this time.

13. PRESIDENT:

14. Senator McCarthy do you wish recognition? All right.

15. Senator Knuepfer.

16. SENATOR KNUEFFER:

17. Well, I...I want to say that I support Senator Partee's
18. amendment. I did not include it as a part of the omnibus be-
19. cause the other provisions in the amendment that I introduced
20. were of a different nature. This was as well a new proposal
21. by IDA. They came to us at the last moment and asked for this.
22. I think it's got to be, I know that I don't agree with some of
23. you on this but I...it is my own position and has been for a
24. long time that the market determines the rates nothing else and
25. if...even if you take a contrary position, I suggest that the
26. problem that you may leave the Illinois Housing Development
27. Authority with is without funds to support housing of some people
28. who need it very desperately. We did set up IDA some years ago
29. to provide housing. If it can't get money, it can't get housing
30. and nobody's going to lend IDA money at a lower rate than they
31. could get anywhere else. So, in this I certainly support what
32. Senator Partee is trying to do.

33. PRESIDENT:

34. Senator McCarthy.

1. SENATOR McCARTHY:

2. Yes, Mr. President, I don't like to speak in opposition
3. to an administration bill and one that's handled by my leader
4. but I must speak against this amendment because what we are
5. doing here is continuing the merry chase upwards of one set
6. of interest rates chasing upwards another set of interest rates.
7. And, it strikes me that sooner or later somebody, either indi-
8. vidually or some elective body, has to say stop. Now, what do
9. I mean by interest rates chasing each other upwards in a spiral.
10. I think the phrase has been defined many times by people more
11. expert than myself. But within the memory of a majority of
12. the members of the branch of this Legislature, the Senate, we
13. have seen, session after session, a raise in an interest rate on
14. a tax exempt such as this being put on. It was put on in 1969.
15. Senator Arrington first opposed it and finally agreed to a 1%
16. increase. Excuse me. Senator Arrington agreed to a 1% increase
17. for a period of one year and we've stepped...we've kept with that
18. proposition that the...any type of an increase from 6 to 7 per-
19. cent on the tax exempt go for a one year period only and it's
20. come back here for renewal each and every time so we, as elected
21. officials, take a hard look at it. Now, Mr. President and
22. Members here, we've seen this happen and that the next session
23. comes in...well, then they...they want other rates to go up and they
24. use as the basis, they say why tax exempts now are legally sale-
25. able at 7%, therefore, we need more on the general interest rate.
26. And, during the last session, Mr. Session...Mr. President, the
27. small loan industry used that type of argument and was able to
28. push through this branch of the Legislature and increase in the
29. small loan interest rates on the top five hundred dollars from
30. 12 to 18 percent. So, it strikes me that what we must bite the
31. bullet sooner or later. If IDA can't market their bonds, it's
32. too bad. If it becomes a critical matter then, of course, the
33. Governor can call us into extraordinary session. But we're here

1. to consider budgetary and appropriation and revenue matters
2. only. And, this matter, in my opinion, is outside of the
3. scope of the rules that were set down by this session, should
4. not be considered and should, I think, be rejected by this
5. Legislature at this time.

6. PRESIDENT:

7. Is there further discussion? Senator Fawell.

8. SENATOR FAWELL:

9. I have a question for Senator Partee. Senator, in regard
10. to this bill, are we talking about, basically, revenue bonds or
11. are we talking about general obligation tax bonds?

12. SENATOR PARTEE:

13. Yeah, no, they are general obligation bonds only to IDA,
14. not to the credit of the State.

15. SENATOR FAWELL:

16. But, they're supported by...by a tax levee then. Is that
17. right?

18. SENATOR PARTEE:

19. No, no. IDA has no taxing authority.

20. SENATOR FAWELL:

21. Well, how are the bonds...they're paid off by means of
22. revenue then. Is that it? The reason I ask...

23. SENATOR PARTEE:

24. Well, the person to whom the loan is made has to make the
25. repayment.

26. SENATOR FAWELL:

27. Well, these...this is strictly conventional...loans then...

28. SENATOR PARTEE:

29. That's correct.

30. SENATOR FAWELL:

31. I see. All right. I...I misunderstood. I...I was assuming
32. we were talking about either revenue or the general obligation
33. bonds. I do want to point this out, that every session in the

1. last, I think, three or four years we have consistently come back
2. and had to renew and bring those...those interest rates back up.
3. And, I know on several occasions, we've found ourselves out of
4. session and Chapman and Cuttler being really deeply concerned in...
5. now I'm talking here about other types of interest rate, I realize,
6. but I think the same thing holds true here. I tend to agree, other
7. words, with what Senator Knuepfer has said, that the market place
8. does indeed set the interest rate and unless...unless it can be
9. shown that there is a conspiracy among lenders in regard to interest
10. rates which I have not found to be true. We are finding, I think
11. instead, that there are an awful lot of people who simply are no
12. longer getting mortgages and loans because of the...what truly is
13. artificiality right now insofar as interest rates are concerned.
14. My tendency would to to support...

15. SENATOR PARTEE:

16. Well, Senator, you're very right. The only reason that they're
17. going to eight is because of the competitiveness of the market.
18. The rate here has not been changed since 1967 and they have, within
19. that seven years, been able to continue to operate at that level.
20. It's now impossible and that is why they are...the request for
21. eight percent.

22. PRESIDENT:

23. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. Mr. President and Members of the Senate, I want to join with
26. Senator McCarthy, as you have known for many years, we have been
27. the opponents of high interest rates for a long time. And, the
28. part of the argument of...advancement by Senator Hall rates true
29. that this 8% was a...is equivalent to 16% to the private investor.
30. And further, I believe, that there is a conspiracy between lending
31. agencies to keep the interest rates high. There is no reason
32. why we have to pay these interest rates this high. The money
33.

1. is available and it's here. But they're just doing what they
2. did in the energy crunch. It's an excuse.

3. PRESIDENT:

4. Is there further discussion? I'm going to recognize Senator
5. Hall and then Senator Partee to close. Senator Hall. Harber
6. Hall.

7. SENATOR HALL:

8. Mr. President, I don't like to speak twice on a subject.
9. I just...I just had a conversation with Senator Partee and with
10. Senator Knuepfer and recognizing the importance in this area of
11. providing some loans for some low income people in the Chicago
12. area, recognizing what the market is today, recognizing also
13. that there is...there are proposals in the General Assembly to
14. free up our usury rate to some extent and hoping the Governor
15. would see fit to join us in supporting this. I'm going to
16. withhold my objection to this particular amendment and...and
17. be in favor of it.

18. PRESIDENT:

19. Senator McCarthy.

20. SENATOR McCARTHY:

21. Yes, Mr. President, I hate to speak twice on the same
22. subject but I want to speak twice because I don't want to with-
23. draw my objection. Even listening to all of the erudite re-
24. marks that have been made by...by the members but what we have
25. here of course is a...a question that comes before you and that
26. is this simple question. Number one, is inflation a problem
27. in Illinois? If the answer to that is yes, the second question
28. is this. Do you increase the inflationary problem when you raise
29. the cost of money? I submit to you, Mr. President and Members,
30. that interest rates increased our inflationary per se. When
31. you raise the cost of money, you raise the cost of things, goods,
32. and services that money buys. My objection remains.

33. PRESIDENT:

Senator Partee.

1. SENATOR PARTEE:

2. The objection remains, I think Senator, because you have
3. lost touch with reality. Everything is costing more money.
4. How can you when you're paying ten cents, fifteen, twenty cents
5. more for my...for a hamburger than you did three or four years
6. ago, isolate one part of the economy from the other part of
7. the economy. We're talking about raising something. We're
8. not raising anything. We're responding, if you please, to
9. the natural situation which exists. This agency of government,
10. IDA, does a remarkable job in the area of its work and develop-
11. ment. This agency, if it to be competitive, if it is to survive,
12. cannot survive at a 7% rate. To say that this is a departure
13. from...from what ought to be is, I think, not taken into consi-
14. deration the tone of this time. Now, we aren't doing this be-
15. cause we want to. We aren't doing this because its a desirable
16. kind of thing. I have much of an anathema against raising interest
17. rates as any man in this...or lady in this room. I'm opposed
18. to raising it. So, we're not really raising it. We're res-
19. ponding to the conditions which exist in this country and if
20. this operation cannot survive at 7%, a logical approach is to
21. raise it to 8 to make it competitive and that's all we seek
22. to do. If we're going to have the agency, we have to give it
23. viability and if it's going to have viability, a realistic
24. figure is 8% and I suggest to you that even under those circum-
25. stances with the competition that they face, it'll be even
26. difficult to place their mortgages. I suggest to you that you
27. should adopt this amendment and let's get up to date.

28. PRESIDENT:

29. Is there...the question is shall the Senate adopt Amend-
30. ment No. 2 to SB 1555. Do you wish a roll call on this? All
31. in favor signify by saying Aye. Contrary No. The amendment
32. fails. Do you wish a roll call. All right. The question is
33. does the Senate adopt Amendment No. 2 to SB 1555. Those in

1. favor will vote Aye. Those opposed will vote No. The voting
2. is open. Have all voted who wish? Have all voted who wish?
3. Take the record. On that question the Yeas are thirty-three,
4. the Nays are thirteen, one Voting Present. Amendment No. 2
5. is adopted. Are there further amendments from the Floor?
6. Third reading. Senator McBroom are you prepared to proceed
7. with the committee amendments to the appropriation bills? Yes.
8. All right. SB 1280. Senator Netsch. Do you wish that advanced?
9. No, we held it yesterday. No, we held it Senator. We held it
10. yesterday. You say leave it on second reading? We'll proceed
11. with...with your other bill then. Senator Rock, do you wish to
12. call 1382? Senator Nimrod. 1564. Do you wish to advance that?
13. Advance.

14. SECRETARY:

15. SB 16...1564.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments.

18. PRESIDENT:

19. Are there amendments from the Floor? Third reading. 1566.

20. Senator Carroll, do wish that advanced? Advance.

21. SECRETARY:

22. SB 1566.

23. (Secretary reads title of bill)

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

25. PRESIDENT:

26. For what purpose does Senator Vadalabene arise?

27. SENATOR VADALABENE:

28. As a point of personal privilege Sir.

29. PRESIDENT:

30. Proceed.

31. SENATOR VADALABENE:

32. On that last amendment, inadvertently my switch wasn't

33. open. Now, I've been referred to as having no guts as voting

1. on that last amendment. Had my switch been open, I pressed my
2. button. I was talking to Senator Hall and I told Senator Hall
3. that I voting Aye on this amendment. I pressed my switch and
4. continued my conversation with Senator Hall not knowing that my
5. key was...hadn't opened my switch. So, even though I'm not
6. recorded on that board, I want to know that I do have guts and
7. that I would have voted Aye had my switch been open.

8. PRESIDENT:

9. The Journal...the Journal will so show. Are there amend-
10. ments from the Floor? Third reading. Senator Hynes. 1614.
11. Advance.

12. SECRETARY:

13. SB 1614.

14. (Secretary reads title of bill)

15. 2nd reading of the bill. The Committee on Education offers
16. one amendment.

17. PRESIDENT:

18. Sentor Hynes.

19. SENATOR HYNES:

20. I would move the adoption of the amendment. It adds or
21. affects an additional section of the school code with respect
22. to the rate on the ninety million dollars in bonds that we
23. approved last year. I move the adoption of the amendment.

24. PRESIDENT:

25. Is there further discussion? Senator Hynes moves the
26. adoption of Committee Amendment No. 1. All in favor signify by
27. saying Aye. Contrary no. The motion carries and the amendment's
28. adopted. Are there amendments from the Floor? Third reading.
29. Senator Weaver. 1618. Advance.

30. SECRETARY:

31. SB 1618.

32. (Secretary reads title of bill)

33. 2nd reading of the bill. The Committee on Transportation and

1. Public Utilities offers one amendment.

2. PRESIDENT:

3. Senator Weaver.

4. SENATOR WEAVER:

5. Mr. President, I move adoption of Committee Amendment

6. No. 1.

7. PRESIDENT:

8. Senator Weaver moves the adoption of Committee Amendment

9. No. 1. Is there discussion? All in favor signify by saying

10. Aye. Contrary no. The motion carries. The amendment's adopted.

11. Are there amendments from the Floor? Third reading. Senator

12. Vadalabene, do you wish to advance 1619? Yes. Advance.

13. SECRETARY:

14. SB 1619.

15. (Secretary reads title of bill)

16. 2nd reading of the bill. No committee amendments.

