

78TH GENERAL ASSEMBLY

June 29, 1973

1. PRESIDENT:

2. Senate will come to order. The prayer will be offered
3. by Dr. Adam Baum of Central Baptist Church of Springfield.
4. Dr. Baum.

5. (Prayer given by Dr. Baum)

6. Reading of the Journal. Senator Soper.

7. SENATOR SOPER:

8. Mr. President and Members of the Senate, I move that
9. we postpone the reading and the approval of the Journals
10. of June 21st, 22nd, 23rd, 25th, 26th, 27th and 28th pending
11. the arrival of the printed Journals.

12. PRESIDENT:

13. You've heard Senator Soper's motion. All in favor
14. signify by saying aye. Contrary no. The motion carries
15. and the Senate will take further...no further action until
16. the arrival of the printed Journals. Resolutions. Message
17. from the Governor.

18. SECRETARY:

19. (Secretary reads Message from the Governor)

20. PRESIDENT:

21. Executive. Committee Reports.

22. SECRETARY:

23. (Secretary reads Committee Reports)

24. PRESIDENT:

25. Senator Ozinga.

26. SENATOR OZINGA:

27. Mr. President, I would at this time resolve to move
28. that the Senate resolve itself into Executive Session for
29. consideration of some of the nominees and the Governor's
30. various messages.

31. PRESIDENT:

32. Senator Ozinga moves that the Senate resolve itself
33. into Executive Com...Executive Session for the purpose of

1. considering the...nominees from the Governor. All in favor
2. signify by saying aye. Contrary no. The motion carries.

3. Senator Ozinga.

4. SENATOR OZINGA:

5. Now, Mr. President, if...we have considered on various
6. Messages, we've considered some 12 or 15 nominees, and I
7. would now move that we consider the first 3 on one motion;
8. namely, the nomination of Mr. Melvin L. Rosenbloom of Lake
9. Forest to be a Member and Chairman of the Indus...Illinois
10. Industrial Commission for a term expiring on the third
11. Monday of January, 1977 and Mr. Theodios Black, Jr. of
12. Chicago to be a Member of the...Illinois Industrial Com-
13. mission for a term expiring the third Monday in January,
14. 1977 and Mr. Leroy A. Duncan of Williamsville to be a
15. Member of the Illinois Industrial Commission for a term
16. expiring on the third Monday in January, 1977. Now, Mr.
17. President I would move that the Senate do Advise and Con-
18. sent to all of the above three nominations.

19. PRESIDENT:

20. You've heard Senator Ozinga's motion to consolidate
21. these three nominees to the Industrial...Commission. The
22. question is does the Senate Advise and Consent to the
23. nominations just made and on that question the Secretary
24. will call the roll.

25. SECRETARY:

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

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

3. PRESIDENT:

4. On that question the yeas are 46. The nays are none.
5. The result of the vote of the Senate on the question meeting
6. the constitutional majority, the nominations are declared
7. advised and consented to. Senator Ozinga.

8. SENATOR OZINGA:

9. Now, Mr. President, I would ask leave to consider
10. the next two nominees on the next roll call; namely the
11. nomination of Mr. Bruce Sagan of Chicago to be a Member
12. and Chairman of the Illinois Housing Development Authority
13. to...for a term expiring on the third Monday of January,
14. 1977 and Mr. James B. Strenski of Wheaton, Illinois to be
15. a Member of the Illinois Housing Development Authority for
16. a term expiring on the third Monday of January, 1977.
17. Have I leave to have those on one roll call?

18. PRESIDENT:

19. Senator Ozinga has moved that Nominee Sagan and
20. Nominee Strenski be considered on one roll call. Is
21. there leave? The question is...

22. SENATOR OZINGA:

23. I would now move for the Senate do advise and consent
24. to the above nominations.

25. PRESIDENT:

26. The question is does the Senate advise and consent
27. to the nominations just made? And on that question the
28. Secretary will call the roll.

29. SECRETARY:

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

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

7. PRESIDENT:

8. The result of the vote of the Senate on the question
9. is 47 yeas and no nays. A majority of the Senators elected
10. concurring by record vote, the Senate does advise and
11. consent to the Governor's nomination of Messrs. Sagan and
12. Strenski. Senator Ozinga.

13. SENATOR OZINGA:

14. Now, Mr. President, in order to conserve a little bit
15. of time, I would like to move that the next eight nominees
16. be considered under one roll call and I will name the
17. eight. If there are any objections, why I wish to hear
18. from the Senators before we start rather than after. The
19. nominees are; namely, Ronald E. Stackler now of Springfield,
20. Illinois to be Assistant Director of Department of Insurance
21. for a term expiring on the third Monday of January, 1975.
22. Then, Mr. Roger G. Seamon of Chicago, Illinois to be a
23. Member of the Pollution Control Board for a terms expiring
24. on July 1st, 1974. Then, Mr. Martin Van Brown of Carbondale,
25. Illinois to be a Member of the Illinois Health Facilities
26. Authority for a term expiring on June 30th, 1976. Then,
27. also, Mr. Marshall Holleb of Chicago, Illinois to be Member
28. and Chairman of the Illinois State Council on the Aging for
29. term expiring on the third Monday of January, 1975 and also,
30. Mr. Stephen M. Kernan of Belleville to be Public Administrator
31. of St. Clair County for a term expiring on the third Monday
32. of December, 1973. Also, move that Ronald A. Jacobsen of
33. Pecatonica be Public Administrator of Winnebago County for

1. the third Monday of December, 1973. Also, Mr. John P.
2. Dohm of Oak Lawn to be a Member of the Parole and Pardon
3. Board for a term expiring on the third Monday of January,
4. 1979 and also, Mr. Anthony J. Doheny of Waukegan to be a
5. Member of the Parole and Pardon Board for a term expiring
6. on the third Monday of January, 1979. If there are no
7. objections to any of these, I would recommend that the
8. Senate do advise and consent to all of the above mentioned
9. appointments. Does anybody object to having them on one
10. roll call?

11. PRESIDENT:

12. Leave is granted. Senator Rock.

13. SENATOR ROCK:

14. I have no objection, Mr. President. I just wonder...
15. I think I missed a couple of the names, we've got Doheny,
16. Dohm, Jacobsen, Kernan, Holleb, Van Brown, Seamon and whom-
17. else did you mention?

18. SECRETARY:

19. Stackler.

20. SENATOR OZINGA:

21. Here...here they are in, just by name only. They are...

22. PRESIDENT:

23. Assistant Director of Insurance, Mr. Stackler.

24. SENATOR OZINGA:

25. Stackler,

26. PRESIDENT:

27. Yes.

28. SENATOR OZINGA:

29. Seamon, Van Brown, Holleb, Kernan, Jacobsen, Dohm,
30. and Doheny.

31. PRESIDENT:

32. Is there objection to considering this group of eight
33. nominees on a single roll call? Leave is granted. The

1. question is does the Senate advise and consent to the
2. nominations just made? On...on that question the Sec-
3. retary will call the roll.

4. SECRETARY:

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

15. PRESIDENT:

16. The result of the vote of the Senate on the question
17. is 51 yeas, no nays. A majority of the Senators elected
18. concurring by a record vote, the Senate does advise and
19. consent to the Governor's nomination just made. Senator
20. Ozinga.

21. SENATOR OZINGA:

22. Now, Mr. President I would move that the Senate do
23. advise and consent to the nomination of Francis J. Kelly
24. of Chicago, Illinois to be the Assistant Director of the
25. Department of Labor for a term expiring on the third
26. Monday of January, 1975.

27. PRESIDENT:

28. The question is does the Senate...is there discussion?
29. The question is does the Senate advise and consent to the
30. nomination of Francis Kelly to be Assistant Director of
31. the Department of Labor and on that question the Secretary
32. will call the roll.

33. SECRETARY:

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

11. PRESIDENT:

12. The result of the vote of the Senate on the question
13. is 46 yeas, one nay, one present. A majority of the
14. Senators elected concurring by a record vote, the Senate
15. does advise and consent to the Governor's nomination of
16. Francis Kelly to the office of Assistant Director of the
17. Department of Labor. Senator Ozinga.

18. SENATOR OZINGA:

19. Now, Mr. President, as per...as per the rules governing
20. the nomination procedure for nominees to come before this
21. Body, I am constrained to move that the Senate advise and
22. consent to the nomination of John Mathis of Peoria, Illinois
23. to be a Member of the Illinois Health Facilities Authority
24. for a term expiring on June 30th, 1978. Now, Mr. President,
25. I am duty bound to inform the Senate that the Committee did
26. not recommend that this man be confirmed. The vote in the
27. Committee ...were 10 yeas for his confirmation, 11 nays and
28. one voting present.

29. PRESIDENT:

30. Senator McBroom.

31. SENATOR MCBROOM:

32. Well, Mr. President and Members of the Senate, I cer-
33. tainly arise to object to this motion. Perhaps I shouldn't

1. Mr. President, it's a rather inconse...inconsequential
2. job for a rather inconsequential man but I...I am forced,
3. I am forced to oppose Senator Ozinga on this. He was re-
4. jected in Committee. That's where he ought to stay.
5. There's...there's certain things that are important to,
6. I think most of the Members of the Senate, words such as
7. loyalty, integrity and sincerity. This man doesn't possess
8. an ounce of any of these particular items, Mr. President
9. and I certainly object to your motion Senator Ozinga.

10. PRESIDENT:

11. Senator Partee.

12. SENATOR PARTEE:

13. I don't happen to know Dr. Mathis personally, but I
14. did happen to be in the Committee and hear him make his
15. presentation. I looked at his curriculum vitae and his
16. statement on ethics. I saw nothing wrong with him for
17. the position for which he was nominated. I think this
18. Body ought to know before you vote on this matter, that
19. his rejection was not based on his lack of ability to
20. fulfill the job. His rejection was based, as I heard it
21. phrased, on the fact that he had at one time run for
22. Governor of the State of Illinois in the Republican primary
23. against Richard Ogilive. It was said that because he did
24. this and because of his campaign that he should not be
25. appointed by this present Governor to this particular
26. job. I think that if we are going to live in a country
27. where we say that freedom is important, if freedom of choice
28. has any meaning at all, I don't think that anyone should
29. ever be considered to be irretrievably locked into any
30. party, irretrievably locked into any position, and to
31. accept an appointment from a Democratic Governor seems to
32. me to be a part of and a way of life. Many people are
33. appointed to political office who have run for other posts

1. They are appointed sometimes by members of their own
2. party, sometimes by members of the other party and I
3. think that the rejection of this gentlemen is sort of
4. petty, it's sort of picayunish and sort of malevolent.
5. I would certainly rise to say that this gentlemen should
6. be appointed and that the vote of the Committee should
7. by our action be overturned.

8. PRESIDENT:

9. Senator Schaffer.

10. SENATOR SCHAFFER:

11. Senator Partee I'd like to at least clarify my
12. position to you personally on this. I'm going to cast
13. a no vote on this motion but not because the individual
14. ran for Governor. Governor Walker wanted to nominate
15. John Henry Altorfer or Paul Simon for virtually any
16. position, I am sure I would concur. It was not the
17. fact that he ran for Governor that I feel he disqualified
18. himself, it's the way he ran for Governor. The conduct
19. he conducted during that campaign. The tactics he used
20. before, during and after. I agree with Senator Scholl
21. totally this is not the type of person that deserves to
22. be in public office in the State of Illinois.

23. PRESIDENT:

24. Senator Scholl.

25. SENATOR SCHOLL:

26. Mr. President and Members of the Senate, I've given
27. this nomination a lot of thought and I'm going to vote no
28. and I'm going to vote no because I question, I sincerely
29. question a man who went out on a campaign trail and talked
30. about Governor Ogilvie credibility. He talked about the
31. fact that Governor Ogilvie didn't have any ethics. The
32. man who said that, I believe that Governor Ogilvie was one
33. of the best Governors this State ever had. I believe a

1. man questions his ethics and insinuates there's a possibility
2. of maybe someone was on the take, I question that man's
3. credibility sincerely and I'm going to vote no.

4. PRESIDENT:

5. Senator Knuppel.

6. SENATOR KNUPPTEL:

7. By Resolution 29 in 77th General Assembly, I questioned
8. some of things about Governor Ogilvie and I'm going to vote
9. aye.

10. PRESIDENT:

11. Senator McBroom.

12. SENATOR MCBROOM:

13. Well, very briefly, Mr. President, I...I feel it's
14. necessary to respond to Senator Partee when he said that
15. he didn't know him. I'm glad you said that Senator because
16. you certainly don't. I'm glad you said that all you knew
17. about him is what you...read on the statement that...was
18. prepared and given to you in the Executive Committee. I
19. happen to know more about Dr. Mathis than that. I know
20. he's a bitter, vindictive, irrational man who has no
21. business in government.

22. PRESIDENT:

23. Is there further discussion? Senator Sours.

24. SENATOR SOURS:

25. Mr. President, Senators, on a roll call I won't have
26. a chance to explain my position on this. Now, I'm not
27. going to fight everybody on this side. I voted for the...
28. confirmation in the...the Committee and I would do it again.
29. Now, I just hesitate though to have this...comment that
30. Senator Partee made about politics. I voted against Mary
31. Lee Leahy for good legal reasons but I'm sure some of those
32. on the Committee voted against her for purely, political
33. purposes. And it just offends me a little to hear these

1. constant, pious, incantations about politics. I...I'm
2. not going to vote to...to confirm Dr. Mathis because I'm
3. not going to fight my own people.

4. PRESIDENT:

5. The question is does the Senate advise and consent
6. to the nomination just made and on that question the
7. Secretary will call the roll.

8. SECRETARY:

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

19. PRESIDENT:

20. The result of the vote of the Senate on the question
21. is 25 yeas, 21 nays. A majority of the Senators elected
22. having refused to give their advise and consent by record
23. vote, the Senate rejects the Governor's nomination of John
24. Mathis for the office of Member of the Illinois Health Facilities
25. Authority. Senator Ozinga.

26. SENATOR OZINGA:

27. Now, Mr. President, I have another one. This is one
28. that has been held in abeyance for a little while to give
29. serious thought to. This was a nominee whose nomination
30. was heard on June the 3rd. We've been holding this in
31. abeyance for quite some time with due consideration. This
32. namely is the nomination of Mr. Robert C. Pautler to be
33. Assistant Director of the Department of Mines and Minerals

1. for a term expiring on the third Monday of January, 1975.
2. Now the vote in Committee at that time was for 11 ayes,
3. 9 nays and 2 present. If you will recall, the nomination
4. of this man at the time was very seriously questioned and
5. at the time of his presentation, there was a bit of con-
6. fusion. Now, whether or not the confusion had any bearing
7. on the roll call at that time is without saying. However,
8. this was a man that admittedly was absolutely without
9. qualification under any circumstances. His background
10. showed only farming and that he worked finally as a truck
11. driver on a strip mine and that's about all that I can say
12. as far as his abilities are concerned. He has been a mem-
13. ber of the County Board and he was questioned extensively
14. on some of those features and although I would personally
15. like to recommend that he do not be confirmed, I would say
16. that I would have to make a motion at this time under the
17. terms of the Statute and the rules of this Body that I
18. would move that the Senate advise and consent to the
19. nomination of Robert C. Pautler as Assistant Director of
20. Department of Mines and Minerals for a term expiring on
21. the third Monday of January, 1975.

22. PRESIDENT:

23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Yes, Mr. President and Members of the Senate, of
26. course, I completely and wholeheartedly disagree with
27. the Senator...the Chairman of the Executive Committee,
28. Senator Ozinga. I think that this Gentlemen is extremely
29. qualified for strip mining and he displayed that by...in
30. his testimony. I think that you all know...on both sides
31. of the aisle that this gentlemen is a victim of an inter-
32. party Democratic squabble and that's it only. That's the
33. whole story, Mr. President and I would earnestly solicit
the support of the Body for this gentlemen.

1. PRESIDENT:

2. Senator Graham.

3. SENATOR GRAHAM:

4. Mr. President and Members of the Senate.

5. PRESIDENT:

6. Senator Graham.

7. SENATOR GRAHAM:

8. Mr. President...fellows. Mr. President and Members
9. of the Senate, there perhaps is some truth to the fact
10. that this gentlemen is in an intra-party fight and if that
11. is true, past history would exhibit that that would make
12. him all the more attractive to Governor Walk...Walker
13. because he thrives on that kind of a philosophy. I sat
14. through that Committee and this man is a nice fellow with
15. very limited, to say the least, qualifications. I have
16. heard from a tremendous number of miners whose lives and
17. welfare could be affected by misjudgment or a lack of
18. judgment on the part of the gentlemen in question. Now,
19. we are dealing with a very sensitive area of the economy
20. of the State of Illinois when we talk about the mining of
21. coal. And we're talking about a more sensitive area when
22. we talk about the lives of those who are mining it. In
23. all good conscience, in all fairness to those that work
24. above and below the ground, and are associated with this
25. tremendous industry of Illinois, Illinois deserves better
26. than Mr. Pautler in a position such as this and I urge
27. the members on this side of this aisle in favor of the
28. miner to do not confirm this man.

29. PRESIDENT:

30. Senator Bartulis.

31. SENATOR BARTULIS:

32. Thank you, Mr. President and members of the Senate,
33. I was born, raised in the coal mining area of the State

1. of Illinois. Also have a lot of friends today who are
2. coal miners themselves. and I must say these coal miners
3. who I talked to support both sides of the aisle. So,
4. what I have to say I would say it would be non-political.
5. It'd be just for the benefit of the coal miners of the
6. State of Illinois. And to the ones that I had conferred
7. with upon Mr. Pautler that and nobody, nobody has said
8. that he has the qualifications of holding this job.
9. And therefore I would appreciate the members on this
10. side of the aisle and on the other side for a no vote.

11. PRESIDENT:

12. Senator Walker.

13. SENATOR WALKER:

14. ...Thank you, Mr. President, Members of the Senate.
15. The same day that this gentlemen ...was proposed as the
16. Assistant Director of the Department of Mines and Minerals
17. there was another gentlemen by the name of Clarence Reynolds
18. proposed as a Member of the State Mining Board. I only
19. mention this to show how utterly confused the Gentleman on
20. the Second Floor gets at certain times. Reynolds who was confirmed
21. as a Member of the State Mining Board spent all his life in
22. the mines. He was en...entirely qualified for the position;
23. whereas, this gentleman and this is repetitious I realize
24. is not qualified for the position that he holds. I merely
25. mention that to show that if Reynolds, in my humble opinion,
26. had of been suggested as the Assistant Director he'd had
27. no problems at all. I intend to vote no.

28. PRESIDENT:

29. Is there further discussion? Senator Ozinga.

30. SENATOR OZINGA:

31. I have moved.

32. PRESIDENT:

33. The question is does the Senate advise and consent to

1. the nomination of Robert Pautler to be Assistant Director
2. of the Department of Mines and Minerals...Minerals and
3. on that question the Secretary will call the roll.

4. SECRETARY:

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

15. PRESIDENT:

16. Senator Saperstein, aye. Senator Romano, aye.
17. Senator Newhouse, aye. The result of the vote of the
18. Senate on the question is 31 yeas, 10 nays. A majority
19. of the Senators elected concurring by record vote, the
20. Senate does advise and consent to the Governor's nomination
21. of Robert Pautler for the office of Assistant Director of
22. the Department of Mines and Minerals. Senator Ozinga.

23. SENATOR OZINGA:

24. Now, Mr. President, having received a couple of
25. more messages from the Governor, one this morning, one
26. yesterday, I will alert the Executive Committee that
27. the Executive Committee will meet one hour before the
28. Session tomorrow morning. Now, with that, I do now
29. move that the Senate Body do arise as from its Executive
30. Session.

31. PRESIDENT:

32. Senator Ozinga moves that the Senate rise from
33. Executive Sess...Senator Partee.

1. SENATOR PARTEE:

2. I...maybe I didn't hear it but did you...mention
3. Mr. Sandquist? Pardon.

4. SENATOR OZINGA:

5. I did not.

6. SENATOR PARTEE:

7. Oh, you did not report that in.

8. PRESIDENT:

9. Senator Ozinga moves that the Executive Session arise.
10. All in favor signify by saying aye. Contrary no. The
11. motion carries. Senator Partee.

12. SENATOR PARTEE:

13. Mr. President and Members of the Senate, if I might
14. have your attention for a moment on a point of personal
15. privilege. I...have encountered what appears to me to
16. be a mysterious set of circumstances surrounding a parti-
17. cular bill. ...I'm looking at the roll call from the
18. House of June 27th on a bill known and designated as
19. HB 1934. That bill had as its principal sponsor Repre-
20. sentative Choate and it is called an...a tax relief bill.
21. Now, that bill passed the House on the 27th of June at
22. 11:30 and came over, I assume, on a Message of June 28th
23. and I am looking at a copy of the Message at which the
24. Secretary reads concerning a Message and this Message
25. does not contain the number...HB 1934 as read. ...I
26. assume that that bill is in the Secretary's office and
27. I would also assume that normal procedure would have
28. indicated that that bill should have been on our Calendar.
29. I have searched the Calendar diligently and I have not seen
30. HB 1934 on the Calendar. So, I suppose this is really
31. the Mystery of the Missing Tax Bill. Now, I would like
32. to know, Mr. President, ...where that bill is and what
33. its posture is and why, of course, it is not on our

1. Calendar.

2. PRESIDENT:

3. Well,...Senator Partee, the bill is...in the Secretary's
4. office. The bill has not been reported ... to the Senate
5. and...the Message ... advising the Senate of that action by
6. the House has not been read to the Senate... We will ...
7. eventually get to that order of business and...to that bill.
8. I don't think there is any great mystery about it...we just
9. ...didn't get to it yesterday at the time that we adjourned
10. and...there will come a time when that order of business
11. will...be reached and the question of that Message will be
12. dealt with.

13. SENATOR PARTEE:

14. Is it possible, we could have that Message today. Now,
15. I'm not naive and I think I know what the political implica-
16. tions of this bill are, what those implications are and
17. (Machine did not record) stress that when 110 people in
18. the House vote for a measure that the members of the Senate
19. don't get any opportunity to consider it in a timely fashion.

20. PRESIDENT:

21. Within our...well, excuse me.

22. SENATOR PARTEE:

23. We are at almost the end of this Session and...if we
24. don't get an opportunity to react to it...today there is
25. little or no hope for its passage. I am sure that that
26. would not bring any distress to some of you but there are those
27. of us who desire, in the interest of the people, to have an
28. opportunity to vote on that bill.

29. PRESIDENT:

30. Senator Bell.

31. SENATOR BELL:

32. Well, I'm...I'm kind of confused, Mr. President, maybe
33. that's not too unusual for a...for a first-term Senator

1. but have we not in fact moved out Legislation from this
2. Body...already that has addressed itself to the tax
3. relief problem. Some type of legislation?
4. PRESIDENT:
5. Yes. Yes, we have...
6. SENATOR BELL:
7. Is this...
8. PRESIDENT:
9. ...A different measure, dealing with a different Act.
10. SENATOR BELL:
11. Where...where is that legislation now?
12. PRESIDENT:
13. The legislation ...the...has passed, which legis-
14. lation are you referring to?
15. SENATOR BELL:
16. Well, I...I'm...
17. PRESIDENT:
18. Now.
19. SENATOR BELL:
20. I'm actually referring to the 1/2 percent sales tax
21. reduction.
22. PRESIDENT:
23. That...bill has been passed by both Houses and the
24. bill is ultimately going to the Governor and will reach
25. the Governor's desk.
26. SENATOR BELL:
27. I see. Well, then I think Senator Partee's point is
28. certainly well taken but I would say from my viewpoint
29. that the Senate is...has met, in part certainly, its
30. responsibility or it has shown its thrust that we are
31. interested in tax relief for the people of this State
32. and that we have, in fact, already addressed ourselves
33. to that and we are moving forward with it and it remains
upon the Governor to...to act upon either that legislation

1. or some other legislation. But we as a Body and this
2. Legislature are saying we want tax relief.

3. PRESIDENT:

4. Senator Donnewald.

5. SENATOR DONNEWALD:

6. Well, yes, Mr. President...this may have been covered
7. but it was rather noisy, but I would like to have your...
8. thoughts on this... The bill in question that Senator
9. Partee alludes to is 1934 and Rule 5 on concerning the
10. introduction of bills states and I quote, "When a House
11. Bill is received, it shall be read by title, ordered
12. printed and placed on the order of House Bills on First
13. Reading." Now, where are we? Was the bill received?
14. My...my question to you, Sir, was the bill received?

15. PRESIDENT:

16. Has HB 1934 been received?

17. SENATOR DONNEWALD:

18. Yes, sir.

19. PRESIDENT:

20. Yes, the...the bill is in the Secretary's office.
21. I said that earlier. There is no indication in the
22. record that the Senate has received the bill. Physically
23. it is in the Secretary's office. We have not reached the
24. point in our procedure of communicating the Message from
25. the House as relates to HB 1934.

26. SENATOR DONNEWALD:

27. Well.

28. PRESIDENT:

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Sir. Now, we did consider, oh I got this list
32. here, HB 1827, HB 1925, HB going on down the line, HB 1948
33. but our bill here 1934 is right in the middle and wasn't

1. considered. I...I...I would ask the Chair why.

2. PRESIDENT:

3. Well,...the Message informing the Senate of the House
4. action has not been read to the Senate. I've said that
5. twice...now this morning. ...In time, we will get to
6. that issue. ...And, Senator Shapiro.

7. SENATOR SHAPIRO:

8. ...Mr. President and Members of the Senate, I don't
9. know why we have to be so concerned about HB 1934. It was
10. introduced in May...llth. The House held it for six weeks
11. before they sent it over here. The Governor has repeatedly
12. stated that he intends to have no broad legislative pro-
13. posals. The General Assembly in its wisdom came up with
14. its own and he now has a good tax relief program on his
15. desk. The Senate Revenue Committee ...considered a very
16. similar bill just a week ago which that Committee rejected
17. mainly because the Governor's own Department of Revenue
18. refused to take a positive stand on that bill. There is
19. not one iota of difference as far as tax relief is con-
20. cerned. They both address themselves to the same subject
21. in practically the same manner. I think that...HB 1934
22. probably should be given the same...consideration that
23. Representative Londrigan's bill received a week ago.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. It has been from time immemorial in this Senate that
28. different people had different bills addressing themselves
29. to the same subject matter. We considered a plethora of
30. bills on several subjects; namely, on the abortion bills,
31. there were several of those, on the shield bills, there were
32. at least five of those. Nobody has ever been upset be-
33. cause there were several on the same subject and, the fact,

1. that we have addressed ourselves to one bill on this
2. subject and passed it does not in any way foreclose
3. consideration of all bills on that subject. I don't
4. know which bill the Governor's going to sign. That is
5. not my concern. It is my concern though as a Member of
6. this Body that any bill which comes to this Body be
7. given the fair kind of treatment that any other bill
8. does. Now I can't say whether this bill is going to
9. pass or isn't going to pass. That is the ultimate
10. question. But the momentary question is the opportunity
11. to address ourselves and to vote on that bill. Now I
12. would hope that that bill would be reported out today
13. but in...in light of that I'm going to make a motion. That that
14. bill, HB 1934, be discharged from its resting place. How-
15. ever that can be described and brought to the Floor on the
16. order of 2nd reading and on that question I request a
17. roll call.

18. PRESIDENT:

19. Well, Senator Partee...I've tried to indicate that
20. we...we've been operating here presumably each member
21. that I've recognized on a point of personal privilege.
22. We have not reached the point of Messages from the House
23. in our order. I've tried to indicate that we would reach that
24. point in our regular procedure and, of course, the last
25. several days we make the assumption that there is unanimous
26. consent jumping from one order to the other. But it seems
27. to me that it would be the more sensible thing here and
28. now to proceed to the order of Messages from the House,
29. dispose of those that there is not controversy of which
30. and then reach point that I have referred to relating to
31. HB 1934 which we will read in good time. Now is that not
32. better than to proceed with a motion that I think you would
33. agree I clearly can rule out of order because we are not on

1. the order of motions. We are not in the midst of...of
2. procedure on...Messages from the House. We haven't reached
3. that. I am about to call...that order of business, take
4. care of those items that ought to be dealt with and then
5. reach the question that you want to make the...out-of-order
6. motion on. If that's understandable and acceptable to you
7. why don't we proceed that way. We...ultimately will get
8. to HB 1934 on the order of Communications from the House.
9. Senator ParTEE.

10. SENATOR PARTEE:

11. You are a very articulate gentlemen and one thing I
12. always like about listening to you, you are extremely
13. expressive. But when you say ultimately that's a rather
14. relative word...

15. PRESIDENT:

16. Within, within the consideration of Messages from
17. the House when we reach that order of business this morning...

18. SENATOR PARTEE:

19. Oh, that's all I wanted you to say. This morning,
20. that's the phrase I'm waiting for. Thank you.

21. PRESIDENT:

22. As a matter of fact, I guess it is this afternoon.
23. But on the order of Messages from the House the first time
24. we reach that order of business today we will, within the
25. consideration of the Senate before we go to another order
26. of business reach the question of HB 1934. Yes. Under
27. our daily order there are no items as presented until the
28. matter before us now which is Messages from the House.
29. Secretary will proceed reading the Messages from the House.
30. Dealing I think with the amended bills first.

31. SECRETARY:

32. (Secretary reads Messages from the House)

33. PRESIDENT:

1. Secretary's Desk.

2. SECRETARY:

3. (Secretary reads Messages from the House)

4. PRESIDENT:

5. Senator Romano you move to accede to the House request
6. to appoint a Committee of Conference. Is that correct?

7. Senator Romano so moves. All in favor signify by saying
8. aye. Contrary no. The motion carries.

9. SECRETARY:

10. Senator Mohr, Chairman of the Committee on Committees
11. appoints as such Committee on the part of the Senate:
12. Senators Weaver, Scholl, Shapiro, Daley and Romano.

13. (Secretary reads Messages from the House)

14. PRESIDENT:

15. Okay. The Message has been read. We will then pro-
16. ceed to... Oh. Senator Partee... Senator Partee.

17. SENATOR PARTEE:

18. Thank you. I just sent a...just sent a little piece
19. of paper down there which is a motion ...by, the terms of
20. which I move to suspend the rules for the purpose of having
21. HB 1934 read a 1st time and advanced to 2nd reading without
22. reference to a Committee.

23. PRESIDENT:

24. Now, the motion is to suspend the rules and have
25. HB 1934 read a 1st time and advanced to 2nd reading with-
26. out reference. The motion to suspend the rules is not
27. debatable. On the motion to suspend the rules the Sec-
28. retary will call the roll. For what purpose does Senator
29. Berning arise?

30. SENATOR BERNING:

31. Parliamentary inquiry. How many days does it take
32. for a bill so acted on to ultimately be passed and then
33. what vote would be required on the final day?

1. PRESIDENT:

2. The...you have two questions. The passage of the bill
3. by the Senate requires a minimum of three separate legis-
4. lative days. Your second question depends upon during
5. which period in the Calendar we find ourselves. Thirty
6. votes are required to pass a bill through the 30th of
7. June of each Calendar year from January to June 30th.
8. Following that date in each calendar year, in other words,
9. July 1 it requires a 3/5's vote of the Body to be effective
10. immediately. For what purpose does Senator Nimrod arise?

11. SENATOR NIMROD:

12. ...A parliamentary inquiry. Do I understand that
13. then we have the right to move this bill, if we vote on
14. this measure, would we then have only two days in the
15. Senate.

16. PRESIDENT:

17. Before the 30th of June, yes.

18. SENATOR NIMROD:

19. Yes, but I mean...would it, could it...

20. PRESIDENT:

21. We intend to meet on July 1st to deal with the
22. Department of Transportation appropriation bill and the
23. Department of Conservation appropriation bill and any
24. other matter that a majority of this Body make the
25. determination on.

26. SENATOR NIMROD:

27. If...if this motion is passed, then could this bill
28. be, it would be on 2nd reading, could it be then voted on
29. tomorrow on 3rd reading?

30. PRESIDENT:

31. No.

32. SENATOR NIMROD:

33. It wouldn't...

1. PRESIDENT:

2. Not tomorrow.

3. SENATOR NIMROD:

4. It would have to go to July 1st and require the 36
5. votes?

6. PRESIDENT:

7. Well, the answer to that question is for it to be
8. effective immediately it would require 36 votes. It
9. could be acted upon by a majority of this Body and become
10. effective...I...this is coming off the top of my head
11. but I believe under the Statute if the bill does not have a
12. precise effective date after the next calendar year it
13. would be October 1st of '74 under the terms of the Statute.
14. Otherwise, it would...that...I'm, this is off the top of
15. my head, otherwise, it would have to provide for an
16. effective date after July 1 of '74. By...at...under which
17. circumstance 30 votes could pass the bill on Sunday but
18. if the bill were silent as to an effective date beyond
19. July 1 of '74 it would be my belief and I don't want to
20. be nailed on this that it...it probably would be October 1
21. of '74. The question is shall the rules be suspended
22. for the consideration of reading a 1st time HB 1934 and
23. advance to 2nd reading without reference. The...those
24. who support Senator Partee will vote aye those who support
25. Senator Harris will vote no. Is...all in favor signify by
26. saying aye. Well, there has been a request for a roll call.
27. The Secretary will call the roll.

28. SECRETARY:

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

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

6. PRESIDENT:

7. On that question the yeas are 28. The nays are 27.
8. And the motion to suspend the rules fails. Senator Partee.

9. SENATOR PARTEE:

10. While we're on this subject and in that area, I have
11. another motion with reference to HB 349 which is referred
12. to as the Londrigan bill which does not have the problem
13. of it becoming effective at a later date, it would become
14. effective immediately and that would probably assuage Senator
15. ...Nimrod who was concerned about that problem. And...
16. this bill, 342, well, here I'm going to hold this motion
17. I'll wait a few minutes.

18. PRESIDENT:

19. Senate Bills on 2nd reading. On that order we have
20. none. We've moving in. Motions. Senator...Senator
21. Merritt.

22. SENATOR MERRITT:

23. ...Did I understand correctly, Mr. President, that
24. we are...

25. PRESIDENT:

26. We're on the Order of Motions.

27. SENATOR MERRITT:

28. Then at...then at this time I would like to move
29. to reconsider the vote by which Amendment No. 1 was
30. adopted fairly quickly yesterday to HB 224. Now the
31. thrust of Senator Rock's Amendment No. 1 is to place
32. 200...224 in somewhat similar circumstance, in fact,
33. the entirely same wording regarding temporary agents
34. that was in 1332 which we defeated here yesterday.

1. In fact, it only received 17 votes. I know that Senator
2. Nudelman on the other side of the...aisle shares my views
3. in this. 224 is actually a good bill and came out of
4. our Committee by unanimous vote. It's a good bill until
5. the Amendment No. 1 was adopted which really has the
6. effect of scuttling it and I would be hopeful that those
7. who believed in the same concept yesterday would give
8. me support in this motion.

9. PRESIDENT:

10. Well, Senator, I...don't think your motion is in
11. order. ...The bill is on 3rd reading. Now in order to
12. consider a motion to reconsider an amendment the bill
13. would have to be ordered by the will of the Senate to
14. the order of 2nd reading. And while what you have is
15. a motion and we are on the order of motions,...the bill
16. is on 3rd reading.

17. SENATOR MERRITT:

18. Well...

19. PRESIDENT:

20. Senator Merritt.

21. SENATOR MERRITT:

22. Well, then would it be in order for me to make
23. that motion?

24. PRESIDENT:

25. No, the bill is in the...

26. SENATOR MERRITT:

27. I mean...

28. PRESIDENT:

29. It is Senator Rock's...

30. SENATOR MERRITT:

31. Amendment.

32. PRESIDENT:

33. No, it is Senator Rock's bill. And Senator Rock

1. has not recalled the bill. We are not...we have not
2. proceeded to the order of...

3. SENATOR MERRITT:
4. Well.

5. PRESIDENT:
6. ...of House Bills on 3rd reading. At that time,
7. you can request leave of the Body, when Senator Rock
8. calls the bill, if he wishes to recall it to 2nd reading.

9. SENATOR MERRITT:
10. Well...

11. PRESIDENT:
12. Then...then your motion would be in order.

13. SENATOR MERRITT:
14. He did indicate to me yesterday when we just finally
15. caught it there at the last minute, that he would...he
16. would ...I had understood him to say so, that he would
17. not do anything with it until I had an opportunity of
18. doing this today. I believe that's correct.

19. PRESIDENT:
20. Senator Rock...do you wish to...acknowledge Senator
21. Merritt?

22. SENATOR ROCK:
23. Well, certainly Mr. President, thank you. As a
24. matter of courtesy I would be happy to ask leave of this
25. Body to recall that bill to ...the order of 2nd reading
26. so that he can properly make his motion.

27. PRESIDENT:
28. Well, is there...is there leave then, if you want
29. to dispose of it now?

30. SENATOR ROCK:
31. Well, I think it, we might as well dispose of it...
32. I am going to resist it. I think the amendment is a good
33. one. It is my bill. I believe that I am entitled to have

1. it in the shape I want it in. I would resist the motion
2. but in courtesy and deference to his motion, I would ask
3. leave that we bring 224 back to 2nd reading for the
4. purpose of his motion.

5. PRESIDENT:

6. Well, then is there leave to proceed to the Order
7. of House Bills on 3rd Reading for the consideration of
8. Senator Merritt's motion. House Bills on 3rd Reading,
9. HB 224, Senator Rock seeks leave of the Senate to recall
10. the bill from the order of 3rd reading to 2nd reading
11. for the purposes of reconsidering an amendment adopted
12. by the Senate. Is there leave? So ordered. HB 224.
13. Senator Merritt is recognized for a motion.

14. SENATOR MERRITT:

15. Yes...yes.

16. PRESIDENT:

17. The bill is on 2nd reading.

18. SENATOR MERRITT:

19. Thank...thank you, Mr. President and Members of the
20. Senate and I do appreciate your forthrightness and honesty
21. as certainly Senator Rock and..in doing this I realize
22. you're going to resist it. I'll say not very much more
23. because it was all said yesterday on 1332 that was defeated
24. pretty soundly. So, I will now move to reconsider the vote
25. by which Amendment No. 1 was adopted to HB 224.

26. PRESIDENT:

27. Senator Merritt moves to reconsider the vote by
28. which Amendment No. 1 was adopted. Senator Rock.

29. SENATOR ROCK:

30. Yes, thank you, Mr. President. I would resist that
31. motion and urge our members to do likewise. Again, I am
32. the Senate sponsor of that legislation. I believe that
33. under the rules of this Body, for the most part at least,

1. the sponsor has the right to have the bill in the form
2. he desires it. I did offer this amendment. It does not,
3. in fact, it takes one part of HB 1332, I think there were
4. three features to 1332 and this merely incorporates one
5. of the three which I think is the least objectionable if
6. it's objectionable at all. And I think the amendment is
7. a good one and I would resist its...coming off.

8. PRESIDENT:

9. Senator Glass.

10. SENATOR GLASS:

11. Thank you, Mr. President. In order that the rest of
12. the membership may know it,...this issue involved, I wonder
13. if...Senator Rock might describe what that amendment does
14. and also advise whether the House sponsor of the bill
15. favors the amendment.

16. PRESIDENT:

17. Senator Rock indicates that he will acknowledge
18. Senator Glass' inquiry.

19. SENATOR ROCK:

20. Yes, Senator the amendment clarifies paragraph d (4)
21. by adding the language, that the temporary agent, a temporary
22. agent shall be under the supervision of a licensed insur-
23. ance agent. The bill as it's presently written or as it
24. reached 3rd reading ...was silent as to who was to super-
25. vise these trainees. ...I frankly have not spoken with
26. Representative Epton when I...when he asked me to take this
27. bill he...I have handled his legislation before as he has
28. handled some of mine. I am sure that he would have no
29. disagreement with this particular amendment.

30. PRESIDENT:

31. Is there further discussion? Senator Merritt.

32. SENATOR MERRITT:

33. Mr. President, I'm not going to belabor this issue of

1. again we conclusively took this out, this same language
2. that was in 1332 yesterday, can...without any shadow of
3. a doubt defeated it soundly. Now, Representative Epton
4. I have a very high regard for as well as Senator Rock,
5. thought this bill was fine when it was before Committee
6. and we thought it was fine too. And it's a little bit
7. strange and it came out unanimously, it's a little bit
8. strange at this late date that...attempting to do
9. something like this. I...I hope that I might have the
10. support in...in my motion.

11. PRESIDENT:

12. Senator Merritt moves to reconsider the vote by
13. which Amendment No. 1 was adopted. All in favor signify
14. by saying aye. Those opposed vote no. 29 - 29. All in
15. favor. Is there a request for a roll call? Are right,
16. on division, all those in favor of reconsidering rise.
17. Those not entitled to the Floor. Will the members please
18. be at their desks. The Secretary informs me that, you
19. can't...? Is there a request for a roll call. I think
20. we're going to do it on a more equitable basis that way.
21. Secre...on the motion to reconsider, Secretary will call
22. the roll.

23. SECRETARY:

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

1. PRESIDENT:

2. Chew, No. Senator Chew. Savickas, no. There's
3. been a request for a call of the absentees. The absentees
4. will be called The absentees will be called.

5. SECRETARY:

6. Roe.

7. PRESIDENT:

8. On that question the ayes are 28. The nays are 30.
9. The motion fails. 3rd...are there further motions in
10. connection with consideration of HB 224 on the order of
11. 2nd reading. 3rd reading. In order to process the amendments,
12. if I might have the attention. Why don't we take those bills
13. on House Bills on 3rd reading that sponsors know they have
14. amendments for and call them first so that those that are
15. adopted can be processed... Oh, I'm sorry. We'll...we'll
16. revert to Motions. Senator Knuepfer had a motion that we
17. should dispose of before we go back to...House Bills on
18. 3rd. So we will return to the order of Motions. Senator
19. Knuepfer is recognized.

20. SENATOR KNUEPFER:

21. ...This is a motion that I filed the other day. I
22. tried to direct myself to yesterday but unfortunately,
23. since the leadership on both sides were off the Floor,
24. it was suggested by the President that I hold this motion
25. until they both were present.They are now so present.
26. ...In the meantime, I am sure leadership on both sides
27. have been apprised of the problem and the motion that I
28. filed is to reconsider the vote by which the Senate con-
29. curred with the House of Representatives in the adoption
30. of House Amendment No. 1 to SB 84. Now, the reason to...
31. the reason that I am requesting reconsideration is that
32. that amendment...was...it was suggested was simply an
33. amendment of a technical nature. That amendment upon

1. more careful reading was not a simply...simply a technical
2. amendment. In fact, it was an extraordinarily substantive
3. amendment that may jeopardize federal funds and here's what
4. that amendment did. ...And let me give you a little back-
5. ground first of all. This...this bill deals with the
6. Illinois Housing Act and most of you know most of the
7. funds for the Illinois Housing Act come from the Federal
8. government through the Federal Housing Act. The Act relates
9. and deals...relates to, deals with low income and middle
10. income housing and the amendment added the purchase,
11. construction or rehabilitation of shelter-care homes as
12. such term is defined in Section 1 of the Nursing Home
13. Shelter-Care Homes and Homes for the Aged Act. Now, that
14. is an extraordinarily substantive amendment. It ought to
15. be debated. It should not be passed off as simply a
16. slight technical change, and I then renew this motion to
17. reconsider the vote by which Amendment...by which the House
18. concurred in...the...Senate concurred in the House Amendment.

19. PRESIDENT:

20. Is there further discussion? The motion is to recon-
21. sider the vote by which the House Amendment was concurred
22. in. All in favor signify by saying aye. Contrary no.
23. The motion prevails. The...yes, the...yes, now the amendment,
24. I'm sorry, the House Amendment is now before the Body.
25. Senator Rock.

26. SENATOR ROCK:

27. Well, Mr. President, Mr. President, my only point is
28. that the Senate sponsor of this House Bill is not in evidence.
29. He stood on the Floor of the Senate a few days ago, there
30. he is, and asked us to concur in this Amendment. I frankly
31. think it's not that bad an amendment. I voted to concur in
32. the amendment. I would like to hear what the Senate sponsor
33. has to say before we...take any type of final action on this.

1. PRESIDENT:

2. Yes, he is here... Yes. The...the sponsor is on the
3. Floor. Do you wish to direct...Senator Rock.

4. SENATOR ROCK:

5. Senator Knuepfer made the statement yesterday...when
6. the motion was prematurely called and the leadership was
7. in a conference elsewhere, that the amendment had been
8. described as a merely technical amendment. That is not
9. the fact. Senator Regner got up and explained the amend-
10. ment. I had the file in front of me and urged our members
11. to support it on the basis that I thought it was a, no
12. question but that it's a definite policy change but one
13. that I think is desirable and it seems to me that if on
14. a couple of days ago somebody stands up who is the sponsor
15. of the bill and asks us to concur in it, I think that if
16. he now wishes that we not concur in it, I want to know
17. why.

18. PRESIDENT:

19. Sen...Senator Regner do you wish to respond to Senator
20. Rock's query? It is your prerogative to...Senator Regner.

21. SENATOR REGNER:

22. As I stated the other day, I personally did not and I
23. still do not think that it's such a bad amendment. However,
24. if someone else wants to make a motion to reconsider it,
25. it's their prerogative and I have no objection to that motion.

26. PRESIDENT:

27. Yes, that motion has been made and carried. The
28. question of concurrence to the House Amendment is now
29. before the Body. Again, there is no further action the
30. bill will then remain on the Secretary's desk. Is that
31. the disposition you wish of the ...matter, Senator Regner?
32. If you do not call the bill now, the bill will remain on
33. the Secretary's desk under the order of concurrence in

1. House Amendments. If you wish to take no further action
2. now, that's...that will be the disposition of the bill.

3. SENATOR REGNER:

4. Just leave it on the Secretary's desk for now.

5. PRESIDENT:

6. Is there further response? Now...Senator Roe I
7. believe... Senator Knuepfer.

8. SENATOR KNUEPFER:

9. Well, then...this non-technical amendment remains...
10. and the bill remains without the amendment on the Secretary's
11. desk until we determine what action to take?

12. PRESIDENT:

13. The...the amendment has not been adopted...

14. SENATOR KNUEPFER:

15. Concurred in, right.

16. PRESIDENT:

17. Yes and, or concurred in, and ...the bill and the
18. House Amendment are on the Secretary's desk. Senator Roe.
19. I believe you also have a motion.

20. SENATOR ROE:

21. Yes, Mr. President, and Members of the Senate, I ran
22. a little short of time yesterday and I had filed a notice of
23. intention to make a motion. I'd like to proceed at this
24. time ...having voted on the prevailing side I would move
25. to reconsider the vote by which HB 230 failed.

26. PRESIDENT:

27. The motion is to reconsider the vote by which HB 230
28. failed. All in favor signify by... Senator Soper.

29. SENATOR SOPER:

30. Yes, we're reading numbers now. What is HB 230?
31. What does it do and when was this called?

32. PRESIDENT:

33. Senator Roe.

1. SENATOR SOPER:
2. What is this bill all about? Who's the sponsor of
3. HB 230?
4. PRESIDENT:
5. Senator Roe.
6. SENATOR ROE:
7. Senator Nimrod is the sponsor.
8. PRESIDENT:
9. Senator Soper do you wish to direct your questions
10. to Senator Nimrod?
11. SENATOR SOPER:
12. Well, anybody that can tell me something about the bill.
13. I don't have the bill here. I'd like to read it, like to know
14. what we're voting on. We beat a bill. We can call...
15. PRESIDENT:
16. Do you wish to direct your question to Senator Nimrod?
17. SENATOR SOPER:
18. I do, and anybody that can answer. Senator Nimrod.
19. If he's the sponsor.
20. PRESIDENT:
21. Senator Nimrod.
22. SENATOR NIMROD:
23. Mr. President and fellow Senators, this is a bill that
24. calls for the open meetings and for tapings and it was an
25. objection...because of the Chapter I, subsection 57 which
26. Senator Rock had raised and since then I have prepared an
27. amendment and...Senator Rock has accepted and said under that
28. terms he would not object to it and I think this is a good
29. bill and I would hope that we'd call it back for...so
30. that we can amend it probably so that it can be accepted.
31. PRESIDENT:
32. Is there further discussion? Senator Nudelman.
33. SENATOR NUDELMAN:

1. I would ask the Chair when this bill was voted on
2. and how long it can be held in this state and then moved
3. for reconsideration?

4. PRESIDENT:

5. The...the bill failed since...Senator Nudelman was when
6. did the bill fail? Yes. All right. We're checking with
7. the Secretary's office I do not know... For what purpose
8. does Senator Hall arise?

9. SENATOR KENNETH HALL:

10. Well, while you're checking, I'm looking at yesterday's
11. Calendar and I don't see that bill on here. Now, how much
12. time will that bill have?

13. PRESIDENT:

14. The rule... The answer to Senator Nudelman's question.
15. I'll get to Senator Hall's question...subsequent to this
16. we have the information. HB 230 failed on the 25th.
17. Senator Roe filed his motion to reconsider on the 26th.
18. That is within the rules. He received permission of the
19. Body to postpone action on his motion. That was granted
20. by unanimous consent. We were not able to reach that
21. consideration yesterday and the Chair will rule that his
22. motion is in order today. Now, this situation applies in
23. this case because Senator Roe received unanimous consent
24. of the Body to postpone action on the motion. Now, in
25. regard to Senator Hall's question and I know...well, let's
26. proceed with Senator Nudelman.

27. SENATOR NUDELMAN:

28. That would have been the next portion of my question.

29. PRESIDENT:

30. All right. Now, without the permission of the Body
31. which applies in the case of Senator Roe's motion, the,
32. under the rules, the right to file a motion occurs on the
33. next succeeding legislative day. There is one additional

1. proviso in the rule and that is, if action is not taken,
2. and that is that if action is not taken within the time
3. prescribed because the Senate has not considered the order
4. of business under which such motion may properly be pre-
5. sented the motion is in effect until the next legislative
6. day. Upon which that order of business is reached. That
7. deals with the circumstance relating here. Is there further
8. questions? The motion then is offered by Senator Roe to
9. reconsider the vote by which HB 230 failed. All in favor
10. of the motion to reconsider signify by saying aye. Con-
11. trary no. The motion prevails. The bill then is before
12. us on the order of 3rd reading. Senator Nimrod.

13. SENATOR NIMROD:

14. Would it be in proper form then to wait until we're
15. on 3rd reading to bring that back to 2nd for an amendment?

16. PRESIDENT:

17. The...the matter is before us now. You can proceed
18. now, or...

19. SENATOR NIMROD:

20. I would ask leave of the Body then to ...return the
21. HB 230 to 2nd reading for purpose of amendment.

22. SECRETARY:

23. ...l by Senator Nimrod.

24. PRESIDENT:

25. ...Is there leave to recall HB 230 from 3rd to 2nd
26. reading? So ordered. Senator Nimrod you are recognized
27. for consideration of Amendment No. 1 to HB 230.

28. SENATOR NIMROD:

29. ...Mr. President and fellow colleagues, this...
30. amendment gives the rights of witnesses and proceedings
31. and whether there be court commissions or other agencies
32. and tribunals...to not have their testimony or their
33. discussion recorded in accordance with what was discussed

1. before...on Senator Rock's objections. And I would ask
2. for the approval and the inclusion of this particular
3. amendment to ...HB 230.

4. PRESIDENT:

5. Is there further discussion? The question is on
6. the adoption of Amendment No. 1 to HB 230. All in favor
7. signify by saying aye. Contrary no. The motion carries.
8. The amendment is adopted. Are there further amendments
9. from the Floor? 3rd reading. ...Senator Rock for what
10. purpose do you arise?

11. SENATOR ROCK:

12. Well, on a point of personal privilege Mr. President.
13. My name was mentioned with regard to this action, this...
14. revival of 230 and the subsequent amendment. I want to
15. point out that the amendment was and did address itself
16. to a problem that I brought up with regard to a section
17. of the Evidence Act. I did say to the sponsor that that
18. amendment in my opinion cured the bill as to that particular
19. problem. I say here and now I am still opposed to the bill
20. and I would ask everybody to take a long,hard look at
21. this. This is an amendment to the Open Meetings Act and
22. it says that they may be recorded. That means, Gentlemen
23. of the Senate, that if this bill passes we are going to
24. have TV cameras in the Senate for the first time in a
25. hundred years. So, I would just ask everybody to take a
26. look. I am still opposed to the legislation. I told
27. Senator Nimrod in deference to him that I would not...
28. oppose...the adoption of that amendment because it did
29. in fact address itself to a problem that I brought up
30. earlier.

31. PRESIDENT:

32. Senator Knuepfer.

33. SENATOR KNUEPFER:

1. I wonder if Senator Rock would allow me to ask leave of
2. him the question, of what's wrong with having TV cameras
3. record what's going on here?

4. PRESIDENT:

5. Well, the bill is not before us. Senator Rock was
6. speaking on a point of personal privilege. When we return
7. to the bill...let's get into that...discussion then.
8. House Bills...are there any further motions? Senator
9. Partee.

10. SENATOR PARTEE:

11. If we...

12. PRESIDENT:

13. We'll return to the order of motions...if you...

14. SENATOR PARTEE:

15. No, no, not that one.

16. PRESIDENT:

17. All right, okay.

18. SENATOR PARTEE:

19. It's not the one you're worried about, it's another
20. one.

21. PRESIDENT:

22. Senator Partee for what purpose do you arise?

23. SENATOR PARTEE:

24. ...There is a House Bill that was returned with three
25. amendments. HB 8...no, it's SB 817 with three House Amend-
26. ments and I wanted to concur in those three amendments.

27. PRESIDENT:

28. Yes, Senator Partee, all of those other Messages that
29. were read this morning provide that those...remain on the
30. Secretary's desk and they'll be on the Calendar in the
31. morning. Now,...I think it's more orderly for us all to
32. have that information on the Calendar and...oh. All right.
33. Are there further motions? House Bills on 3rd reading.

1. For what purpose does Senator Bruce arise?
2. SENATOR BRUCE:
3. You mentioned earlier that if we had a House Bill
4. on 3rd reading for which we knew there was going to be
5. an amendment...
6. PRESIDENT:
7. Fine.
8. SENATOR BRUCE:
9. Do you...do you want to do that now?
10. PRESIDENT:
11. I think that...that's helpful to the Secretary's
12. office. What is your bill number?
13. SENATOR BRUCE:
14. The bill number is HB 1045 which is the ordinary
15. expenses for the Board of Vocational Education and
16. Rehabilitation. Senator Clarke and I have spoken about amend-
17. ment relative to a transfer clause within that appropriation.
18. I think there's substantial agreement but Senator Clarke
19. will be... I now move ...HB 1045 back to the order of
20. 2nd reading.
21. PRESIDENT:
22. Is there leave? HB 1045 is ordered to 2nd reading
23. for purposes of an amendment. Senator Bruce.
24. SENATOR BRUCE:
25. ...Oh, I'll just go ahead and explain it. It's
26. Senator Clarke's amendment but the original amendment
27. ...deleted the transfer clause within the bill and now
28. we want to Table that amendment and adopt this one. I
29. think...
30. PRESIDENT:
31. That is Amendment No. 2.
32. SENATOR BRUCE:
33. All right. I move...now move that we reconsider

1. the vote by which Amendment No. 2 was adopted.

2. PRESIDENT:

3. Senator Bruce moves to reconsider the adoption...

4. the vote by which Amendment No. 2 was adopted. All in
5. favor ... Is there discussion? All in favor signify by

6. saying aye. Contrary no. Senator Bruce now moves to

7. Table Amendment No. 2. Is there discussion? All in

8. favor signify by saying aye. Contrary no. The motion

9. carries. Amendment No. 2 is Tabled. Senator Bruce.

10. SENATOR BRUCE:

11. Yes, I believe...

12. PRESIDENT:

13. You offer Amendment No. 3. Senator Clarke.

14. SENATOR CLARKE:

15. Yes, this Amendment No. 3 just allows within the
16. Federal funds in the various categories. They don't know

17. just what their case loads are going to be to transfer

18. within those that one category, not in any other part of

19. the bill or for administration or otherwise.

20. PRESIDENT:

21. Is there dis...further discussion? The question is

22. on the adoption of Amendment No. 3 to HB 1045. All in

23. favor signify by saying aye. Contrary no. The motion

24. carries. Amendment No. 3 is adopted. Senator Scholl.

25. Senator...Scholl has an amendment. Oh, oh, I'm sorry.

26. I thought he had an amendment, yes. Are there further

27. amendments from the Floor on HB 1045? 3rd reading.

28. Senator Scholl, 8...

29. SENATOR SCHOLL:

30. 20.

31. PRESIDENT:

32. 820. Senator Scholl moves to recall HB 820 from

33. the order of 3rd reading to 2nd reading for purposes of

an amendment. Is there leave? So ordered. HB 820 on

1. 3rd reading. Senator Scholl.

2. SENATOR SCHOLL:

3. Mr. President and Members of the Senate, this amend-
4. ment makes the new bicycle tire and rim requirements for
5. reflectorizing effective as of January 1st, 1975 and makes
6. the rest of the bill effective when signed by the Governor.
7. It further makes the point that...Federal requirements
8. supreme in any case. These were...are important amendments
9. and I urge its passage.

10. PRESIDENT:

11. Senator Scholl offers Amendment No. 1 to HB 820.
12. Is there further discussion? All in favor of the adoption
13. of the amendment signify by saying aye. Contrary no.
14. The motion carries. Amendment No. 1 is adopted to HB 820.
15. Are there further amendments from the Floor? Oh, Amendment
16. No. 2. Okay.

17. SECRETARY:

18. Amendment No. 2 by Senator Carroll.

19. PRESIDENT:

20. Senator Carroll.

21. SENATOR CARROLL:

22. Thank you, Mr. President. As...HB 820 deals with
23. trying to create safety in bicycles which is an area that
24. I've worked on since I've been in the legislature and we've
25. passed several bills last time creating reflector safety
26. features. HB 820 is an attempt to add to this a reflector-
27. ized tire and/or rim. I have been led to believe and I
28. know all of you received letters, the same letter I received
29. which called my attention to it and I did some checking in
30. some of the other states where this had been proposed.
31. Were 820 to pass as it is now, we have been assured that the
32. one company that manufactures the tire that has the patent
33. on the reflectorized tire, Minnesota, Mining and Manufacturing,
would be unable to supply all of the bikes in 1975 or later.

1. They are also the only company that has the patents on
2. the rims and that has not as yet been developed. So that
3. were that to happen in 1975 there would be no type of
4. safety features on these kids bicycles. There would be
5. no reflectors and if the tires were unavailable there
6. would be no tires. What I am suggesting is exactly what
7. the Federal government standards are now about to suggest
8. and I've supplied Senator Scholl and others with copies
9. of those standards and that is, that if the tires are
10. available they may be used as an alternative but should
11. they not be available then you may still use the reflectors
12. to the front and rear of the center bar of the bicycle so
13. that people approaching the bikes can see at night that
14. there is a bike there. If these tires are not available
15. this law as it is now written would strike any type of
16. safety features. All my bill says which is the same thing
17. as the Federal standards that they are proposed, that either
18. alternative is usable in 1975. That the manufacturers may
19. use and the seller may sell, either the tires, the rims or
20. the reflectorized buttons as they are referred to. As I
21. said again, there's only one company that has processed the
22. tire and they claim, according to Colorado where they
23. shelved an identical bill, that there will not be enough
24. to meet the supply in '75. I think in the interest of
25. safety we must say, at this time, in 1975 it should be
26. an alternative. If it comes back at that time and we
27. find that the tires are available and they are a safety
28. feature better than the reflectors, there's time enough
29. then to make it mandatory. But I don't think we can make
30. something mandatory. that is not as yet in existence nor
31. do we have reason to believe it will be in existence at
32. that time and my amendment just makes it an alternative.
33. I would move its adoption.

1. PRESIDENT:

2. Senator Scholl.

3. SENATOR SCHOLL:

4. Mr. President and Members of the Senate, I'm interested
5. in saving lives and there's hundreds and hundreds of young
6. children each year being killed while riding a bicycle.
7. The purpose of this amendment is really to gut the bill.
8. There, according to the House sponsor Representative
9. Londrigan, he advised me yesterday that there are more than
10. one company which makes these tires. I don't see any reason
11. why we can't set a...a deadline and I think January 1, 1975
12. is far off and should be able to give these large companies
13. a chance to get this process in motion and I would urge each
14. of you to vote against this amendment. This amendment would
15. gut this bill.

16. PRESIDENT:

17. Senator Knuepfer.

18. SENATOR KNUEPFER:

19. Well, I...I'm not so sure I know all of the facts but
20. there's one thing that troubles me a great deal. If the
21. allegation is true, that there is only one manufacturer
22. that makes reflectorized tires...and...we would end up
23. in a position of some day requiring reflectorized tires
24. for one manufacturer. We're in effect setting up a tight,
25. nice little monopoly for one manufacturer and certainly
26. that would not be desirable public policy as I see it.
27. Now, I don't know who can answer that question as to
28. whether there is one or more than one and certainly
29. there ought to be not only an answer to the question but
30. some verification of that answer. But I for one would
31. not want to support any kind of a...position in which we
32. lock some manufacturer into business at least through the
33. 17 years of the life of his patent. I'd like to have

1. somebody do that for me too.

2. PRESIDENT:

3. Yes, Senator Carroll.

4. SENATOR CARROLL:

5. To answer Senator Knuepfer. I have been advised by
6. the manufacturer that they are the sole and exclusive patent
7. holder of the process by which these reflectors are put on
8. the tires. They have given this process. They manufacture
9. the process and there are two tire companies placing that
10. process on the rims of tires. Further, those companies
11. say that they cannot manufacture enough to meet the supply
12. in '75. This bill unlike as Senator Scholl has represented,
13. this bill is, this amendment is in the interest of saving
14. lives. If those tires are not available, we need some type
15. of safety feature on these bikes. This does not gut the
16. bill. It says merely that they have the alternative of
17. using either process. I, for one, do not want to be in
18. the position of saying that those tires are not available
19. and then we have stricken the language that required any
20. type of reflectors on these kids bikes. We've had too
21. many deaths in my district. That's why we put the re-
22. flector bill in last year, in the hope to save lives. That
23. bill takes effect tomorrow. That takes effect at mid-
24. night so that there will be reflectorized systems to the
25. front and rear of the bike. All this amendment says is
26. that they can use either in 1975 whichever is available
27. and whichever they want.

28. PRESIDENT:

29. Senator Scholl.

30. SENATOR SCHOLL:

31. Members of the Senate, as I pointed out, Representative
32. Londrigan yesterday advised me that there are more than one
33. company that makes these tires and I...I'm interested in

1. saving lives. And we're going to put this thing off until
2. 1976 or 1980, we're just stalling. I might point out too
3. that the Secretary of State is in favor of my amendment and
4. is opposed to...to yours.

5. PRESIDENT:

6. Is there further discussion? Yes. Senator Carroll
7. may close the debate.

8. SENATOR CARROLL:

9. One again, now the Secretary of State has also drafted
10. my amendment, too. They're not opposed to it. They don't
11. particularly take a position as to which way this is going
12. at this time. Their concern is to have the safety features
13. under the Department of Transportation instead of their
14. office where it properly belongs. Both our amendments
15. accomplish that purpose. I think the interesting point
16. to note though is that if we are interested in saving
17. lives we must have some type, some type of safety feature.
18. The bill as it now stands strikes all the requirements
19. for reflectors and if those tires are not available there
20. is just nothing there to show that that's a bike that
21. someone driving down the highway. I'm not putting off the
22. use of the tires. I've seen the tire. I think right now
23. it's very effective. We don't know yet how the tire is
24. going to wear whether that reflectivity is going to scuff
25. off or anything else. But we're saying by this amendment
26. is use either form, not one nor the other. We're not
27. saying only tires or only reflectorized buttons. We're
28. saying either one and I think that's the only sensible
29. step that this Senate should take. I would move the
30. adoption of the amendment.

31. PRESIDENT:

32. Senator Carroll has moved the adoption of Amendment
33. No. 2 to HB 820. All in favor signify by saying aye.

1. Contrary no. I...there's been a request for a roll call.
2. The question is the adoption of Senator Carroll's amendment
3. to HB 820, Amendment No. 2. Secretary will call the roll.

4. SECRETARY:

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

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Graham, no. Vadalabene, no. Vadalabene, aye. On...
17. on this motion the Amendment No. 2, the yeas were 29. The
18. nays were 17. The motion carries. The amendment is adopted.
19. Any further amendments. 3rd reading. Do we have any
20. Senators on the Floor that would like to recall a bill
21. from the order of 3rd, that's what I was afraid of. I get
22. you next Senator. Senator Hall apparently you're ready
23. and McCarthy isn't. Sen...Senator Hall.

24. SENATOR HARBER HALL:

25. I'd like to shortstop Senator McCarthy now and then...

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. You just did.

28. SENATOR HARBER HALL:

29. ...he shortstops me. This is in relation to HB 1832.

30. PRESIDING OFFICER (SENATOR GRAHAM):

31. Senator Hall.

32. SENATOR HARBER HALL:

33. ...Mr. President, fellow Senators, HB 1832 is the new

1. Auditing Act for the State. Yesterday we amended this in
2. the Senate with three separate amendments. The Majority
3. Leader has suggested that we remove Amendment 2 and in going
4. over his suggestion...