17. PRESIDENT:

18. Are there amendments from the Floor? Third reading.

19. Senator Soper, do you wish advance...yes. 1621.

20. SECRETARY:

21. SB 1621.

22. (Secretary reads title of bill)

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

24. PRESIDENT:

25. Are there amendments from the Floor? Third reading. 1623.

26. Advance.

27. SECRETARY:

28. SB 1623.

29. (Secretary reads title of bill)

30. 2nd reading of the bill. No committee amendments.

31. PRESIDENT:

32. Are there amendments from the Floor? Third reading. 1627.

33. Senator Donnewald.

SB 1568
6/13/74

1. SECRETARY:
2. SB 1627.
3. (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments. Amendment
5. No. 1 by Senator Mohr.
6. PRESIDENT:
7. Senator Mohr.
8. SENATOR MOHR:
9. Yes, Mr. President and Members of the Senate, I believe
10. Amendment No. 1 is an agreed amendment. It's one that was
11. prepared by the Space Needs Commission. It will help the
12. Commission and the acquisition of land in the Capitol complex
13. which the Commission has the authority by statute to acquire.
14. This can be done either by purchase or condemnation under this
15. amendment provided any appropriation for such acquisition would
16. be made. It's...as I say, it is agreed to and I move the
17. adoption.
18. PRESIDENT:
19. Senator Mohr moves the adoption of Amendment No. 1 to
20. SB 1627. Is there further discussion? All in favor of the
21. adoption of the amendment signify by saying Aye. Contrary no.
22. The motion carries and the amendment's adopted. Are there
23. further amendments from the Floor? Third reading. Senate
24. bills on third reading. SB 1568. For what purpose does Senator
25. Graham arise?
26. SENATOR GRAHAM:
27. I am rising on a point of personal privilege, Mr. President.
28. PRESIDENT:
29. Proceed.
30. SENATOR GRAHAM:
31. Mr. President and Members of the Senate, I'm doing something
32. now that I have rarely done in my sixteen years on this Floor.
33. But, in response to a newspaper article appearing in the Chicago

SB 1567
4/13/74

1. Sun Times on Wednesday, June 5th, headlines saying A. Fogel
2. Wins Grant For Study to End Fortress Prisons. I want to remind
3. the Members of this Senate and especially those on Appropriations
4. and others that what I said some one year ago about this fellow
5. is being proven true today. This interloper from Minnesota
6. and Berkeley, California who was refused by the Illinois Senate
7. as Director of Corrections, was hired by the Governor of this
8. State to be his chief advisor and the Director of the Illinois
9. Law Enforcement Commission. True to his form, his pattern
10. that has been adopted by him in the past; he is saying now that
11. unless drastic changes are made in the prison systems, we
12. will experience unprecedented violence in the fortress prisons
13. of the State of Illinois. He said guards and inmates are
14. deeply alienated from each other and their operations are
15. hampered. Never in my life have I seen a peddler of violence
16. get so much press as this gentleman who is, at least, if he's not
17. devious, his actions certainly are suspect. Destruction and
18. chaos has followed this fellow from...from his outset in...in
19. corrections. And, he's predicting violence. He predicted it in
20. California and he helped with it and they had it. He is saying
21. also, so you people that are going to be contacting the taxpayers,
22. that he thinks we ought to pay a prevailing wage. He thinks
23. we ought to end male censorship. If he'd quit causing trouble
24. and find out that's been...been ended already. He wants a more
25. extensive furlough program. He wants a system of victim compen-
26. sation, conjugal visits, open access area for the press, a con-
27. tract system for parolees and use of adversary and appeal pro-
28. cedures for parole revocation processes. The operational model
29. of this thing is going to be studied by this thirty-five or
30. forty thousand dollar a year man that was refused by this Senate
31. on a little furlough he's going to take to Harvard University
32. this year to find out how they do it out there just before they
33. turn left. I want to tell you, ladies and gentlemen of this

DB 1548
6/13/74

1. Senate that chaos and destruction will face us in the State
2. of Illinois in our penal systems. I've been working with them
3. for some sixteen years and I never until now have been afraid
4. to go through them in a visit. He will do it and I say as one
5. Senator to this Senate, I am condemning openly the actions and
6. the philosophies that David Fogel and you fellows responsible
7. for funds ought to take a good look.

8. PRESIDENT:

9. For what purpose does Senator Bell arise?

10. SENATOR BELL:

11. A point of personal privilege Mr. President. I know...

12. PRESIDENT:

13. Proceed.

14. SENATOR BELL:

15. ...that...that...

16. PRESIDENT:

17. Proceed.

18. SENATOR BELL:

19. ...that you have a lot of things that you want to address
20. yourself to and the Senate this afternoon and I'll only take a
21. moment. But in my district, fellow Senators, I have one-third
22. of the prisons of the State of Illinois. Stateville is located
23. within the 42nd District and I suppose that it would be categor-
24. ized as part of the fortress system. Well, I'd like to point out
25. to the Floor of the Senate, in supporting of Senator Graham's
26. remarks, that the people of Joliet feel that that fortress is
27. necessary there, that that concept of penal incarceration is
28. necessary to protect them from the animals that generally are
29. withheld within those confines. Now, when there's an article
30. written up, like was written up in the Sun Times, June 5th, and
31. I'm not condemning the Sun Times; they're merely reporting the
32. news. But, the remarks of Dr. Fogel are such that when they're
33. read within the confines of a state prison, as they are read,

SB 1568
4/13/74

1. they exacerbate a difficult situation already. These are the
2. kind of remarks, Mr. President and fellow Senators, that can
3. bring on an Attica type situation. Now, I'm not...I'm certain
4. in my own mind that Director Fogel has the interest of society
5. at large. But, when he addresses remarks like this that inflame
6. inmates, that polarize guards and polarize the administration,
7. then he is driving us to a situation that's going to cause a
8. tremendously difficult area in the area of corrections. I
9. support Senator Graham's remarks. I'm absolutely appalled at...
10. at...at these remarks of Director Fogel's that are going into
11. the prisons and I only pray that we are not going to find our-
12. selves in an inflammatory situation within the penal system of
13. the State of Illinois, like that which has been eluded to by
14. Senator Graham that existed in California and in Minnesota and
15. has generally followed Dr. Fogel wherever he goes. And, it's
16. this kind of remarks in his part that fired off. Thank you
17. Mr. President.

18. PRESIDENT:

19. We will take 1568 out of the record and we will place before
20. us on the order of third reading Senator Scholl's two bills;
21. 1242 and 1243. They must be recalled. There is an understand-
22. ing with Senator Hynes to offer an amendment to those bills.
23. So, SB 1242 will be recalled to second reading for the purpose
24. of an amendment. Senator Hynes.

25. SECRETARY:

26. Amendment No. 2 by Senator Hynes.

27. SENATOR HYNES:

28. This bill authorizes the distribution of funds to common
29. carriers for reimbursement for reduced fares that are given to
30. school children. It is identical, in all respects, to SB 1225
31. which is also on the Calendar in which...of which I am the prin-
32. cipal sponsor, with one exception. It does not...the current bill,
33. 1242, does not permit advanced payment of these...of the reim-

1. bursement to the mass transit carriers. The custom and the
2. procedure in the state throughout the existence of this program
3. has been one of flexibility allowing the State to make an
4. advance payment based upon hard data from previous quarters and
5. thereby enable the...the state to be of assistance in helping
6. with the serious problems that mass transit carriers are enduring
7. at the present moment. In effect, what is happening or what
8. would happen under this bill without the amendment that I am
9. offering here would be that the carriers would be obligated
10. to bear the loss from the reduced fare for a period possibly
11. as long as four months. And, in the critical situation in
12. which most mass transit carriers find themselves. This is a very
13. serious problem. This will not involve any additional monies.
14. It will simply allow the State to make the payment at an earlier
15. date. And, I would move the adoption of the amendment.

16. PRESIDENT:

17. Senator Scholl.

18. SENATOR SCHOLL:

19. Mr. President and Members of the Senate, my bill is not a
20. give-away program and I am against this amendment. This
21. language was deliberately left out of both of these bills.
22. Evidence by admission of some of the districts of requests for
23. in receipts of money in excess of varifiable student passengers
24. resulted in some districts not being eligible for money last
25. year. DOT is attempting to correct abuses and requests for such
26. funds and the CTA has been a source of considerable difficulty
27. regarding students with other avenues of assistance, purchasing
28. of service, contracts with RTA, federal operating assistance.
29. The quarterly payment should be sufficient to obviate the need .
30. for advanced payments. Even in the CTA payments, on a quarterly
31. basis, would amount to 4.5 million and thus should not be a fiscal
32. problem for them. What they have attempted, in the past, is to
33. get the entire yearly allotment at the start of the year. Adjust-

1. ment periods would extend into the next fiscal year, if permitted.

2. And, I believe this is a bad practice. I ask that this amend-

3. ment be defeated.

4. PRESIDENT:

5. Is there further discussion? Senator Hynes.

6. SENATOR HYNES:

7. Well, just to reply to a couple of comments that were

8. made. This provision was in the...the bill that we discussed

9. in the...which I sponsored in the special session in November.

10. It is supported by the department. It, in fact, incorporates into

11. law the policy and procedure that...that has been, in effect,

12. over all of the time that this program has been in operation.

13. And, I repeat that it is of significant importance to mass transit

14. carriers in terms of meeting the very severe and significant

15. prices that they face because of the shortage of operational

16. funds. It is asking these carriers to provide a service at a

17. reduced price and then calling upon them to wait for a substan-

18. tial period of time to be reimbursed for that service and the

19. State is in a much better position to enable these carriers to

20. avoid these day to day crises and this is one significant factor,

21. one significant addition, to the State's support for mass transit.

22. I think that it should not have been a controversial matter at

23. all because it has been the policy of the Department of Trans-

24. portation since the very beginning. And, I would ask that the

25. Members of this Body support this amendment.

26. PRESIDENT:

27. Senator Conolly.

28. SENATOR CONOLLY:

29. This legislation that we have provided for in this bill

30. provides as a pay-as-you-go proposition not payment in advance and

31. I think that this should not be a grant program. This should be,

32. as a pay-as-you-go, as the charges are accrued, the payments be

33. made. What happens if there's a change of situation, the

1. money's already paid out and we anticipate this Body
2. paying the money back. For this reason, I oppose the amend-
3. ment.

4. PRESIDENT:

5. Is there further discussion? The question is then...
6. the adoption of Amendment No. 2 to Senate Bill 1242.
7. All those in favor signify by saying Aye. Those opposed
8. vote No. Roll call is requested. The question is the
9. adoption of Amendment No. 2 to Senate Bill 1242. Those
10. in favor of the adoption will vote Aye. Those opposed
11. will vote No. The voting is open. Have all voted who
12. wish? Have all voted who wish? Take the record. Senator
13. Hickey, how do you wish to be recorded? Record Senator
14. Hickey Aye. Well now, here we are. This is the very point
15. that I want to avoid and if we are going to realize
16. efficiency from this equipment, the Senator's obligation
17. is to be in his seat when we... (machine cut off)...poten-
18. tially on roll call. I will be guided by the pleasure of
19. the Senate. Senator Wooten has sought unanimous consent.
20. I'm not going to rule on this myself and I want to move
21. this Body. I just want to make this public declaration.
22. We've seen evidence of dilatory and nonproductive action
23. in the other Chamber these last several weeks. Our record
24. has been favorable in a comparative way. I've tried to work
25. you when there was work to be done. I hope that we can
26. complete our work here today so that we do not have to meet
27. tomorrow. We will have completed our work. Now, really,
28. your responsibility is to be here, in your seats, and you
29. all recognize that roll calls can occur momentarily.

30.
31.
32.
33.

1. PRESIDENT:

2. Senator Wooten has sought leave to be recorded. The roll
3. call has not been announced. What is the pleasure of the
4. Senate? All right, objection has been raised. There is not
5. unanimous consent. The roll call on the adoption of this
6. amendment is 28 Ayes and 28 Nays and the amendment fails. Are
7. there further amendments? Third reading. Senate Bill 1243.
8. Senate Bill 1243 is recalled to the order of second reading for
9. the purpose of an amendment. Senator Hynes is recognized.

10. SENATOR HYNES:

11. This amendment does precisely the same thing with respect
12. to the...to Senate Bill 1243, which deals with reimbursement
13. for reduced fares granted to the elderly. And, I would move
14. its adoption.

15. PRESIDENT:

16. Senator Hynes has moved the adoption of Amendment No. 2
17. to Senate Bill 1243. Is there a discussion? Senator Scholl.