5. PRESIDING OFFICER (SENATOR GRAHAM):

6. Senator Hall.

7. SENATOR HARBER HALL:

8. Yes.

9. PRESIDING OFFICER (SENATOR GRAHAM):

10. In all the confusion up here I think you should have
11. made the proper motion to ask for leave to be granted so
12. the bill could be returned to the order of 2nd reading for
13. the purpose of considering amendment. Is leave granted?
14. It is. The bill is now on 2nd reading. Continue Senator.

15. SENATOR HARBER HALL:

16. At this time, after conferring with members of the
17. Audit Commission on both sides of the aisle, we are...
18. prepared to and asked for leave to remove Amendment 2 to
19. HB 1832.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. ...Having voted on the prevailing side, you move to
22. reconsider the vote by which Amendment No. 2 was adopted
23. to HB 1832. Is leave granted...all in favor signify by
24. saying aye. This is a discussion on the amendment Gentlemen.

25. SENATOR HARBER HALL:

26. It has been recalled. On...

27. PRESIDING OFFICER (SENATOR GRAHAM):

28. You are perfectly in order to discuss the amendment.
29. We're on the order of the motion to adopt it at this
30. point. As soon as Senator Hall is through with his
31. presentation.

32. SENATOR HARBER HALL:

33. I would ask for leave to Table Amendment 2 to HB 1832,

1. Mr. President.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. There's been a motion to Table Amendment No. 2. Is

4. there any discussion? Do you wish to discuss this Senator

5. Knuepfer? All in favor of the motion to Table Amendment

6. No. 2 signify by saying aye. Opposed. The ayes have it.

7. The amendment is adopted. Now, Senator Hall wishes to dis-

8. cuss for a motion to adopt Amendment No. 4. Senator Hall.

9. SENATOR HARBER HALL:

10. I...I would...strike that...Amendment 4 and not...

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. You withdraw the motion?

13. SENATOR HARBER HALL:

14. Withdraw it.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Then all the action that you have...performed is to

17. Table Amendment No. 2. Is there any further discussion on

18. this bill? If the caucuses will permit, there are bill...

19. any further amendments from the Floor? 3rd reading.

20. Senator Howard Carroll. Moves...

21. SENATOR CARROLL:

22. Mr. President, I would move that HB 311 be brought from

23. 3rd reading to the order of 2nd for the purpose of Tabling

24. an amendment and offering a substitute amendment.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Is leave granted? Leave is granted. The bill will

27. be placed on the order of 2nd reading. Senator Carroll.

28. SENATOR CARROLL:

29. Thank you, Mr. President. Now, I would move that the...

30. vote by which Amendment No. 2, be reconsidered...the vote

31. by which Amendment No. 2 was adopted be reconsidered for

32. the purpose of Tabling that amendment. This has met with the

33. approval of the leadership and of Senator Mitchler and I

1. would then offer Amendment No. 3.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. The motion before the Senate is having voted on the
4. prevailing side he moves to Table Amendment No. 2 to HB 311.
5. Any discussion? All in favor signify by saying aye. Opposed.
6. The ayes have it, the amendment is Tabled. Senator
7. Carroll.

8. SENATOR CARROLL:

9. I would now move, Mr. President, that we adopt Amendment
10. No. 3 and this is, by the way, the strikebreaker's bill.
11. Amendment No. 3 defines professional picketeer and defines
12. it in parallel language to professional strikebreaker. Both
13. terms then being co-equal and if this amendment is adopted
14. then neither side could use a professional pickateer or
15. strikebreaker, as the case may be, when there is a strike
16. in progress. I would move the adoption of the amendment.
17. This meets with the approval of Senator Mitchler, Chairman
18. of that Committee, and with leadership.

19. PRESIDING OFFICER (SENATOR GRAHAM):

20. Any further discussion? Senator Mitchler.

21. SENATOR MITCHLER:

22. Well, we discussed this...on both sides of the aisle
23. and parties concerned and they have agreed to this. This is
24. a good amendment. Give it a favorable roll call.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. The motion is to adopt Amendment No. 2...3 to HB 311.
27. All in favor signify by saying aye. Opposed. The ayes
28. have it. The amendment is adopted. Senator Romano...had
29. a similar motion...Kosinski, on 1889. Is that correct
30. Senator?

31. SENATOR KOSINSKI:

32. That's right, Senator. Mr. President, ...at this
33. time, leave of the Body to bring back...HB 1889 for the

1. purpose of an amendment.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. You've heard the request of Senator Kosinski. Is

4. leave granted to bring 1889 back to the order of 2nd

5. reading for an amendment. Leave is granted. The bill

6. is now on 2nd reading. Senator Kosinski.

7. SENATOR KOSINSKI:

8. Mr...Mr. President at this time, I'd like to yield

9. to Senator Romano.

10. PRESIDING OFFICER (SENATOR GRAHAM):

11. The Senator yielded to his attorney. Senator Romano.

12. SENATOR ROMANO:

13. This amendment is offered to 1889 and it...gives...

14. former employees of the Department of Urban Renewal an

15. opportunity to pick up this time for their pension credit.

16. And I move the adoption.

17. PRESIDING OFFICER (SENATOR GRAHAM):

18. ...Senator Sours.

19. SENATOR SOURS:

20. Senator Romano would this...amendment...run into

21. the favor or disfavor of the Pension Laws Commission?

22. SENATOR ROMANO:

23. This amendment was drawn up by Mr. Weinburg of the

24. Pension Laws Commission.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. Senator Berning on the Floor? Senator Berning.

27. We are amending HB 1889. We thought you might have

28. some interest in this, do you?

29. SENATOR BERNING:

30. Yes, this amendment is...satisfactory.

31. PRESIDING OFFICER (SENATOR GRAHAM):

32. And Senator...the lawyer for Senator Kosinski moves

33. the adoption of the amendment. All in favor will signify

1. by saying aye. Opposed. The ayes have it and the amendment
2. is adopted. And, of course, if there's some problem here we
3. can bring it back to 3rd reading, right, or back again
4. Senator. Return to the order of 3rd reading. Any further
5. requests outside of Senator McCarthy and I'm hoping to get
6. your problem cleared up real soon. ...time Gentlemen if you
7. want to amend 'a House Bill that...is on 3rd reading.
8. Who requested it? Senator Nimrod ask leave of the...false
9. start. It's on postponed. Your motion would be in order.
10. Senator Nimrod asked leave of the Body that HB 444 on the
11. order of postponed consideration be returned to the order of
12. 2nd reading for the purpose of considering an amendment.
13. Is leave granted. Leave is granted and the bill will be
14. placed on the order of 2nd reading for the purpose of con-
15. sidering Amendment No. 2.

16. SENATOR NIMROD:

17. Mr. President, fellow Senators, I would... move that
18. we Table Amend...reconsider the vote by which...Amendment
19. No. 1 was passed.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Senator Nimrod moves to reconsider the vote by which
22. Amendment No. 1 to HB 444 was adopted. All in favor signify
23. by saying aye. Opposed. The ayes have it and the amendment
24. is...leave is granted and now we have a Tabling motion by
25. Senator Nimrod. Moves to Table Amendment No. 1, HB 444.
26. All in favor signify by saying aye. Opposed. The ayes
27. have it and the amendment is Tabled. Senator Nimrod.

28. SENATOR NIMROD:

29. Mr. President I would ...move the adoption of Amendment
30. No. 2 and...what Amendment No...2 does to this bill is that
31. it provides that...any law enforcing public official or any
32. mayor or president of the village board of trustees or the
33. president of the county board who happen all to be commissioners

1. ...will be unable to hold a liquor license as long as they're
2. holding that office and...this has...this amendment has
3. been presented to both the...both leaderships and has met
4. with their approval. I would move for the favorable
5. adoption of this amendment.

6. PRESIDING OFFICER (SENATOR GRAHAM):

7. Any discussion? The motion from the Senator from
8. Skokie is that Amendment No. 2 be adopted to HB 444. All
9. in favor signify by saying aye. Opposed. The ayes have
10. it. The amendment is adopted and the bill will be returned
11. to the order of consideration postponed. Any other 3rd
12. reading bills that you want to amend Gentlemen? Out-
13. side of McCarthy? Hold the phone. The next order of
14. business will be House Bills 3rd reading. We'll get that
15. later. House Bills 3rd reading. First bill, Senator
16. Bartulis, 41. He would...like to have the bill read by
17. title a 3rd time. HB 41. We're now on passage stage
18. Ladies and Gentlemen.

19. ACTING SECRETARY (MR. WRIGHT):

20. HB 41 (Secretary reads title of bill)
21. 3rd reading of the bill.

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Senator Bartulis.

24. SENATOR BARTULIS:

25. Thank you, Mr. President and Members of the Senate.
26. HB 41 amends the Environmental Protection Act and it...and
27. what it does, it prohibits the regulation of grain elevators
28. for...exception of toxic discharges into the air. In other
29. words, the Board may adopt no regulation...regulating...
30. relating to the operation of the grain elevators except
31. as relates to the discharge of toxic materials and other
32. toxic contaminates into the air. And all...all it says
33. is...in a grain elevator during harvest time, they have a

1. lot of...of dust and...other bees wing emission into...into
2. the air which is not...not toxic. And the dust that they
3. do put into the air over there is more or less not any
4. more than a truck or...an automobile travelling on a country
5. road at a high rate of speed, so.... But it does, does put
6. elevators in a very bad position. And I would like to read
7. a...article out of one of our local newspapers. It says,
8. to crack the whip, EPA has come up with bloodcurdling finds
9. which are beginning to paralyze farmers and certain business-
10. men keeping them from marketing any...any...progress until
11. EPA question clears up. In an earlier article we pointed
12. out that EPA proposals meant to farmers and to say that a
13. potential fine of \$10,000 plus a \$1,000 per day is slowing
14. down farm feeding development and in this phase the high
15. livestock prices in history. And another one recently,
16. excuse me, the Weldon Farmers Grain Coop was fined \$500
17. for violation of the ...State's Air Pollution Laws and its
18. order to the Coop, to State declared that the Elevator's
19. loading and unloading areas emitted dust, chaff and bees
20. wing emission and have con...constituted a...a severe
21. burden on the homes and nearby residents. And then the
22. State also ordered...also contended that the elevator
23. emissions contributed to difficulty in breathing and con-
24. tributed to the inordinate amount of...of cleaning necessary to
25. keep homes orderly and related inconveniences. And yet
26. a young woman who has spent the last 20 years in an iron
27. lung within easy sight of the elevator and whose breathing
28. is very sensitive to impurities in the air reports absolutely
29. no ...ill effects from the elevator and the girls name was
30. Judy Nix and her...detects the difference between leaded
31. and unleaded gasoline in the lawnmower used by her father.
32. In other words, what we're trying to do is...is keep our
33. elevators running and keep the price of a...our ag products

1. down and...when we have to go along with these ...controls
2. I think it's just getting, it's outrageous, we just cannot
3. do it. One Stonington Cooperative Grain Company to con-
4. trol the dust in an additional truck dump area would cost
5. \$35,000. Then to control the dust in the bees wing emission
6. from two grain dryers is \$140,000 and then to control the
7. dust in each of the head houses of our two elevators cost
8. \$70,000. The total cost of the above installations would
9. be \$280,000 and this will control dust and bees wing emissions
10. from our primary and receiving and handling points only. In
11. other words, Members of the Senate, all this does and all
12. this does and the dust are non-toxic materials and it puts
13. the burden on...on the small-town farmers, the small
14. grain elevators and I would hope for a favorable roll call.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Wooten.

17. SENATOR WOOTEN:

18. Mr. President and colleagues, I rise in opposition
19. to this bill. It's one of a series of Representative
20. Borchers' bludgeonings of the EPA. I suggest that it is
21. fairly easy to play around with statistics and approaches.
22. The information I have on the...the cause celebre in this
23. particular case, the grain elevator that claimed it was
24. going to cost a couple of hundred thousand dollars to
25. meet the EPA's objections, actually what they would have
26. had to do is repair some...canvas sacks. It was not that
27. difficult a matter to correct but it seems to be popular
28. now to take the Legislative route rather than the normal
29. recourse which is open to most people to file for a
30. variance and as I say it ...we talk about non-toxic
31. materials, the young lady in the iron lung if she is
32. maintained as most people are in this situation, in an air-
33. conditioned environment, of course, this would not

1. constitute a problem. ...I can see both sides of the
2. question, people who move in after a grain elevator has been
3. established and they suddenly find themselves in their
4. surroundings heavily coated at certain times a year with ad-
5. mittedly non-toxic but troublesome layers of dust and so on.
6. We cannot find an easy, just solution on one side or the
7. other. The rational approach is not the ram-through
8. legislation which will tie the EPA's hand but rather to
9. take the recourse which is open to all citizens and I can
10. only speak from my own experience and my own district when
11. we've had a problem obtaining a variance with the EPA, we
12. have gotten it. We're not...

13. PRESIDING OFFICER (SENATOR GRAHAM):

14. Just...just a moment, Senator. Continue.

15. SENATOR WOOTEN:

16. When we have gone to the EPA for a variance and my
17. office has been involved in several of these, we have been
18. met with understanding, reason and those variances have
19. been obtained. I have heard alot about EPA's pigheadedness
20. and that may be true in the past, but I submit it is not
21. the current functioning procedure of the EPA. I see no
22. reason to tie their hands with this legislation as I say,
23. recourse to solve these problems is open to all citizens
24. and I just think we're taking far too extreme a step in
25. passing this legislation. So, I would oppose it.

26. PRESIDING OFFICER (SENATOR GRAHAM):

27. Senator Mitchler. Senator Sommer. Senator Sours.
28. In that order. Senator Mitchler...and Senator Netsch,
29. I can't see with the blinds up.

30. SENATOR MITCHLER:

31. Yes...Mr. President and Members of the Senate, some-
32. times we get ahead of ourselves in this pollution control
33. situation. Now, I noted in the bill that's being sponsored

1. by Senator Bartulis that hearings are still underway to
2. determine whether or not violations are being made and
3. whether it's necessary to have these hard, fast rules and
4. keep requesting variations...variances. I picked up
5. the Chicago Tribune this morning and on the back page
6. where they have all the pictures, I saw this picture of
7. this locomotive, steam locomotive going through the City
8. of Chicago. Probably throwing out more stuff into the
9. air than these grain elevators would do in a whole season.
10. In the City of Chicago, in the City of Chicago right where
11. you get the worse problem in the entire State of Illinois.
12. But I've sent a letter to the Chairman of the Pollution
13. Control Board wanting to know now what his regulations
14. are relating to steam locomotives and their operation in
15. the State. Now, I suppose they're going to come up with a
16. regulation and outlaw these special steam locomotives and
17. then we'll get letters from all of these railroad fans...
18. objecting to it. See it all depends who ox...whose ox is
19. being gored. This is a good bill and I'm going to vote for
20. HB 41.

21. PRESIDING OFFICER (SENATOR GRAHAM):

22. Senator Sommer.

23. SENATOR SOMMER:

24. Mr. President, Members of the Senate, I wish to point
25. out that the emissions from grain elevators and I'm very
26. familiar with them having grown up in a rural area, are
27. entirely organic and entirely dissipate within a few short
28. weeks. ...They're corn dust, they are natural materials
29. and I...my experience is that very few of us who live near
30. grain elevators and I live near a few myself, have any
31. objection to this sort of thing for the simple reason that
32. we know the value of grain and we know the value of agri-
33. culture in our communities. The objections you get from

1. this sort of thing often emanate from people who have not
2. been exposed. There are communities in my district that
3. every fall have some of this stuff around and it's part of
4. living in the rural areas. Let me give you an example.
5. I live in a pumpkin raising area and every fall the pumpkin
6. bugs come to town and when you step on them they smell and
7. no one has suggested, though the EPA might suggest it, that
8. we get rid of pumpkin growing because the pumpkin bugs come
9. to town. They're organic, they dissipate into the environ-
10. ment and this is not pollution. These are natural things
11. which occur with the cycle of the seasons and they have been
12. with us since Biblical times and it is my suggestion that
13. in this area, we are not doing anything to damage the
14. powers of the EPA. Thank you.

15. PRESIDING OFFICER (SENATOR GRAHAM):

16. Senator Knuppel and Senator Latherow.

17. SENATOR KNUPPEL:

18. Mr. President and Members of this Body, all this says
19. is that they'll not adopt any regulations that are more
20. severe, more stringent than those that are adopted by the
21. National Environmental Policy Act. It doesn't mean that
22. they can't adopt regulations if the situation's bad enough.
23. But let's remember that the raising and transporting and
24. sale of grain to grain elevators is interstate commerce.
25. That any amount of money that a grain elevator has to
26. spend is going to be passed on in the form of...decreased
27. price to the farmers. Now, I'll...I'll submit to you that
28. if there's been a depressed area of the economy until the
29. last year when the price of beans and grain and livestock
30. went up, it's been the farm and the rural economy. Not
31. the elevator that's going to pay for it. It's either going
32. to be the producer of the grain or they're going to pass it
33. on to the consumer and the consumer is screaming their heads

1. off now. Sooner or later it's going to end one place or
2. the other and the farmer is a consumer too. This is nothing
3. but natural dust. It's...it's not toxic. It deals...it
4. specifically excludes toxic...fumes and otherwise. I
5. submit to you this doesn't prevent regulation it merely
6. prevents more severe regulation in the State of Illinois
7. than in other similar grain producing states and I think
8. that that's only fair because grain is a...is a product
9. that must be shipped in interstate commerce. This is good
10. legislation. It's not...it's not in any way hamstringing
11. the EPA. It's just saying to the EPA, treat our people,
12. our farmers, our consumers as those are treated in other
13. states. That's all we ask.

14. PRESIDING OFFICER (SENATOR GRAHAM):

15. The Senator from Carthage, Senator Latherow.

16. SENATOR LATHEROW:

17. Thank you, Mr. President and Members of the Senate.
18. I might say that less than a year ago I attended a meeting
19. in the auditorium of the Centennial Building, shortly
20. after these restrictions had been put on some of the
21. grain elevators and rural Illinois, and the auditorium
22. over there was full. And one gentlemen from the Environ-
23. mental Protection Agency fielded most of the questions and
24. did considerable of the talking. He did take a different
25. attitude toward the operation of the elevators and I think
26. they are giving different consideration or have given
27. different consideration to this operation since that
28. particular time. The commodities that we have as far as
29. agriculture are concerned, if you gentlemen have looked at
30. the paper in the last month and a half are very, very sensitive.
31. Many elevators throughout the State of Illinois in last years
32. have gone broke. They've gone broke through the increase in
33. the cost of operation and through probably some financial

1. arrangements that have turned backwards for them and when
2. you start adding a provision to each one of these elevators
3. of the required price that they estimate them to be today,
4. you're adding a definite, large cost of operation to that
5. man's business. Now, I can't tell you how many farmers
6. have died because they breathed the dust from this grain
7. and they harvest every summer with wheat and oats and
8. clover and from corn in the fall and beans in the fall.
9. I can't tell you that but I'll assure you I'll bet there
10. are not many. I don't know of a neighbor of mine who has
11. succumbed to lung disorders or any other disease directly
12. connected to his being a part of agriculture and I know
13. many people that have worked in grain elevators all their
14. lives and they are living to a ripe old age. I just saw
15. recently the operator of one of our elevators passed
16. away, 84 years old and he spent day after day in that ele-
17. vator. Now we're fictional in a lot of what we're trying
18. to talk about here today and what we're trying to produce
19. through some of the operations of the Environmental
20. Protection Agency. A dust that is strictly seasonable and
21. we talk about the...the bee wings and so on from the corn.
22. Hardly an elevator in the country today is shelling corn.
23. That's where it comes about in the field when they're shelling
24. and in the operation of the combines far from that area in
25. the cities where they are complaining about this supposedly.
26. I know they complain legitimately and I know what that'll
27. do in your shelling corn around settled buildings. We've
28. done it all my life. But let me remind you we haven't
29. succumbed and I haven't succumbed to any disease because of
30. it and I don't know of anyone else that has. I think we
31. ought to be realistic. We ought to be realistic in enforce-
32. ment and that's what we're pleading for in this particular
33. bill, to be realistic. Let's at least don't put the State

1. of Illinois agricultural field into an area where the cost
2. of operation and cost of the product must be higher from
3. the State of Illinois than it is from any other state in
4. the United States. Realism is what we want. We don't want
5. them to Havana, Illinois have to pay less for soybeans
6. there than they would by going across the river in my
7. area to Keokuk, Iowa and putting a...beans into an elevator
8. there. We want that business in Illinois. We want to keep
9. it here and mind you we have many people in Missouri that
10. cross the river on the barge down in the rural area in
11. Adams County that I used to represent and there's a Senator
12. over by the press that represents them now, that hauled
13. their grains from Missouri to Illinois. That's a good
14. price but mind you if we put that elevator in a restrictive
15. area where they pay 1¢ per bushel less to the farmer than
16. the ones in Missouri, you and I know where they're going
17. to go. Now I think that realism is all we want here. I
18. wish you people would give us a favorable vote on HB 41.
19. Thank you, Mr. President.

20. PRESIDING OFFICER (SENATOR GRAHAM):

21. Any further discussion? The question before the Senate
22. is shall HB 41 pass? The Secretary will call the roll.

23. ACTING SECRETARY (MR. WRIGHT):

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

1.

2. PRESIDING OFFICER (SENATOR GRAHAM):

3. Berning, aye. Glass, aye. Clarke, aye. You're
4. sure. Glass, no. Harber Hall, aye. Mr. President, aye.
5. McBroom, aye. Scholl, no. Been easier the first time
6. around wouldn't it. Carroll, no. Daley, no. Course,
7. aye. Bell, aye. Newhouse, no. Hynes, no. Wouldn't
8. have passed the roll calls out in duplicate. Been a
9. request for a call of the absentees. The absentees will
10. be polled. Request withdrawn. On this question the
11. yeas were 31. The nays were 10. This bill having re-
12. ceived the constitutional majority required is therefore
13. declared passed. Ladies and Gentlemen of the Senate, how
14. many hundred Senators join you in a request for this time-
15. consuming procedure? There has been a request for a
16. verification of the negative votes, Senator Netsch? The
17. affirmative votes. The Senators will be in their seats.

18. ACTING SECRETARY (MR. WRIGHT):

19. The following voted in the affirmative: Bartulis,
20. Bell, Berning, Clarke, Conolly, Course, Davidson, Graham,
21. Harber Hall, Knuppel, Latherow, McBroom, McCarthy, Merritt,
22. Mitchler, Howard Mohr, Don Moore, Nudelman, Ozinga,
23. Regner, Roe, Romano, Shapiro, Smith, Sommer, Soper,
24. Sours, Vadalabene, Walker, Weaver, Mr. President.

25. PRESIDING OFFICER (SENATOR GRAHAM):

26. The verification having been completed, the results
27. are the same and the bill is declared passed. 31 yeas and
28. 10 nays. Senator Mohr moves that having voted on the
29. prevailing side the vote by which this bill was passed
30. be reconsidered. Senator Walker moves to Table Senator
31. Mohr's motion. All in favor of the motion to Table signify
32. by saying aye. Opposed. The ayes have it and the motion
33. prevails. Members of the Senate, if I could have

1. your attention for the purpose of making an introduction.
2. Last year many of us read in the metropolitan papers where
3. a lady had gone shopping and upon her return she found two
4. would-be robbers committing mayhem on her husband. After which...
5. after observing such action, she did shoot both of these
6. robbers. I ...it takes a great pleasure...it's a great
7. pleasure for me to introduce to you a lady of courage, a
8. lesson for us all Mrs. Faye Webb of Chicago. Mrs. Webb.
9. MRS. WEBB:

10. Thank you, very much. I have received letters from
11. all over the United States for my encouragement and what
12. is amazing is that I did not receive one bad letter. I
13. am for the ban on the Saturday night special but I will
14. not give you a foothold in the door of gun control bill.
15. I want my gun. - I think we need them. Only for the sound-
16. minded people.

17. PRESIDING OFFICER (SENATOR GRAHAM):.

18. She proved to us she knew how to us it, too. The next
19. bill will be HB 70, Senator Partee. May we have some order.

20. ACTING SECRETARY (MR. WRIGHT):

21. HB 70 (Secretary starts to read title of bill)

22. PRESIDING OFFICER (SENATOR GRAHAM):

23. Hold it. Hold it. Next bill, 98, Senator Rock.
24. Senator Rock on the Floor. HB 208, Senator Bartulis.

25. ACTING SECRETARY (MR. WRIGHT):

26. HB 208 (Secretary reads title of bill)

27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR GRAHAM):

29. Senator Bartulis.

30. SENATOR BARTULIS.

31. Thank you, Mr. President, Members of the Senate, HB 208
32. is a bill that amends the Environmental Protection Act and
33. provides the Illinois Pollution Control Board shall not

1. adopt any regulation with respect to the operation of
2. the sanitary land fill which prohibits or which has the
3. effect of prohibiting the salvaging or recovery of metals
4. and paper from any load delivered to the face of the
5. sanitary land fill or disposal. Now this bill is designed
6. to allow the recovery and eventual recycling of metal and
7. paper which has been discarded and brought to the face of
8. a sanitary land fill along with other materials. Now un-
9. less this metal and paper is recovered at the sight it will be
10. lost to the land fill and valuable metal and paper which
11. would just as easily be recycled would be buried with no
12. benefit to anyone. Now taking metals from the face of a
13. land fill and...and paper and taken away at the end of the
14. day and it would be stored properly and it would...could
15. only be handled by employees of the land fill. Just for
16. insurance reasons alone, I imagine but I would like to go
17. on to say in February and March, '73, the Environment
18. Paper that the EPA puts out in the State of Illinois.
19. I'd like to read an article saying that everything we own,
20. buy, see, touch, throw away is part of the earth, every-
21. thing and every time we toss a piece of tinfoil, soda pop
22. can, a ketchup bottle or newspaper, a styrofoam cup or a plastic
23. spoon in a garbage can, we are throwing away the earth. In
24. Illinois the 18,000 tons of wastepaper generated daily is
25. equivalent to 300,000 trees, 4400 acres of forest, now I
26. can go on and on and this is some of the reasons why I think...
27. this bill would benefit the land fill operators in salvaging
28. the metal and paper from the...from the land fill.

29. PRESIDING OFFICER (SENATOR GRAHAM):

30. Any further discussion? If not, the question before
31. the Senate is shall HB 208 pass? The Secretary will call
32. the roll.

33. ACTING SECRETARY (MR. WRIGHT):

SECRETARY:

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

11. PRESIDING OFFICER (SENATOR GRAHAM):

12. Berning, aye. Scholl, aye. Conolly, aye. Daley,
13. aye. Carroll, aye. Mr. President, aye. On this question
14. the yeas were 37. The nays were 2. This bill having
15. received the constitutional majority is declared passed.
16. Is Senator Rock on the Floor? Senator Rock we passed
17. over 98, do you want to call it? We've passed over another
18. one Senator Rock, 224. Senator Carroll are you prepared
19. on 311? Read it by title. It may not be back yet. Just
20. a minute. Go ahead.

21. SECRETARY:

22. HB 311 (Secretary reads title of bill)
23. 3rd reading of the bill.

24. PRESIDING OFFICER (SENATOR GRAHAM):

25. Senator Carroll.

26. SENATOR CARROLL:

27. Thank you, Mr. President. HB 311 as it is now
28. amended would prohibit the use in this State of any
29. professional strikebreaker or any professional pickater.
30. The language is identical. It means any person...who owns
31. the major portion of his livelihood by entering
32. into employment on a temporary basis where a lockout
33. or strike exists and would prohibit their use of bringing

1. in...into the State of Illinois either a professional
2. strikebreaker or a professional picketer in a strike
3. situation. I would ask for a favorable roll call.

4. PRESIDING OFFICER (SENATOR GRAHAM):

5. Any discussion? Senator Glass.

6. SENATOR GLASS:

7. Well, thank you, Mr. President. Senator Carroll
8. I think as the membership is aware that was on the Floor
9. at the time, had just recently amended the bill and I'm
10. not going to take issue with that because I know it was
11. discussed with leadership and...but I personally am
12. concerned about the amendment which changes the bill as
13. it was. As the bill was, with the amendment that I
14. offered in Committee...anyone who was not an employee
15. of the company being struck could not participate in
16. the picketing...other business agents and representatives
17. of the union. Now, as amended, the bill will prohibit
18. professional picketers only from participating in
19. picketing and I really don't know what those are...and
20. I don't know that we have any of them. I...I...it seems
21. to me that...the bill as it was, is in what was really the...
22. the intent of the...what some of us anyway had hoped the
23. shape of...the bill would stay in. That is to limit the
24. picketing activity to employees of the...of the company
25. being struck. And for that reason Senator Carroll, and
26. speaking only for myself not tending to commit anyone else,
27. of course, I am going to oppose the bill. I would support
28. it if the amendment were in the form offered in Committee.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Sours.

31. SENATOR SOURS:

32. I have a question...Mr. President, Senators, for
33. Senator Carroll if he cares to answer.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Senator Carroll.

3. SENATOR SOURS:

4. Senator Carroll, if the employer is prohibited from
5. having any non-employee strikebreakers, then there will
6. just be a one-sided operation of the strikers themselves
7. being the only participants, isn't that true? Unless
8. we want to yank out of...the easy chair, the president,
9. and the secretary and the treasurer and the office
10. manager, wherein, by this amendment that you refer to
11. so graciously, is there any equality?

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Carroll.

14. SENATOR CARROLL:

15. Well, Senator Sours, I think if you would read the
16. entire bill in contrary to what Senator Glass said and
17. this is what we were debating yesterday. What we were
18. saying was, what's fair for the goose is fair for the
19. gander. What we're saying here now is that the company
20. cannot go out and hire what is defined as a professional
21. strikebreaker. It doesn't mean that they can't have
22. people working in their plant if it's being struck. It
23. means that they cannot go out and hire a person who travels
24. around just engaging in the business of strikebreaking.
25. By the same token, in fairness, the union cannot do the
26. same. The union cannot go around and hire people to
27. merely picket. There's nothing that says in here that the
28. union cannot use its membership to picket. There's
29. nothing in here that says that a company that owns two plants
30. and only one of them is being struck, can't bring em-
31. ployees in from their other company to work at that
32. company...to work at the struck company and this is what
33. fairness dictates. If you would prefer to allow companies

1. to bring in outside employees then I think you should prefer
2. to allow unions to bring in outside strikers.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Sours.

5. SENATOR SOURS:

6. The net result of this bill Senator reminds me of the
7. story of the factory worker who brought sandwiches and he
8. passed them around to some of his friends...on the line and
9. they all liked it. And...one of them inquired well, now,
10. what are the constituent parts of this delicious sandwich?
11. And...and the donor said, well that's horse and rabbit. One
12. horse and one rabbit. That's the way I'm impressed by
13. your equality.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. Mr. President, and Members of the Senate, I don't know
18. how familiar the opponents of this bill are with the history
19. of strikebreaking. But there is the world for many, many
20. years organizations throughout the United States that hold
21. their whole occupation with professional breaking of strikes.
22. They hired thugs. They hired people of dubious backgrounds
23. to go in and they know nothing of the operation they were
24. going to do but they were professional strikebreakers. One
25. of the greatest tragedies in the history of the labor movement
26. occurred right here in Illinois. At Herrin, Illinois in
27. the twenties, when they brought strikebreakers in here to
28. operate the mines down there. I don't know how many people
29. were killed or wounded in the affair that took place. It
30. happened in the stockyards strike in Chicago, it happened
31. in the steel mill strike in 1919, it happened in the rail-
32. road strike in 1922. Schultz brothers of Brooklyn were
33. known all over the nation as professional strikebreakers.

1. There is a...(can't understand tape)...such operations going on
2. in this country except for...where we have a enlightened manage-
3. ment and enlightened labor these things do not occur. But it's
4. always within the realm of possibility. This is a good bill.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Scholl. Nimrod, excuse me.

7. SENATOR NIMROD:

8. ...Mr. President, it seems to me that this bill,
9. I think Senator Glass pretty well summed it up, I think
10. if we're talking about having people being eliminated who are
11. involved that are not involved in the strike keep away
12. from it. And certainly I think Senator Glass' amendment
13. was the amendment that should have stayed. I think your
14. amendment Senator Carroll has confused the issue and I
15. as a...member of the Labor and Industry Committee, I'm
16. going to oppose it and ask all members of our side of
17. the aisle here to oppose it unless we put it back in the
18. ...in the framework and in the thought with which...it was
19. intended. ...This amendment has completely confused the
20. issue and has changed the entire purpose of what the bill
21. was intended to do.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Carroll may close the debate.

24. SENATOR CARROLL:

25. I would only repeat to those members from the side
26. of the aisle that was just spoken to, the Chairman of
27. your Committee, Chairman Mitchler is the one who agreed
28. to this...to the wording of this amendment and to the
29. striking of the other amendment and the putting this
30. in its stead. And I can only say once again that what we're
31. trying to accomplish by this bill is avoiding the use of
32. hired people who earn the major portion of their livelihood
33. by engaging in strikes from engaging on either side of the

1. strike activity by either being employed by the company
2. as a strikebreaker or employed by the union as a picketeer.
3. That's all that this bill is attempting to accomplish. I
4. think it's fair to both sides. I think it's equitable.
5. This has been agreed to by leadership on both sides and
6. I would ask for a favorable roll call.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. The question is shall HB 311 pass and upon that
9. question the Secretary will call the roll.

10. SECRETARY:

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. On that question the ayes are 37. The nays are 11.
23. HB 311 having received the constitutional majority is
24. declared passed. The Secretary with his work a little...
25. let's...let's move the order of House Bills on 2nd reading.
26. Senator McBroom, 314 do you wish to move it? 314.

27. SECRETARY:

28. HB 314 . (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Any amendments from the Floor? 3rd reading. Senator
32. Harris, 152.

33. SECRETARY:

1. HB 152 (Secretary reads title of bill)
2. 2nd reading of the bill. No committee amendments.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Any amendments from the Floor? 3rd reading. 418,
5. Senator Partee. Do you wish to advance it?
6. SENATOR PARTEE:
7. Yes,...someone has passed...passed out an amendment
8. on 418. I don't know...
9. SECRETARY:
10. Senator...Senator Scholl. Senator Scholl has an
11. amendment here on 418.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Senator Scholl. Do you wish to call the bill?
14. SECRETARY:
15. HB 418 (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments. Amendment
17. No. 1 by Senator Scholl.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. Senator Scholl.
20. SENATOR SCHOLL:
21. Mr...President, Members of the Senate, what my amendment
22. would do is reduce the amount of money of 8 million dollars
23. to \$777.
24. PRESIDING OFFICER (SENATOR WEAVER):
25. Senator Partee.
26. SENATOR PARTEE:
27. I've never heard of anything like this but I suppose
28. we live and we learn. The first thing the Senator should
29. do is to read the bill because the 8 million dollars is not
30. the appropriation. You can't tell what's in a bill by
31. looking at the Calendar, you have to read the bill. The
32. bill didn't come over here with any 8 million dollars on
33. it. The bill came over here with a \$100,000 appropriation,

1. which is absolutely needed and necessary for this very
2. vital work. I don't know what the significance of \$777
3. is but certainly it would be a waste of time and I move
4. that that amendment lay on the Table.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Motion to Table Amendment No. 1. All in...Senator
7. Partee.

8. SENATOR PARTEE:

9. The amendment's out of order. It can't be considered
10. anyway. It's not in proper form or order.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. The Secretary informs me that is the case. Senator
13. Scholl the amendment is not in proper form. Do you withdraw
14. the amendment? Any further amendments? 3rd reading.
15. 484, Senator Rock.

16. SECRETARY:

17. HB 484 (Secretary reads title of bill)
18. 2nd reading of the bill. No committee amendments.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Any amendments from the Floor? 3rd reading. 608,
21. Senator Swinarski. Senator Swinarski on the Floor? 653,
22. Senator Berning.

23. SECRETARY:

24. HB 653 (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Any amendments from the Floor? 3rd reading. 654.

28. SECRETARY:

29. HB 654 (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Any amendments from the Floor? 3rd reading. 744.

33. SECRETARY:

1. HB 744 (Secretary reads title of bill)
2. 2nd reading of the bill. No committee amendments.
3. PRESIDING OFFICER (SENATOR WEAVER):
4. Any amendments from the Floor? 3rd reading. 608,
5. Senator Swinarski.
6. SECRETARY:
7. HB 608 (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Any amendments from the Floor?
11. SECRETARY:
12. Senator...Amendment No. 1 by Senator McBroom.
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Senator McBroom moves the adoption of Amendment No. 1
15. to HB 608. Is there any discussion? Senator Swinarski.
16. SENATOR SWINARSKI:
17. Could I see a copy of the amendment, please? Mr.
18. President, could Senator McBroom please explain his
19. amendment.
20. PRESIDING OFFICER (SENATOR WEAVER):
21. Senator McBroom would you explain the amendment.
22. SENATOR MCBROOM:
23. Yes...Mr. President and Members of the Senate, I
24. believe Senator Hynes is bringing you a copy Senator
25. Swinarski. What this amendment does is make a total
26. reduction of about \$373,000, Mr. President. ...The...
27. electronic data processing was \$669,000, the House in-
28. creased this to \$738,000. I'm rounding off the figures
29. Mr. President. As the agency expects to delete many
30. old programs and consolidate others, this ...this amount
31. should be lower. That's one thrust of it. ...On labora-
32. tory services the staff questioned them on equipment for
33. the lab. The Director could only justify \$219,000. As
the request is for \$265,000, we suggest that a \$40,000

1. reduction here. On air pollution...control we suggest a
2. \$60,000 reduction. There's a separate line item in the
3. budget for expert testimony and there's also \$110,000 included
4. in contractual services. ...We suggest reducing this amount
5. and also reducing the line item of expert testimony to \$50,000.
6. I'd like to point out to you, Mr. President, since the
7. agency has over 40...has 44 people making over \$20,000
8. a year, I would like to suggest they should have some
9. expertise in this number of people making over \$20,000
10. a year. ...On water...the water pollution section, we
11. reduced that by \$173,000, Mr. President. Now, do you
12. want more explanation, Senator Swinarski. I have quite
13. a bit more here if you'd like me to go on with it.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Swinarski.

16. SENATOR SWINARSKI:

17. ...Mr. President, this...this bill just coming from
18. the House yesterday, we have not had the opportunity of
19. looking this amendment or the entire appropriation of the
20. EPA and I feel as though we should have this opportunity.
21. It's been over to the House as we know for the past six-
22. eight weeks and I know that the Members on this side of
23. the aisle like the opportunity of examining this amendment
24. and I am sure the Members of your...side of the aisle would
25. like the opportunity of examining this amendment and see what
26. effect it has and to bring in the Director and the members of
27. this agency and see what effect it has on the entire Environ-
28. mental Protection Plan of the State of Illinois.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Swinarski...

31. SENATOR SWINARSKI:

32. And I'm asking if I can...

33. PRESIDING OFFICER (SENATOR WEAVER):

1. You're the sponsor of the bill do you wish to hold it?
2. SENATOR SWINARSKI:
3. I wish to...if Senator McBroom, I'd like to move this
4. because it has to ...
5. PRESIDING OFFICER (SENATOR WEAVER):
6. Take it out of the record.
7. SENATOR SWINARSKI:
8. ...And I'd like to take. No, just one moment. Mr.
9. President. What I'd like to do is ask Senator...
10. PRESIDING OFFICER (SENATOR WEAVER):
11. Would you clarify what your intentions are...
12. SENATOR SWINARSKI:
13. ...McBroom, if I could move this to 3rd reading and
14. then I'll call it back tomorrow to 2nd reading so that we
15. may have time to sit down on this amendment.
16. PRESIDING OFFICER (SENATOR WEAVER):
17. Senator McBroom has offered an amendment. That's what
18. we're discussing. If you wish to take it out of the record
19. we will.
20. SENATOR SWINARSKI:
21. ...Record please.
22. PRESIDING OFFICER (SENATOR WEAVER):
23. Take 608 out of the record. 2nd reading. 798.
24. SECRETARY:
25. HB 798 (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDING OFFICER (SENATOR WEAVER):
28. Any com...any amendments from the Floor? Senator
29. Knuppel.
30. SENATOR KNUPPEL:
31. Amendment No. 1 strikes the Section 7 and 8 from the
32. appropriation bill. There...this is deals with language
33. which is not considered appropriate for an appropriation bill.

1. It would strike out...this excessive language which is in
2. the appropriation bill.

3. SECRETARY:

4. Amendment No. 1 by Senator Knuppel.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. ...Will you explain the amendment.

7. SENATOR KNUPPEL:

8. I did. The amendment strikes the language...contained
9. in Section 7 and 8. This is language that provides for...
10. legislative matters and it's not appropriate in an appro-
11. priation bill. If it's something to be done, it should be
12. done by a separate bill.

13. PRESIDING OFFICER (SENATOR WEAVER):

14. All in favor of the adoption of Amendment No. 1 to
15. HB 796 signify by saying aye. Opposed, nay. 798, excuse
16. me. The amendment is adopted. Any further amendments?

17. SECRETARY:

18. Amendment No. 2 by Senator Sommer.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Sommer.

21. SENATOR SOMMER:

22. Mr. President...Members of the Senate, Amendment No. 2
23. which I am offering basically has the effect of striking
24. Amendment No. 6 which was tacked on in the House which in-
25. creased the...funds and operations of the...Division of
26. Grain Inspection in Chicago. Currently, under the current
27. operation this is farmed out under a contract and it's
28. found to be cheaper in that manner in the way to do it.
29. And I would offer this amendment at this time.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Sommer offers Amendment No. 2 to HB 798. All
32. in favor signify by saying aye. Opposed nay. Motion...
33. amendment is adopted. Any further amendments?

1. SECRETARY:

2. Amendment No. 3 by Senator Sommer.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Sommer.

5. SENATOR SOMMER:

6. This amendment which I am offered...offering is a
7. reducing amendment to the general office. I would ask
8. for a favorable consideration of this.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Is there any discussion? Senator Knuppel do you have
11. a question?

12. SENATOR KNUPPEL:

13. Well, as to the amendment which was offered before, I
14. was just trying to get the Chair's attention. ...It's
15. already been voted on and there's not much that can be
16. said now but I...I did try to get the attention. It had
17. to do with grain inspection in the City of Chicago that
18. was put on in the...in the House and it...I assume this
19. will create a need for a Conference Committee since it
20. was voted to be taken out. ...The...it was not in the bud-
21. get. ...And the Department took no particular position
22. with respect to it but it will create some problems I am
23. sure. Now as to the amendment now pending, this reduces
24. the appropriation in certain areas and I...I mean...I just
25. received it as we started here could...the Senator pre-
26. senting it explain what each of these is for.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Sommer.

29. SENATOR SOMMER:

30. ...First one, I believe, is clerical staff reduction
31. and a technical advisor and retirement and social security
32. items for those people in the office of the...the front.
33. office of the Department of Agriculture.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Any further discussion? Senator Knuppel.
3. SENATOR KNUPPEL:
4. That explains the one for 391,000, Senator Sommers?
5. SENATOR SOMMER:
6. Yes, Senator Knuppel, as far as I understand it.
7. SENATOR KNUPPEL:
8. And what about the 23,500?
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Sommer.
11. SENATOR SOMMER:
12. ...Senator Knuppel that's retirement for those
13. people.
14. PRESIDING OFFICER (SENATOR WEAVER):
15. Senator Knuppel.
16. SENATOR SOMMER:
17. Senator Knuppel that's social security for those
18. people.
19. SENATOR KNUPPEL:
20. And then from 60,000 to 51,000?
21. SENATOR SOMMER:
22. That's from con...extra contractual services items.
23. SENATOR KNUPPEL:
24. And for the 20 to 15?
25. SENATOR SOMMER:
26. ...Some odd additional travel that's no longer needed
27. because of the reduction.
28. SENATOR KNUPPEL:
29. And...and the same way on lines 12 and 13.
30. SENATOR SOMMER:
31. Automobiles.
32. SENATOR KNUPPEL:
33. Well, we'll have to...we'd have to take the position

1. that we would resist this amendment because the people that
2. have drawn it up have done so carefully and...this reduces
3. the budget by some around 70, looks like around 70 some or
4. \$80,000 maybe as much as 90,000 and we'd be opposed to this
5. reduction.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Any further discussion? The question is shall we adopt
8. Amendment No. 3 to HB 798. All in favor signify by saying
9. aye. Opposed nay. Amendment is adopted. Any further
10. amendments? 3rd reading. 999, Senator Schaffer.

11. SECRETARY:

12. HB 799...An Act to add... 999.

13. (Secretary reads title of bill)

14. 3rd reading of the bill...2nd reading of the bill. No
15. committee amendments.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Any amendments from the Floor? 3rd reading.
18. 1110, Senator Walker.

19. SECRETARY:

20. HB 1110 (Secretary reads title of bill)

21. 2nd reading of the bill. No committee amendments.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Any amendments from the Floor? 3rd reading.
24. 1214, Senator Nimrod. 1274, excuse me.

25. SECRETARY:

26. HB 1274 (Secretary reads title of bill)

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

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Any amendments from the Floor? 3rd reading.
30. 1516, Senator Ozinga.

31. SECRETARY:

32. HB 1516 (Secretary reads title of bill)

33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Any amendments from the Floor? 3rd reading.
3. 1528, Senator Mitchler.
4. SECRETARY:
5. HB 1528 (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. Any amendments from the Floor? 3rd reading.
9. 1529.
10. SECRETARY:
11. HB 1529 (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Any amendments from the Floor? 3rd reading.
15. 1611, Senator Sours.
16. SECRETARY:
17. Amendment No. 1 to 1529 by Senator Mitchler.
18. PRESIDING OFFICER (SENATOR WEAVER):
19. We'll return 1529 to the order of 2nd reading for
20. the purpose of an amendment. Senator Mitchler explain
21. the amendment.
22. SENATOR MITCHLER:
23. Yes, the amendment...changes the appropriation back
24. to 25,000 from 20,000. I would move that the adoption
25. of the amendment.
26. PRESIDING OFFICER (SENATOR WEAVER):
27. The Calendar says 25,000, Senator. All in favor
28. signify by saying aye. Opposed nay. The amendment's
29. adopted. 3rd reading. Any further amendments? 3rd
30. reading. 1611.
31. SECRETARY:
32. HB 1611 (Secretary reads title of bill)
33. 2nd reading of the bill. No committee amendments.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Any amendments from the Floor? 3rd reading.
3. 1631.
4. SECRETARY:
5. HB 1631 (Secretary reads title of bill)
6. 2nd reading of the bill. No committee amendments.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. Any amendments from the Floor? 3rd reading.
9. 1639.
10. SECRETARY:
11. HB 1639 (Secretary reads title of bill)....
12. PRESIDING OFFICER (SENATOR WEAVER):
13. No. 1776, Senator Course. Do you wish to move it?
14. SENATOR COURSE:
15. I have to have an amendment prepared, ...Mr. President.
16. PRESIDING OFFICER (SENATOR WEAVER):
17. 1818, Senator Schaffer.
18. SECRETARY:
19. HB 1818 (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.
21. PRESIDING OFFICER (SENATOR WEAVER):
22. Any amendments from the Floor?
23. SECRETARY:
24. Amendment No. 1 by Senator Schaffer.
25. PRESIDING OFFICER (SENATOR WEAVER):
26. Senator Schaffer will explain the amendment.
27. SENATOR SCHAFFER:
28. The amendment does two things, one I'll explain and
29. one Senator Moore will explain. One it ...changes the
30. language in the...bill to provide for the study of the...
31. reimbursement of...amortization and construction costs of
32. nursing homes other than actually providing for it. In
33. other words, as it came out in the Committee we are

1. convinced there is an inequity here...and it was suggested
2. that we...we do get some factual information before we move
3. ...in a...by passing a law. The second part of the amendment
4. I'll defer to Senator Moore on.

5. SENATOR MOORE:

6. Thank you, Mr. President, Members of the Senate,...the
7. other part of the amendment...to Amendment No. 1 it adds
8. the enforcement of penalty provisions into the collection
9. of claims section. It is now presently there in the Public
10. Aid Code. It is the feeling of the Department that it
11. should be. I have discussed this with Senator Dougherty
12. and Senator Smith and they have no objection to this change.
13. And I would move adoption of Amendment No. 1.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Is there any discussion? All in favor signify by
16. saying aye. Opposed nay. Amendment's adopted. Further
17. Amendments? 3rd reading. 1827, Senator Vadalabene.

18. SECRETARY:

19. HB 1827 (Secretary reads title of bill)
20. 2nd reading of the bill. No committee amendments.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Any amendments from the Floor? 3rd reading. 1925,
23. Senator Glass.

24. SECRETARY:

25. HB 1925 (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.

27. PRESIDING OFFICER (SENATOR WEAVER):

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

29. SECRETARY:

30. HB 1926 (Secretary reads title of bill)
31. 2nd reading of the bill. No committee amendments.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Any amendments from the Floor? 3rd reading. 1937,

1. Senator McBroom.
2. SECRETARY:
3. HB 1937 (Secretary reads title of bill)
4. 2nd reading of the bill. No committee amendments.
5. PRESIDING OFFICER (SENATOR WEAVER):
6. Any amendments from the Floor? 3rd reading.
7. 14..1948, Senator Welsh.
8. SECRETARY:
9. HB 1948 (Secretary reads title of bill)
10. 2nd reading of the bill. No committee amendments.
11. PRESIDING OFFICER (SENATOR WEAVER):
12. Any amendments from the Floor? 3rd reading. 1977,
13. Senator Course.
14. SECRETARY:
15. HB 1977 (Secretary reads title of bill)
16. 2nd reading of the bill. No committee amendments.
17. PRESIDING OFFICER (SENATOR WEAVER):
18. Any amendments from the Floor? 3rd reading. 1978,
19. Senator Davidson.
20. SECRETARY:
21. HB 1978 (Secretary reads title of bill)
22. 2nd reading of the bill. No committee amendments.
23. PRESIDING OFFICER (SENATOR WEAVER):
24. Any amendments from the Floor? 3rd reading. 1987,
25. Senator Sommer.
26. SECRETARY:
27. HB 1987 (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDING OFFICER (SENATOR WEAVER):
30. Any amendments from the Floor? 3rd reading. 1993,
31. Senator Davidson.
32. SECRETARY:
33. HB 1993 (Secretary reads title of bill)

1. 2nd reading of the bill. No committee amendments.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Any amendments from the Floor? 3rd reading. Sponsor
4. would like to recall HB 744 from the order of 3rd reading
5. back to the order of 2nd for the purpose of an amendment.
6. Senator Mohr. Is there leave? Leave is granted. Senator
7. Howard Mohr.

8. SENATOR MOHR:

9. Yes, Mr. President, I would like to...offer Amendment
10. No.1 to...HB 744. This is a data processing commission
11. bill to correspond with...the bill that Senator Rock had.
12. ...The amount is changed from 12,500 to 25, 000. That had
13. been agreed upon and Senator Rock's bill did pass out of here.
14. I move the adoption.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion? All in favor signify by
17. saying aye. Opposed nay. Any further amendments? The
18. amendment's adopted. 3rd reading. House Bills, 3rd
19. reading. Senator Partee wishes to bring 840 back to the
20. order of 2nd reading for the purpose of amendment. Is
21. there leave? Leave is granted. Senator Partee.

22. SENATOR PARTEE:

23. I'll yield to Senator Hynes.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Hynes.

26. SECRETARY:

27. Amendment No...Amendment No. 4, Senator Hynes.

28. SENATOR HYNES:

29. Mr...Mr. President, I would offer Amendment No. 4
30. which would add \$200,000 to this annual appropriation for
31. the purpose of adding personnel to engage in...in work
32. with local assessors to assist and provide technical
33. assistance to local assessors so that the

1. assessment procedures around the State may be upgraded. It
2. has been a fact noted in many recent studies, one of the
3. problems existing throughout the State in assessment pro-
4. cedures is the lack technical expertise at...at certain
5. areas and this is an attempt to allow the Department to
6. provide that expertise where needed. And I would move
7. the adoption of the amendment.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Is there any discussion? Senator McBroom.

10. SENATOR MCBROOM:

11. Mr...President and Members of the Senate, I rise to
12. resist this amendment. This amendment, Mr. President,
13. was not in the March 7th budget... I want to point out
14. that this is not a budget reduction...the thrust of it
15. according to the Department is to...to aid local assessors.
16. I don't know where these individuals are going to come
17. from that have this great expertise to go in and aid the
18. local assessors. I'd like to point out to the members on
19. this side that this is another one of these situations
20. of Johnny-come-lately...it wasn't in the March 7th budget
21. and I...I...if they want to reallocate funds, they can do
22. this now. We haven't restricted it in any way. I'd
23. certainly resist Senator Hynes amendment.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Any further discussion? Senator Dougherty.

26. SENATOR DOUGHERTY:

27. Senator McBroom you and I are both a member of the
28. Fiscal Advisory Commission and don't you recall from the
29. investigations and reports they made there is some need
30. for evaluation for the present assessment programs. I
31. mean that was the whole thrust of that report. That was
32. one of the recommendations to...not maybe for this amount
33. of money but it was one of the recommendations and

1. Senator Welsh is also a member.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator McBroom.

4. SENATOR MCBROOM:

5. Well, Senator Dougherty. I...never suggested that
6. there wasn't a need to upgrade assessment practices. I
7. think I'd be willing to concede as you would that there's
8. a need in the State there always has been one and I would
9. probably suggest that as long as all of us are around this
10. old earth there probably will be some inequities in assess-
11. ment. What I object to Senator Dougherty is that the
12. Governor didn't put this in the March budget. This is
13. another one of a series of amendments that would up that
14. budget over a \$100,000,000 had we adopted all of them.
15. And, again, on the 28th or 29th...a day of June to be
16. monkeying around with these kind of things I think is
17. patently unfair.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Dougherty.

20. SENATOR DOUGHERTY:

21. ...McBroom undoubtedly you are correct in what you
22. said. I do not deny that in the least but perhaps and I
23. want to be around here for a long time, too. The Lord
24. don't want me and the devil isn't ready for me. However,
25. however I would think this is a worthy amendment based
26. upon what we have found in the Fiscal Advisory Commission
27. and I regret that you resent it.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Rock.

30. SENATOR ROCK:

31. I would also rise in support of this amendment. One
32. of the bills in...House that met its demise, met its demise
33. on the basis that this...it called for this kind of evaluation and

1. help...by...way of a Legislation Commission. This is
2. sponsored by...Representative Skinner and it met its
3. demise, I am informed, on the basis that this work should
4. more properly be done in the Department and that's the
5. reason for this.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Knuepfer.

8. SENATOR KNUEFFER:

9. Well, I just want to say that I don't intend at this
10. point in time to support this amendment but I certainly will
11. support this kind of a concept next year. This is one
12. of the biggest problem areas in State government. It has
13. been every since I have been in the Legislature. It hasn't
14. been effectively run under any Governor I know and if the
15. gentleman who now heads up that Division is able to get this
16. under control this year, I'm certainly going to support
17. increased funds for him next year.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. Have we not already taken
22. steps to meet the problem which I believe this appropriation
23. is intended to meet through the establishment of a joint
24. committee of the House and Senate Revenue Committees
25. expressly for the purpose of analyzing the assessment
26. and equalization processes throughout the State with a
27. view toward making recommendations to bring them into
28. conformity. I...seem to recall such a committee being
29. formed, Mr. President.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Nimrod.

32. SENATOR NIMROD:

33. Mr. President, this particular request is not new.

1. It's been requested for the last four years as I check back
2. in the record. I can remember when I was Assistant Director
3. of Revenue, and when the Department of Local Governments was
4. formed and this very need existed and something should have
5. been done with it over these years. And as...as Senator
6. McBroom has said, this is not the time to bring it up at
7. this last minute. This was thoroughly discussed in the
8. ...Appropriations hearing and we did, at that time, resist
9. this amendment and we still resist it now. As Senator
10. McBroom has said we urge you not to support this measure.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Hynes may close debate.

13. SENATOR HYNES:

14. Mr. President I think this has been adequately dis-
15. cussed. Let me conclude by saying simply I...agree with
16. Senator Knuepfer that this is something that is desperately
17. needed. This amendment and the proposal which it would
18. implement are supported by the Association of Township Assessors,
19. the Taxpayers Federation and many others. I think it's a
20. desirable amendment.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. The question is shall Amendment No. 4 to HB 840 be
23. adopted. All in favor signify by saying aye. Opposed
24. nay. The amendment lost. Any further amendments? You
25. want a roll call Senator Hynes? Secretary will call the
26. roll.

27. SECRETARY:

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

1. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
2. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
3. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
4. Weaver, Welsh, Wooten, Mr. President.
5.
6. PRESIDING OFFICER (SENATOR WEAVER):
7. Daley, aye. Regner, no. Merritt, no. Conolly, no.
8. Bartulis, no. Swinarski, aye. On that amendment the ayes
9. are 27. The nays are 28. The amendment is defeated.
10. Any further amendments? 3rd reading. Back on House Bills
11. on 3rd reading...345, Senator Hynes. 350, Senator Mitchler.
12. Pass out the cigars.
13. SECRETARY:
14. HB 350 (Secretary reads title of bill)
15. 3rd reading of the bill.
16. PRESIDING OFFICER (SENATOR WEAVER):
17. Senator Mitchler.
18. SENATOR MITCHLER:
19. Yes. Yes, Mr. President and Members of the Senate,
20. that stuff does really bother me Senator and if you will
21. please remove yourself I would appreciate it or I'll take
22. the pipe out of your mouth. No, I really mean it. And
23. I don't think it's proper to come around here when I got
24. a sore throat and I'm damn near suffocating now. Well,
25. I don't think it's a bit funny. I don't take that as
26. humorous at all. Now, I'm telling you SB...
27. PRESIDING OFFICER (SENATOR WEAVER):
28. For what purpose does Senator Newhouse arise?
29. SENATOR NEWHOUSE:
30. Mr. President, I'm curious is that an EPA problem?
31. Is that an EPA problem over there?
32. SENATOR MITCHLER:
33. No, but smoke does bother my throat Senator, as you
well know, and for somebody, when I'm trying to explain

1. a bill come here and puff pipe smoke in my face, I don't
2. appreciate it. I ask the gentleman to leave.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Mitchler may continue.

5. SENATOR MITCHLER:

6. Yes, all right. Let me give you the facts. SB...the
7. Senate has before it HB 350. Now, this bill has passed the
8. House and it has been recommended Do Pass by the Senate
9. Public Health, Welfare and Correction Committee. Now the
10. bill is at its final passage stage and if passed would go
11. from the Senate down to the Governor's desk to become law
12. if signed. I'd first like to give you a little bit about
13. the genesis of this bill and my interest and sponsorship
14. of a bill that would regulate the use to tobacco in public
15. places. Now several Sessions ago I noticed a committee
16. clerk in one of our M Conference Rooms coughing and crying and
17. I thought the young lady was disturbed over something. But
18. after inquiring I learned that the smoke in the conference
19. room was so thick that it was causing a very serious pro-
20. blem with her breathing and the smarting of her eyes. And
21. it was obvious that the smokers were causing a physical
22. impairment to this young lady. Now this is an example...
23. this is an example of...the many problems that we have
24. with smoking in confined rooms. And we don't smoke in
25. our family. I gave up the filthy habit in 1947 long before
26. it was a proven fact that smoking was harmful to ones
27. health. I find my clothes become impregnated with tobacco
28. smoke. It's very noticeable when I come home in an atmo-
29. sphere where we do not smoke. Now this is not the first
30. bill that I sponsored relating to regulating smoking in
31. public places. I introduced in the Senate in 1970 and
32. also in 1971, bills that do just that. Now recollecting,
33. I beleive, in 1970 the Senate Executive Committee by a

1. 13 to 0 vote defeated the...bill. In 1971, it was a
2. 12 to 9 vote. Now things are a little better here in
3. 1973, because we've got a bill that passed the House, came out
4. of a Committee in the Senate, and is now up on final
5. passage stage. Now if for some reason this bill fails
6. we'll have another bill back next year because the
7. time has come when we should recognize the rights of
8. nonsmokers as well as smokers. Now I want to point out
9. it's a concluded fact that medical science that smoking
10. is harmful to the health of a smoker. Now HB 350 is not
11. designed to stop a smoker from smoking. But if a person
12. wants to ruin his or her health by smoking, that's their
13. prerogative. However, it is the fact that a nonsmoker
14. is affected by an act of a smoker that causes this bill
15. to be...under consideration. It's an infringement on the
16. constitutional rights of a nonsmoker. Not only is smoke
17. injurious to a nonsmokers health, it's a violation of
18. Article XI of the Environmental Article of the new 1970
19. Illinois Constitution. Now this Article clearly states
20. the public policy the State and duty of each person
21. is to provide and maintain a healthy environment for the benefit
22. of this and future generations. And the General Assembly
23. should provide by a law for the implementation and enforce-
24. ment of this public policy. Now I put on your desk the
25. support that this bill has. It comes from many sources.
26. Now you all...you know...you all know where the opposition
27. of the...this bill comes from. Now this bill progressed through
28. the usual channels and very well until it hit the Floor of
29. the Senate then the pressure groups got started. And
30. I mean the Illinois Association of Tobacco and Candy
31. Distributors and you know it as well as I do. Now it's
32. unpleasant for me to speak out on this point and as both
33. of these lobbyist are my personal friends and I've got the

1. highest regards for those individuals. However, I am
2. powerless to fight back at them in this disagreement
3. on this issue before us, HB 350 and you know it as
4. well as I do. I can only plead for the support of you
5. my colleagues, of a bill that is meritorious and deserves
6. a favorable vote in the Senate. Now in brief conclusion,
7. I used my time up in presenting the bill to you, I'll be
8. very glad to answer any questions that you might have
9. and I...present this bill in all sincerity.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Walker.

12. SENATOR WALKER:

13. ...Thank you, Mr. President and Members of the
14. Senate, ...I would like to briefly state...how I got
15. into this act... No one approached me, I approached
16. someone to get a few facts. First, the bill as I
17. understand it has been amended and...they've taken out
18. about half of the spots where smoking was to be prohibited
19. and...I don't know they have hotels in there now and
20. not motels, I don't know what the interpretation of that
21. would be. Frankly, I think this is something that should
22. be solved it is...it has been solved by the airlines and
23. other means of transportation as well as in other places
24. where people meet. Now, when I approached the Tobacco
25. Industry on this, I found that they were pretty well
26. fortified. In California, a commission found that there
27. was no testimony and this commission was delving into this,
28. there was no testimony that the average nonsmoker's health
29. is impaired by exposure to smoke by a nearby smoker. The
30. U. S. Government study said the inhalation of the by-products
31. from tobacco smoke aboard commercial aircraft does not repre-
32. sent a significant health hazard to nonsmoking passengers.
33. The smoker, I think perhaps I'm being repetitious with this

1. one, is less of a bother than the one who chews tobacco,
2. eats garlic and is an alcoholic or compulsive talker. Some
3. of these compulsive talkers, I think some of you senior
4. citizens around here will realize what I am talking about.
5. I would like to submit to you that this is a...a field and
6. area of individual rights. I don't think there should be
7. any governmental intrusion. It seems rather...incongruous
8. to me to prohibit smoking by the general public in public
9. facilities. I don't know how you're going to do this
10. segregating of the nonsmokers and the smokers. I think
11. you're trying to make second-class citizens out of the
12. few of us who aren't trying to ruin our health but we
13. do enjoy smoking. I've only quit 300 times in my short
14. 63 years. We have to take in conclusion, we have to take
15. into consideration the revenue that's derived from this
16. industry. I hesitate to oppose my good friend Senator
17. Mitchler's bill but I'd like to request a no vote because
18. I don't know how you're going to enforce the Act once it's
19. on the books. Thank you.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Bell.

22. SENATOR BELL:

23. ...Yes, Mr. President, I'd like to ask the sponsor
24. of the bill a series of several questions. Senator Mitchler
25. let us assume that...that you're going to be involving, I
26. guess it's a safe assumption you're going to be involving
27. restaurants, taverns, various eating establishments, if this
28. bill should pass, what in fact will have to take place in all
29. these restaurants, air type of operations to accommodate this
30. ...to accommodate this loss?

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Well, Senator Bell that would be entirely up to the
2. establishment as to what action they take. If they would
3. have a...an establishment that would have the proper air
4. ventilation so that they didn't have any obnoxious problem
5. that was harmful or detrimental to a nonsmoker, they would
6. have no problem. If they had a place of business that
7. it was and it was a public place as described in the
8. description of public building, means a public structure
9. improved area, owned or leased by the State or it's
10. political subdivisions or building structure improved area
11. and so forth or...public accommodation or a public place,
12. then they would have to conform and appreciate the rights
13. of a nonsmoker.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Senator Bell.

16. SENATOR BELL:

17. Well, that...that being the case, as I foresaw it in
18. ...Committee as I heard the testimony and as I still see
19. it, it represents to me the situation that we would be
20. just...just building a fantastic boondoggle for the con-
21. struction industry, for the air conditioning industry, and I
22. certainly have, you know, no ax to grind against those
23. industries but that may ...there's going to have to be a
24. tremendous cost involved here to the various public places
25. to accommodate themselves to be able to meet the demands
26. of this particular law. As I recall, the...the particular
27. bill in question here, it says you shall...you shall con-
28. form. That being the situation, what my next question is,
29. what happens if they in fact don't? We have a bunch of...
30. legal suits brought against the establishment or what?

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. ...Under the provisions of HB 350 there are no...
2. fines or assessments against someone who would violate
3. the Act.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Senator Sours.