18. SENATOR SCHOLL:

19. For the same reason, I oppose this amendment too.

20. PRESIDENT:

21. Is there further discussion? The question is, on the
22. adoption of Amendment No. 2, do you wish a roll call? Roll call
23. has been requested. Those in favor of the adoption of Amendment
24. No. 2 will vote Aye. Those opposed will vote No. The voting
25. is open. Have all voted who wish? Have all voted who wish?
26. Take the record. On that question the Yeas are 28, the Nays are
27. 29, and the amendment fails. Are there further amendments?
28. Third reading. Senator Berning.

29. SENATOR BERNING:

30. Before we get off of the order of second reading, may I
31. request that Senate Bill 1538 be advanced to third reading?

32. PRESIDENT:

33. It has...it has been advanced, Senator. Senator Rock, did

1. you have a motion for some intervening business?

2. SENATOR ROCK:

3. Thank you Mr. President, I do have a motion. I wonder if
4. I could have Senator Conolly's attention. I spoke to him earlier
5. about...there are two bills currently residing in the Committee
6. on Transportation and Public Utilities. Senator Conolly, because
7. of the press of...especially, Appropriations business, has
8. expressed disinterest in having another meeting. So, I would at
9. this time, Mr. President, move that the Senate Committee on
10. Transportation and Public Utilities be discharged from further
11. consideration of Senate Bills 1479 and Senate Bill 1644, and
12. that they be moved to the order of second reading.

13. PRESIDENT:

14. Senator Conolly. Senator Conolly.

15. SENATOR CONOLLY:

16. It is not the fact of dis...disinterest of having a committee
17. meeting. I always enjoy a committee meeting, but, I think,
18. that if a committee meeting was held next Thursday, it would be
19. next to impossible to pass any bill through the House and the
20. Senate in the remaining days. So, I think, it's just absolutely
21. impractical to have another committee meeting and I know of little
22. controversy on this bill. There is a bill that passed out of
23. House...the House Committee today, so it has been debated and I
24. would not have an objection to the one bill, 1644 is it?

25. PRESIDENT:

26. All right. Senator Rock, do you want to press your motion
27. on 1479? Oh, all right. Now, on 1644, the motion is to discharge
28. the Committee on Transportation from further consideration and
29. have the bill advanced to second reading. Is there discussion
30. on that question? All in favor of the motion signify by saying
31. Aye. Contrary No. Motion carries. Second reading. Senate Bill
32. 1644. On the order of third reading, Senate Bill 1242. Senator
33. Scholl. Senator Scholl.

1. SENATOR SCHOLL:

2. Mr. President and members of the Senate, Senate Bill 1242
3. amends an act to provide for transportation of school children
4. in certain metropolitan areas. I ask for a favorable roll call.

5. SECRETARY:

6. Senate Bill 1242.

7. (Secretary reads title of bill.)

8. Third reading of the bill.

9. PRESIDENT:

10. Is there further discussion? Senator Hynes.

11. SENATOR HYNES:

12. Mr. President and members of the Senate. This is extremely
13. important legislation, although I do regret that the amendment
14. that I offered just moments ago was not adopted, because I think
15. it would have made it a...a much better bill. It is extremely
16. important, if we are to proceed with a...a program of long stand-
17. ing in this state for reimbursement of carriers for reduced fares
18. for children, and I would, therefore, urge that all members of
19. this side support this bill.

20. PRESIDENT:

21. Is there further discussion? Question is, shall Senate Bill
22. 1242 pass. On that question those in favor will vote Aye. Those
23. opposed will vote No. The voting is open. Have all voted who
24. wish? Have all voted who wish? Take the record. On that ques-
25. tion the Yeas are 51, the Nays are none, 4 voting Present. Senate
26. Bill 1242, having received the constitutional majority, is declared
27. passed. Senate Bill 1243.

28. SECRETARY:

29. Senate Bill 1243.

30. (Secretary reads title of bill.)

31. Third reading of the bill.

32. PRESIDENT:

33. Senator Scholl.

1. SENATOR SCHOLL:

2. Mr. President and Members of the Senate, this equally is a
3. very important piece of legislation and will provide the neces-
4. sary funds for giving mass transportation to the elderly and I
5. would ask for a favorable roll call on this.

6. PRESIDENT:

7. Senator Hynes.

8. SENATOR HYNES:

9. I would concur in those comments and, also, repeat the re-
10. marks I made previously. And, finally, would point out that there
11. is another extremely significant bill that does the...the same
12. thing with the advanced reimbursement provision and it's Senate
13. Bill 1225, that, I hope, we will have an opportunity to address
14. very shortly.

15. PRESIDENT:

16. Is there further discussion? Senator Mitchler, will you
17. take the needle out of my back? Senator Mitchler.

18. SENATOR MITCHLER:

19. One question. What is the cost involved to the State of
20. Illinois for this reimbursement?

21. PRESIDENT:

22. Senator Scholl.

23. SENATOR SCHOLL:

24. It's my understanding that approximately 17 million dollars,
25. Senator Mitchler.

26. PRESIDENT:

27. Senator Mitchler, do you have further questions?

28. SENATOR MITCHLER:

29. Is a...is this in the budget or in any way accounted for?
30. I mean, where will this 17 million come from?

31. PRESIDENT:

32. Senator Scholl.

33. SENATOR SCHOLL:

1. The budget.

2. PRESIDENT:

3. Is there further discussion? Senator Scholl.

4. SENATOR SCHOLL:

5. It's in the same location in the budget where all of your
6. xeroxing is.

7. PRESIDENT:

8. Is there further discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. Alderman Scholl. I think I asked you a legitimate question.
11. When you're playing around with 17 million dollars down here, I
12. do ask you where it comes from. Because I want to make a note.
13. And because how I vote on this, I think it's very important.
14. Now if it's in the budget of Department of Transportation and
15. Mass Transportation, say so, know your bill. If you know where
16. it is, say so. If you don't know where it is, as sponsor of the
17. bill, say I don't know. Maybe somebody else on the other side
18. of the aisle can answer for you.

19. PRESIDENT:

20. Senator Scholl.

21. SENATOR SCHOLL:

22. I told you that it was in Fiscal Budget for 1974. It's in
23. the Department of Transportation's budget.

24. PRESIDENT:

25. Is there further discussion? Senator Mitchler.

26. SENATOR MITCHLER:

27. Well, is this a deficiency appropriation, then, for this, or
28. is this new legislation. What are you going to do in 1975?

29. PRESIDENT:

30. Senator Scholl.

31. SENATOR SCHOLL:

32. No, this...this isn't a deficiency appropriation. We're
33. taking this one year at a time.

1. PRESIDENT:
2. Senator Hynes.
3. SENATOR HYNES:
4. The...
5. PRESIDENT:
6. I...I'm sorry...Senator Mitchler.
7. SENATOR MITCHLER:
8. Well, if this is in the Fiscal Year for '74, is this enabling
9. legislation so that they can make these payments?
10. PRESIDENT:
11. Senator Scholl.
12. SENATOR SCHOLL:
13. Yes.
14. PRESIDENT:
15. Senator Mitchler.
16. SENATOR MITCHLER:
17. Well, that answers my question. I...I didn't know where it
18. would be in Fiscal Year '75 with 70 million, there's no appro-
19. priation bill with it. But this is enabling legislation to pay
20. out 17 million dollars between now and July 1 from Fiscal Year
21. '74's budget, that we have. Do I understand that if this does not
22. pass, can the 17 million dollars be paid out anyway? If the
23. appropriation is there?
24. PRESIDENT:
25. Senator Scholl.
26. SENATOR SCHOLL:
27. No, it cannot.
28. SENATOR MITCHLER:
29. Then...then, this is necessary?
30. SENATOR SCHOLL:
31. That is right, Senator Mitchler.
32. SENATOR MITCHLER:
33. And I'll still continue on my xeroxed mailing list.

1. PRESIDENT:

2. Senator Hynes. Do you wish recognition, Senator Hynes?

3. Senator Hynes.

4. SENATOR HYNES:

5. Mr. President, this legislation is necessary to implement
6. a program that has been of longstanding in this state and has
7. been operated by means of rules and regulations issued by the
8. Department of Transportation. The Comptroller in his wisdom,
9. Mr. Lindberg, earlier this year indicated that he could not
10. authorize...or permit payments to be made under the program
11. without more specific statutory authorization. And it...
12. basically, it reit...the problem arises out of the constitutional
13. provisions prohibiting substantive language and appropriation
14. bills. This legislation simply implements what has been the
15. longstanding practice, what the State has been doing. But your
16. point about the current year's appropriation is correct. It is
17. necessary that this be passed in order to allow that money to
18. be expended and the appropriation was approved last year in the
19. Department of Transportation's budget. It is in the budget of
20. the Department of Transportation for the next fiscal year, as
21. well, and it...it...it has been there for several years.

22. PRESIDENT:

23. Is there further discussion? The question is shall Senate
24. Bill 1243 pass. Those in favor will vote Aye. Those opposed
25. will vote No. The voting is open. Have all voted who wish?
26. Take the record. On that question the Yeas are 50, the Nays
27. are none, two voting Present. Senate Bill 1243, having received
28. the constitutional majority, is declared passed. Senator Partee,
29. do you have an announcement to make?

30. SENATOR PARTEE:

31. Yes, Mr. President, we would like to have a brief period
32. ...for a Democratic caucus, immediately.

33. PRESIDENT:

1. Leave is granted. There will be a Democrat Caucus immediately
2. on the sixth floor. Senator Partee.

3. SENATOR PARTEE:

4. Because you are a very articulate person, I think I have to
5. bring to your attention that the adjective form, which we use to
6. describe our caucus is Democratic, not Democrat.

7. PRESIDENT:

8. Well, I was using the capital D, Democrat, not the modifying
9. small d, democratic. Of course, you're democratic, but you are
10. proper nouns to me. So the Democrats will caucus on the sixth
11. floor, immediately.

12. CAUCUS

13. AFTER CAUCUS

14. SERGEANT AT ARMS:

15. All persons not entitled to the Floor, please retire to the
16. Gallery.

17. PRESIDENT:

18. The Senate will come to order. Senator McBroom.

19. SENATOR MCBROOM:

20. Yes, Mr. President, I had a brief discussion with you and
21. if it meets with the approval of you and the other members of
22. the Senate, I would like to ask for unanimous consent to postpone
23. our Senate Appropriations Committee until Monday...or Tuesday
24. afternoon at 3 o'clock, Mr. President. There are only six bills
25. in it and, I think, it's the consensus of most of the members that
26. it's pretty late in the day to hold that meeting.

27. PRESIDENT:

28. Are those...are there any Senate bills in the...

29. SENATOR MCBROOM:

30. There are two Senate bills in the committee, Mr. President.

31. PRESIDENT:

32. Senator Knue...

33. SENATOR MCBROOM:

1. And I have another...

2. PRESIDENT:

3. Senator Knuepfer.

4. SENATOR KNUEPFER:

5. That exemption does not apply to Public Health, Welfare, and

6. Corrections. They will meet, as usual, whenever we're done.

7. PRESIDENT:

8. OK. Senator...Senator McBroom. No objection to my knowledge

9. has been raised. Proceed, Senator McBroom.

10. SENATOR MCBROOM:

11. Yes. The bills that were on the call for this afternoon

12. will be on the call, Mr. President, on Tuesday afternoon, and

13. I'd also like unanimous consent, Mr. President, to waive the

14. 6-day rule and hear Senate Bill 1622 Tuesday afternoon in Ap-

15. propriations Committee. I have also discussed this with Sena-

16. tor Hynes and it meets with his approval.

17. PRESIDENT:

18. Is there leave? Leave is granted for waiving of the 6-day

19. notice rule in regard to hearing Senate Bill 1622 at the post-

20. poned meeting of today of the Appropriations Committee, which

21. will meet Tuesday afternoon. Is Senator Don Moore on the Floor?

22. Senator Mitchler.

23. SENATOR MITCHLER:

24. Mr. President and Members of the Senate. The Senate Industry

25. and Labor Committee was scheduled to meet at 2:15 this afternoon

26. in Room A-1 of the State Office Building. I...I've surveyed the

27. members of the committee and it is their desire, and I will concur,

28. that we postpone that meeting until 2:15 p.m. on Thursday of next

29. week.

30. PRESIDENT:

31. Senator Mitchler has postponed the meeting of Industry and

32. Labor until 2:15 p.m., Thursday, of next week. Senator Brad Glass

33. on the Floor? Senator Merritt. Yes, so that we can just get

1. started...here...well, Senator Glass is here, I'll call him. He
2. has Senate Bill 1286. I'm going to call that so that we can get
3. underway here. Then, I will recognize Senator Roe to proceed on
4. this bill. Senator Glass. 1286. Senate Bills on Third Reading.