6. SENATOR SOURS:

7. Mr. President, Ladies and Gentlemen of the Senate,
8. I was a smoker for 35 years and I smoked Camel cigarettes.
9. You couldn't get me to smoke one of those newfangled
10. cubebbs with the tips on them. I want to confess I enjoyed
11. every single puff. I've had two heart attacks and I have
12. seven more feline lives to go. I don't smoke now because
13. I was off the habit for 35 days and that's long enough
14. to evade the mysteries...the mysteries and the seduction
15. of the nicotine. My objection to this bill is that we're
16. now telling people again what they must do. We tell them
17. where they must work. We tell them that you can't have
18. many strikebreakers. We tell them you...can't sell the
19. house to the person you want to sell to, you've got to
20. take this tenant or that tenant. And that's just scratching
21. the surface of what every Session produces in this Legisla-
22. ture trying to tell people what they should do. A week
23. ago we passed a bill telling a hospital what it must do and
24. a doctor what it must do, we're now referring to abortion.
25. Isn't it just about time that we left the poor stiff on
26. the street who pays our salary, that the ...that's how
27. Westbrook Pegler, one of my old friends, used to...used
28. to talk about you and me, the average citizen, the poor
29. stiff on the street, but he's the devil who pays the
30. bills. Isn't it just about time that we let him rest
31. in peace and if he wants to smoke a black Italian cigar so
32. what. If he wants to smoke one of my beloved Camel cigarettes
33. I'm all for him. I think by the time we get done putting

1. the strictures of a bad bill, a bad law on John Citizen,
2. he'll be darn well tired we ever...and sick that we ever met
3. this Session. One thing else. Statistics simply repre-
4. sent the private opinion of the one who prepares them.
5. Any fool can conform a statistic to suit his the-end-of-
6. the-road thinking. This statistics do not indicate that
7. smoking in public is truly injurious to nonsmokers. Now
8. that's a myth and I think we ought to recognize that fact.
9. We are now about to impinge and lay a heavy hand of gover-
10. nment on a pastime that apparently had been popular since
11. the day that Sir Walter Raleigh took the leaf back to
12. Queen Elizabeth in her middle terms. Now I see nothing
13. right with this bill and I see a lot of mischief if it
14. passes.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Regner.

17. SENATOR REGNER:

18. Yes, Mr. President, the sponsor in his original
19. testimony stated that this morning we had a few items
20. put on our desk regarding this bill. What I immediately
21. did was go to my wastebasket and pull them out and this
22. is what I pulled out that we got this morning and I'd
23. say that this is more paper pollution that any smoke
24. could every cause and I wondered what it cost the State
25. of Illinois to print this paper pollution that we received
26. this morning? And I also have a question for the
27. sponsor. Senator Mitchler.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. He indicates he'll yield.

30. SENATOR REGNER:

31. Does this bill have the Home Rule Amendment on it?

32. SENATOR MITCHLER:

33. No, this...this bill does not have the Home Rule

1. Amendment on it.

2. SENATOR REGNER:

3. I would suggest you return it to 2nd reading because

4. I'm sure Senator Dougherty would like to put the Home

5. Rule Amendment on.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Senator Knuppel.

8. SENATOR KNUPPEL:

9. Well, Mr. Chairman and Members of the Body, all

10. I can say is that you don't think it's injurious to

11. health, you've never attended a caucus on 6th Floor, a

12. Democratic caucus on the 6th Floor. But I do have a

13. question of Senator Mitchler if he'll yield. Senator

14. has the EPA taken to draft regulations for smokers?

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Senator Mitchler.

17. SENATOR MITCHLER:

18. ...Yes.

19. SENATOR KNUPPEL:

20. What stage are they in on...on that?

21. SENATOR MITCHLER:

22. ...We argue over that continually. ...Leaf burning

23. has been prohibited, that is now unless the Governor

24. approves a bill that we passed to restrict that, but

25. leaf burning is prohibited in the State of Illinois under

26. the Pollution Control Board Regulations as enforced by

27. the Environmental Protection Agency and tobacco is a

28. leaf.

29. SENATOR KNUPPEL:

30. Mr...or Senator Mitchler could you tell me why they

31. have not enforced that regulation?

32. SENATOR MITCHLER:

33. ...Senator McBroom doesn't give them enough money

1. in their appropriation for enough personnel.

2. PRESIDING OFFICER (SENATOR WEAVER):

3. Senator...

4. SENATOR KNUPEL:

5. I...I assume, I assume that they'll be an overwhelming
6. vote here from the ecologists because...they voted a little
7. bit ago with respect to elevators and...you should have a
8. good vote going out of the gate here.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Soper.

11. SENATOR SOPER:

12. This ...whole argument is on the...in the stage that's
13. going to Carson City, I move the previous question.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. All in favor signify by saying aye. Opposed nay.
16. Motion carries. Senator Mitchler may close debate. I
17. had about six here that wished to be recognized, do you
18. wish to hold your motion Senator Soper?

19. SENATOR SOPER:

20. There's a convention in Peoria tomorrow, I'd like
21. to make it. I...I...hold the motion. No, I don't,
22. let's go.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Mitchler may close debate?

25. SENATOR MITCHLER:

26. Thank you, Mr. President, in summing up, contrary
27. to the opinion of...Senator Sours, the Surgeon General
28. has issued reports, I've...had them and been reading them
29. several years and been working on this, this is nothing
30. new as I told you and it is...has been proven that smoking
31. is injurious and detrimental to the health of a nonsmoker.
32. I might point out to you something that's somewhat signifi-
33. cant in respect to cigarette advertising. The Good

1. Housekeeping magazine pointed out in a full-page adver-
2. tisement I have here that Good Housekeeping stopped
3. receiving cigarette advertising in 1952 voluntarily long
4. before the Surgeon General's Report it says. Now Ladies
5. Home Journal enjoys a 7 1/2 million dollar revenue from
6. cigarette advertising annually; McCall's, 7.2 million;
7. Family Circle, 5.8 million; Redbook, 4.6 million; Woman's
8. Day, 4.1 million and American Home, 2.8 million estimated
9. of 32 million dollars a year revenue. Now Good Housekeeping
10. sort of checked into something when they decided not to
11. accept that type of revenue because the reason is simple
12. they don't accept products when not in their judgment
13. there safety or...their ...is not, is in doubt. Now you
14. laugh at certain things you say, what are they going to
15. do restrict smoking on the Floor. Well you had placed on
16. your desk today from Congressman Arends where he sent me
17. smoking is prohibited on the Floors of the Halls of
18. Congress in the House of Representatives and the Illinois...
19. and the United States Senate and several other General
20. Assemblies. So this is not new. The only thing is that
21. some of you maybe shocked at that this may be a little
22. premature. But as I told you in my opening remarks, the
23. time has come and nonsmokers'rights will be recognized
24. as will smokers'rights. Now you see, this is what it's
25. all about, I know that the votes have been had but go
26. ahead and vote your conscience.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. The question is shall HB 350 pass? Upon that question
29. the Secretary will call the roll.

30. ACTING SECRETARY (MR. WRIGHT):

31. Bartulis, Bell, Berning,

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Berning.

1. SENATOR BERNING:

2. On a point of personal privilege, Mr. President, I...
3. I want to call the attention of the Body to all of our
4. guests in the gallery who by our rules are precluded from
5. smoking. I vote aye.

6. ACTING SECRETARY (MR. WRIGHT):

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

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Palmer, no. Regner, no. Graham, no. Davidson, no.
19. Moore, no. Scholl, no. Do you want any more nos Senator
20. Mitchler.

21. SENATOR MITCHLER:

22. Mr. President, I'd like to have that put on postponed
23. consideration.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. HB 350 will be put on the order of postponed considera-
26. tion. 483, Senator Rock. 483, Mr. Secretary.

27. ACTING SECRETARY (MR. WRIGHT):

28. HB 483 (Secretary reads title of bill)
29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President, Ladies and Gentlemen of the

1. Senate. HB 483 was introduced in the House at the request
2. of the Democratic leaders and it creates a Local Govern-
3. ment Taxing Commission consisting of sixteen members of
4. the General Assembly and four public members appointed by
5. the leadership of the General Assembly. It directs the
6. Commission to study the Revenue Act of 1939 and the pro-
7. blems of property taxation with particular emphasis to
8. be placed on the effects of deductions and exemptions,
9. elimination of the personal property tax and Federal
10. spending cutbacks on the ability of local governments to
11. finance their programs. The proposal requires a report
12. to the General Assembly by March 15th, 1974 which will
13. suggest legislation to improve local government financing
14. and relieve the tax burden on those least able to pay. This
15. bill was reported out of the Senate Executive Committee by
16. a vote of 13 to 2. I think it's worthy of our consideration.
17. I urge a favorable vote.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Clarke.

20. SENATOR CLARKE:

21. Mr. President, I just want to add my support to this
22. proposal. We talked earlier about this, it's a proposal
23. to study taxation in conjunction with a joint committee
24. that's going to be working. I think that both can do a
25. good job and we can come up with some reasonable proposals
26. next year and I urge an aye vote.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there further discussion? The question is shall
29. HB 483 pass and upon that question the Secretary will
30. call the roll.

31. ACTING SECRETARY (MR. WRIGHT):

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

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

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Bartulis, aye. Sours, aye. Nudelman, aye. Shapiro,
11. aye. On that question the ayes are 39. The nays are none.
12. HB 483 having received the constitutional majority is
13. declared passed. Senator Rock.

14. SENATOR ROCK:

15. HB 485, Mr. President, I would ask that it be Tabled.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Senator Rock moves to Table HB 485. All in favor
18. signify by saying aye. Opposed nay. HB 485 is Tabled.
19. 518, Senator Knuppel. 531, Senator Carroll.

20. SECRETARY:

21. HB 531 (Secretary reads title of bill)
22. 3rd reading of the bill.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Carroll.

25. SENATOR CARROLL:

26. Thank you, Mr. President, Ladies and Gentlemen of the
27. Senate. HB 531 is an appropriation to the Commissioner of
28. Savings and Loans to pay back the depositors of the defunct
29. City Savings and Loan Association. This bill has been...
30. can I get a little order, please. This bill has been amended
31. down in the House to an amount that would have been equal
32. to the amount of the deposits had they been insured
33. \$12,467,500. There's a lot of reason for this bill and I

1. think it's a step towards responsibility on the part of
2. the State yet the type of responsibility we should be
3. willing to take. The Fed...the Federal District Court
4. as well as the Illinois State Crime Investigating
5. Committee now called the Legislative Investigating Com-
6. mittee had found that because of the State's double
7. action in this...incident the State is and should be
8. responsible to these depositors. The Federal Opinion
9. is written in such a way, however, that it would open
10. up liability, I feel to the State of Illinois in many
11. other instances. In instances of grain elevator closings,
12. insurance company closings and so on, in talking with
13. the Attorney General of this State and in talking with
14. the Governor of this State, we are all of the opinion that
15. the most fiscally sound way to go is to...by going with
16. this legislation. This was a unique and limited situation.
17. In 1957 the State took control over this institution be-
18. cause it was being improperly run.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Continue Senator Carroll.

21. SENATOR CARROLL:

22. Thank you. In 1957 this State saw fit to take over
23. the operation of this institution. They did not allow
24. them to go after new depositors at this time. In 1959
25. by an Act of this Legislature in the 71st General Assembly,
26. SB 717 that institution was allowed to go out and get new
27. depositors although they were still not paying off the
28. former depositors of that institution. The State's direct
29. involvement then in supervising and maintaining that insti-
30. tution is what led to its default in 1964. It is our
31. opinion that because of the double action on the part of
32. the State both in closing it in '57 and the Act in '59
33. of letting it get new depositors and then operating and

1. controlling them, that the State has been more than peripherally
2. involved. That the State has been directly involved and
3. that's what caused the loss of the depositors. This bill
4. would be an appropriation to them in this limited one and
5. only situation and is therefore so limited so as not to be
6. precedence in any other type of case. It also subrogates to
7. the State the rights of the depositors to go after either...
8. either Mensik or any of the others who may have been
9. involved and there is now action already pending against
10. the Estate of Joe Knight to try and recover some of the
11. monies that allegedly are there. The State by this then
12. has the right to go after them. The State by this action
13. would then be dropped from the Federal suit so that pre-
14. cedent would not be established in the Federal courts.
15. I think this is much needed legislation to people who have
16. waited nine years. They've waited because the State had
17. taken steps in this area, had attempted to supervise the
18. operation here and that's what led to their loss. I would
19. ask for a favorable roll call.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. Well, I...I ...differ and I differ very substantially
24. with Senator Carroll on this measure. ...I don't think that
25. it would eliminate the precedent, in fact, I think it would
26. create a precedent. If, whenever the State of Illinois
27. acts in a supervisory capacity, it has a liability,
28. Gentlemen, it has somewhere in the area of a billion dollar
29. liability. You may all remember the insurance companies,
30. casualty insurance in particular, that went broke in the
31. late 60's. All supervised by the State of Illinois. You
32. may as well remember the grain elevators in this State that
33. have gone broke. All supervised by the State of Illinois.

1. The State never did guarantee any payment. When you go to
2. a Federal Bank there is a guarantee and that guarantee says
3. now that the Fed...in the event of loss the Federal Govern-
4. ment will pay up to \$20,000 per account. There has not and
5. never was a guarantee. The State never suggested that it
6. guaranteed payment, either to those who lost their money
7. and when a casualty insurance firm went broke, to those who
8. lost their money when a grain elevator went broke or to
9. those who lost their money when a bank went broke. I think
10. you're going to be establishing the precedent for all of
11. our constituencies who have lost money under any State
12. supervised program to come in the next Session and the one
13. after and say, you supervised it, you're responsible, you
14. pay. If you think in terms of the kinds of programs that
15. this State supervises, nursing homes, shelter-care homes,
16. hospitals, if you want to suggest that all these are potential
17. areas for liability for this State, I think you can create
18. an immense potential for liability and for mischief.

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Senator Glass.

21. SENATOR GLASS:

22. Well, thank ...thank you, Mr. President, Ladies and
23. Gentlemen. I'm rising in opposition to this bill, also.
24. And I...I would point out to Senator Carroll and others
25. who say this will not be a precedent that I think there is
26. more to it than that. I agree with Senator Knuepfer, no
27. matter whether you call it a precedent or not, it in fact
28. would be the first payout of its kind...in the State to my
29. knowledge. But the theory of the...the payout to these
30. people, Senator Carroll as you described it, would be the
31. negligence of State officials. ...Now, that presumes that we
32. are sure that this negligence existed. Or...even deliberate
33. acts of defalcation by State officials. That may well have been.

1. But it says that we here in the Legislature are putting
2. ourselves in a position of a court. We're making that
3. determination and...based upon what? News articles, state-
4. ments of others. We have not held a trial in this case.
5. We would...we would be making this payout on the basis
6. that we have made a determination of the State's negli-
7. gence. I think that's a mistake primarily because
8. we have a Body that we have created to do just that.
9. The Court of Claims. The State is...has agreed to pro-
10. vide this forum for it to be sued and that is the place
11. where this particular issue should be decided. And I
12. don't think we should set this kind of a precedent of
13. making the decision that the State has, in fact, been
14. liable and negligent...and...pay out money in the form
15. that would be required under HB 531 and therefore urge
16. its defeat.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Sours. Senator Sours.

19. SENATOR SOURS:

20. Mr...Mr. ...Mr. President, Senators, how much
21. time do I have on this? By the late rules?

22. PRESIDING OFFICER (SENATOR WEAVER):

23. The clock has started.

24. SENATOR SOURS:

25. Sir?

26. PRESIDING OFFICER (SENATOR WEAVER):

27. The clock has started.

28. SENATOR SOURS:

29. How much time though is it, five minutes? Well,
30. I...I'm hoping that I will have a couple of friends who
31. will yield me their five minutes time too because there's
32. been a lot of commotion here this afternoon and this is
33. a very pernicious bit of legislation. I think we've reached

1. the very nadir of bad, miserable, stinking, special
2. legislation. Something hardly behooving this Chamber
3. to even talk about. Senator Carroll glibly says this
4. will be no precedent and I know very well, he knows and
5. he knows that I know he knows this will be precedent.
6. Everything we do here is precedent. Everything a judge
7. does is precedent and as a lawyer he very well knows that.
8. And I...I just won't submit to being kidded by him or
9. anybody else. This will be precedence. There's some
10. comment made about grain elevators, that's just the
11. beginning. Anybody who buys a share of stock or a
12. thousand shares of stock which is a regulated business
13. and has a sore head and a flat pocketbook, if there are
14. enough of them and they come from a certain part of the
15. State they'll be down here with both hands saying please
16. legislature reimburse us for our own improvidence and our
17. own carelessness. How about equity funding, would you like
18. that for a starter. We're talking now about hundreds of
19. millions and this is a precedent. How about any life
20. insurance company, any accident, health, auto insurance
21. company that fails, highly regulated, are we going to
22. reimburse those who find when they're sued they don't
23. have any coverage and we're talking now about millions
24. of dollars. Better than that let's just talk about the
25. City Savings. Now, I've been on the Crime Commission about
26. eight years that's what I still call it and let's just see
27. what did happen and what we're being called upon to reim-
28. burse. This started back in the 50's. I'm not going to
29. tell this group about Mensik, I think they've read about
30. him for years but anyway, he was shut up, now I notice
31. Mr. President that I have...I have the green light I, pro-
32. bably someone has yielded his five minutes to me. Let's
33. just take Mr. Mensik. Auditor Smith ordered a detailed

1. examination. This time the Smith men found enough to justify
2. some action and on February 18th, 1957, Smith took official
3. custody of the two new institutions. Although their doors
4. remained open until April 25th. On that date all three of
5. Mensik's financial houses were officially closed by the
6. State of Illinois...by the State of Illinois, Senator Carroll,
7. closed. Now how did they open? They did. That's when they
8. got the new money. Well, in the suit which was in the
9. Circuit Court of Cook County...June 17th to July 12th, 1957
10. there were meetings...There were meetings, hearings on this
11. matter of the solvency of the City Savings before one Nathan
12. M. Cohen, then a Master in Chancery and now regarded with a
13. Circuit Judgeship. On August 12th, 1957, Mr...Mr. Cohen...
14. Master Cohen filed his report with the Clerk of the Court.
15. Now, here is almost 007, the report later became the basis
16. for Judge Cornelius Harrington's ruling and he's been
17. gathered to his maker so he's safe, which found that there
18. were no legal ground for State custody of the Mensik asso-
19. ciations. Harrington, now deceased, Circuit Judge then
20. ordered the business returned to Mensik. Now, there was
21. a Master's report. Master Cohen, now Judge Cohen,...stated
22. that...he couldn't even find his personal copy of the
23. Master's report. Of course, the official copy that's dis-
24. appeared from the Court records. Now every Master every
25. lawyer keeps a copy of his handy work and apparently Master
26. Cohen sent a copy to Judge Donald O'Brien. He says he never
27. got it. Now by the time the Illinois Crime Commission
28. agents got to this point they finally got the message, the
29. dinner was over. February 23rd, 1959, the Court's super-
30. vision, the Circuit Court's supervision... Will someone
31. yield me another five minutes? February 23rd, 1959, the
32. Court's supervision of City Savings ended and Mensik
33. grandiose scheme to steal 21 million began in earnest.

1. Now I won't dwell on the tricks and artifices that he used.
2. He gave away small radios and small television sets anyway
3. to part the unwary from his treasure. He got a lot of new
4. accounts. So we have two classes of creditors, the old
5. creditors and the new creditors, sucker number one and
6. sucker number two. But here is the most interesting facet
7. and that's a very unpopular word with me...feature of all
8. that went on in those years. Perhaps the most outstanding
9. aspect of the Mensik case is the lack of prosecution in
10. Illinois. Richard Friedman, well let's go back a little
11. farther than that. The question was asked why when the case
12. first erupted did not the prosecuting agencies of the
13. State bring timely charges against these persons. Justin
14. Houlman or Hulman told State agents that he brought the
15. matter to the attention of Richard Friedman then of the
16. office of the Attorney General and in 1971 the Republican
17. candidate for Mayor of Chicago. Hulman also said he
18. delivered a copy of the audit report to the office of
19. Edward V. Hanrahan of late fame who was then, incidently,
20. the U. S. District Attorney. No further action was taken
21. by these agencies. I submit that if we ever go down the
22. primrose path of picking up the loss of every and I mean
23. every bank depositor, every savings and loan depositor
24. and their now as you know acquiring certificates of
25. deposit, money has now become a commodity. Hospitals
26. are regulated, when I fall on the front steps and if there
27. are enough of us who fall, we're going to come in here
28. Senator, Senator Carroll, and we're going to put enough
29. push...now the modern word for that is clout, and we're
30. going to get a grant. One other phase of this and I'll
31. quit. This is nothing more than a grant. A grant for
32. a very special, limited group, patently, obviously, un-
33. questionably, absolutely, fully unconstitutional... Now...
34. I know that word has lost any of its significance in this

1. Chamber, this Session and past Chambers but this is miserable
2. special legislation at the worst. It simply says if you have
3. enough political pull, if you scare and frighten your
4. Senators that you will not return them to public life
5. down here...they...they will then support their..
6. the entire reelection, Gentlemen of every member of this
7. Chamber isn't worth the terrible tragedy of this bill. It's
8. one that ought to be defeated and I've every reason to
9. believe it will not be defeated but it's wrong, wrong,
10. and wrong, morally, anyway you want to look at it, it's wrong.

11. PRESIDING OFFICER (SENATOR WEAVER):

12. Senator Soper.

13. SENATOR SOPER:

14. Mr. President, Members of the Senate, it's always
15. interesting to...listen to Senator Sours. He's a very
16. learned man, articulate and I like the words that he
17. uses and...referring back to a...precedent. This is the
18. first precedent where a court is ordered that certain
19. people be paid because of the negligence of the legislative
20. branch of this government...the judicial branch of this
21. government and the executive branch of this government.
22. We have failed miserably to prevent these things, to prevent
23. this thing. Senator Sours articulated on the subject of
24. the Judiciary, what happened, what the Legislature did and
25. what the executive branch did. Now, I don't like to take
26. any of the steam but I say this, if we're going to create
27. a precedent, it's good to go back to what Hudson Sours said
28. the poor stiff on the street. Now I want to rise and
29. help Senator Carroll pass this bill and I think that the
30. stiff on the street deserves the protection that we failed
31. to give him in the first instance and when the Attorney
32. General says we ought to do this, and he's our lawyer and the
33. Governor says that he'll sign the bill. I don't think we

1. have anything to do but to pass it. So I hope that you
2. Gentlemen will take it upon yourself and look into your
3. hearts and as Senator Sours says, that poor stiff on the
4. street this is one time he really needs us. Thank you.
5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr. President. It isn't very often that
9. I find myself actively opposing a position of my very
10. good friend Senator Sours. And his comments led me first
11. to wonder if this...very fine Circuit Judge Nathan Cohen
12. former Master is one of those who...is to be accommodated
13. by the amended House Bill 1866 which we recently
14. passed to open the largess of the Judicial Pension System
15. at the expense of the taxpayers...along with some others.
16. I submit that that is very special interest kind of
17. legislation. So we have not been without special-interest
18. legislation during all of this Session and I would like to
19. point out to those who are at all interested that in our...in
20. my opinion the little people and these are little people
21. who are involved, the little people have a right to expect
22. that their State government and Federal government is going
23. to be watchful over those things they are unable to watch
24. over themselves. Namely, the operation of a huge financial
25. institution which is the direct responsibility of this
26. State. And when you realize that to bring just a little
27. bit of justice to these people for a figure of about
28. 12 million dollars and you compare that to the one and one-
29. half billion dollars of special class interest that we
30. appropriate for a certain segment of our society. I
31. submit that we have no justification whatsoever in denying
32. relief to these people who have really experienced tragedy.
33. They have no clout, they have no power, they have no
pressure. Many of them have moved away from their homes

1. ...home neighborhood. Some have died. The estates are
2. there. The heirs are there. They really do have the
3. right to expect that someone cares, someone is listening
4. to their plea, someone is willing to take up the cudgel
5. for them.

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Any further discussion? Senator Carroll may close
8. debate.

9. SENATOR CARROLL:

10. Thank you, Mr. President and Members of the Senate.
11. I'd merely like to say, Senator Sours in his very good
12. remarks indicated why the State is responsible in this
13. case. He stopped us short in '59, he forgot about
14. June 30th, 1959, when both houses passed and sent to the
15. Governor and the Governor signed the 71st General Assembly
16. SB 717 and that's what allowed Mensik to reopen and
17. take on new depositors. The Federal Court Judge Robson
18. has ruled that the State is responsible and the State must
19. pay this money. The Attorney General of this State in
20. Committee in this Chamber and in Committee in the House
21. by letter to me and to many others, and the Governor of
22. this State in accord with myself and the House sponsor
23. are firmly convinced that the opinion of Judge Robson would
24. open us up to further liability in other kinds of cases
25. that were not meant by this suit. This suit, this plea
26. for these people is because of the State's so intense
27. involvement in 1957 through 1964 that lead them into this
28. trap, that lead them into the supervised and controlled
29. institution with special legislation and I remind you of
30. that bill because it was limited and special and applicable
31. only to City Savings that although they were defunct, they
32. could go out and get new money to keep in operation so that
33. he could bilk many, many more. I think this is the sound
and the just and the humane way to go. To repay these

1. depositors and give the State the subrogated right to
2. go after those who are responsible and attempt to recoup.
3. I would ask for everyone's affirmative vote. Thank you.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. The question is shall HB 531 pass and upon that question
6. the Secretary will call the roll.

7. SECRETARY:

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

17.
18. PRESIDING OFFICER (SENATOR WEAVER):

19. Netsch, aye. Kenneth Hall, aye. Soper, aye.
20. Bartulis, aye. Romano, aye. Saperstein, aye. Giorgi, aye.

21. SECRETARY:

22. Who?

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Request for the absentees. The absentees will be
25. called.

26. SECRETARY:

27. Chew, Fawell, Graham, Johns, Keegan, Nimrod, Ozinga,
28. Rock, Schaffer, Shapiro, Smith, Swinarski, Walker, Weaver.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Shapiro, no. ...Question the ayes are 31 and the nays
31. are 15, 1 voting present. HB 531 having received the
32. constitutional majority is declared passed. Request for
33. a verification. A verification of the ayes will be called.

1. The Senators will please be in their seats during veri-
2. fication.

3. SECRETARY:

4. House Bill...the following voted in the affirmative:
5. Bartulis,

6. PRESIDING OFFICER (SENATOR WEAVER):

7. Sergeant at Arms will enforce Rule 2. Sergeant at
8. Arms will invoke Rule 2 those not entitled to the Floor...
9. Secretary will call the roll.

10. SECRETARY:

11. Bartulis, Bell,

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Bartulis, is Bartulis on the Floor? His name will
14. be stricken.

15. SECRETARY:

16. Bell, Berning, Carroll, Clarke, Course, Daley, Davidson,
17. Dougherty, Kenneth Hall, Hynes, Kosinski, McBroom, McCarthy,
18. Mitchler, Howard Mohr, Don Moore, Netsch, Newhouse,
19. Nudelman, Palmer, Partee, Romano, Saperstein, Savickas,
20. Scholl, Smith, Soper, Vadalabene, Welsh, Mr. President.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Bartulis is on the Floor. Any questions?
23. The roll has been verified. HB 531 having received the
24. constitutional majority is declared passed. Senator
25. Nudelman.

26. SENATOR NUDELMAN:

27. Mr. President, having voted on the prevailing side I would
28. move to reconsider the vote by which this bill passed.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator ...Nudelman moves to reconsider. Senator
31. Kosinski moves to Table. All in favor of Tabling signify
32. by saying aye. Opposed nay. Motion carries. Senator
33. Johns are you ready on 698?

1. SECRETARY:
2. HB 698 (Secretary reads title of bill)
3. 3rd reading of the bill.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. Senator Johns.
6. SENATOR JOHNS:
7. Mr. President, Ladies and Gentlemen of the Senate,
8. this is a very simple bill. An appropriation for the
9. Department of Comprehensive and Health Planning. I
10. think Senator McBroom as Chairman of the Appropriation
11. Committee has amended this bill to his satisfaction. I
12. would appreciate a favorable roll call.
13. PRESIDING OFFICER (SENATOR WEAVER):
14. Is there any discussion? The question is shall
15. HB 698 pass and upon that question the Secretary will
16. call the roll.
17. SECRETARY:
18. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
19. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
20. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
21. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
22. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
23. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
24. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
25. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
26. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
27. Weaver, Welsh, Wooten, Mr. President.
28. PRESIDING OFFICER (SENATOR WEAVER):
29. Bell, aye. McBroom, aye. Netsch, aye. Carroll,
30. aye. Hynes, aye. Bartulis, aye. On that question the
31. ayes are 36 and the nays are 2. HB 698 having received
32. the constitutional majority is declared passed. 717,
33. Senator Palmer. Senator Palmer. 780, Senator Bruce.

1. You can Table it you know. Senator Scholl on the Floor?
2. 803, Senator Regner. Senator Partee, 840. 840, Senator
3. Partee?

4. SECRETARY:

5. HB 840 (Secretary reads title of bill)
6. 3rd reading of the bill.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Senator Partee.

9. SENATOR PARTEE:

10. Thank you, Mr. President. It does just what the
11. Calendar says. We addressed ourselves to this bill a
12. few moments ago. We tried to put an extra \$225,000
13. in it. The amendment was not adopted so the amount is
14. what we can get. I am sure Senator McBroom is now
15. satisfied with it. I ask for a favorable roll call.

16. PRESIDING OFFICER (SENATOR WEAVER):

17. Is there any discussion? Senator Ozinga.

18. SENATOR OZINGA:

19. Yes, Mr. President. In looking at this bill, in
20. looking at it very carefully, I find that on the Floor
21. right now are today we have one of the former members
22. of the Senate who is always interested in local affairs.
23. It just happens to be one of his anniversaries today
24. and I'm just wondering in order to get a favorable roll
25. call on this vote if the Senate might acknowledge the
26. birthday of ex-Senator Meade Baltz.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Sours.

29. SENATOR SOURS:

30. I'd like...I'd like to join in that. We...last
31. summer had a little junket over to (German Phrase).and
32. other places...and other places and this man and his
33. beloved wife are the two greatest travelers and companions

1. anybody could have. They're the...they're the salt of
2. the earth. They're the people who pay the taxes and make
3. this old world hum.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Any further discussion on HB 840? The question is
6. shall HB 840 pass and upon that question the Secretary
7. will call the roll.

8. ACTING SECRETARY (MR. WRIGHT):

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Romano, aye. Kosinski, aye. Saperstein, aye.
21. Savickas, aye. Regner, aye. Carroll, aye. Mitchler,
22. aye. Mohr, Howard Mohr, aye. Harber Hall, aye.
23. Wooten, aye. On that question, the ayes are 47. The
24. nays are none. HB 840 having received the constitutional
25. majority is declared passed. Senator Swinarski on the
26. Floor? Senator Hynes on the Floor? Senator Bruce.
27. Senator Bruce do you wish to call 1045? 1045.

28. ACTING SECRETARY (MR. WRIGHT):

29. HB 1045 (Secretary reads title of bill)
30. 3rd reading of the bill.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Bruce.

33. SENATOR BRUCE:

1. Yes, this...has three amendments on it. The pay
2. plan amendment, the amendment to at least restrict the
3. transferability of funds within this 84 billion dollars.
4. It's the annual appropriation for the Vocational and
5. Rehabilitation education. I...would solicit a favorable roll call.
6. PRESIDING OFFICER (SENATOR WEAVER):

7. Is there any discussion? The question is shall
8. HB 1045 pass and upon that question the Secretary will
9. call the roll.

10. ACTING SECRETARY (MR. WRIGHT):

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

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Knuppel, aye. Saperstein, aye. Kenneth Hall, aye.
23. On that question the ayes are 46. The nays are none.
24. HB 1045 having received the constitutional majority is
25. declared passed. Senator Bruce.

26. SENATOR BRUCE:

27. I would certainly appreciate it if sometime today you
28. could read the Department of Conservation annual budget
29. which is still on 1st reading. I'd hate to stay here
30. Monday and I'm...the Department is sitting there worrying
31. and I'm sitting here worrying. Anytime it becomes con-
32. venient I'd like to have it read...read it a first time.

33. PRESIDING OFFICER (SENATOR WEAVER):

1. We're all worrying about that...Senator Bruce.
2. SENATOR BRUCE:
3. Thank you, Mr. President.
4. PRESIDING OFFICER (SENATOR WEAVER):
5. 873, Senator Swinarski?
6. ACTING SECRETARY (MR. WRIGHT):
7. HB 873 (Secretary reads title of bill)
8. 3rd reading of the bill.
9. PRESIDING OFFICER (SENATOR WEAVER):
10. Senator Swinarski.
11. SENATOR SWINARSKI:
12. Mr. President I ask leave of the Body to bring this bill
13. back to 2nd reading for the purpose of an amendment.
14. PRESIDING OFFICER (SENATOR WEAVER):
15. Is there leave? Leave is granted. Do you have a
16. copy of the amendment?
17. SENATOR SWINARSKI:
18. I gave ...six copy to the Clerk already.
19. PRESIDING OFFICER (SENATOR WEAVER):
20. Does the leadership on both sides have a copy?
21. Senator Swinarski. If not let's take it out of the
22. record and go on to Senator Hynes' bill and...
23. SENATOR SWINARSKI:
24. ...This is the ordinary ...this is the ordinary and
25. contingent expenses of the Department of...Law Enforcement
26. Commission and I ask for a favorable roll call.
27. PRESIDING OFFICER (SENATOR WEAVER):
28. What does the amendment do?
29. SENATOR SWINARSKI:
30. We're back on 3rd. I withdrew it from the record
31. Mr. President.
32. PRESIDING OFFICER (SENATOR WEAVER):
33. On HB 873 is on 3rd reading, Senator Swinarski is

1. there any discussion? The question is shall HB 873 pass
2. and upon that question the Secretary will call the roll.

3. ACTING SECRETARY (MR. WRIGHT):

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

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Sours, aye. On that question the ayes are 45 and
16. the nays are none. HB 873 having received the constitutional
17. majority is declared passed. 876, Senator Hynes.

18. ACTING SECRETARY (MR. WRIGHT):

19. HB 876 (Secretary reads title of bill)
20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR WEAVER):

22. Senator Hynes.

23. SENATOR HYNES:

24. The annual appropriation for the Department of
25. Public Health and I would appreciate a favorable roll
26. call.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Is there any discussion? The question is shall
29. HB 876 pass and upon that question the Secretary will
30. call the roll.

31. ACTING SECRETARY (MR. WRIGHT):

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

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

9. PRESIDING OFFICER (SENATOR WEAVER):

10. On that question the ayes are 45 and the nays are
11. none. HB 876 having received the constitutional majority
12. is declared passed. 878, Senator Swinarski. Senator
13. Swinarski asked leave to recall HB 878 back to the order
14. of 2nd reading for a purpose of an amendment. Is there
15. leave? Leave is granted. Senator Swinarski will explain
16. the amendment.

17. SENATOR SWINARSKI:

18. The amendment I believe is Amendment No. 5, Mr. Clerk?
19. No. 6, Amendment No. 6 which gives an additional amount of
20. money to the...Illinois Racing Commission. It's a sub-
21. stantial increase of approximately \$150,000 and I'd ask
22. for a favorable vote...roll call.

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Is there any discussion? Senator Partee.

25. SENATOR PARTEE:

26. Senator Swinarski is this the same amendment we were
27. talking about awhile ago or is this something different?

28. SENATOR SWINARSKI:

29. Same one that we talked about with the leadership
30. on the other side.

31. SENATOR PARTEE:

32. Yes, I...I just don't have a copy of it so I assume
33. that...okay, if it's the same one, fine.

1. PRESIDING OFFICER (SENATOR WEAVER):

2. Any further discussion? All in favor of the adoption
3. of Amendment No. 6 to HB 878 signify by saying aye.
4. Opposed nay. The amendment is adopted. Any further
5. amendments. 3rd reading. 1211, Senator Scholl.

6. SECRETARY:

7. HB 1211 (Secretary reads title of bill)
8. 3rd reading of the bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Scholl.

11. SENATOR SCHOLL:

12. Mr. President and members of the Senate, for a number
13. of years prior to 1963 the Illinois State Savings and Loan
14. Act contained provisions which allowed an association which
15. was created in the mutual form of ownership to convert to
16. the permanent reserve stock form of ownership. Many savings
17. and loan associations in Illinois were organized under this
18. stock provision or converted from mutual to stock. In 1963
19. the Federal Home Loan Board...Bank Board declared a moratorium
20. on conversions and would not allow Federal associations to
21. convert to State and then to stock or State mutuals to con-
22. vert to stock. The moratorium was partially lifted in 1972
23. on a test basis when a California based Federal association
24. was allowed to convert to State and then convert to stock.
25. Subsequently, the Federal Home Loan Bank Board announced
26. that it would eliminate the moratorium with the issuance
27. of Federal conversion...regulations. For sometime the
28. Office of the Commissioner of Savings and Loans has been
29. studying the Illinois Conversion Act with the view to
30. update it. Recognizing that many changes in industry, the
31. State and the Nation. The proposed bill hopefully achieves
32. these goals and at the same time provides a flexible
33. basis within which State mutuals may convert to State

1. banks, to State stocks. In essence this bill provides
2. that the plan must be fair. It must provide full, complete
3. disclosure, it must recognize the contribution of both
4. depositor and employee and finally subject it to the
5. provisions of the Illinois Securities Law. It is felt that
6. the Security Commissioner has the expertise with which to
7. deal with security aspects of a conversion. I ask for a
8. favorable roll call on this bill.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Is there any discussion? The question is shall HB...
11. Senator Rock.

12. SENATOR ROCK:

13. Yes, Mr. President, Ladies and Gentlemen of the Senate,
14. HB 1211 is, I think, a good bill. It was a better one
15. when it came over here. Amendment No. 1 deleted what I
16. think is a very salutary provision and one which would have
17. addressed itself to the very problem that was concerned
18. in HB 531. That is it would have set up a fund to be held
19. by the Commissioner for the benefit of Members of Illinois
20. Associations which have been liquidated. Now, that amend-
21. ment was offered and adopted in Committee I'm told and
22. on the Floor, of course. I'm wondering why the amendment?

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Senator Scholl. Senator Rock did you ask Senator Scholl
25. a question on...

26. SENATOR ROCK:

27. Well...I...I did, yes, Sir. I asked why the amend-
28. ment? Why do we need the amendment? I would vote for
29. HB 1211. I will vote for it in its present form. I
30. would have voted twice, if that's possible, without the
31. amendment. I'm asking why the amendment?

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Scholl.

1. SENATOR SCHOLL:

2. Senator Rock, I did not make the presentation.
3. Commissioner Lanigan made the presentation and I would
4. say that he felt that...the amendment should be on.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Any further discussion? Senator Rock.

7. SENATOR ROCK:

8. Just so there's no misunderstanding, this is not
9. Commissioner Lanigan's amendment I assure you. ... And
10. I just frankly don't understand why the amendment is on
11. there. ...The provision is a good one. ...There's a
12. conversion fee in an amount equal to 10% of the fair
13. market value of all the permanent reserve shares. I
14. think this is, in many ways, similar to the Insurance
15. Guarantee Fund that the 77th General Assembly enacted
16. and I think it...it is a worthwhile provision of this
17. Law and to amend it out apparently without rhyme or
18. reason or explanation that I've heard so far...I...I
19. don't think we should amend it out.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Any further discussion? The question is shall
22. HB 1211 pass and upon that question the Secretary will
23. call the roll.

24. SECRETARY:

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

1.
2. PRESIDING OFFICER (SENATOR WEAVER) :

3. Senator Daley, no. Graham, aye. Shapiro, aye.
4. Swinarski, no. Request of the absentees. The absentees
5. will be called.

6. SECRETARY:

7. Berning, Carroll, Chew, Clarke, Conolly, Harber Hall,
8. Fawell, Harber Hall, Kenneth Hall, Hynes, Johns, Keegan,
9. Knuepfer, Knuppel, Mitchler, Newhouse, Romano,
10. Saperstein, Vadalabene, Walker, Weaver, Wooten.

11. PRESIDING OFFICER (SENATOR WEAVER) :

12. Fawell, aye. Knuepfer, aye. On that question the
13. ayes are 31, the nays are 3 and 7 present. HB 1211
14. having received the constitutional majority is declared
15. passed. Senator Mohr.

16. SENATOR MOHR:

17. Having voted on the prevailing side I move to recon-
18. sider the vote by which that bill passed.

19. PRESIDING OFFICER (SENATOR WEAVER) :

20. Senator Mohr moves to reconsider. Senator Soper moves
21. to Table. All in favor of Tabling signify by saying aye.
22. Opposed nay. Motion carries. Senator Palmer, 966.

23. SECRETARY:

24. HB 966 (Secretary reads title of bill)
25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR WEAVER) :

27. Senator Palmer.

28. SENATOR PALMER:

29. Mr. President, and Members of the Senate, HB 966 and
30. 967 are companion bills. HB 966 is the Open Space Land
31. Acquisition Act and provides for matching grants by the
32. Department of Conservation to local governments to assist
33. in the acquisition of Open Space Lands. The companion

1. ...bill appropriates \$5,000,000 from the Capital Develop-
2. ment Fund. These bills passed by unanimous vote from the
3. Appropriations Committee. I ask for the same vote from
4. this Body.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Any further discussion? The question is shall HB 966
7. and on that question the Secretary will call the roll.

8. SECRETARY:

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

19. PRESIDING OFFICER (SENATOR MOHR):

20. Donnewald, aye. Netsch, aye. Howard Mohr, aye.
21. Romano, aye. ...aye. On that question the yeas are 38.
22. The nays are 2. One voting present. HB 966 having
23. received the constitutional majority is declared passed.
24. 967, Senator Palmer.

25. SECRETARY:

26. HB 967 (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Palmer.

30. SENATOR PALMER:

31. ...this is the companion bill. I'll accept the same
32. roll call.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Further discussion? The question is shall HB 967 pass
2. and on that question the Secretary will call the roll.

3. SECRETARY:

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

14. PRESIDING OFFICER (SENATOR MOHR):

15. Romano, aye. Newhouse, aye. Johns, aye. Kosinski,
16. aye. On this question the yeas are 46. The nays are 1.
17. One voting present. HB 967 having received the constitu-
18. tional majority is declared passed.

19.

20. (The following pages were
21. type in advance for Senator

22. Robert W. Mitchler)

23.

24.

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33.

1. PRESIDING OFFICER (SENATOR MOHR):
2. HB 1268, Senator Knuppel. Senator Knuppel.
3. SENATOR KNUPPEL:
4. Mr. President, Members of the Body I'd like leave
5. to return HB 1268 to 2nd reading for the purposes of
6. amendment.
7. PRESIDING OFFICER (SENATOR MOHR):
8. Is there leave? Leave is granted. Bill is called
9. back to 2nd reading for an amendment. Does the Secretary
10. have the amendment Senator?
11. SENATOR KNUPPEL:
12. At this time I'd like to offer, I think it's
13. Amendment No. 2 to HB...HB 1268. Well one's...one's already
14. been defeated I don't think I have to Table it if it's de-
15. feated.
16. PRESIDING OFFICER (SENATOR MOHR):
17. Senator Sours.
18. SENATOR SOURS:
19. At this late day would you let us know what it does,
20. in detail?
21. PRESIDING OFFICER (SENATOR MOHR):
22. Senator Knuppel.
23. SENATOR KNUPPEL:
24. I'd yield to Senator McCarthy.
25. SENATOR MCCARTHY:
26. Yes Mr. President, the amendment as offered it is a
27. ...increase in the benefits of the Workman's Compensation
28. payments equivalent to 14% across the board. Previous
29. amendment had been 20, that's all that the amendment does.
30. PRESIDING OFFICER (SENATOR MOHR):
31. Senator Sours.
32. SENATOR SOURS:
33. Mr. President, Senators this might seem premature, but

1. as of now I think it is the disposition of the members
2. on this side to do nothing to further the passage of
3. this bill, amended or otherwise because apparently the
4. agreed process has...has failed. I'd like to see the
5. amendment Senator, if you could pass that around. I'm
6. not trying to be dilatory either...President, again
7. I want to show my utmost good faith but this rather...
8. this document has a paucity of prolixity, let's put it
9. that way. It just happens to be 46 pages long. I couldn't
10. possibly tell you whether it's good, bad and I won't have
11. time to read it.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Nimrod.

14. SENATOR NIMROD:

15. I would think that, Mr. President that since this
16. amendment is being offered, you know there's been several
17. attempts to make moves in this area and to change the
18. concept of the present bill and if the Senator's sincere
19. in what he's proposing, I think we ought to have a chance
20. to read this. I don't have a copy of it. I didn't have
21. a chance to look at it before we asked to vote on it...
22. an amendment that's that many pages long and if he forces
23. a vote then, you know you can't do anything but vote no
24. on things that you don't know because if...I think there's
25. been so many attempts to play around with this bill without
26. ever telling people what's going on. And so I think this
27. is just a bad situation, and unless we have time to look
28. at this I think we ought to just resist this kind of movement.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Well, the Chair would point out that there had been
31. an agreement I thought from both sides that any amendments
32. offered would be given to the Secretary and given to the
33. leadership on both sides so that they might be looked at

1. before they were offered, but that doesn't preclude the
2. Senator from offering the amendment. Of course you have
3. the right to ask that they be printed...if four other
4. Senators join you, but...maybe you ought to hear Senator
5. McCarthy and then make a determination.

6. SENATOR McCARTHY:

7. ...Mr. President this amendment does not...should not
8. take anyone by surprise. It was given to the other side
9. of the aisle. It is 14%, I represent it to be that. I
10. would like to have it adopted, the bill moved back to
11. the order of 3rd reading. Have time to look it over,
12. digest it if you want to oppose the bill as amended, that's
13. all right. But, the copies are here and in the...this is
14. the last day in which I feel it's proper to do it, and
15. I would move based upon the representation, if it isn't
16. 14% we'll bring it back tomorrow and correct it. But...
17. the amendments have been passed. Senator McBroom.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator McBroom.

20. SENATOR McBROOM:

21. Well, I would like to corroborate what Senator McCarthy
22. is saying. I...I have checked it, our staff has checked it
23. and it is in fact 14%.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator Nimrod.

26. SENATOR NIMROD:

27. ...I don't doubt that you know, there's not...shouldn't
28. be that many pages to tell us that it's been changed to 14%.
29. Now, you do have the rest of the time today. We can take
30. a look at it and I'll be glad to go back and look at Hudson
31. Sours if you don't have another copy, otherwise I'm going
32. to ask for them to be printed. Now, but I do ask you to
33. hold it to give us a reasonable time here to take a look at

1. this. Well, you're telling me I won't be able to look it,
2. so I...I would agree with you then if you're telling me I
3. can't look at it then I don't know how you expect me to
4. digest it. And in that case then I would ask that they be
5. printed for all members.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator McCarthy.

8. SENATOR McCARTHY:

9. Yield to Senator Partee.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator Partee.

12. SENATOR PARTEE:

13. I would hope that they could make an agreement other
14. than the printing at this late date for all of the members
15. because everybody isn't going to read it and I think we all
16. know it. While I'm talking about that, let me just say that
17. it does become necessary when you print things to print a
18. lot of the existing the law to accommodate whatever changes
19. are being made and I just hope that you can work this out
20. so that they don't have to be printed at an exorbitant
21. cost because it...it's going to be a very much unnecessary
22. expense it seems to me.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Sours.

25. SENATOR SOURS:

26. Mr. President, Senators on postponed consideration
27. it seems to me I have a bill under the number of SB 567.
28. Now we're getting no...and I'd like the other...I'd like
29. the members of this side to listen to what I'm saying
30. because this is a matter of considerable importance. We're
31. getting no attention to that bill from the other side. I
32. want to repeat that, we're getting no attention. We're

1. getting opposition. Now I've talked with, I'll call them my
2. people for want of a better name, my principals or
3. those who recommend to me. They don't want this increase
4. at all until we get some interest manifested in SB 567.
5. Now if Senator McCarthy is willing to show some interest
6. in that, of course, it's awfully late now because this is
7. Friday evening. And for the same reason that that has
8. withered on the vine, I hope that everyone on this side
9. and I'd like to emphasize everyone, will afford this
10. bill of Senator McCarthy the same inattention and the
11. same opposition that's been manifested toward SB 6...567.
12. I want to repeat, every member on this side. That means
13. thirty.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Mr. President, unless, the sponsor is willing to,
18. I'd like to renew my motion. The reason for that is this:
19. I had two bills in here, SB 181 and 182 which called for
20. a study of the Workman's Compensation Laws, in the hopes
21. of setting up, within the framework of what the national
22. act was. Labor deliberately and intentionally, had those
23. bills killed in the House Appropriations Committee after
24. they passed the Labor and Industry Committee over there.
25. They did that with the sole purpose so there would be
26. no vehicle exist for reaching an agreement between labor
27. and management. In fact it was so important to them that
28. they took and traded those bills off and...in lieu for
29. something else and it was a miserable situation over there
30. in that House Appropriations meeting and I want to tell
31. you I was deeply disappointed. I can only tell you that
32. if the actions that are taking place in trying to present
33. this amendment are trying to do things unilaterally, it's

1. the wrong way and the wrong approach. Now I am for
2. increases. But I am not for increases when they do not
3. have the right and the agreements on both sides. And that
4. they have not had an opportunity to be sat down and
5. discussed. Arbitration is accomplished by discussing
6. things and reaching agreement. This is no means of
7. reaching arbitration. And it seems to me that labor
8. which wants collective bargaining, ought to be the first
9. to want to have some kind of relief in that area. And
10. I would say if they persist and go ahead with this, that
11. we ought to resist any amendment unless they're willing
12. to deal in good faith.

13. PRESIDING OFFICER (SENATOR MOHR):

14. Senator Regner.

15. SENATOR REGNER:

16. Yes, Mr. President, as far as I can see with the 45
17. or 50 page amendment at this stage of the game, it's
18. unconscionable that we should be asked to act on this
19. measure now. And I...urge that we defeat this amendment,
20. but if it is adopted I would like to ask the Chair to
21. recognize me immediately to make a motion to recommit
22. this bill to committee where it belongs if the amendment
23. is on, its being a new bill.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Senator McBroom.

26. SENATOR MCBROOM:

27. Well, I'd like to propound a question or two to
28. either Senator McCarthy or Senator Sours. I...in engaging
29. in this debate I feel something like a fish out of water,
30. but I have spent considerable time with Senator McCarthy.
31. I've discussed this some with Senator Sours and other
32. interested parties. And it seems sometimes Mr. President,
33. that it depends who you talk to as to what kind of an

1. answer you get. Now this act, 567 Senator Sours or Senator
2. McCarthy, I don't care who responds to me, I have had con-
3. siderable mail where they refer to it as a model act. Upon
4. talking to some individuals I find that, one as reported to
5. me, Mr. President that one, this act was drawn in 1960, thir-
6. teen years ago. That it was revised in 1965, and it has not
7. been adopted by a single State in the Union. I don't know if
8. that's true or not, I wish...wish...would Senator McCarthy
9. or Senator Sours correct me or answer my question?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator McCarthy.

12. SENATOR MCCARTHY:

13. Yes...yes, Senator McBroom. We're talking about SB 567
14. and the so-called model act. The model...you were wrong by
15. three years. This so-called model act was drawn by a com-
16. mittee of the Council of State Government on suggested uniform
17. legislation, half of it was published in 1963. The second
18. half was published in 1965. Since then a period of eight
19. years not one State has adopted the act. The only sub-
20. sequent update has been a publication by the Council of
21. State Governments that was published in February of 1973,
22. following the report of the National Commission on Workman's
23. Compensation. And in the February update, there was no
24. new model act,...no new model act, there were only...nine
25. sections proposed with the recommendations that the
26. sections be incorporated into existing legislation. So
27. I hope that answers your question, Senator McBroom.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator McBroom.

30. SENATOR MCBROOM:

31. Well, in simple English what you said was I was correct.
32. No State has adopted, Senator McCarthy.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator McCarthy.

2. SENATOR MCCARTHY:

3. Yes, that's correct.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Senator Sours.

6. SENATOR SOURS:

7. By way of reply though Senator McBroom, just to
8. reassure you, this bill is now being considered very
9. favorably by Congress. Senator Javits had...has filed
10. it about two weeks ago. Now this is going to be the law,
11. as much as I dislike telling you this whether you and I
12. like it or not. 567 is going to be the Federal law. Now,
13. the reason I have to oppose this is because we'll put it
14. McCarthy side, for want of a better description. They
15. wanted...they want this increase but they don't want to give
16. anything. They want the increase. And the way we've
17. been doing this in past years is each side gives some-
18. thing. Now they want the 14 or 15 or 16, I don't care
19. what the percentage is increased carte blanche. But they
20. won't give anything on 567 or any other bill. Now that's
21. what's wrong. They want everything their way. And that
22. is not the way we've been doing this for years. The
23. principals are Stanley Johnson, let's lay them on the
24. table, Walter Lerche, Quentin Lambert and others.
25. Now quite frankly and I think this is going to be a
26. significant sentence if I'm capable of uttering one.
27. These are matters that the principals ought to decide
28. between and among themselves. And they shouldn't hand
29. this to you or me or McCarthy. They should settle this
30. by themselves instead...instead of having us pass the
31. law and put the cudgel...and it will be that. You don't
32. get a 16% or a 14% increase because you wish it. You
33. pay through it and you pay through the nose and we're

1. doing that at a time when inflation is rampant.

2. PRESIDING OFFICER (SENATOR MOHR):

3. Is there further discussion on the amendment? Senator
4. McCarthy...Senator Graham I did recognize before. Senator
5. Graham.

6. SENATOR GRAHAM:

7. Mr. President and Members of the Senate when I came
8. to this august Body some 15 years ago we had a process
9. here that we called the Agreed Bill process with regard
10. to unemployment compensation and Workman's Comp. That
11. was done for a very specific and a very sound reason, to
12. keep this kind of a proposition out of the General Assembly
13. so that neither principal involved could cajole, importune
14. or threaten Legislators to vote one way or another. That
15. Agreed Bill process has broken down because there was not
16. enough members that had enough guts to say no. Now if
17. we want to continue every year going through this, all
18. we have to do is adopt this amendment and pass this bill.
19. Now is the time that we have an opportunity to say to
20. those principals and specifically the union who will
21. deal with everything you have and keep what they have.
22. Now is the time for us to serve notice on them that
23. church is over. The soup has been spilled and there are
24. no napkins with which to wipe it up. I think then they
25. will get the message, that next year they should do the
26. thing that they're saying...continually that should be
27. done, bargain in good faith. They want to bargain in
28. good faith only when it serves their best purpose and
29. ...apparently it doesn't do it this time and now is
30. the time Gentlemen to stop the music and today we have
31. that opportunity.

32. PRESIDING OFFICER (SENATOR MOHR):

33. Gentlemen I'm going to remind you that you speak on

1. the amendment one time. We're going to have to adhere to
2. that rule. Senator Glass.

3. SENATOR GLASS:

4. One brief question of the sponsor of the amendment,
5. Mr. President, because in discussing the amendment we
6. have to discuss SB 567 and Senator McBroom asked if
7. this had been adopted by any other States. I would...
8. would like to ask, because I am frankly interested,
9. wasn't 567 in fact the product of a commission composed
10. of management and labor representatives and concurred in
11. by the labor representative?

12. PRESIDING OFFICER (SENATOR MOHR):

13. President Harris. Are you directing this to the
14. sponsor of the amendment? Senator McCarthy.

15. SENATOR MCCARTHY:

16. The question...the question is whether or not the
17. so-called Model Act or 567 if that was a product of a
18. group of both management and labor. I have to tell you
19. sir, that I have in front of me the lists of the people
20. who were on the committee. It's Advisory Committee on
21. Workmen's Compensation Law. Here's a man John Burton
22. from the Graduate School of Business, University of
23. Chicago; Harry W. Dahl, International Association of
24. Industrial Boards or Commissions, neither of those are
25. labor people; Charles F. Eason, Office of General Manager,
26. U. S. Atomic Energy Commission, you can't call him Labor;
27.
28.
29.
30.
31.
32.
33.

1. Carl N. Everstein, Director, Department of Legislative
2. Reference in Maryland, he's a Legislative Aide; Honorable
3. Stanley M. Hyer, Member of the Senate, Maryland, I don't
4. ...he's not a Labor man; Andrew Kelmakau, Council,
5. American Insurance Association, he's not a Labor man;
6. M. Holland Christ, Chairman, Industrial Commission of
7. Ohio, he doesn't purport to be a Labor man; Ben Novakoff,
8. Presiding Judge, Workmen's Compensation Court, Nebraska,
9. he'd be independent; Donald L. Ream, Office of Workmen's
10. Compensation Programs, U. S. Department of Labor,
11. he's a Government employee; James Stickles, Director
12. of Workmen's Compensation of the American Mutual
13. Insurance Alliance, he's not a Labor man; Honorable
14. Wilfred J. Ohlrich, Member of the Senate from Indiana,
15. I happen to know him, he's not a Labor man; and A.
16. Grant Whitney, American Society of Insurance Management.
17. Those are the people. There's not one man listed on
18. there from the ranks of organized labor. I hope that
19. answers your question. Does it, Senator Glass?

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Glass.

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SENATOR GLASS:

1. Well, yes, it does answer my question and I don't know
2. the interests of any of those individuals but I certainly
3. felt that the bill had been the product of persons represent-
4. ing all interests. I don't...I take it you're disputing that
5. and...and this I thought should be brought out on the Table,
6. because as far as I have been able to determine, that bill
7. did have a support a lot more broadly as a Model Act than you've
8. led us to believe and apparently your position now is that
9. it is not...that is not the case.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Senator McCarthy.

12. SENATOR MCCARTHY:

13. Yes, Mr. President, I don't want to duck away from 567,
14. but yet all we're really talking about is Amendment No. 2 to
15. 1268 and...I've answered Senator Glass because I've researched
16. the matter insofar as 567 is concerned and the paper put out on
17. Wednesday, May 30th from the Manufacturers Association described
18. SB 567 as the Studied Model Act, Council of State Governments,
19. National Commission of State Workmen's Compensation Laws. The
20. only thing it says here is endorsed by labor members of the
21. Commission. What they refer to I think is the National Com-
22. mission on Workmen's Compensation. But, I've read that, I
23. have it here and they just make reference to it, sir. And,
24. then there are some supplementary opinions which are in the
25. nature of dissents where they make a reference to it. But,
26. there is no model act, no model act, sir, except the Model
27. Act put together by the Council of State Governments in 1963
28. and 1965, long before the National Commission on Workmen's
29. Compensation was formed. So, I...I was intending to bring
30. all of these arguments up at such time as SB 567 would be
31. called. And, that's the reason I've done the research. I
32. hate to bore this Body except that since the questions have
33. been raised, I feel most pleased that I've had the informa-
tion to give you the answer. If that satisfies everything,

1. although I see Senator Berning has his hand up, I'd like to
2. get back to the issue at hand. That is the question, whether
3. or not, we should be able to adopt our amendment where we have
4. worked hard among members of this Legislature to reach an
5. agreement among ourselves as to whether or not the benefits
6. to people who are injured on the job should be raised in this
7. Session of the Legislature. There is no firm agreement that
8. binds anybody in this Legislature, but there is an under-
9. standing that 14% is a figure that should go on by way of
10. an amendment. I would hope that this amendment would be
11. adopted. I would hope that Senator Nimrod would not force
12. me to make a motion to suspend the rules to do away with the
13. printing of this large amendment. I represent to the Members
14. of this Chamber based upon 19 years in both Bodies that it's
15. 14% in this amendment and that's all there is and if it's
16. wrong I'll pay you some sort of a penalty. I'll give Harber
17. Hall an advantage the next time that we play tennis or
18. whatever type of penalty that I can pay to any of you. But,
19. Senator Carroll and I looked at the figures...

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator McCarthy, your time has run out twice already
22. and I've recognized Senator Harris. President Harris.

23. SENATOR HARRIS:

24. Well, Mr. President, Members of the Senate, I want to
25. speak on the amendment. The amendment does as Senator
26. McCarthy says, provides for a 14% increase. I don't object
27. to a 14% increase, if in connection with the product of
28. effecting that into the Workmen's Comp. Act, there has been
29. mutual progress in what we have come over the years to
30. expect as true bargaining by the principals involved. Labor
31. vis-a-vis Management. Management vis-a-vis Labor in pro-
32. ducing progress from the respective points of view, in this
33. bargaining process. The instant amendment is a 100% benefit

1. from Labor's point of view, with no product of benefit from
2. Management's point of view. There really was not serious
3. bargaining until very recently. Oh, I know a lot time went
4. in on it, but not really serious bargaining. Those of us
5. who were here in the old effective days of agreed Workmen's
6. Comp., Unemployment Comp. legislation where the principals
7. who really were the experts in this field produced improve-
8. ments in the respective acts. And, not that the Legislature
9. itself abandoned its ultimate responsibility of course not,
10. that's not the case here that I'm making reference to. But,
11. I'm just pointing out that I object to the favorable considera-
12. tion an amendment to the Workmen's Comp. Act that provides for
13. a 14% increase in benefits from Labor's point of view, and
14. while I accept that that figure very well may be a reasonable
15. increase in benefits, it has correspondingly no improvement
16. in the matter of procedures, in the matter of requests in
17. the matter of improvements from the Management side of this
18. troublesome equation. And for this, I think, significant
19. reason, I must add my voice to those who object to a truly
20. and clearly one-way amendment to this bill.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Knuppel may sum up.

23. SENATOR KNUPPEL:

24. Mr. Chairman and Members of this Body, I believe some
25. salient facts portend themselves into this argument from
26. the arguments that have been made here in this Chamber.
27. First of all, one of the people who spoke said that inflation
28. is rampant. It's been two years since we've done anything
29. with the Workmen's Compensation Act. Another party argued
30. ...another party argued that he would accept the fact that
31. possibly 14% was a reasonable figure for improvements.
32. Again we're told by another speaker that the agreed process
33. has broken down. Now, I submit to you, if the agreed process

1. is broken down, it's not that poor stiff in the factory
2. and maybe it's not even the factory management that's
3. responsible for that. And if we're going to punish those people
4. who work in factories and sustain injuries by reason of the
5. fact that we haven't exercised the leadership in the Legis-
6. lature to force these people to knock heads and to bargain
7. and to make some kind of an agreement we should not abandon
8. the worker, the man, the widow and the child. If we do we
9. abandon the legislative process if...and we do have a new
10. age. I've stood here for two Sessions and heard about this
11. agreed process and I honest to God have never seen it work. We
12. stand here in the closing days of the General Assembly each
13. time and we argue about whether the agreed process has or
14. has not worked. I prevail on you as Men and Women of this
15. Body to stand up to the responsibility that your constituents
16. elected you for and that is to discharge the responsibility
17. of these people don't agree. If you've got two children who
18. are bad and fight each other you...I don't care what you say
19. you punish them both. And, in this instance you've got the
20. duty...you've got the duty to protect that poor stiff who
21. works in the factory. Everything...his hospital expenses,
22. his loses and everything else have gone up 14% and I say
23. that if the agreed process has died, so be it. We as
24. individual Legislators must exercise our responsibility at
25. least to hold this man in a status quo in the economy where
26. he should be and 14% does nothing more than this. And I
27. would encourage you to vote aye.

28. PRESIDING OFFICER (SENATOR MOHR):

29. Senator Nimrod.

30. SENATOR NIMROD:

31. Mr. President, I...unless we have over night to study
32. this amendment, I will renew my request or my motion and...
33. I want these amendments printed according to the rules...

1. PRESIDING OFFICER (SENATOR MOHR):

2. For what purpose Senator Partee arise?

3. SENATOR PARTEE:

4. Point of order. The debate has been closed and in
5. addition to that the gentleman has already spoken twice on
6. the same subject.

7. PRESIDING OFFICER (SENATOR MOHR):

8. He...he's not speaking to the debate, Senator, he's
9. requesting that the copy of amendments be printed and placed
10. on every Member's desk and he would need four other Senators
11. to join him in that request. Does he have four? He has the
12. five required to request the printed copy. Now, you're
13. making a motion to suspend the rules.

14. SENATOR KNUPPEL:

15. That that rule be suspended and that we have an immediate
16. hearing with respect to this legislation.

17. PRESIDING OFFICER (SENATOR MOHR):

18. All right, on that, the Secretary will call the roll
19. and he will need 30...30 votes to sus...Senator Rock.

20. SENATOR ROCK:

21. Parliamentary inquiry, Mr. President. It seems to me
22. during the closing days of the Session I thought we had dis-
23. cussed in the Rules Committee that the printing requirement
24. was in fact satisfied by Xerox or photocopies of proposed
25. amendments.

26. PRESIDING OFFICER (SENATOR MOHR):

27. I think he would be satisfied with that, Senator. We
28. also agree that each leader would receive a copy of an amend-
29. ment before it was offered and this was not done.

30. SENATOR ROCK:

31. I'm told by Senator McCarthy it was done.

32. PRESIDING OFFICER (SENATOR MOHR):

33. President Harris has a copy and Senator Partee has a copy.

1. Now, that...the request I believe is still in order for
2. Senator Nimrod to request that copies be given each Senator.
3. I think that he would agree. I hope that he would
4. agree. It wouldn't necessarily have to be printed, copy
5. of a copy would be suitable. Would that be agreeable?
6. All right that...he's agreed to that. Now, do you still
7. want to persist in your motion?