5. SECRETARY:

6. Senate Bill 1286.

7. (Secretary reads title of bill.)

8. Third reading of the bill.

9. PRESIDENT:

10. Senator Glass.

11. SENATOR GLASS:

12. Thank you, Mr. President, ladies and gentlemen. Senate Bill
13. 1286 would increase the annual fee for obtaining the legislative
14. synopsis and digest to \$40. This fee was last increased approx-
15. imately 10 years ago from 10 to \$20 and the amount that the Refer-
16. ence Bureau receives is far less than the cost of printing, pub-
17. lishing and mailing this digest; so the members of the Legislative
18. Reference Bureau, including the leadership on both sides of the
19. aisle, concurred that this amendment to increase fee is timely,
20. and I would urge your support of Senate Bill 1286.

21. PRESIDENT:

22. Is there further discussion? Senator Rock.

23. SENATOR ROCK:

24. Well, I rise in support of Senate Bill 1286, and I would ask
25. the members on this side to support the...the work the Bureau does
26. in providing these digests to both private citizens and county
27. clerks, and so forth, I think, is one that they should be com-
28. pensated for. This will hardly even pay the printing costs, but,
29. at least it's a step in the right direction.

30. PRESIDENT:

31. Is there further discussion? The question is shall Senate
32. Bill 1286 pass. Those in favor vote Aye. Those opposed No.
33. The voting is open. Have all voted who wish? Take the record.

1. On that question the Yeas are 52, the Nays are none. Senate Bill
2. 1286, having received the constitutional majority, is declared
3. passed. Senate Bill 1244. Senator Merritt.

4. SECRETARY:

5. Senate Bill 1244.

6. (Secretary reads title of bill.)

7. Third reading of the bill.

8. PRESIDENT:

9. Senator Merritt.

10. SENATOR MERRITT:

11. Yes, Mr. President, this bill does just as the Secretary
12. announced. There's no use to go into any great debate for it.
13. I'd just appreciate a favorable roll call.

14. PRESIDENT:

15. Is there further discussion? The question is shall Senate
16. Bill 1244 pass. Those in favor will vote Aye. Those opposed
17. No. The voting is open. Have all voted who wish? Have all
18. voted who wish? Take the record. On that question the Yeas
19. are 51, the Nays are none. Senate Bill 1244, having received
20. the constitutional majority, is declared passed. Senator Merritt,
21. 1296.

22. SECRETARY:

23. Senate Bill 1296.

24. (Secretary reads title of bill.)

25. Third reading of the bill.

26. PRESIDENT:

27. Is there further discussion.

28. SENATOR MERRITT:

29. Mr. President, I'll take a favorable roll call on this.

30. PRESIDENT:

31. The question is shall Senate Bill 1296 pass. Those in favor
32. will vote Aye. Those opposed No. The voting is open. Have all
33. voted who wish? Take the record. On that question the Yeas are

1. 48, the Nays are none. Senate Bill 1296, having received the
2. constitutional majority, is declared passed. Senate Bill 1264.
3. Senator Knuppel.

4. SECRETARY:

5. Senate Bill 1264.

6. (Secretary reads title of bill.)

7. Third reading of the bill.

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPEL:

11. Mr. Chairman, this is the appropriation for Illinois Racing
12. Board. I'd approve...I would appreciate a favorable roll call.

13. PRESIDENT:

14. Is there further discussion? The question is shall Senate
15. Bill 1264 pass. Those in favor will vote Aye. Those opposed No.
16. The voting is open. Have all voted who wish? Have all voted who
17. wish? Take the record. On that question the Yeas are 49, the
18. Nays are none. Senate Bill 1264, having received the constitutional
19. majority, is declared passed. Senate Bill 1267. Senator Swin-
20. arski.

21. SECRETARY:

22. Senate Bill 1267.

23. (Secretary reads title of bill.)

24. Third reading of the bill.

25. PRESIDENT:

26. Senator Swinarski.

27. SENATOR SWINARSKI:

28. I would appreciate a favorable roll call.

29. PRESIDENT:

30. Question is shall Senate Bill 1267 pass. Those in favor
31. will vote Aye. Those opposed No. The voting is open. Have
32. all voted who wish? Have all voted who wish? Take the record.
33. On that question the Yeas are 52, the Nays are none. Senate

1. Bill 1267, having received the constitutional majority, is
2. declared passed. Senate Bill 1237.
3. SECRETARY:
4. Senate Bill 1237.
5. (Secretary reads title of bill)
6. Third reading of the bill.
7. PRESIDENT:
8. Senator Don Moore.
9. SENATOR MOORE:
10. Thank you Mr. President. This bill enlarges the limits of
11. the Metropolitan Sanitary District by adding certain lands in
12. the Village of Madison, in Cook County. It's been approved by
13. the Plan Commission, requested by the Village Board. I'd
14. appreciate a favorable roll call.
15. PRESIDENT:
16. Is there further discussion? Senator Bell.
17. SENATOR BELL:
18. Yes, Mr. President, I'd like to ask a question of Senator
19. Moore.
20. PRESIDENT:
21. He indicates he will yield. Proceed, Senator Bell.
22. SENATOR BELL:
23. Senator Moore, does this apply only to that area that you
24. specified or does it encompass also larger area?
25. PRESIDENT:
26. Senator Don Moore.
27. SENATOR MOORE:
28. This applies to the legal description that is in the bill.
29. The specific legal description, lots 1 through 10, in a certain
30. Block 13, that is going...that is in the Village of Madison but
31. is not within the corporate limits of the sanitary district.
32. The Village of Madison wants it in the corporate limits of the
33. sanitary district. It only applies to that one parcel of land.

1. PRESIDENT:
2. Senator Bell. Senator Graham.
3. SENATOR GRAHAM:
4. Senator Moore, we don't have any part of Palatine Township
5. in this, do we?
6. PRESIDENT:
7. Senator Don Moore. He indicates that he'll yield.
8. SENATOR MOORE:
9. I...I'm very sorry to say that we don't, Senator Graham.
10. PRESIDENT:
11. Is there further discussion? The question is shall Senate
12. Bill 1237 pass. Those in favor will vote Aye. Those opposed No.
13. The voting is open. Have all voted who wish? Have all voted
14. who wish? Take the record. On that question the Yeas are 48,
15. the Nays are 3. Senate Bill 1237, having received a constitu-
16. tional majority, is declared passed. Senate Bill 1314.
17. SECRETARY:
18. Senate Bill 1314.
19. (Secretary reads title of bill.)
20. Third reading of the bill.
21. PRESIDENT:
22. Senator Nimrod.
23. SENATOR NIMROD:
24. Mr. President and fellow Senators. This bill is the one
25. that's response to the township which needs legislation as a
26. result of the Attorney General's ruling on expenditure of Federal
27. Revenue's share of funds, which allows them to act and raise
28. funds for their own purposes, as well as, that which is outlined
29. under the Federal act. I will be happy to answer any questions
30. or call for a favorable roll call.
31. PRESIDENT:
32. Senator Knuppel.
33. SENATOR KNUPPEL:

1. Would this bill, in essence, now allow Revenue Sharing money
2. to be used for purposes like giving it to a Boys Club to build a
3. swimming pool or to the local Y and those kind of things?

4. PRESIDENT:

5. Senator Nimrod.

6. SENATOR NIMROD:

7. Under the Township Committee on Youth and under the present
8. powers of the board they may use it for recreation and work in
9. connection with those items with juvenile delinquency. This does
10. not change it or any other; it allows them to use Revenue Sharing
11. funds for the same purpose for which they had authority before.

12. PRESIDENT:

13. Senator Knuppel.

14. SENATOR KNUPPEL:

15. Well, the only difference is, is that this money's coming
16. back from someplace else, and I, when I read the list that some
17. of these townships and other places were using it for, because,
18. you know, the pinch is great when it comes out of your pocket
19. on an ad valorem basis. I'm sure that the taxpayer, who pays
20. income tax, if he wanted to contribute, let's say, to the Salva-
21. tion Army or some boys group, or something like this, he'd make
22. the contribution directly. When I see the list of things that
23. this Revenue Sharing is being used for, I'm appalled. And I
24. don't believe that the taxpayer wants it used for those things.
25. If he had his way, I think that he would contribute to those
26. things directly rather than to have it go to Washington and then
27. come back and have his township officials assign it in that manner.
28. I just can't believe that these are the kind of purposes that the
29. taxpayer wants it to...wants to have it used for. It might make
30. the...it might make the county boards or whoever's doing it, the
31. township boards happy, but I don't think that it's making the
32. taxpayer happy.

33. PRESIDENT:

1. Senator Davidson.

2. SENATOR DAVIDSON:

3. Mr. President and Members of the Senate. This is a follow-
4. up piece of legislation which the vast majority of you did pass
5. for and vote for and is now part of the law in the last session.
6. And then, the Attorney General and the Deputy Solicitor General
7. of the United States said the language was not correct. In this
8. amendment, and you really should read the amendment, because the
9. amendment to the bill changes many of the things which other
10. people had objection to. This is of a necessary item to the
11. township or particularly to organizations or individuals which
12. have given service which taxes are now being paid for, such as
13. Mental Health, Alcoholism, et cetera. One point which Senator
14. Knuppel asked about, the Township Youth Advisory Commission,
15. which many of you may already be aware, or may not, already have
16. the ability to levy a tax to do the very things that now, that
17. you can give them authority under this bill if they so desire
18. and cut out the local tax property...local property tax. This
19. is a good bill. It's brought about due to the interpretation
20. by the Deputy Solicitor General, there's been contact both with him
21. and the Attorney General's office. The amendment which was put
22. on this bill in second reading, puts in the specific language
23. that they asked to have and removed the items which many of you
24. objected, such as financial assistance, et cetera, which should
25. not have been in there in the first place. Appreciate a most
26. favorable roll call, because it's a pressing need.

27. PRESIDENT:

28. Senator Latherow...I'm sorry. Senator Wooten, and then
29. Senator Latherow.

30. SENATOR WOOTEN:

31. Question of the sponsor. Is not an identical Senate bill
32. been Tabled in the House?

33. PRESIDENT:

1. Senator Nimrod.

2. SENATOR NIMROD:

3. No. I don't know whether the Senate bill's been Tabled. I
4. think there was some attempt, Senator Wooten, in order to expedite
5. time, and with your permission to get your bill that was there in
6. Rules Committee and bring it...amend it and bring it out. I...
7. I don't know what had happened. My bill was introduced prior to
8. that time. I did agree that we would hold this until...if they
9. could do that to save time. I...I don't know what the problems
10. are, nor the complications at the House. So...it was never amended
11. to that particular situation.

12. SENATOR WOOTEN:

13. My understanding is that the bill has been Tabled in the House.

14. SENATOR NIMROD:

15. You're referring to your bill? Yeah. But your bill does not
16. have any of these amendments on it.

17. PRESIDENT:-

18. Senator Wooten.

19. SENATOR WOOTEN:

20. It was brought to the Floor to be amended and then was Tabled.

21. PRESIDENT:

22. Senator Latherow. Is there further discussion? Question is
23. shall Senate Bill 1314 pass. Those in favor will vote Aye. Those
24. opposed No. The voting is open. Have all voted who wish? Have
25. all voted who wish? Take the record. On that question the Yeas
26. are 34, the Nays are 7. 3 voting Present. Senate Bill 1314,
27. having received the constitutional majority, is declared passed.
28. Senate Bill 1324. Senator Hynes.

29. SECRETARY:

30. 1324.

31. (Secretary reads title of bill.)

32. Third reading of the bill.

33. PRESIDENT:

1. Senator Hynes.

2. SENATOR HYNES:

3. This is the annual appropriation for the Superintendent of
4. Public Instruction. I would appreciate a favorable roll call.

5. PRESIDENT:

6. Is there further discussion? The question is shall Senate
7. Bill 1324 pass. On that question those in favor will vote Aye.
8. Those opposed No. The voting is open. Have all voted who wish?
9. Have all voted who wish? Take the record. On that question the
10. Yeas are 47, the Nays are none. Senate Bill 1325, having received
11. a...I'm sorry, 1324, having received a constitutional majority,
12. is declared passed. 1348.

13. SECRETARY:

14. . Senate Bill 1348....

15. PRESIDENT:

16. For what purpose does Senator Berning arise?

17. SENATOR BERNING:

18. Well, I was just curious, Mr. President. The roll call in-
19. dicated we were voting on Senate Bill 1348, and you announced
20. 1324.

21. PRESIDENT:

22. No...No, Senator Berning, 1324 was on the board. And when
23. I announced the results the Secretary had begun to change it to
24. this number, and at that point I was glancing at the board, and
25. at that point it said 25. I corrected my reference to 1325.
26. The bill that was under consideration was 1324, and it was pro-
27. perly identified on the board.

28. SECRETARY:

29. Senate Bill 1348.

30. (Secretary reads title of bill.)

31. Third reading of the bill.

32. PRESIDENT:

33. Senator Wooten.

1. SENATOR WOOTEN:

2. Mr. President, Ladies and Gentlemen of the Senate, this is
3. the Division of Waterways appropriation, familiar...familiarly
4. known as the Creek Bill. I...we discussed it in some detail
5. yesterday. I would ask for a favorable roll call.

6. PRESIDENT:

7. Is there further discussion? Senator Merritt, did you
8. wish recognition? The question is shall Senate Bill 1348 pass?
9. Those in favor will vote Aye. Those opposed No. The voting
10. is open. Have all voted who wish? Have all voted who wish?
11. Take the record. On that question the Yeas are 44, the Nays
12. are 4. Senate Bill 1348, having received a constitutional ma-
13. jority, is declared passed.

14. SECRETARY:

15. Senate Bill 1461.

16. (Secretary reads title of bill.)

17. Third reading of the bill.

18. PRESIDENT:

19. Senator Buzbee.

20. SENATOR BUZBEE:

21. Thank you, Mr. President. Mr. President, this bill provides
22. for a 2% increase of the uniformed State Police over the statu-
23. tory limit which is presently set at 1600. The reason the State
24. Police have asked for this increase is they go into a 20-week,
25. and soon to be expanded to 21-week training period, and at the
26. beginning of this training period, if they only have 1600 people
27. total on the force, then as they have drop-outs, normal attrition,
28. deaths, disabilities, and so forth, over this five month period,
29. they are down below their 1600 authorized strength. So they are
30. asking for a 2%, which comes to 32 people. There was an amendment
31. offered in the Executive Committee, which was perfectly acceptable
32. to me and to the police and was accepted and I would ask for a
33. favorable roll call.

1. PRESIDENT:

2. Is there further discussion? Question is shall Senate Bill
3. 1461 pass? Those in favor will vote Aye. Those opposed. No. The
4. voting is open. Have all voted who wish? Have all voted who
5. wish? Take the record. On that question the Yeas are 47, the
6. Nays are none. Senate Bill 1461, having received a constitutional
7. majority, is declared passed. Senator McBroom.

8. SENATOR MCBROOM:

9. Mr. President and Members of the Senate, I arise on a point
10. of personal privilege. In the Gallery, immediately behind you,
11. Mr. President, and in front of me, are the wives of two of our
12. colleagues and their families. Senator Roe's wife is there and
13. Senator Nimrod's wife. I wonder if they would arise and be
14. recognized by the Senate.

15. PRESIDENT:

16. Is there leave for Senator Latherow to handle Senator Sours'
17. bill, Senate Bill 1212? Leave is granted. Senate Bill 1212.

18. SECRETARY:

19. Senate Bill 1212.

20. (Secretary reads title of bill.)

21. Third reading of the bill.

22. PRESIDENT:

23. The question is shall Senate Bill 1212 pass at...at...ex-
24. planation by Senator Latherow of Senator Sours' bill. Those in
25. favor will vote Aye. Those opposed No. The voting is open.
26. Have all voted who wish? Take the record. On that question the
27. Yeas are 48. The Nays are none. Senate Bill 1212, having received
28. the constitutional majority, is declared passed. Is there leave
29. for Senator Latherow to handle Senate Bill 1218 in Senator Sours'
30. absence? Leave is granted. Senator Latherow. Senate Bill 1218.

31. SECRETARY:

32. Senate Bill 1218.

33. (Secretary reads title of bill.)

1. Third reading of the bill.

2. PRESIDENT:

3. Senator Latherow. The question is...the question is shall
4. Senate Bill 1218 pass. Those in favor will vote Aye. Those
5. opposed No. The voting is open. Have all voted who wish? Take
6. the record. On that question the Yeas are 48, the Nays are none.
7. Senate Bill 1218, having received the constitutional majority,
8. is declared passed. For what purpose does Senator Vadalabene
9. arise?

10. SENATOR VADALABENE:

11. Yes, on a point of personal privilege.

12. PRESIDENT:

13. Proceed.

14. SENATOR VADALABENE:

15. This morning I displayed a...I'm afraid, a little bit of
16. temper, and I would like, at this time, to publicly apologize to
17. one of the finest persons who ever served in this General As-
18. sembly, and also one of the finest persons that God ever put
19. on this earth, Senator Dan Dougherty.

20. PRESIDENT:

21. It is quite obvious to the membership that that apology
22. has been accepted and I think we all agree with you, and that
23. identification of Senator Dougherty could, likewise, apply to
24. Senator Vadalabene. Senate Bill 1561.

25. SECRETARY:

26. Senate Bill 1561.

27. (Secretary reads title of bill.)

28. Third reading of the bill.

29. PRESIDENT:

30. Senator Soper.

31. SENATOR SOPER:

32. It seems that some of the municipalities and townships
33. have little problems because they can't appropriate money without

1. this bill in order to continue with their youth services pro-
2. gram and receive Federal funds and matching funds. I would ask
3. for a favorable roll call on this.

4. PRESIDENT:

5. Senator Graham.

6. SENATOR GRAHAM:

7. Senator Soper. Are they now or will they be in the future
8. dependent upon grants from the Illinois Law Enforcement Commis-
9. sion?

10. PRESIDENT:

11. Senator Soper.

12. SENATOR SOPER:

13. Yes, without matching funds they can't get the money from
14. the Law Enforcement Commission because the Federal funds are
15. sent to the Law Enforcement Commission and then...then distri-
16. buted to the local government through that body.

17. PRESIDENT:

18. Senator Graham.

19. SENATOR GRAHAM:

20. Ladies and gentlemen. I know the villages and municipalities
21. and townships need this money. I'm saying to you this, that the
22. director of the Illinois Law Enforcement Commission, if he uses
23. the same kind of blackjack tactics that he used on the County Law
24. Enforcement Commissions, and that he uses on the Director of
25. Prisons and others, to whip them into shape because he is the
26. holder of the pocketbook, I say to you with that thought in mind
27. this is a bad bill and I don't want to put the governments, the
28. small governments, in the State of Illinois at the mercy of David
29. Poole.

30. PRESIDENT:

31. Senator Dougherty.

32. SENATOR DOUGHERTY:

33. I would, in response to Senator Graham and with Senator Soper,

1. we heard extensive testimony on this subject. The same questions
2. were asked of the director's representative there. We were
3. aware of it, we did ask the questions and we were assured that
4. it would not happen.

5. PRESIDENT:

6. Senator Wooten.

7. SENATOR WOOTEN:

8. Just briefly, Mr. President, I believe this program has
9. been operating for some time, and most successfully in most
10. communities in Illinois, and without this legislation the whole
11. work of the Youth Services Bureau comes to a halt, and I realize
12. Senator Graham has made some statements which none of us, I think,
13. are prepared to dispute one way or another now, but the existence
14. of Youth Services Bureaus in jeopardy and they do valuable work.
15. Without this, there will be no Federal money coming in and the
16. work of Youth Services Bureau will simply cease all over the state.
17. And they are a valuable tool in combating juvenile delinquency and
18. they are a vital part of the corrections and probation system
19. across the State.

20. PRESIDENT:

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. Well, I...I think the problem is a very simple one and, I
24. think, this is what Senator Graham was trying to address himself
25. to. This is Federal money. These are 3-year grants and at the
26. end of the grant period these grants are phased out. Now, it
27. may be, and some Senators have suggested to me, that their local
28. police departments just use these monies to supplement their own
29. funds, but for the municipalities who build a program on this and
30. then three years from now find that they are stuck with this
31. program because they've got people under the merit system or
32. under Civil Service, I think it is a concern and it's one of
33. these carrots that the Federal Government gives us to develop a

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1. new program and then, all of a sudden, they drop it in our lap and
2. say, now it's yours.

3. PRESIDENT:

4. Is there further discussion? Senator Soper may close.

5. SENATOR SOPER:

6. Well...Mr. President, Ladies and Gentlemen of the Senate,
7. we...we went through the...all the questions that Senator
8. Knuepfer asked. Senator Graham had doubts about. But if, as
9. it's explained to us, that if the community doesn't want the
10. program they don't have to have the program, but there are
11. many communities that do have the program and they're...they
12. can't appropriate the money to receive the matching funds, and
13. I know in Lake County we've got...we got a call from those people,
14. and they...and the State's Attorney there told them that they
15. couldn't appropriate this money because it was illegal to do it
16. without this bill, and that...so they came to the Committee on
17. Local Government, and it's a committee bill, and as I say, if the
18. community doesn't want to get into the program, they don't have
19. to be in the program. And those that are in the program now find
20. it very successful, and we thought that it's a good bill and that
21. it ought to be passed to help the communities that want it. I'd
22. like a favorable roll call. Thank you very much.

23. PRESIDENT:

24. Ques...Question is shall Senate Bill 1561 pass. Those in
25. favor will vote Aye. Those opposed No. The voting is open.
26. Have all voted who wish? Have all voted who wish? Take the
27. record. On that question the Yeas are 35, the Nays are 4. Four
28. voting Present. Senate Bill 1561, having received a constitution-
29. al majority, is declared passed. Senate Bill 1568.

30. SECRETARY:

31. Senate Bill 1568.

32. (Secretary reads title of bill.)

33. Third reading of the bill.

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1. PRESIDENT:

2. Senator Roe.

3. SENATOR ROE:

4. Mr. President and members of the Senate. I'd be very happy

5. to take the most favorable roll call. I'll take a moment.

6. Senator Chew had expressed to me that he didn't think the bill

7. was strong enough, but since we have gone by the amendatory

8. process, we're left with the bill in its present form and I'll

9. briefly take some time to explain the major provisions. OK.

10. Did all those calls for a roll call indicate Aye votes? Then,

11. I'm perfectly satisfied.

12. PRESIDENT:

13. Is there further discussion? Senator Palmer.

14. SENATOR PALMER:

15. I have a point of information, Mr. President. Do the rules

16. provide if one of the Senators, or three Senators made a motion

17. to have this bill read in full? What is the order of the Presi-

18. dent?

19. PRESIDENT:

20. Well, I will respond. Our rules provide for bills to be

21. read by title. I think the language of the new Con...Constitution

22. have disabused us of that requirement in the old Constitution and

23. we have not really been put to a test of whether, in fact, a

24. majority of the Senators present want to proceed in that fashion

25. or not. The procedure of reading by title seems to have been

26. reasonably effective so far. Senator Palmer.

27. SENATOR PALMER:

28. Mr. President, I accept that as being the correct ruling.

29. However, I have another question. What would be the procedure

30. if I asked to suspend the rules?

31. PRESIDENT:

32. That is your right at any point in the orderly process of

33. the Senate. If you wish to suspend the rules for some purpose.

4/31/74
SB 1568
3rd Reading

1. You would...

2. SENATOR PALMER:

3. Well, I'd like...I'd like to make that motion now that
4. ...the motion to suspend the rules to have this bill read
5. in full.

6. PRESIDENT:

7. That motion is not debatable. Senator Palmer is per-
8. fectly within the rules. The question is shall the rules
9. be suspended for the purpose of reading Senate Bill 1568 in
10. full. On that question those in favor vote Aye. Those
11. opposed vote No. The motion fails. Is there further dis-
12. cussion on Senate Bill 1568? Senator Chew has put the
13. motion to put the main motion. All in favor of putting the
14. main motion, signify by saying Aye. Contrary No. The
15. motion carries. Question is shall the main motion now be
16. put, and that main motion is shall Senate Bill 1568 pass.
17. And, on that question, those in favor will vote Aye. Those
18. opposed No. The voting is open. Will the second baseman
19. protect her agility? The ball game is next Wednesday, you
20. know. Have all voted who wish? Have all voted who wish?
21. Take the record. On that question the Yeas are forty-seven,
22. the Nays are none. Senate Bill 1568, having received a
23. constitutional majority, is declared passed. House Bills on
24. Third Reading.

25.
26.
27.
28.
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33.

1. HB 2125.

2. SECRETARY:

3. HB 2125.

4. (Secretary reads title of bill)

5. Third reading of the bill.

6. PRESIDENT:

7. Senator Davidson.

8. SENATOR DAVIDSON:

9. Mr. President and members of the Senate, this bill is to
10. correct an inequity that's happened on a ruling the Department of
11. Revenue, when they were collecting sales tax on donations of food
12. for people who could give a donation on the house...on the
13. food for the elderly. I know of no opposition to this bill
14. and take...appreciate a favorable roll call.