8. SENATOR KNUPPEL:

9. In view of the time involved and the fact...

10. PRESIDING OFFICER (SENATOR MOHR):

11. Give him his microphone there please. Senator Knuppel.

12. SENATOR KNUPPEL:

13. Yes, I feel in view of the time schedule and everything
14. that I have to...I have to ask for a roll call...suspension
15. of the rules. If I don't get it I'll meet the other standard.

16. PRESIDING OFFICER (SENATOR MOHR):

17. Senator Knuppel...is moving to suspend the rules...to
18. waive the requirement of the printed amendment be given each
19. Senator. And, this would require 30 votes to suspend the
20. rules. The Secretary will call the roll.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR MOHR):

33.

1. Bell, aye. Would we clear the Secretary's desk? Let
2. one Member up there please. Senator McCarthy, the Secretary
3. doesn't need all that help. Bell, no. Request to call the
4. absentees. The absen...

5. SECRETARY:

6. Bartulis, Chew, Conolly, Keegan, Scholl, Sommer, Soper,
7. Mr. President.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Graham, no. On that question, the yeas are 28, the
10. nays are 26. The motion fails. The amendment will be
11. printed and Xerox copies would be satisfactory and given
12. to each member. Senator Knuppel.

13. SENATOR KNUPPEL:

14. ...will be returned as a point of question. As long
15. as it's on 2nd reading I assume that it's been on 3rd, a
16. point of order, that if I leave it on 2nd reading for the
17. printing will it...will it be legislative day so I can
18. call it tomorrow when it's advanced? They're going to
19. print it today. All right.

20. PRESIDING OFFICER (SENATOR MOHR):

21. It has been read twice.

22. SENATOR KNUPPEL:

23. Well, I can leave it on 2nd reading then.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Be held on 2nd. Senator Rock, 1273. Senator Rock.
26. Senator Knuppel.

27. SENATOR KNUPPEL:

28. As I understand it we will come back to this if it's
29. printed today and it can be moved to 3rd. Is this correct?
30. Let's have it moved to 3rd and then I'll ask leave to
31. bring it back. There's no problem.

32. PRESIDING OFFICER (SENATOR MOHR):

33. The...the bill is on 2nd and the amendment is pending.

1. SENATOR KNUPPLE:
2. All right.
3. PRESIDING OFFICER (SENATOR MOHR):
4. Now,...it's printed and you gentlemen work it out,
5. wonderful. Senator Rock on 1273. All right, message
6. from the House.
7. SECRETARY:
8. A Message from...this is Senator McCarthy's bill.
9. (Secretary reads Message from the House)
10. PRESIDING OFFICER (SENATOR MOHR):
11. Senator McCarthy.
12. SENATOR MCCARTHY:
13. Yes...I would like to make the motion that we accede
14. to the request of the House and that a conference committee
15. on SB 23 be appointed.
16. PRESIDING OFFICER (SENATOR MOHR):
17. All in favor of Senator McCarthy's motion to appoint
18. a conference committee to SB 23, signify by saying aye.
19. Opposed. Conference committee will be re...
20. SECRETARY:
21. The next message...
22. PRESIDING OFFICER (SENATOR MOHR):
23. ...be reported.
24. SECRETARY:
25. 301, Senator Partee is the Senate sponsor.
26. (Secretary reads Message from House)
27. PRESIDING OFFICER (SENATOR MOHR):
28. Senator Partee.
29. SENATOR PARTEE:
30. I move to accede to their request for the appoint-
31. ment of a conference committee.
32. PRESIDING OFFICER (SENATOR MOHR):
33. All in favor of Senator Partee's motion signify by

1. saying aye. Opposed. Motion carries. Next one.
2. SECRETARY:
3. The next one is SB 367, Senator Chew is the Senate
4. sponsor. It's an appropriation for the...of the State
5. officers salaries.
6. (Secretary reads Message from House)
7. PRESIDING OFFICER (SENATOR MOHR):
8. Senator Partee.
9. SENATOR PARTEE:
10. On behalf of Senator Chew I would move that we
11. accede to their request for the appointment of a
12. conference committee.
13. PRESIDING OFFICER (SENATOR MOHR):
14. All in favor of Senator Partee's motion to appoint
15. a conference committee to SB 367, signify by saying aye.
16. Opposed. Conference committee will be appointed.
17. SECRETARY:
18. Next bill.
19. PRESIDING OFFICER (SENATOR MOHR):
20. Next...
21. SECRETARY:
22. ...SB 556, Senator Wooten. The House requests a
23. conference committee to consist of five members.
24. PRESIDING OFFICER (SENATOR MOHR):
25. Senator Wooten.
26. SENATOR WOOTEN:
27. I move we accede to their request.
28. PRESIDING OFFICER (SENATOR MOHR):
29. Senator Wooten moves that we appoint a conference
30. committee on SB 556. All those in...favor signify by
31. saying aye. Opposed. Conference committee will be
32. appointed.
33. SECRETARY:

1. Next bill is 926, Senator Romano. Houses requests
2. a committee of five to be appointed from each house.

3. PRESIDING OFFICER (SENATOR MOHR):

4. Senator Romano. Senator Romano moves to appoint a
5. conference committee on SB 926. All in favor signify by
6. saying aye. Opposed. Committee will be appointed. Senator
7. Partee.

8. SENATOR PARTEE:

9. Senator Harris on the Floor?

10. PRESIDING OFFICER (SENATOR MOHR):

11. Yes he is.

12. SENATOR PARTEE:

13. I think we have an agreement with reference to a motion
14. I desire to make and I'd like to ask the members to be in
15. their seats if we could. Now I have a...I propose to make
16. a motion Mr. President, that relates to HB 349. That is the
17. bill of Representative Londrigan which is referred to as a
18. tax relief measure. I do not think it is necessary or advisable
19. to go into the details of this matter. It has been here
20. and you all are aware of this bill. This bill...if I could
21. just have, just two minutes attention, I'd appreciate it.
22. This bill was introduced back in February by Senator...
23. Representative Londrigan and several other members of the
24. House. And its last action in the Senate was on June 18
25. when it was recommended Do Not Pass in the Revenue Committee
26. of the Senate. I filed a motion on this bill and this is
27. the first opportunity or time we've taken to attempt to
28. bring it from that committee. So I now move Mr. President
29. without any further debate that we suspend the rules and
30. remove HB 349 from the Revenue Committee, and place it on
31. the order of 2nd reading on our Calendar.

32. PRESIDING OFFICER (SENATOR MOHR):

33. President Harris.

1. SENATOR PARTEE:

2. And that it be read a 2nd time and placed on the order
3. of 2nd reading.

4. PRESIDING OFFICER (SENATOR MOHR):

5. President Harris.

6. SENATOR HARRIS:

7. Well...since you have put the motion, it seems to me
8. that...and your motion was to suspend the rules which is...
9. in fact not debatable with...we have used that from time to
10. time. Would you withhold it momentarily? I think we should
11. hear from the Chairman of the committee that heard the bill...

12. SENATOR PARTEE:

13. I will certainly withhold it until...

14. SENATOR HARRIS:

15. And I would like to just make a very brief observation.

16. SENATOR PARTEE:

17. ...the Chairman... I'll withhold the motion for that
18. purpose.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Motion will be withheld. Senator Clarke.

21. SENATOR CLARKE:

22. Mr. President, Members of the Senate. This is a
23. political issue now, of course. But a week ago Friday
24. morning we had a hearing of the Senate Revenue Committee.
25. We had a fairly extensive testimony, witnesses, including
26. such distinguished people as our Director of the Budget,
27. Bureau of the Budget, on this issue. We went into some
28. detail before we took a vote and I think that Senator
29. Partee would be the last one to suggest it did not have
30. a full and fair hearing in that committee. I think that
31. at this point and at this time in this Session the last
32. thing that we need is to go through that issue again on
33. the Floor, and it would be an extended debate. I think

1. If you believe in the committee system, if you believe
2. in the results of the committee system, this motion
3. certainly should be defeated. Because that bill certainly
4. did have, and it's very similar to the other bill we are
5. talking about, a full and fair hearing with the witnesses,
6. the questioning, and the opinions of the committee members.

7. PRESIDING OFFICER (SENATOR MOHR):

8. President Harris.

9. SENATOR HARRIS:

10. Well, I would just urge the members from this side
11. of the aisle without adding anything further to what
12. Senator Clarke has had to say and I certainly concur
13. in it. That we resist the motion to suspend the rules.

14. PRESIDING OFFICER (SENATORMOHR):

15. Senator Partee.

16. SENATOR PARTEE.

17. Now, I would make the motion to suspend the rules
18. and, I'm certain that three members on this side will
19. join me in requesting a roll call.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Motion is not debatable. The Secretary will call
22. the roll on the suspension of the rules. We'll need
23. 30 votes to suspend the rules.

24. SECRETARY:

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

1. Weaver, Welsh, Wooten, Mr. President.
2.
3.
4. PRESIDING OFFICER (SENATOR MOHR):
5. Carroll, aye. Wooten, aye. Knuppel, aye. Sommer,
6. no. Sommer, no. Request to call the absentees.
7. SECRETARY:
8. Bartulis, Chew, Davidson, Keegan, Schaffer, Scholl,
9. Soper.
10. PRESIDING OFFICER (SENATOR MOHR):
11. On that question the yeas are twenty-seven, the nays
12. are twenty-six. The motion to suspend the rules fails.
13. Senator Walker.
14. SENATOR WALKER:
15. Thank you Mr. President, Members of the Senate.
16. As long as I'm missing the happy hour,...
17. PRESIDING OFFICER (SENATOR MOHR):
18. You aren't alone Senator.
19. SENATOR WALKER:
20. I'd like to on a point of personal privilege introduce
21. the people who run the Walker and Pikeman's Store back in
22. Lansing, Illinois. They're behind me in the gallery. I'd
23. appreciate if the Senate would recognize them.
24. PRESIDING OFFICER (SENATOR MOHR):
25. We'd inform the people in the gallery that Senator
26. Walker will be finished about 10:00 o'clock tonight.
27. Senator Bruce on...780...
28. SECRETARY:
29. HB 780 (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER (SENATOR MOHR):
32. Senator Bruce.
33. SENATOR BRUCE:

1. Yes, Mr. President, I'm glad Senator Walker has not
2. left for the happy hour yet because he and I have finally
3. reached an accord. This bill came out of his committee on
4. a motion to discharge. There was some confusion about it
5. early in the Session. We have passed in the last General
6. Assembly a series of bills, the Pest Control Act, the
7. Inter-agency Pest Control Act. A bill to license and
8. regulate structural pest control operators are now before
9. the Body. All these bills are...were passed, the latter
10. one being hung up in the House Committee. The...in the
11. interim between 1969 and 1971 the Federal government has
12. acted and...inacted the Federal Environment Pesticides
13. Control Act. Now, that Act says that the Federal govern-
14. ment sets the program standards the State must meet and
15. mandates that all applicators will be licensed under
16. regulations as set forth by the States. In other words
17. we are now required by...by Federal law to certify all
18. pesticides applicators. We already do it in many other
19. fields. The problem is we're talking about people who
20. come into homes, apply pesticides that are sometimes...and
21. often times, prohibited for agricultural use. Department
22. of Public Health bill. Senator Mitchler is now...we've
23. had a long discussion with the Department of Public Health
24. for the last three days. Senator Walker is in favor of
25. the bill. Senator Mitchler. I know of no objection. I
26. would ask for a favorable roll call.

27. PRESIDING OFFICER (SENATOR MOHR):

28. Senator Walker.

29. SENATOR WALKER:

30. Thank you, Mr. President. I will admit I was a little
31. warm Monday of this week because as you'll recall last
32. Saturday I was at the bedside of my great-great-great-
33. grandmother, and this bill got back on the Calendar. And

1. I didn't understand how or why, but since then I've
2. found out that Senator Bruce did talk to one of the
3. members of my...committee and did not talk to me about
4. this. Now that Congress has enacted this Federal
5. Environment Pesticides Control Act, Department of Public
6. Health as well as myself feel that this is necessary
7. legislation. I would have appreciated it more if the
8. Senate sponsor would have contacted me before he
9. discharged committee in my absence, but I've told him
10. and I'm now going to support the bill. Thank you.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Don Moore.

13. SENATOR DON MOORE:

14. Will the sponsor yield to a question?

15. PRESIDING OFFICER (SENATOR MOHR):

16. He indicates he will.

17. SENATOR DON MOORE:

18. Is there an appropriation involved for the...
19. administration of this new act?

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Bruce.

22. SENATOR BRUCE:

23. Yes Senator Moore there's 781 which is now on 1st
24. reading. That bill was inadvertently left there but...
25. my understanding is that will be called. We'll go to
26. that, pick it up and pass it. It will have to be passed
27. on Sunday now, but it...it was to have been called
28. yesterday and in a relatively quick closing here we
29. did not get a chance to call that bill.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Moore.

32. SENATOR DON MOORE:

33. Well Mr. President I don't know how many bills we're

1. to have here Sunday. I understood there were a couple
2. bills that dealt with appropriations for the code depart-
3. ments that...through neglect or one reason or another
4. did not get on the Calendar today that would be the
5. only matters that we would take up on Sunday. I would
6. like to make a parliamentary inquiry to the Chair. Is
7. it the Chair's intention to have a full blown Session
8. for House Bills on 3rd reading this coming Sunday?
9. PRESIDING OFFICER (SENATOR MOHR):

10. It certainly isn't my intention Senator Moore of .
11. having a full Session here. I think the 30th means
12. the 30th, that's the end of the Session. We apparently
13. are going to have to deal with two issues, but I...and I
14. would also point out that the bill to build a chapel
15. in the....the Capital hasn't been approved nor the
16. chapel hasn't been built. So I think many people
17. would like to go to church Sunday. But I think we
18. should stick to 780, that's the...the bill at hand
19. and 781 will have to be dealt with at a later date.

20. SENATOR DON MOORE:

21. I think perhaps, Mr. President, and I'd like to
22. speak on the bill. I think this bill should be held
23. over. I'm sure that the appropriate committee would
24. have no objection to exempting this bill and the
25. appropriation bill so that they could be held over
26. until the October term. I don't know what good it
27. is, you're going to have a bill and not an appropriation,
28. or at least there is a reasonably good chance there
29. won't be an appropriation to go ahead with it. I
30. think the sponsor should give some consideration to
31. perhaps having both of these bills exempt. Or talk
32. to the leadership to have them exempt and placed on
33. the fall Calendar.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Bruce.

3. SENATOR BRUCE:

4. I don't ... If he didn't ask me a question I'll wait
5. to close. Senator Berning.

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Berning did you want to speak on this? Senator
8. Berning.

9. SENATOR BERNING:

10. Thank you, Mr. President, Members of the Body. I...
11. I am apologetic for not having taken a close look at this
12. earlier. But it seems to me now that we have confronting
13. us again another one of these certified requests. And I
14. point out to you that this bill says on page 3, section 4,
15. it shall be unlawful for any person to engage in structural
16. pest control, at any business location in this State
17. after January 1, 1974 unless licensed by the Department
18. to operate at such business locations. I'm reminded,
19. Members of this Body of a very serious matter that we
20. had under consideration and after much deliberation, and
21. give and take this Body did ultimately in its wisdom pass
22. SB 321. To provide for certification of physicians
23. assistants. That bill was summarily defeated in the House,
24. without the benefit even of a legitimate hearing on the
25. pretext that it was not necessary, it was a bad bill.
26. Now, I submit to you that if the care of a human element
27. is of no importance, doesn't warrant the certification
28. of additional professional health care technicians,
29. certainly we don't need a certified technician's certificate
30. for anyone to go out and spray ants. It seems to me absolutely
31. without question that we are distorting our priorities.
32. And, I would respectfully suggest to the members of this
33. Body that if any measure is...lacking and devoid of those

1. qualities which recommend it for favorable consideration
2. and the serious attention of this Body, SB 780 is not one
3. of those. Thank you Mr. President.

4. PRESIDING OFFICER (SENATOR MOHR):

5. Any further discussion? Senator Latherow.

6. SENATOR LATHEROW:

7. Mr. President, and Members I'd just like to recognize
8. one thing that after you go to the university and get your
9. degree in 'antamology and have a minimum of 12 hours or
10. the equivalent. Get your degree and then have a minimum
11. of 12 hours or the equivalent in antamology, from this university
12. or others. And six months experience. And then after
13. you've been in college for...four years and a half, or
14. close to it. Then you take a correspondence course from
15. Purdue University or its equivalent from another recognized
16. college or university, what are we talking about here.
17. this sounds to me like a bunch of nonsense and I certainly
18. don't want to be voting on this with what little I can see
19. in the first four pages.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Knuepfer.

22. SENATOR KNUEPFER:

23. I'd like to ask the sponsor, what will this do for
24. Senator Sommer's pumpkin bugs?

25. SENATOR BRUCE:

26. I had an opportunity to speak with the Department of
27. Public Health and in closing I was going to mention that.
28. This bill would eradicate all the pumpkin bugs in Senator
29. Sommer's district. We have a complete understanding on
30. that Senator Sommer.

31. PRESIDING OFFICER (SENATOR MOHR):

32. Senator Bruce may sum up.

33. SENATOR BRUCE:

1. Well, I just want to mention two things. First of
2. all Senator Berning, I believe that we acted responsible
3. in passing your legislation. I would hope that you would
4. not say that because the House in your estimation has
5. acted irresponsibly that we should follow in that vein.
6. I believe that this like your bill, needs to be enacted and
7. licensing be prepared. To Senator Latherow I'd point
8. out that you've missed the disjunctive. All those
9. requirements are or rather than and. One year experience,
10. will give you the license or a degree from a college, or
11. successfully complete a correspondence course. All of
12. those things...in the alternative will allow you to be
13. licensed. I would just point out again that this is...
14. Department proposed legislation. That the Federal
15. government in 1971 mandated the States to do this. They've
16. taken away the possibility that we can duck this issue.
17. They must be licensed by the State. Federal money is
18. involved in the training. If we do not pass the legislation
19. we will not get any of the Federal money. Just that clear.
20. We'll be in violation of Federal statute. I don't know
21. what terrible things they can do to us. All I know is
22. that they've mandated we license these fellows and this
23. is the law that...that licenses them. And I'd ask for
24. a favorable roll call.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Question is shall SB 780 pass and on that question the
27. Secretary will call the roll.

28. SECRETARY:

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

1. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
2. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
3. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,
4. Sommer, Soper, Sours, Swinarski, Vadalabene, Walker,
5. Weaver, Welsh, Wooten, Mr. President.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Buzbee, aye. Saperstein, aye. Newhouse, aye.
8. Swinarski, aye. Vadalabene, aye. Davidson, aye.
9. ACTING SECRETARY (MR. WRIGHT):
10. Chew, Clarke, Conolly, Fawell, Glass, Harber Hall,
11. Keegan, Knuepfer, Knuppel,...
12. PRESIDING OFFICER (SENATOR MOHR):
13. Harber Hall, no.
14. ACTING SECRETARY (MR. WRIGHT):
15. Latherow, Merritt, Howard Mohr, Nimrod, Nudelman,
16. Ozinga, Partee, Regner, Roe, Savickas, Scholl, Shapiro,
17. Sommer, Soper, Weaver, Mr. President.
18. PRESIDING OFFICER (SENATOR MOHR):
19. ...Postponed consideration. 878, Senator Swinarski.
20. ACTING SECRETARY (MR. WRIGHT):
21. HB 878 (Secretary reads title of bill)
22. 3rd reading of the bill.
23. PRESIDING OFFICER (SENATOR MOHR):
24. Senator Swinarski.
25. SENATOR SWINARSKI:
26. This is the ordinary and contingent expenses for
27. the Department of Law Enforcement. And I ask for a
28. favorable roll call.
29. PRESIDING OFFICER (SENATOR MOHR):
30. Any further discussion? Senator McBroom. Any
31. further discussion? Question is shall HB 878 pass and
32. on that question the Secretary will call the roll.
33. ACTING SECRETARY (MR. WRIGHT):

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

11. PRESIDING OFFICER (SENATOR MOHR):

12. Saperstein, aye. Netsch, aye. Knuppel, no. Scholl,
13. aye. Walker, aye. Soper, aye. On that question the yeas
14. are forty-seven, the nays are one. HB 87...878 received
15. the constitutional majority is declared passed. Senator
16. Rock. 1273. 1273.

17. ACTING SECRETARY (MR. WRIGHT):

18. HB 1273 (Secretary reads title of bill)

19. 3rd reading of the bill.

20. PRESIDING OFFICER (SENATOR MOHR):

21. Senator Rock.

22. SENATOR ROCK:

23. Yes I wonder if Senator Ozinga is on the Floor? I
24. see them over there. I just wonder if he knows...ok.
25. I had...I attempted Mr. President last week to call this
26. bill.. It is in my judgment one of the most important
27. pieces of pending legislation affecting the savings and
28. loan industry. I was asked at that time to hold it or
29. defer it so that Senator Ozinga would have a chance to
30. speak, I hope in favor of it. Most probably against it.
31. This is an amendment to the Savings and Loan Act. As
32. you recall the 77th General Assembly passed what's called
33. the facility bill , whereby inner-city associations were

1. enabled to relocate into more prosperous suburban areas.
2. And yet at the same time maintain a facility at their
3. old location to serve their old neighborhood. Weak
4. associations by the same token were permitted to merge
5. with stronger associations, and also maintain a facility.
6. It was hoped at that time that the facility legislation
7. would make it possible for strong savings and loan
8. associations to assist neighborhoods served by weak
9. associations. And for those inner-city associations
10. to relocate...locate into the suburbs and gain strength
11. which could be utilized to fortify the inner-city.
12. However the facility legislation has proven to be
13. somewhat faulty, because and only because mortgages
14. cannot be applied for, processed or granted at a
15. facility. As a result facilities are not able to
16. achieve their proposed purpose, as they cannot use
17. the suburban money in the inner-city because of their
18. inability to make mortgages at the facility. This
19. amendment to the Savings and Loan Act would do just
20. that. It would allow the facility to process mortgages.
21. I think this bill corrects a glaring deficiency and
22. in my judgment is a most progressive move to the savings
23. and loan industry and the metropolitan areas throughout
24. the State. There is I'm told uniform support from the
25. savings and loan industry. And the only opposition, if
26. indeed there is any, seems to come from banking groups
27. which might misconstrue this as having some bearing on
28. branch banking, which I submit Ladies and Gentlemen of
29. the Senate it does not. I would ask a favorable roll call.
30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator Clarke.

32. SENATOR CLARKE:

33. Senator I'd like to ask a question. I heard something about

1. the ability...availability of making loans out in the
2. suburbs for the inner-city savings and loans. I've
3. been reading in the papers about a practice of red
4. lining in Chicago as they call it. Can you explain
5. how these tie in?

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Rock.

8. SENATOR ROCK:

9. Well, I'm...I'm not sure that I can satisfactorially
10. explain what...what you're talking about. I know nothing
11. about red lining, frankly. What this says, or what the
12. purpose of the facility legislation was which was introduced
13. at the request of our Savings and Loan Commissioner, Commissioner,
14. Lanigan, As is this bill by the way. Is that many
15. associations, especially in the inner-city, especially
16. in my district frankly...felt that by consolidation or
17. supervisory mergers, they could relocate for instance
18. in Schaumburg or Western Springs or some more affluent
19. location, and then retain the facility in the inner-city
20. if you will, in the metropolitan area. Now the facility
21. was to service the people in that area. And the facility
22. was just that, it was a facility and the assets of the
23. savings and loan in total were at the disposal of the
24. facility as well as the main office. The glaring
25. deficiency that this bill attempts to correct, is that
26. the facilities were not allowed under the legislation
27. passed to process mortgages. So that the real thrust,
28. the real purpose of the facility bill was in many instances
29. just simply thwarted. A person from my neighborhood
30. could not go into a savings and loan facility and apply
31. for or be granted a mortgage at that facility. Which in
32. my judgment I think they should be able to do.

33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator Glass.

2. SENATOR GLASS:

3. Well, thank you, Mr. President. I would also seek
4. some clarification on how...how this bill does differ
5. from the bill we did pass giving savings and loans the
6. power to have one branch, because...it does sound a
7. little bit like the same thing..

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Rock.

10. SENATOR ROCK:

11. Well, those progressive bills which we did pass
12. and which are bottled up in House subcommittee, which were
13. sponsored by Senator Mohr, did in fact establish as
14. policy for the State of Illinois that State chartered
15. Federal...or State chartered savings and loans can in
16. fact have one branch. The Federal government has already
17. said to the Federally chartered savings and loans you
18. may apply for a branch, and it's very likely that they
19. may allow their Federally chartered savings and loans
20. to apply for more than one branch. We were attempting
21. by that legislation to allow our State chartered associations
22. to be competitive with the Federal associations and at
23. the same time, establish for the purpose of the Federal
24. government a State policy whereby we said you may have
25. one branch and only one branch. This however is a facility
26. bill. This was as a result of legislation supported, introduced
27. by Senator Lanigan or proposed by Commissioner Lanigan
28. which says merely that in the event, in the case of a
29. supervisory merger, in other words, if you've got a weak
30. savings and loan and a strong savings and loan and they
31. merge. They can have a new location, presumably at the
32. point of strength and retain the old as a facility to
33. service that area, mainly in the inner-city frankly. And

1. what this bill now says is that, we're not making any
2. change that way, but what it now says is that facility
3. should have the authority to process mortgages. It's
4. just that simple.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Glass.

7. SENATOR GLASS:

8. Well thank you Senator Rock. It does sound a lot
9. like, with the two facilities...we're arguing over
10. semantics, or we're discussing semantics, whether you
11. want to call them a branch, that the old facility is
12. a branch of the new but the net result seems to be that
13. the savings and loan will operate at two locations. And
14. I just want to make that point clear. I'm not speaking
15. in opposition to the bill, but I...from what you say it
16. certainly sounds alot like...the net result sounds a
17. lot like the other legislation.

18. PRESIDING OFFICER (SENATOR MOHR):

19. Senator Merritt.

20. SENATOR MERRITT:

21. Yes, I did ask...Mr. President, Members of the Senate,
22. that Senator Rock hold this because I knew that Senator
23. Ozinga had keen interest in it as did I. As far as I'm
24. concerned, this is a different concept...concept than the
25. original facility bill, which I thought was a...not a bad
26. bill at all. I thought it was a step perhaps in the wrong
27. direction that could eventually lead to just what's coming
28. along here today. And what will be a further expansion of
29. many of these exceptions. But...by the same token that
30. merely provided that a small association merging with a
31. larger one maybe 25 miles distant, could keep just what
32. it said, a facility there. So that many of those people
33. doing business with them wouldn't have to make that long

1. trip...but already we begin to see the outgrowth again
2. of trying to go on beyond that. It would appear here
3. to me...in the consolidation, on the bulk sale...that's
4. a far concept of what the original facility merger bill
5. was. Far as processing mortgages, probably has little
6. if any affect on it, but I still think it's a bad, bad
7. concept. We...you talk about that you can have branches,
8. well that...that's not even law yet here in the State of
9. Illinois. There are bills around on it but none of them
10. have been signed into law by the Governor. Banks cannot
11. do this. I just think we're getting into a bad, bad area.
12. And I certainly would ask those listening to debate to oppose
13. this type of legislation.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator Ozinga.

16. SENATOR OZINGA:

17. Well, I'm not going to belabor this point too much
18. other than the fact that I am opposed to this legislation
19. for half a dozen reasons. Number one Terrill just mentioned,
20. an incidental that I hadn't even thought of and that is
21. that these savings and loans don't want to make mortgages
22. right at their own facility. Main...my main objection to
23. this is that it puts too much discretionary power in
24. the Commissioner. Now, he can designate just any place
25. that this can be. Now, a supervisory merger...in the
26. case of a supervisory merger, consolidation on bulk
27. sales. I don't think that that phrase has ever really
28. been explained. And I'd like a full explanation of that.
29. Then when it comes down to the last paragraph, the only
30. other two words that are added in here was processing
31. mortgages. Well, this again makes it a full scale branch,
32. other than just a facility. So I...I would like to have
33. the consolidation on bulk sale explained.

1. PRESIDING OFFICER (SENATOR MOHR):

2. Senator Rock.

3. SENATOR ROCK:

4. Yes, Mr. President. I'd be very happy to. Both
5. the last two speakers, they...have argued and forcefully
6. I'm afraid against the law which was passed in the 77th
7. General Assembly concerning the facility itself. They
8. are not arguing about this bill except insofar as it
9. amends what is already the law. Now, the item concerning
10. consolidation on bulk sale is merely one of clarification.
11. It deals with the issue of which type of corporate re-
12. organization qualify for facilities. It is the opinion
13. of the Office of the Commissioner of Savings and Loans
14. that the provision was designed to allow...the original
15. provision was designed to allow any type of supervisory
16. reorganization to qualify for a facility. As a result
17. it's felt that this language is needed to clarify the
18. provision by just explicitating and including consolidations
19. and bulk sales. As it is often more efficient to...achieve a
20. corporate reorganization through a bulk sale or a con-
21. solidation than it is a merger.

22. SENATOR OZINGA:

23. Now with that...with that explanation and then adding
24. in the word processing mortgage, this is the point that I'm
25. raising. Now you've got a full scale branch at a facility
26. rather than at the home institution. I think this is a
27. bad bill and I would urge that we do not vote in favor of
28. it.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Rock may conclude, and sum up.

31. SENATOR ROCK:

32. Thank you Mr. President. I hope that you will direct
33. the Sergeant to ring the bell. This is a singularly important

1. piece of legislation. It's particularly significant in
2. the light of the possible decline of the major cities of
3. our State and the absolute necessity to maintain opportunities
4. for mortgages in the inner-city. Without this many
5. associations relocating out of the inner-city will be
6. unable to offer mortgages in their old neighborhood.
7. And let me just say again the facility law which is
8. incorporated here in HB 1273, if anybody would take
9. the time to read it. Says now that the Commissioner
10. may in fact adopt regulations which can provide for
11. a facility. That is the current law. All we are saying
12. with this and when I say all I mean significantly all
13. we are saying with this, it's an amendment to subsection
14. C. The law spelled out what in fact business could be
15. transacted at the facility. And it says no business shall
16. be done in a facility except receiving deposits, cash

17.
18. (End of Reel 6. Reel 7 begins on
19. following page.)
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33.

1. business shall be done at a facility except receiving de-
2. posits, cashing and issuing checks, drafts and money orders,
3. changing money and receiving payments on existing indebtedness.
4. What we are saying by this bill is that now also those persons
5. in the intercity can deal with the facility for the purpose
6. of applying for and being granted a mortgage. I think it's
7. a tremendously important piece of legislation and I urge an
8. aye vote.

9. PRESIDING OFFICER (SENATOR MOHR):

10. The question is shall HB 1273 pass and on that question,
11. the Secretary will call the roll.

12. SECRETARY:

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

23. PRESIDING OFFICER (SENATOR MOHR):

24. Nimrod, aye. Netsch, aye. Saperstein, aye. On that
25. question, the yeas are 38, the nays are 5, 1 present. HB
26. 1273 having received the constitutional majority is declared
27. passed.

28. SENATOR HARRIS:

29. Mr. President, if I might have the attention of the
30. Senate for just a moment. Many of you are asking the
31. question, how long are we going to work. As I know you all
32. know, I've tried to be definite about our schedule as much
33. as possible as many times as possible. The fact is today

1. there really is no way of estimating now how long we will
2. remain working. We do have plenty of work to do. When we
3. received the message on the Department of Transportation
4. appropriation bill and read that bill a first time, what-
5. ever time that is, as far as I'm concerned we can adjourn.
6. But, I just observed for you that the Senate has...I'm
7. sorry, the House I am informed has not begun to consider
8. that matter yet. Now, it is imperative that we are here
9. in working Session to receive that message and have that
10. bill read a first time. It probably is going to be a
11. couple of hours or so from now at least. Now, there's no
12. question but what we've got enough work to keep ourselves
13. busy until 10 or 11 tonight. And, I know that that that
14. we get done today we'll all appreciate tomorrow. Hopefully
15. Sunday's Session will be limited just to the matters of
16. the appropriation for the Department of Transportation
17. and the Department of Conservation. I wish it were possible
18. for me to say in a definitive, precise way what time we are
19. going to adjourn today. But, I can only say that it will be
20. as soon after the receipt of the message of the passage of
21. the Department of Transportation appropriation for fiscal
22. '74 as we can orderly bring ourselves to a conclusion. Thank you.
23. Mr. President.