15. PRESIDENT:

16. Is there further discussion? The question is shall HB 2125
17. pass. Those in favor will vote Aye. Those opposed No. The
18. voting is open. Have all voted who wish? Take the record.
19. On that question, the Yeas are 49, the Nays are none. HB 2125,
20. having received the constitutional majority, is declared passed.
21. HB 2401.

22. SECRETARY:

23. HB 2401.

24. (Secretary reads title of bill)

25. Third reading of the bill.

26. PRESIDENT:

27. Senator Buzbee.

28. SENATOR BUSBEE:

29. Thank you, Mr. President. This is the bill for the ordinary
30. and contingent expenses of the State Civil Service Commission.
31. It has the retirement amendment on there, and I would ask for a
32. favorable roll call.

33. PRESIDENT:

1. Is there any further discussion? The question is shall
2. HB 2401 pass. Those in favor will vote Aye. Those opposed No.
3. The voting is open. Have all voted who wish? Have all voted
4. who wish? Take the record. On that question, the Yeas are
5. 45, the Nays are none, one voting Present. HB 2419, having
6. received the constitutional majority, is declared passed.
7. HB 2419...I looked up at the changed board. Yes. HB 2401,
8. having received a constitutional majority, is declared passed
9. and that roll call was 45 Ayes, no Nays and 1 voting Present.
10. In regard to HB 2401.

11. SECRETARY:

12. HB 2419.

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. PRESIDENT:

16. Senator Hickey.

17. SENATOR HICKEY:

18. HB 2419 involves the Paper and Printing Revolving Fund, pri-
19. marily printing paper and it was caused because of shortage of
20. paper last Fall. And, I have other details if anybody wants to
21. ask any questions. I would appreciate a favorable roll call.

22. PRESIDENT:

23. Is there further discussion? The question is shall HB 2419
24. pass. Those in favor will vote Aye. Those opposed No. The
25. voting is open. Have all voted who wish? Take the record. On
26. that question, the Yeas are 44, the Nays are none. HB 2419,
27. having received the constitutional majority, is declared passed.
28. Senator Knuppel.

29. SENATOR KNUPPEL:

30. Personal privilege, you know.

31. PRESIDENT:

32. Proceed.

33. SENATOR KNUPPEL:

1. I...I was so bold, I voted against Motherhood...hood
2. here a couple of weeks ago and I didn't want to be caught in
3. that position on 1568.

4. PRESIDENT:

5. HB 2453.

6. SECRETARY:

7. ...2453.

8. (Secretary reads title of bill)

9. 3rd reading of the bill.

10. PRESIDENT:

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Yes, Mr. President, this transfers 4,400 dollars from
14. Personal Services to Contractual Services in the State Civil
15. Service Commission. I would ask for a favorable roll call.

16. PRESIDENT:

17. Is there further discussion? The question is shall HB 2453
18. pass. Those in favor will vote Aye. Those opposed No. The
19. voting is open. Have all voted who wish? Take the record. On
20. that question, the Yeas are 45, the Nays are one. HB 2453,
21. having received the constitutional majority, is declared passed.
22. Is there leave for Senator Rock to handle HB 2458 in Senator
23. Romano's absence? Leave is granted. HB 2458.

24. SECRETARY:

25. HB 2458.

26. (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you Mr. President, ladies and gentlemen of the Senate.
32. When we gave each and every state board and commission a cost of
33. living increase last session, the Illinois Veteran's Commission was

1. omitted from that appropriation amendment. This bill would grant
2. to that commission a supplemental appropriation to take care of
3. that cost of living increase. I would ask a favorable roll call.
4. The amount is 53,000 dollars.

5. PRESIDENT:

6. Is there further discussion? The question is shall HB 2458
7. pass. Those in favor will vote Aye. Those opposed, No. The
8. voting is open. Have all voted who wish? Take the record. On
9. that question, the Yeas are 48, the Nays are none. HB 2458,
10. having received the constitutional majority, is declared passed.
11. Now, we have several important pieces of business yet before us.
12. Let's not get too anxious. We do need to advance this House Bill
13. on 2nd reading. Let's proceed to that order of business.
14. Senator Mohr, you wish that bill advanced? Yes. HB 2826.

15. SECRETARY:

16. HB 2826.

17. (Secretary reads title of bill)

18. 2nd reading of the bill. No committee amendments.

19. PRESIDENT:

20. Are there amendments from the Floor? Third reading.

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. Yes, Mr. President, SB 1425 was in, I think, Transportation
24. and it is an easement and, I think, you folks have looked over
25. and have decided to allow me to take it from the committee and
26. advance it to the order of 2nd reading. And, I would, therefore,
27. Sir, make that motion.

28. PRESIDENT:

29. Senator Donnewald moves to discharge the Committee on Trans-
30. portation from further consideration of SB 1425 and have it as...
31. advanced to the order of 2nd reading. All in favor of the motion
32. signify by saying Aye. Senator...Senator Conolly is raising a
33. point to Chairman of the committee. I...I think...opposed No.
The motion carries and SB 1425 is ordered to 2nd reading.

1. House Bills on 1st reading. 2348, Senator Donnewald.
2. SECRETARY:
3. HB 2348.
4. (Secretary reads title of bill)
5. PRESIDENT:
6. Now, I would like to request leave of the Senate to...on
7. one motion refer all of these appropriation bills directly to
8. Appropriation. So, is there leave to refer House Bills 2348
9. on the Calendar down through 2416, directly to Appropriations?
10. Leave is granted. We will then proceed to read them a first
11. time.
12. SECRETARY:
13. ...2351
14. (Secretary reads title of bill)
15. 1st reading of the bill.
16. ...23...
17. PRESIDENT:
18. Appro...Appropriations.
19. SECRETARY:
20. ...2352
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDENT:
24. Appropriations.
25. SECRETARY:
26. ...2356
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDENT:
30. Appropriations.
31. SECRETARY:
32. ...2358
33. (Secretary reads title of bill)
1st reading of the bill.

1. PRESIDENT:
2. Appropriations.
3. SECRETARY:
4. ...2367
5. (Secretary reads title of bill)
6. 1st reading of the bill.
7. PRESIDENT:
8. Appropriations.
9. SECRETARY:
10. ...2405
11. (Secretary reads title of bill)
12. 1st reading of the bill.
13. PRESIDENT:
14. Appropriations.
15. SECRETARY:
16. ...2416
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDENT:
20. Appropriations.
21. SECRETARY:
22. ...25...
23. PRESIDENT:
24. 2504, proceed.
25. SECRETARY:
26. ...2504
27. (Secretary reads title of bill)
28. 1st reading of the bill.
29. PRESIDENT:
30. Rules.
31. SECRETARY:
32. HB 2505
33. (Secretary reads title of bill)
1st reading of the bill.

1. PRESIDENT:
2. Now, I might add to the leave, I sought a few minutes ago,
3. and include this following list of bills: 2505, 2717, 2786
4. and 2802. Is there leave to refer those bills directly to
5. Appropriations? Leave is granted. Proceed. Appropriations
6. for 2505.
7. SECRETARY:
8. HB 2717.
9. (Secretary reads title of bill)
10. 1st reading of the bill.
11. PRESIDENT:
12. Appropriations.
13. SECRETARY:
14. HB 2786.
15. (Secretary reads title of bill)
16. 1st reading of the bill.
17. PRESIDENT:
18. Appropriations.
19. SECRETARY:
20. ...2802.
21. (Secretary reads title of bill)
22. 1st reading of the bill.
23. PRESIDENT:
24. Appropriations. Senator Bruce, do you have a motion?
25. Senator Bruce.
26. SENATOR BRUCE:
27. Thank you Mr. President. I should be shown as sponsor of
28. HB 2367...the Business Economic Development annual appropriation.
29. PRESIDENT:
30. All right, the record will show...will so show.
31. SENATOR BRUCE:
32. Thank you.
33. PRESIDENT:
- Senator Merritt.

1. SENATOR MERRITT:
2. Was...was...
3. PRESIDENT:
4. Sen...Senator Merritt.
5. SENATOR MERRITT:
6. Was Senator Johns taken off that as sponsor? He's a member
7. of the commission.
8. PRESIDENT:
9. Senator Johns.
10. SENATOR JOHNS:
11. Mr. Chairman, I originally had that bill as I...you know...
12. Senator Bruce comes down and says that they've called him and
13. congratulated him on handling it. I said, "Take it!"
14. SENATOR MERRITT:
15. Well, then who does...
16. PRESIDENT:
17. Senator Bruce is shown as the principal sponsor of the
18. bill...Messages from the House.
19. SECRETARY:
20. Message...a Message from the House by Mr. Selcke,
21. Clerk. Mr. President, I'm directed to inform the
22. Senate, the House of Representatives has concurred
23. with the Senate in passage of the bill of the
24. following title: Senate Bill 1349 together with
25. House Amendment No. 1.
26. PRESIDENT:
27. Senator Smith.
28. SENATOR SMITH:
29. Mr. President and Members of the Senate, in fact, there are two
30. amendments, I understand, Senator. This bill is passed here on the
31. Floor of the Senate on the 6th of May by a considerable vote and it
32. went over to the House. Senator Bell raised a minor objection with
33. regards to the bill and the bill...the bill was amended. I rise

1. for the purpose of moving to concur in the Senate Amendments
2. 1 and 3. The Department is satisfied with the amendment and
3. immediate action is required on this motion to concur, as the
4. Department finds itself desperately in need of funds of which
5. to pay its bills.

6. PRESIDENT:

7. Yes, I...under the rules, Senator Smith, I believe your
8. motion should be to suspend the rules for the immediate action
9. on concurrence...

10. SENATOR SMITH:

11. I so move, Mr. Chairman.

12. PRESIDENT:

13. Yes, all right. Senator Smith moves to suspend the rules
14. for the purpose of immediately considering Senate concurrence
15. in House Amendments 1 and 3 to SB 1349. On that motion, all
16. in favor signify by saying Aye. Contrary No. The motion
17. carries. The rules are suspended. The question is does the
18. Senate concur, does the Senate concur in House Amendments 1
19. and 3 to SB 1349? On that question, those in favor will vote
20. Aye. Those opposed No. The voting is open. Have all voted who
21. wish? Have all voted who wish? Take the record. On that
22. question, the Yeas are 42, the Nays are none. The Senate
23. concurs and Amendments 1 and 3 to SB 1349. The bill, now
24. having received the constitutional majority, As Amended, is
25. declared passed. Messages from the House.

26. SECRETARY:

27. A message from the House by Mr. Selcke.

28. Mr. President, I am directed to inform the
29. Senate that the House of Representatives
30. has passed bills of the following titles in
31. the passage of which I am instructed to ask
32. concurrence of the Senate to wit: House
33. Bills 1114, 1115, 2143, 2195, 2216, 2269, 2278

1. 2279, 2344, 2490, 2484, 2501, 2519, 2606,
2. 2628, 2666, 2791 and 2825.

3. PRESIDENT:

4. Senator Bartulis. Senator Hynes has a motion of...of...
5. proceed. Senator Hynes.

6. SENATOR HYNES:

7. Mr. President, when those...those appropriation bills were
8. recently assigned a committee, I was not at the microphone and
9. HB 2802 which was on first reading and has been assigned to
10. Appropriations is one which we...duplicates a bill that we
11. passed. It's full-funding the school aid formula. I'd like
12. to move to discharge the Appropriations Committee from further
13. consideration of that bill and ask that it be advanced to the
14. order of 2nd reading. I've checked it with the Chairmen of
15. the Appropriations and Education Committees.

16. PRESIDENT:

17. Senator Hynes moved to discharge the Committee on Appropria-
18. tions from further consideration of HB 2802 and have the bill
19. advanced to the order of 2nd reading without further committee
20. consideration. All in favor of the motion signify by saying Aye.
21. Contrary No. The motion carries. So ordered. Second reading.
22. Senator Bartulis.

23. SENATOR BARTULIS:

24. Thank you Mr. President and Members of the Senate. In rela-
25. tion to SB 589, the conference committee report that the House
26. would recede from House Amendment No. 2. And, by deleting on
27. line 12, on page 5, "1974", and therefore, inserting "1975".
28. And, I would like to have the Senate concur with the conference
29. committee report on SB 589.

30. PRESIDENT:

31. Is there further discussion? The question is shall the
32. Senate adopt the conference committee report on SB 589. Senator
33. Rock.

1. SENATOR ROCK:

2. Well, Mr. President, I don't...I don't mean to get too
3. picky, I would...I would not like to invoke rule five...Senate
4. Rule 56 which concerns itself with conference reports. On the
5. other hand, it seems that it would not be at all untoward for
6. us to see a copy of it or have a little bit more explanation
7. of the substance of the bill.

8. PRESIDENT:

9. Yes, Senator Rock, is your question whether Rule 56 applies
10. to SB 589?

11. SENATOR ROCK:

12. It was...it was not so much the question, Mr. President, it
13. was just the suggestion that it might. I did not mean to invoke
14. it, nor will I. My suggestion was that there...any time there's
15. a conference committee, there are usually members from both sides.
16. I did not hear any member from this side who was on that conference
17. committee stand up and say this is what it did or what it should
18. do...

19. PRESIDENT:

20. Well...

21. SENATOR ROCK:

22. ...or what it reports to do.

23. PRESIDENT:

24. Well, all right. Well, let's have the Secretary, then,
25. read the conference committee report and note who the signators
26. are. Senator ParTEE.

27. SENATOR PARTEE:

28. I would make the further suggestion that conference reports
29. really ought to be printed and put on everybody's desk. But, if
30. in these last moments, that is not possible, at least, I think a
31. copy of the conference committee report ought to be brought to...

32. PRESIDENT:

33. Your point...

1. SENATOR PARTEE:

2. ...leadership on both sides.

3. PRESIDENT:

4. Your point...I think your point is quite valid. Yeah, do
5. you not have a copy of the conference committee report, Senator
6. Partee?

7. SENATOR PARTEE:

8. Yes, because...you know we used to have the rule, not...
9. sort of informally, that before we agreed it down there, it
10. ought to be signed by leadership on both sides.

11. PRESIDENT:

12. Yes, Senator Bartulis, I think, is bringing you a copy of
13. the...of the report. Let's take this bill out of the record for
14. now and we can proceed to some other business. Senator Bell,
15. do you have a matter on the Secretary's desk?

16. SENATOR BELL:

17. Yes, Mr. President and Members of the Senate, in relation
18. to SB 210 and the House has suggested an amendment to it. I would
19. suggest the Senate concur to that amendment. It...merely makes
20. the bill, the thrust of the bill nondiscriminatory, so that
21. there is no question in reference to...discrimination in reference
22. to this. If you look at the title of the bill in your Senate
23. Calendar, you'll see that it requires, this is certainly not
24. true, actually, it should be permissive. It's permissive legis-
25. lation for the junior colleges to provide classes in physical
26. education and be able to receive state funding, as in any other
27. course. I would ask for a favorable roll call.

28. PRESIDENT:

29. Senator Soper.

30. SENATOR SOPER:

31. Now, as we pass the bill out of here, what's the bill do
32. and what...and what is the amendment...do?

33. PRESIDENT:

1. Senator Bell.

2. SENATOR BELL:

3. Senator, the amendment addresses itself to line 24 of the

4. bill. That reads this way: "Each Junior College District may

5. require physical education activity courses for credit toward

6. graduation or certification." The amendment goes on to say,

7. "but such courses shall be made available on an equal and non-

8. discriminatory basis to men and women."

9. PRESIDENT:

10. Senator Soper.

11. SENATOR SOPER:

12. Now, you say this is permissive?

13. PRESIDENT:

14. Senator Bell.

15. SENATOR BELL:

16. That...that is right.

17. SENATOR SOPER:

18. I...and it's...it's a credit course, providing the junior

19. college wants to put it in, and...and...be funded on this course.

20. SENATOR BELL:

21. The junior college has the right to determine whether they, in

22. fact, want to require physical education in that particular system

23. towards a...the 60 hours that are necessary for...for what...for the

24. graduation or certification from that particular junior college

25. system. It's a permissive thing for that particular junior college

26. system.

27. SENATOR SOPER:

28. Now, Mr. President and Ladies and Gentlemen of the Senate,

29. recently Morton Junior College funded it's junior college and out

30. of the funding was cut the appropriation for a gymnasium. The State

31. refused to fund a gymnasium. Now what...now what do we do to...to

32. fund this situation? When you bring in a bill like this now they...

33. they want...they want a gymnasium to be able to have this course.

1. Now what do we do? Will this require that the Capital Development
2. Board and the Junior College Board fund this...this project?

3. SENATOR BELL:

4. If I might reply, Mr. President.

5. PRESIDENT:

6. Proceed, Senator Bell.

7. SENATOR BELL:

8. Well, the bill, Senator, doesn't address itself to the
9. Capital Development Board in the funding of gymnasiums. I don't
10. ...it's my understanding the interpretation of the bill and all,
11. that it has no bearing on that particular situation.

12. SENATOR SOPER:

13. Yes, but it comes to my mind now, suppose the...suppose the
14. students and the junior college decides that they...that they
15. want to have an accredited course for...for...for this...for
16. this type of course. And, what do we do to get...to be able to
17. build this? We passed...we passed a bond issue which included
18. our part and we wanted the three-quarter funding from the...from
19. the State of Illinois. And, the State decided that...that wasn't
20. necessary, at this time, but was more important to build schools
21. without this type of...of equipment. Now, I think, that this
22. bill should be held up at this time. They can hold...if you hold
23. it till next week and let's look at it and see what we're doing.

24. SENATOR BELL:

25. Mr. President.

26. PRESIDENT:

27. Senator Bell.

28. SENATOR BELL:

29. This is merely a concurring amendment. It's a simple amendment.
30. We passed the bill out of the Senate. It's been passed out of the
31. House and, I mean it can go to a conference committee, I suppose, if
32. you want to do that. All I can say is that the bill has no relation-
33. ship to building football stadiums or fields or...or what have you,

1. Senator Soper, and I...be my recommendation that we roll this
2. bill right now. Either vote it up or vote it down, as far as
3. this amendment is concerned.

4. PRESIDENT:

5. Senator Rock sought recognition earlier. Senator Rock.

6. SENATOR ROCK:

7. Thank you Mr. President. I will yield to Senator Bruce.

8. I think he and I...

9. PRESIDENT:

10. No, I'm...I'm...

11. SENATOR ROCK:

12. ...our comments are essentially the same.

13. PRESIDENT:

14. I'm...I'm keeping track of...of Senators in the order they

15. seek recognition. Senator Fawell, then Senator Buzbee, then

16. Senator Bruce. Senator Fawell.

17. SENATOR FAWELL:

18. Yes, Mr. President, this bill, some of you may recall, did

19. bring about a lot of pros and cons last year. In its initial

20. introduction, it was mandatory and those who are interested in

21. physical education courses were hopeful that it would be a man-

22. date that you had to have this; so many hours of credit before

23. one could be graduated. The compromise that was reached was

24. that it became discretionary for the particular junior college

25. district in concern, and on that basis, I think, it was rather

26. unanimously approved by the Senate. When it went over to the

27. House, the amendment that was attached there was one that simply

28. states that, in regard to these courses, they should not practice

29. sex discrimination. So, that, I think, in its present state,

30. it is a bill that is acceptable to both the pros and the cons

31. that...who felt quite deeply on this subject during the last year.

32. PRESIDENT:

33. Senator Buzbee.

SENATOR BUZBEE:

1. Thank you Mr. President. Mr. President, I'd like to start
2. by saying that last week or the week before, when we discussed
3. this bill, I spoke in behalf of it and I made a statement at
4. that time that was not quite correct and I...I'd like to correct
5. that now. Unfortunately, I was reading from the original version
6. of the bill and not the amended version. At that time, in the
7. original version, of course, it was mandatory. It is not manda-
8. tory now, As Amended, as Senator Fawell correctly pointed out. I
9. just wanted to get that point out to correct the record. As far
10. as my statements, a couple of weeks were concerned...a couple of
11. weeks ago, were concerned in response to Senator Soper's question
12. of Senator Bell, it's my understanding that these junior colleges
13. would be allowed, if they so saw fit, to require physical educa-
14. tion courses, and then at that time, they would be reimbursed
15. at the same per hourly rate as other academic courses in the
16. junior college from the State. Now, if they decide, as an example,
17. if they have a...do not have any kind of an indoor physical
18. education facility, and they decide that they do want to require
19. courses, they're, naturally, only going to be able to require
20. those kinds of courses that would not require a facility. Now,
21. it may be that they'll come in and ask the...the bonding authori-
22. ties to...to let them build the building, to do such as that.
23. However, at that time, I think it's...they're going to have to
24. be in line with everybody else. Just get in line and wait your
25. turn. There are all kinds of physical education courses, of
26. course, that can and, in fact, are being taught everyday by high
27. schools and junior colleges, and...and...and...universities that
28. did...do...do not require indoor facilities. They might use a
29. local bowling alley. They might use local tennis courts, outdoor
30. recreational fields, and so forth. So that, I think, although the
31. question, Senator Soper, that you raised is very germane, it really
32. doesn't have anything to do with this particular bill. And, again,
33. I would...I would close by saying, on the sex discrimination thing,

1. I know there were some hang ups on that...that only pertains
2. to courses, to physical education courses, it does not pertain
3. to who gets to play quarterback on the football team or extra-
4. curricular activities. And, again, it simply is beyond me, how,
5. in this day of the high rate of heart attacks...and...and so
6. forth, that when we have the Vice-President of the United States
7. saying, "yes, we need..." and the President of the United States,
8. consistently, the last three or four Presidents saying, "We need
9. to have our youth better physically fit," I simply don't see how
10. we can let this opportunity go by which simply says that the junior
11. colleges, that they see fit, the administration of that particular
12. junior college, sees fit to require physical education in their
13. particular college. I don't see how we can let this opportunity
14. go by. And, as Senator Fawell and Senator Bell both pointed out,
15. correctly, that we have already passed this bill. The only thing
16. we're really talking about now is whether we're going to concur,
17. I guess, on the House amendment. And...and, I think, that we...
18. we owe it to ourselves to vote "Yes" on this bill.

19. PRESIDENT:

20. Senator Bruce.

21. SENATOR BUZBEE:

22. And, to our children.

23. SENATOR BRUCE:

24. Yes, I wonder if the sponsor would yield to a question.

25. PRESIDENT:

26. Indicates that he will yield. Proceed.

27. SENATOR BRUCE:

28. Senator Bell, a lot has...a lot has been said about volun-
29. tary action on the part of the junior colleges around the State.
30. If they do pass this program, does the State have the option of
31. not paying \$18.50 for every full-time equivalent student, or is
32. the State mandated to pay that cost for physical education courses
33. approved by the Junior College Board in the respective district?

1. PRESIDENT:
2. Senator Bell.
3. SENATOR BELL:
4. Well, I hate to reply with a question, Senator Bruce, but
5. is the State mandated to pay what it's obligated to pay for an
6. English course or...
7. SENATOR BRUCE:
8. It...it...it certain...it certainly is, Senator Bell.
9. SENATOR BELL:
10. ...this would be under the same basis.
11. SENATOR BRUCE:
12. So, when we've been talking about voluntary, we're not talk-
13. ing about voluntary payment on our part. We're talking about
14. mandating the State of Illinois to pay every junior college
15. that offers an accredited physical education course. Is that
16. correct?
17. SENATOR BELL:
18. The same as for...English...or an education course, or...
19. SENATOR BRUCE:
20. Right. All right. That's the point we should be stressing
21. here...not that the fact...
22. SENATOR BELL:
23. The point was stressed last...you know...last March or April.
24. SENATOR BRUCE:
25. Well, my memory sometimes escapes me, and March was a long time.
26. The point I want to make to all the Members here is that we're not
27. talking about a voluntary payment program where the State of Illi-
28. nois will decide what they want to pay. We have, presently, in the
29. junior colleges around the State of Illinois 114,000, give or take
30. a few, full-time equivalent students. Now, if they were to enroll
31. and I would point out this, it is voluntary on the Board; however,
32. they may mandate it to the student. If they require every full-
33. time equivalent student to attend, that would cost \$2,100,000 on this

1. year's formula. I would apprise all of you that the formula goes
2. up and it will go up to about 2,500,000. This is not approved by
3. the Board of Higher Education. I do not think it's approved by the
4. Junior College Board. It is not in their budget, which I handled
5. last year. It is not in the budget which I'm handling this year.
6. I alert every Member here who has a junior college district with...
7. within their legislative district, that if this bill passes and the
8. board takes affirmative action to begin the program and they do
9. ask for payment from the State, which I'm positive they will, the
10. state aid formula says that claims will be apportioned for those
11. colleges that have facilities available whether on campus or off.
12. They will short-change every other junior college in the state
13. by the amount they receive through this piece of legislation and
14. that is undeniable. That is the effect of this bill. It does
15. not remain voluntary. It is mandated to the State that we pay the
16. bills, if they submit it, for every full-time equivalent student
17. who enrolls in a physical education course, which can be required
18. by the junior college board in that district. And that...that...
19. for that reason, I oppose this bill.

20. PRESIDENT:

21. Senator Mitchler.

22. SENATOR MITCHLER:

23. Mr. President, and Members of the Senate. Senator Bruce, you
24. are absolutely correct on...in what you point out here, and I commend
25. you for that. I point out that SB 210 passed the Senate on May 10th
26. by 34 Yeas, and 4 Nays...(Indicating a number did not express their
27. vote either way.)...I recall this, back at that time, and it did
28. pass in amendatory form. The amendment that we are working on now
29. makes it permissive to enter into the program. I will speak on
30. that first. Instead of mandatory, by making it permissive, is just
31. getting your foot in the door. It's like...like the camel getting
32. its head under the tent, and then its feet, and then the rest of
33. its body, and the first thing you know, you've got the whole camel

1. in the tent. And, that's exactly what, you've seen it by
2. program after program after program. Now, I was very proud
3. to be in this Senate in 1965 when we passed the Junior College
4. Act. I've been very proud of the progress that we've made
5. in our various junior college programs. Junior colleges need
6. money. When I meet with them and I meet with them often, just
7. as each and every one of you do. They need money for many, many
8. things. But what this will lead to, and I don't get a lot of heat
9. from them that they really want this, only a certain segment of
10. the school. But, if you let this go through with a permissive,
11. you're going to find that they interpret that as a mandatory.
12. Instead of working with students in the local area so that they
13. avoid the necessity of a person having high-cost housing in a
14. State University away from their home. You'll find that they'll
15. be bringing into this state, from out-of-state, these high-priced
16. athletes, and don't tell me they won't, because I can show you
17. college right now that are vying for all that publicity so
18. they get the baseball teams, the basketball teams. And, first
19. thing you know, you'll be wanting to put that astroturf on their
20. stadium floor. Now, this is a step in the wrong direction. It's
21. not exactly what we need. They can have physical instru...physical
22. education courses out there and...and go through these motions.
23. intramural activities, but, I think, that the facilities that they
24. build should go into things for higher learning. There's one
25. good thing about this amendment and that is that they've eliminated
26. any discrimination between sexes, as far as the sports, in...in the
27. colleges...the junior college program. That's something that we
28. battled with the Illinois High School Athletic Association for
29. many, many years. And, they turned their backs to us because
30. they have the Girls' Athletic Association and that was satisfactory
31. as far as they're concerned. You're seeing a great abundance of
32. young girls in our high school programs come up, and that's a
33. good thing on...with the amendment. But this idea, just because

1. it's permissive, isn't going to get my vote. It did not get my
2. vote and you can check your May 10th digest, rather Senate
3. Journal on...and you have it right there, 34 to 6, and I'm
4. going to tell you to take a good look at this or you'll regret
5. the day you slipped this through.

6. PRESIDENT:

7. Senator Hickey.

8. SENATOR HICKEY:

9. Of course, I'd like to be for this amendment because it's
10. for doing away with sex discrimination. But, since I wasn't
11. here on May 10th and I didn't have an opportunity to vote
12. against this bill. I'm going to vote against the amendment as
13. a vote against the bill. And, this is my reason. All education
14. is moving, whether we like it or not, toward free choice. Man-
15. datory physical education for high school age students, I think,
16. is a good thing. But, in junior college, the average age of the
17. student is very often high in the twenties and to...even to
18. permit the colleges, again, to mandate students to have to take
19. physical education, I'm opposed to. Thank you.

20. PRESIDENT:

21. Senator Bell. Senator Berning.

22. SENATOR BERNING:

23. Thank you Mr. President. I...I would like to point out to
24. the Members of the Body the way this appears to me. The bill as
25. originally passed, did mandate, actually mandate, the junior
26. colleges to embark on physical educational programs in order to
27. be qualified. This amendment, which the House has put on, strikes,
28. for all intents and purposes, the entire Senate Bill 210 and
29. replaces it with Section 216 rather than 215. And, inserts in
30. that section the permissive provision for physical education.
31. Now, we're at this point, many of us do not feel physical education
32. is a necessary adjunct to junior college life. Bearing in mind,
33. that a vast majority of those attending junior college are already

1. adults, attending on a part-time basis. This, then, would make
2. provision only for those just out of high school, essentially,
3. who are full-time students. Vocational education is their
4. primary objective, or ought to be, only in a very limited sense
5. are they preparing for the senior college. Keeping that in
6. mind, along with the shortage of funds for junior colleges, it
7. would appear that the sensible procedure for this Body is to
8. reject this amendment, thereby, forcing it into a conference
9. committee, and perhaps, we can successfully eliminate any
10. implied requirement for physical education for funding for the
11. junior colleges, which is what I interpret our primary position
12. to be.

13. PRESIDENT:

14. Senator Bell...Senator Fawell.

15. SENATOR FAWELL:

16. There...there's just one think, I think, in all fairness
17. that ought to be said here. Senator Bruce was correct in a good
18. portion of his remarks. But, the assumption that he made, I think,
19. is very misleading and that is that all of the junior college dis-
20. tricts would immediately make physical education courses a con-
21. dition precedent to graduation. And that's certainly is never
22. going to happen and I don't think that anybody here assumes that
23. it's going to happen. There are some districts that feel very
24. strongly that physical education courses ought to become mandatory
25. and ought to be a condition precedent to graduation. I think that's
26. important. You do not get the reimbursement Senator Bruce's talking
27. about here, unless it is a credit that is required in order to
28. graduate. And, what we are we doing at the present time is, effectively,
29. denying the home rule discretion of our local districts to make this
30. decision on their part. I think, it's very important, those of us
31. who are in the Education Committee can recall, that those districts
32. which did quite vehemently oppose this bill, withdrew their objection.
33. And, as I recall, the Community College Board withdrew their objections.

1. Once it was ascertained that it was totally a discretionary
2. matter by the local junior college district. And, that was
3. ascertained, I think, all of us drew the conclusion that this
4. was not going to be any great monetary assault upon the
5. Treasury because very few of the districts indicated they were
6. interested in exercising this local authority. But, some were
7. very deeply interested in it. And, the final conclusion, in
8. compromise fashion, was that we did believe that those few
9. districts that did want to make this a condition precedent to
10. graduation ought to be allowed to do so. And, I think, in all
11. fairness, that ought to be brought forth. That certainly, you're
12. not going to have one hundred percent of the districts running
13. toward the Treasury to...on the basis that they're making this
14. a condition precedent to graduation. And, as far as Senator
15. Mitchler is stating, that this is going to bring astroturf and
16. ath...athletes to the junior college districts. My goodness,
17. we've really gone way out in left field on that one. But, I...
18. so...I did want to make these few comments.

19. PRESIDENT:

20. Senator Bell.

21. SENATOR BELL:

22. Well, Mr. President and Members of the Senate. We're not
23. voting this afternoon on SB 210. That was ascertained. That was
24. decided on last...last Spring. I think Senator Fawell has pro-
25. bably said, as well as I could possibly say anything, in reference
26. to the plausibility, in the positive manner that this bill
27. addresses the problem that occurs in many junior college dis-
28. tricts. I thought about putting it back on...on the Secretary's
29. desk because there's not a lot of Senators here. But, I think
30. really, let's resolve this matter. If you want to vote the amend-
31. ment down, then it goes to a conference committee and we can try
32. to work it out, as possible Senator Berning has suggested. The
33. bill's been passed, the House has passed it. We're dealing with a
nondiscriminatory amendment. Let's roll the dice Mr. President.

1. PRESIDENT:
2. The question is does the Senate concur in House Amendment
3. No. 1 to SB 210. For what purpose does Senator Soper arise?
4. SENATOR SOPER:
5. Parliamentary inquiry, this takes thirty votes?
6. PRESIDENT:
7. That's correct.
8. SENATOR SOPER:
9. Thank you, very much.
10. PRESIDENT:
11. Those in favor will vote Aye. Those opposed will vote
12. No. The voting is open. Have all voted who wish? Have all voted
13. who wish? Senator Bell has moved to postpone consideration of
14. House Amendment No. 1 to SB 210. Consideration is postponed.
15. Senator Shapiro, you have a...an additional matter...concurrence
16. on SB 1400.
17. SENATOR SHAPIRO:
18. Mr. President, on the Secretary's desk on the order of
19. concurrence is SB 1400. And, I would like to make a motion
20. concerning 1400.
21. PRESIDENT:
22. Proceed.
23. SENATOR SHAPIRO:
24. Mr. President, and ladies and gentlemen of the Senate, I
25. would like to move that the Senate concur in House Amendment No. 2
26. to SB 1400. This amendment reduces the supplemental appropriation
27. from 12.7 million to \$12,331,000 and puts it in the same form as
28. a bill that we passed several days ago at the beginning of the
29. week. And, I would now like to move that that the Senate concur.
30. PRESIDENT:
31. This is Amendment No. 2, is it not, Senator Shapiro?
32. SENATOR SHAPIRO:
33. Amendment No. 2.

1. PRESIDENT:

2. Yes. All right. The question is does the Senate concur in
3. House Amendment No. 2 to SB 1400. Is there further discussion?
4. On that question, those in favor will vote Aye. Those opposed
5. No. The voting is open. Have all voted who wish? Have all
6. voted who wish? Take the record. On that question, the Yeas
7. are 35, the Nays are none, one voting Present. And, the Senate
8. amendment...I'm sorry, the House Amendment to SB 1400 is con-
9. curred in. The bill, having received a constitutional majority,
10. is declared passed As Amended. Messages from the House.

11. SECRETARY:

12. A message from the House by Mr. Selcke, Clerk.

13. Mr. President, I'm directed to inform the
14. Senate that the House of Representatives
15. has passed bills of the following titles
16. in the passage of which I'm instructed
17. to ask concurrence of the Senate to wit:
18. House Bill 320, 2056, 2181, 2296, 2345,
19. 2359, 2360, 2365, 2437, 2545, 2634, 2673,
20. 2692, 2753, 2796, 2797, 2844 and 2848.

21. PRESIDENT:

22. Introduction of bills. Senator Graham.

23. SENATOR GRAHAM:

24. Mr. President, we have some late starters introducing
25. bills. I'm one of them. I move that these bills...or ask
26. for the rules to be suspended, the bills on the Secretary's
27. desk be given a number, the chief sponsor identified and
28. they be referred to the Committee on Rules.

29. PRESIDENT:

30. Senator Graham has moved that the bills on the Secretary's
31. desk be assigned a number, be identified with the principal sponsor
32. and referred to the Committee on Rules. On that motion, all in
33. favor signify by saying Aye. Contrary No. The motion carries.

1. Proceed, Mr. Secretary.
2. SECRETARY:
3. SB 1659 by Senators Glass, Bartulis, Latherow, Harris,
4. Graham, Moore, Howard Mohr and Weaver.
5. SB 1660 by the same sponsors.
6. SB 1661, the same sponsors.
7. SB 1662, the same sponsors.
8. SB 16...1663, Senator Buzbee.
9. ...1664, Senator Partee, Rock and Donnewald.
10. SB 1665, Senator Partee, Rock and Donnewald.
11. SB 1666, Senators Partee, Rock and Donnewald.
12. SB 1667, Senators Rock, Partee...or Senator Partee, Rock
13. and Donnewald.
14. SB 1668, Senators Graham, Harris, Regner, Schaffer, Roe
15. and Bell.
16. SB 1669, Senator Regner.
17. PRESIDENT:
18. Pursuant, yeah...pursuant to Senator Graham's motion, Senate
19. Bills 1559. I'm sorry, 1659. 1659 through 1669 are referred to
20. the Committee on Rules. Is there any further business to come
21. before the Senate? Senator Knuepfer.
22. SENATOR KNUEPFER:
23. I just want to remind all those loyal members of Public
24. Health, Welfare and Corrections that the meeting will start
25. immediately, and the sooner we start, the quicker we can get done.
26. PRESIDENT:
27. Senator Netsch.
28. SENATOR NETSCH:
29. On behalf of the troops on the Senate Health, Welfare and
30. Corrections Committee, may I acknowledge the order from Herr
31. Field Marshall Von Knuepfer.
32. PRESIDENT:
33. Yaw, you may acknowledge. Is there further business to
come before the Senate? Health, Welfare and Corrections will

1. meet in 212 immediately. Is there further business to come
2. before the Senate? The Senate, then, stands adjourned until
3. 1 p.m., Monday, June 17, 1974.
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