24. PRESIDING OFFICER (SENATOR MOHR):

25. Members of the Senate, I'd like your attention. During
26. the past week we have had many visitors from Boys State who
27. have been here nearly a week. It'll be a week tomorrow. We
28. are honored to have with us the newly elected Executive Officers
29. of Boys State for the coming year. And, I would like to have
30. each of them come up and give their names. I will save the
31. Governor until last and then I will introduce him. So, if
32. you gentlemen will come up and give your name, your home town
33. and your office, please.

1. (Boys introduce themselves)

2. PRESIDING OFFICER (SENATOR MOHR):

3. Well, we saved the big one until last. It's my pleasure
4. to present to you, Members of the Senate, Governor Greg Boone
5. of Evanston.

6. GREG BOONE:

7. I want to thank you for asking us here today. And, I'm
8. real happy to be here and I'm sure all of my fellow officials
9. are too. I bring you a message from across the hall. That
10. is quit killing the House Bills. Thank you.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Are you going back over there, Governor. We have a
13. message for them. Thank you gentlemen for honoring us with
14. your presence. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President. I'd like leave of the Body
17. to have my name removed as House sponsor from HB 653 and
18. 654 and in place thereof show Senator Carroll.

19. PRESIDING OFFICER (SENATOR MOHR):

20. Is there leave? Senator Carroll will be shown as House
21. sponsor of HB 653 and 654. Senator McCarthy, 1323? Senator
22. Don Moore 1360? Senator Bruce, 1507? 1542, Senator Course.

23. ACTING SECRETARY (MR. WRIGHT):

24. HB 1542 (Secretary reads title of bill)
25. 3rd reading of the bill.

26. PRESIDING OFFICER (Senator Weaver):

27. Senator Course.

28. SENATOR COURSE:

29. Thank you, Mr. President, Members of the Senate. HB 1542
30. appropriates 15...or \$11,580,000 to the Governor's Traffic
31. Safety Coordinating Committee. It's for fiscal '74 and I
32. would appreciate your support. It has one committee amend-
33. ment which was agreed upon by the...agreed to by the committee

1. chairman. And, it's...increases the fund by \$2,415. I
2. would appreciate your support.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Is there any discussion? Question is shall HB 1542
5. pass. Upon that question, the Secretary will call the roll.

6. ACTING SECRETARY (MR. WRIGHT):

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

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Johns, aye. Regner, aye. Latherow, aye. Glass, aye.
19. Buzbee, aye. Wooten, aye. Swinarski, aye. On that question,
20. the ayes are 41, the nays are none. HB 1542 having received
21. the constitutional majority is declared passed. ...McCarthy,
22. 1585? 1724. HB 1724.

23. SECRETARY:

24. HB 1724 (Secretary reads title of bill)
25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Nimrod.

28. SENATOR NIMROD:

29. Mr. President, and fellow Senators, this bill what it
30. does is to extend the time that registration is open and
31. makes the ...village...the town clerk and the county clerk
32. open at the same time. Now, I know, I talked with Stanley
33. Cusper at the request of Senator Dougherty and we tried to
reach some answer to this problem. I'm not sure the whole

1. answer to the problem it might be better served if we were
2. to move this back for study to a committee and then approach
3. this problem after we had a chance to resolve it. Senator
4. Dougherty is that all right with you Sir? If you can tell
5. me what the appropriate motion would be so I could get it
6. back to the committee, I'd be happy to do it. I guess the
7. motion would be to recommit?
8. PRESIDING OFFICER (SENATOR WEAVER):
9. To Elections?
10. SENATOR NIMROD:
11. To Elections. Yes.
12. PRESIDING OFFICER (SENATOR WEAVER):
13. Committee. Senator Nimrod moves to recommit HB 1724 to
14. the Elections Committee. All in favor signify by saying aye.
15. Opposed nay. So ordered. 1748. ...on the Floor. Senator
16. Nudelman 1843. Senator Kosinski, 1870? Senator Rock, 1838?
17. 1873, Senator Kosinski? 74? 1832, Senator Harber Hall.
18. ACTING SECRETARY (MR. WRIGHT):
19. HB 1832 (Secretary reads title of bill)
20. 3rd reading of the bill.
21. PRESIDING OFFICER (SENATOR MOHR):
22. Senator Harber Hall.
23. SENATOR HALL:
24. Mr. President and fellow Senators, this bill is the
25. Illinois State Auditing Act. It's a product of work extend-
26. ing over 2 Legislative Sessions. Starting with the efforts
27. of our House Committee on Constitutional Implementation dur-
28. ing the 77th. The basic purpose of the bill is to implement
29. the audit provisions of the new 1970 Constitution. The bill
30. replaces the present Illinois Auditing Act with a comprehen-
31. sive system of postauditing. It also implements the new
32. office of Auditor General which is now a constitutional
33. office under the new Constitution. In the preparation of

1. this bill, all of us on the Audit Commission and others
2. interested in it would like to give special thanks to
3. those who worked with us. The minority leader, the majority
4. leader and their staffs. Staffs of other participating
5. agencies of state government. Special thanks to Senator
6. Knuepfer who was interested in this. Introduced his
7. own bill and gave us a good input from his thoughts. The
8. bill obviously covers all state agencies and will continue
9. the present practice requiring biennial financial audits
10. of all agencies. It provides some flexibility in this
11. constitutional office for independent scrutiny of state
12. agencies and as an example it would give the Auditor
13. General ample powers on his own to audit agencies whenever
14. a financial suspicion arises while limiting his authority
15. to make investigations and conduct efficiency and program
16. audits to those instances where he has legislative approval.
17. That is he has to come directly to the Legislature for approval
18. of new type audits. Previous to this time you will recall,
19. the Auditor General reported both to the Governor and to the
20. General Assembly through the Audit Commission. Now it's
21. entirely the General Assembly. I believe it's another
22. major step forward in the State of Illinois to insure
23. that the funds appropriated by the Body of the people re-
24. presented by the General Assembly appropriate funds and need
25. a close financial check on the expenditure of these funds.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Any dis...

28. SENATOR HALL:

29. I would ask for a favorable roll call on HB 1832.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Rock.

32. SENATOR ROCK:

33. Thank you, Mr. President, I rise in support of HB 1832.

1. The one amendment with which Senator Partee and I had some
2. question was Tabled earlier today by Senator Hall. I think
3. the bill is a good one and deserves our support.

4. PRESIDING OFFICER (SENATOR WEAVER):

5. Is there any further discussion? Question is shall
6. HB 1832 pass and upon that question, the Secretary will
7. call the roll.

8. ACTING SECRETARY (MR. WRIGHT):

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

19. PRESIDING OFFICER (SENATOR WEAVER):

20. Carroll, aye. Sours, aye. Shapiro, aye. Ozinga,
21. aye. Mitchler, aye. On that question the ayes are 42.
22. The nays are none. HB 1832 having received the consti-
23. tutional majority is declared passed. 1944, Senator
24. Davidson.

25. ACTING SECRETARY (MR. WRIGHT):

26. HB 1944 (Secretary reads title of bill)
27. 3rd reading of the bill.

28. PRESIDING OFFICER (SENATOR WEAVER):

29. Senator Davidson.

30. SENATOR DAVIDSON:

31. Mr. President, Ladies and Gentlemen of the Senate,
32. this bill does exactly what...synopsis said with one
33. amendment which was put on in the House that the space

1. would be subject to allocation by the Space Needs Com-
2. mission of the Legislature. Now there is five other
3. state capitols which have a chapel in it, there's five under
4. construction, there's one in the U. S. Capitol, one in the
5. U. N. Room...at the United Nations. This chapel is dif-
6. ferent than most of them this would be open not only to the
7. Legislators but open to the public. It is sponsored by
8. Representative Polk and 29 other members of the House
9. covering all branches of faith, Protestant, Catholic and
10. Jewish. I know of no opposition to this bill. I'd appreciate
11. a favorable roll call.

12. PRESIDING OFFICER (SENATOR WEAVER):

13. Senator Course.

14. SENATOR COURSE:

15. Yes, Mr. President, Members of the Senate, there's
16. only one thing that concerns me. I'm in favor of the chapel
17. for all denominations but the \$70,000 is going to start out
18. at \$70,000. If I know the Space Needs Commission it's going
19. to wind up to be about \$350,000 or \$3,000,000.

20. PRESIDING OFFICER (SENATOR WEAVER):

21. Senator Donnewald.

22. SENATOR DONNEWALD:

23. ...that remark.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Scholl.

26. SENATOR SCHOLL:

27. Mr. President, Members of the Senate, I'd like to know
28. if the chapel is going to have confessionals.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Davidson.

31. SENATOR DAVIDSON:

32. Senator Scholl if nondenominational chapel and you can
33. go to the confession on your own. Now whether you want to

1. bring your priest down and have your confessions there
2. if he comes down, fine and dandy.

3. PRESIDING OFFICER (SENATOR WEAVER):

4. Senator Knuppel.

5. SENATOR KNUPPEL:

6. I'd just remind you we've got two-thirds of a
7. million dollar restaurant where you can't get a glass of
8. tomato juice after 3 o'clock.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. Senator Buzbee.

11. SENATOR BUZBEE:

12. Mr. President, you know how can you...how can you
13. stand up and be against God but I really don't understand
14. why we need to spend \$70,000 to put a chapel...a stapel...
15. ...a chapel in a...in a state building. I think somewhere in the
16. United States Constitution there's something said about
17. there will the church and the state and the twain shall
18. never meet or something to that effect and I'm certainly
19. not against God. I go to church. I contribute money
20. to the church but I don't think I ought to contribute
21. \$70,000 as a taxpayer of the State of Illinois to build
22. a chapel in the State Capitol Building. I'm going to
23. vote no on this bill.

24. PRESIDING OFFICER (SENATOR WEAVER):

25. Senator Howard Mohr.

26. SENATOR MOHR:

27. Yes, Mr. President, it is difficult to rise and oppose
28. a bill of this type. As Co-Chairman of the Space Needs Com-
29. mission...we are concerned about space. We are currently
30. making studies of the State Capitol and its uses and all in-
31. dications are that we...we will come up short of space for
32. Senate office spaces and so forth. I think the big point is
33. though that Representative Polk when he presented this bill

1. before our Committee stated that the big reason for
2. this legislation is that the churches were locked and
3. members couldn't get in. So, we have taken a survey.
4. I question the...with the 118 churches we have in
5. Springfield I would think the doors would be open or
6. at least open during the time that we are here in Session
7. and I would just point out to the members that churches
8. that are near the Capitol, St. John's Lutheran at 320
9. South College the doors are open there from 8:30 a.m. to
10. 4:30 p.m. according to Pastor Roth. At St. Agnes
11. Catholic Church just in back of the State Office Building
12. is open at 6:00 a.m. and closes at 5: p.m., we get that
13. from Father Casey. The Trinity Lutheran Church which is
14. just across from the Armory is open at 8:30 a.m. until
15. 4:00 p.m. and there's an entrance to the basement on 2nd
16. Street that you can get in anytime. The First United
17. Methodist Church at 5th and Capitol is open from 8:00 a.m.
18. to 5: p.m. according to Pastor Doctor Luke. And the
19. Central Baptist Church at 4th and Jackson is open from
20. 8:30 a.m. to 4:30 p.m., they can use the side door per
21. Doctor Adam Baum. Now these are churches that are very
22. close to the Capitol, within walking distance, and I
23. think that this measure is a little premature and as the
24. Co-Chairman of Space Needs I think that we should perhaps
25. sit on this measure and...and discuss it when we meet in
26. August in Chicago and talk about the remodeling project
27. for the remainder of the Capitol. So I would suggest that
28. we not let our feelings run away with us and...and vote
29. against this bill if...if we can and in all consideration
30. will be given to the Representative's request for a chapel
31. in the...or at the August meeting.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Harber Hall.

1. SENATOR HARBER HALL:

2. Mr. President, I'm speaking I think with some
3. claim to being conservative. I'm still wearing narrow
4. lapels and white shirts. I still scrutinize all the
5. budgets and vote against a lot of them and appropriations
6. but seldom have I seen a request for money for as low as
7. \$70,000. I'm also impressed by those who think we may
8. be developing the first chapel in the State Capitol Building
9. in the whole United States. If that be so let me be one
10. to say that I wouldn't be at all ashamed to see in the
11. Secretary of State's booklet on the Information Desk in the
12. ground floor of this gorgeous building a booklet saying
13. that we have within the contents of this tremendous structure
14. a small chapel. I would suggest we appropriate this money. If
15. it's a poor time to spend it then don't spend it but I think
16. the purpose of it is well intended and should be supported.

17. PRESIDING OFFICER (SENATOR WEAVER):

18. Senator Sours.

19. SENATOR SOUR:S

20. Mr. President, having been a Presbyterian for the greater
21. part of my life which happens to be an old Greek work presbys
22. meaning old man, the church being conducted by the old men,
23. the elders, the last thing I want to see in a...in any govern-
24. ment building is any church, any chapel, any temple because
25. the history of this great country has been absolutely in the
26. other direction where the church, capital C. and the State,
27. capital S. are completely dissociated so neither may harm the
28. other and so that each can grow and prosper and so that you
29. and I can do with either as you or I may please. This is
30. not only a profligate expense and waste of money, but it just
31. isn't what we ought to do. I'm going to oppose it.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Mitchler.

1. SENATOR MITCHLER:

2. Well, Mr. President, Members of the Senate, I
3. believe those of you who knew Senator Bidwell knew that
4. he was a very devout man of his religion and he never
5. found it a problem to every day of his life find his
6. way to a church nearby. Senator MOhr is correct. We
7. have plenty of churches in the area. The thing that
8. disturbs me about this bill is the appropriation of
9. \$70,000. There are no plans, no location in...as to
10. where it's going to be constructed and if you come
11. in with an appropriation you should have something in
12. mind as to where it's going, what the plans are...sorta
13. show your proposal. But \$70,000 gosh back in Oswego
14. we can construct an entire church let alone just have a
15. small chapel room. Now, this again is, hurry it up.
16. I've been down here since 1965 and I've seen this Capitol
17. torn up from one end to the other, you've got cranes on the
18. outside, you've got scaffolding, half the lawn has been torn
19. up, reseeded. You've had the front molding put back on, taken
20. off. I don't know if I want to be down here long enough
21. to see the job completed but this is another example of
22. going in the wrong direction. You probably have a big in-
23. vestigation when you got through with the thing to find
24. out where all the various increments in the things that
25. are in the chapel. Before they come to us and we approve
26. this, I'm not against the idea but I think they ought to
27. present a plan, put it on an easel up in front and show
28. us where it's going to be, what it's going to look like
29. and get some idea of the cost. We're hurrying too fast.
30. Let's hold this bill in abeyance.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Nimrod.

33. SENATOR NIMROD:

1. ...Mr. President, fellow colleagues I think that
2. in reply to Senator Buzbee, I would suggest that in his
3. next visit to Washington D. C. that he visit the beautiful
4. chapel that is in the Capitol in Washington that millions
5. and millions of visitors go through and go through the
6. area. I think that...I think each of us knows that if
7. we want to pray we can pray to God without having a chapel
8. or...you don't have to have a church in order to be wor-
9. shipping. However, I do think that it is indicative of the kind
10. of people that we are and the kind of country that we're
11. running and the kind of State that we live in and our
12. whole attitude and I'm very pleased that I see that our
13. founding fathers have been wise in...in including that
14. chapel way back then and I'm also very pleased to see that
15. our coins have "In God We Trust" that hasn't contaminated us
16. in anyway. I think that it's real great that we're able
17. to stand up for our religious heritage and I would say that
18. I think now that the Capitol is...is torn up and being renovated
19. I know there are priorities but somehow and someplace it
20. would be very fitting for the millions of students and the
21. visitors who pass through these doors and these walls that
22. leave an impression on the kind of State that they have
23. that they will then remember that God or their particular
24. religion is a part of that government and that they say it
25. there and is involved. I think it would be only fitting at
26. this time we make this kind of a symbolic dedication. And
27. I'm not afraid to say if it costs more that we should be
28. ready to be prepared to pay for it.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator Dougherty.

31. SENATOR DOUGHERTY:

32. Mr. President and Members of the Senate I too feel
33. the same as Senator Nimrod but I am a member of the Space

1. Needs Commission and I also voted in Committee this
2. bill should be brought on a recommendation Do Pass.
3. I'm further agreed with Senator MOhr we should put
4. it on a priority list of Space Needs Commission be-
5. cause admittedly...admittedly we are...we are just
6. pressed to find space for facilities that are badly
7. needed in the operation of government. And I think
8. somehow or other if we put on the agenda Space Needs
9. Commission we will be able to find a location.

10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Davidson may close debate.

12. SENATOR DAVIDSON:

13. I...I'd like to say two or three things. One is
14. if we are going to put it on the priority list Space
15. Needs Committee which I am delighted to hear and I
16. think we need to and being a member of that Space Needs
17. ...Space Needs Commission also I certainly hope we can
18. find the space. Secondly, it has to be some money
19. appropriated to do something with if we do find it. Now
20. Representative Polk was asked by the newspaper why this amount.
21. And this amount was because it was the guess estimate from
22. the Secretary of State's Office, it would cost this much
23. if they'd build it from scratch. That is brand new.
24. And he doesn't believe in coming in for appropriation
25. for an overrun. Now there's been estimates on down as
26. low as \$40,000 or whatever. It may even be only \$2500.
27. We know...or he has said that the pictures would be
28. approximately \$2500. Now the time that we're remodeling
29. the Capitol is now time to consider. I think each person
30. has to feel in his own soul how he feels about this..
31. I...if you don't have a feeling for it, that's your pre-
32. rogative but every person here answers to God one way or the
33. other 'cause there's nothing as final as death and taxes

1. and you have your own way to speak to Him. This will
2. be open not only to members of Legislature but to the
3. public and I think it's a worthy cause, a worthy belief,
4. a thing we should consider that now we have an opportunity
5. when we are remodeling the Capitol if we are going to
6. do it now is the time. I'd appreciate a favorable roll
7. call.

8. PRESIDING OFFICER (SENATOR WEAVER):

9. Que...question is, shall HB 1944 pass? On that
10. question the Secretary will call the roll.

11. SECRETARY:

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

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Roe, no. HB 1944 having failed to receive the
24. constitutional majority by a vote of 11 yeas, 7 nays
25. is declared lost. ...85, Senator McCarthy.

26. SECRETARY:

27. 1585. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDING OFFICER (SENATOR WEAVER):

30. Senator McCarthy.

31. SENATOR MCCARTHY:

32. Yes...Mr. President, SB 1585...I mean HB 1585 was
33. worked over in the Agriculture, Conservation and Ecology

1. Committee. Senator Latherow did a great deal of work
2. on the matter. I see that he's now on the Floor where
3. I think his expertise...would be helpful in the event
4. there are any questions. But briefly what the bill
5. does it allows the Pollution Control Board and the
6. Environmental Protection Agency to establish a program
7. for the discharge of water so there'd only be one permit
8. required as opposed to two which is the present cir-
9. cumstances. Parties to that subcommittee deliberation
10. have all signed the letter which I don't know is on
11. your desk or not but they...are John Marco, the Acting
12. Director of the Illinois Environmental Protection Agency,
13. Al Ladling, from the United States Environmental Pro-
14. tection Agency and Ray Boldner of the Illinois State
15. Chamber of Commerce. I could go into a more lengthy
16. detail but I...I request your affirmative vote. Would
17. yield to Senator Latherow for his comments or questions.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Latherow.

20. SENATOR LATHEROW:

21. Thank you, Mr. Chairman...or Mr. President. My
22. comments will be brief and I'd like to state something
23. about Senator McCarthy said my expertise and I'd say that
24. my expertise in this subject is very lacking and the
25. longer I sat with this group of people the more I recog-
26. nized it. I am not thoroughly convinced that there is
27. the proper protection that I'd like to see in this par-
28. ticular piece of legislation. Industry agrees with it.
29. State Chamber agrees with it and the two environmental
30. Agencies agree with it. I have some considered fear as
31. you fellows all know I have of...have had for three years
32. of the Agency and so forth but I do want you to know from
33. the beginning of Senator Mitchler's bill 1165 we were not

1. able to get these people together in the same room
2. where we could talk with them until early this week.
3. I only hope that when we come back here six months or
4. a year from now that we're not here on the Floor trying
5. to correct something that we may be doing with this
6. piece of legislation. I am...I probably...patience continually
7. crossed and recrossed in hopes that this will not happen.
8. I do not believe, personally, in the rights of the Environ-
9. mental Protection Agency to grant variances. I have the
10. firm belief that this is the part of the Pollution Control
11. Board and I hope that we can keep them continuously
12. operating under the guidelines of the Pollution Control
13. Board. And I too hope that we're not back here as I've said
14. before trying to tell you and explain to you that we feel like
15. the Agency has exceeded the provisions given them by the
16. Pollution Control Board and trying by legislation to
17. produce restraints on the Agency. I just hope this will
18. not happen. The Environmental Protection Agency,
19. Federal Agency, assured me I think in every way they could
20. that they too will be watching very closely that this does
21. not happen. Yet when they don't see the permits
22. as they're issued and so on I think they'd be maybe as
23. late as I would be in finding it out if they did. I
24. do believe though with the Pollution Control Board and the
25. position that they will be in and I hope they will be in
26. ...in close surveillance of the variances granted by the
27. Agency that I will be wrong in my questions that I still have
28. in my mind. So a lot of work was put in on this and I
29. hope it will be fruitful. And as I say my hopes are
30. real crossed. I will support the legislation.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Berning.

33. SENATOR BERNING:

1. Thank you, Mr. President, I...I would just like
2. to suggest to the Body that serious question arises
3. or ought to arise in our minds over this measure
4. which originally appealed very greatly but since the
5. ...this is a House Bill which has b...which was passed
6. earlier and is identical to a Senate Bill which now the
7. Senate...the House in its wisdom seems to have reser-
8. vations about and is holding or perhaps has already...
9. I beg your pardon? I've been misinformed, Mr. President.
10. PRESIDING OFFICER (SENATOR WEAVER):

11. Senator Buzbee.

12. SENATOR BUZBEE:

13. Yes, Mr. President, I think this is a good bill, it...I...
14. I rise in support of it. What it does is and I think this
15. is...what everybody that has been complaining so much about
16. some of the EPA regulations...I think it'll solve part of
17. the problem. What it does is in the past where there was
18. a Federal EPA permit required and a State EPA permit required
19. this will preclude that having to get two permits in the future.
20. Now you can get one State permit and that does away with your
21. having to deal with the Federal Government. And I think in
22. closing, Mr. President, the thing that can be said about this
23. bill that is...that is probably the best quality about this
24. particular bill of any bill that's affected the EPA that's
25. come before us all Session is the fact that the Illinois
26. State Chamber of Commerce and the Illinois Environmental Protection
27. Agency do agree on this bill. So I think, that that ought to
28. pretty well knock out most of the objections that any of us
29. might have and I would urge a favorable roll call.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Any further discussion? Senator McCarthy may close
32. debate. Senator Glass, did you wish...Senator McCarthy
33. may close debate.

1. SENATOR MCCARTHY:

2. Yes, Mr. President, so far as I'm able to determine
3. there's no reason to close debate because everyone that
4. has spoken on the matter is in favor of the bill. I...
5. was not stated but should be stated this also besides...
6. avoiding the two permits will bring in an additional
7. \$800,000 to the State of Illinois. So I would encourage
8. ...favorable roll call.

9. PRESIDING OFFICER (SENATOR WEAVER):

10. The question is, shall HB 1585 pass? Upon that
11. question the Secretary will call the roll.

12. SECRETARY:

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

23. PRESIDING OFFICER (SENATOR WEAVER):

24. Partee, aye. Daley, aye. Savickas, aye. Harber
25. Hall, aye. Knuppel, no. Hynes, aye. Harris, aye.
26. Howard Mohr, aye. On that question the ayes are 43
27. and the nays are 1. HB 1585 having received the con-
28. stitutional majority is declared passed. ...1748.

29. SECRETARY:

30. HB 1748 (Secretary reads title of bill)
31. 3rd reading of the bill.

32. PRESIDING OFFICER (SENATOR WEAVER):

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, Ladies and Gentlemen of the
3. Senate. This is an appropriation that has been amended
4. down to meet the court mandate. It's down now to the
5. amount in the Governor's budget of brief of approximately
6. 25,000,000 and would ask for a favorable roll call.

7. PRESIDING OFFICER (SENATOR WEAVER):

8. Is there any discussion? Senator Sommer.

9. Senator Sommer.

10. SENATOR SOMMER:

11. Senator Carroll, what are we going to do with this
12. money?

13. SENATOR CARROLL:

14. Well, we're going to give it to the Office of
15. the Superintendent of Public Instruction as the synopsis
16. says to pay the grant-in-aids under the Nonpublic State
17. Parental Grant Act which has not been declared un-
18. constitutional and to pay the Educational Development
19. Board Act which has not been held unconstitutional.
20. The first Act of which is textbooks and auxiliary services
21. such as nursing care, bookkeeping care which has been held
22. constitutional in the past. The last Act is for cooperation
23. with the public and nonpublic schools for remedial reading
24. and other such programs the only one of its kind in the
25. nation. We amended out the poor poeple's grant which was
26. held unconstitutional. We amended out the prorated share
27. of the administrative cost which was held unconstitutional.
28. This bill as it now stands meets all court tests to date...
29. and is also as I've said in the budget in brief.

30. PRESIDING OFFICER (SENATOR WEAVER):

31. Senator Sommer.

32. SENATOR SOMMER:

33.

1. Senator Carroll...Senator Carroll, I wasn't here
2. in the previous years and I don't know what those Acts
3. do. Would you explain those Acts please?

4. SENATOR CARROLL:

5. Well, as I tried to very briefly Senator Sommer
6. the first Act is an auxiliary service type bill. And
7. we are not dealing with the bill here we're merely
8. dealing with of course, the appropriation which was last funds
9. from last time and that was to allow for textbooks
10. and as I said other auxiliary type services public
11. health, librarian, etc. The final Act, as I said,
12. was for cooperative programs between the public and
13. nonpublic in areas such as remedial reading and other
14. innovative educational programs.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Any further discussion? Senator Sours.

17. SENATOR SOURS:

18. Mr. President, Senator Latherow was kind enough
19. to assign without any liability five of his minutes
20. today so I wish he would pro...precede me but I want
21. to say something too.

22. PRESIDING OFFICER (SENATOR WEAVER):

23. Senator Latherow.

24. SENATOR LATHEROW:

25. Well, Mr. President, I only had one short question
26. of the sponsor. Is this the Parochial Aid Bill?

27. SENATOR CARROLL:

28. This is the appropriation yes.

29. SENATOR LATHEROW:

30. Thank you.

31. PRESIDING OFFICER (SENATOR WEAVER):

32. Senator Sours.

33. SENATOR SOURS:

1. I have a few questions too. Is this Parochiaid in
2. the common meaning Senator Carroll?

3. SENATOR CARROLL:

4. I'm not sure what you mean by the common meaning
5. Senator Sours.

6. SENATOR SOURS:

7. Well, Parochiad has generally been...have some
8. connection with a nonpublic school.

9. SENATOR CARROLL:

10. Yes it does.

11. SENATOR SOURS:

12. So we're not talking about the primary schools or
13. the secondary schools in the public educational system
14. but rather we're talking about, shall we say, denominational
15. schools?

16. SENATOR CARROLL:

17. The nonpublic schools.

18. SENATOR SOURS:

19. Such as Lutherans, Roman Catholics, Jehovah Witnesses,
20. Pentecostal...

21. SENATOR CARROLL:

22. Apostolic Christian.

23. SENATOR SOURS:

24. Apostolic Christian. Now, have you perchance had
25. the occassion this week to examine the latest pronouncements
26. of the top court in the fair city of Washington?

27. SENATOR CARROLL:

28. I have read it in full and I have a copy here if
29. you'd like to see it.

30. SENATOR SOURS:

31. Yes. And Senator...do you know of any reason why
32. this bill should pass in view of either one or both
33. of those cases?

1. SENATOR CARROLL:

2. ...Yes, I do and as I was saying before Senator
3. Sours, after having read this opinion and the summary
4. of the Illinois State Supreme Court opinion of the
5. same date of Monday it was my firm conviction that
6. the nonpublic...state parental grant for children
7. of low income families, that particular act which
8. was the amount of approximately four and a half
9. million was clearly unconstitutional and I...I
10. amended that out and I amended out of the Act any
11. administrative cost for administering that section.
12. It is also my firm conviction after reading both
13. those opinions that the textbook section as part of
14. the auxiliary services, was held specifically held to
15. be constitutional. The other auxiliary services were
16. not mentioned in this Act and the last Act was in the
17. mid-fifties that was tested on that and that was held
18. constitutional. The third Act which is probably the
19. most regressive Act of all was also not discussed in
20. this bill whether by dicta or by specific reference and
21. would appear to be constitutional that is where the public
22. and nonpublic work together to find new programs for
23. remedial reading, special ed or any of those types of
24. programs to help all the students in the State.

25. SENATOR SOURS:

26. Mr. President.

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Senator Sours.

29. SENATOR SOURS:

30. Senator, you have a very facile coherency but let
31. me say this to you that the First Amendment makes every-
32. thing you've just said moot. Now we can peck away and
33. we can dig in here and dig in there and we can pass an

1. occasional law on next Sunday or next Tuesday and all we are
2. doing is putting these matters into the courts. And, of course,
3. at the lower echelon in the nisi prius courts many of these
4. appropriations will be held to be valid and legal. But, you
5. know it seems to me and I look upon you as not being entirely
6. unfamiliar with...with constitutional law that when this
7. kind of appropriation gets up to the top court it's going to
8. be stricken. Now, what we are doing, we are encouraging
9. litigation. We're running up legal fees. We're taking the
10. times of courts that should be devoted to other matters.
11. And, just one parting remark, when one looks at the appropria-
12. tion of 4...of a...\$4,000,830 for the Education Development
13. Board Act, I notice the total for Administration is \$1,033,514
14. which means, he who gets to the front row first he gets the
15. Guernsey cream. This is a bad bill. It has no virtue. It
16. is patently unconstitutional. It was only...stir up vexatious
17. litigation. Ought to be defeated.

18. PRESIDING OFFICER (SENATOR WEAVER):

19. Senator Berning.

20. SENATOR BERNING:

21. Thank you, Mr. President. I'd just like to comment that
22. in my opinion, we've been waltzed around this mulberry bush
23. often enough, gotten nowhere but found that the objectives
24. do not meet the constitutional requirements and I would
25. suggest that we write finis to this.

26. PRESIDING OFFICER (SENATOR WEAVER):

27. Senator Carroll may close debate.

28. SENATOR CARROLL:

29. I would merely say that first of all we've reduced that
30. administrative appropriation by 15.01% which was the percent that
31. the unconstitutional grant board to the total appropriation. That
32. was done by way of amendment. Further, the major bills are
33. before the State Supreme Court right now. The funds of last

1. year that were appropriated should the Acts be held consti-
2. tutional have lapsed. This is a reappropriation of those
3. lapsed funds within the budget. The Governor's budget in
4. brief. I can give you the page sight if you want it. I
5. think very clearly, we have a mandate. The public policy
6. has been set. These particular Acts have not been ruled
7. upon by the United States Supreme Court directly. The content
8. of the major Act...the...the text books and the shared services
9. such as library and public health have been ruled on before and
10. held constitutional. The last Act of the cooperation, there's
11. nothing within the present opinion that indicates that to
12. be unconstitutional. I think that's the kind of educational
13. motivation we need. I would ask for a favorable roll call.

14. PRESIDING OFFICER (SENATOR WEAVER):

15. Question is shall HB 1748 pass and upon that question,
16. the Secretary will call the roll.

17. SECRETARY:

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

28. PRESIDING OFFICER (SENATOR WEAVER):

29. On the question, the ayes are 34, the nays are 9, 2
30. present. HB 1748 having received a constitutional majority
31. is declared passed. Senator McCarthy moves to reconsider.
32. Senator Carroll moves to Table. All in favor of Tabling
33. signify by saying aye. Opposed nay. The motion carries.

1. ...89, Senator Kosinski? 1829.

2. SECRETARY:

3. HB 1889 (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDING OFFICER (SENATOR WEAVER):

6. Senator Kosinski.

7. SENATOR KOSINSKI:

8. Mr. President, Senators, HB 1889 is a bill that has been
9. amended and will give former employees of the Department of
10. Urban Renewal who now work for the City of Chicago to get
11. credit for that time provided that they pay back the contri-
12. bution with interest for a period of time. This bill is
13. approved by...has been approved by the Pension Laws Commission.
14. I seek your favorable roll call.

15. PRESIDING OFFICER (SENATOR WEAVER):

16. Is there any discussion. The question is shall HB 1889
17. pass. Upon that question, the Secretary will call the roll.

18. SECRETARY:

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

27. PRESIDING OFFICER (SENATOR WEAVER):

28. Partee, aye. Nudelman, aye. Johns, aye. For what
29. purpose do you rise, Senator Sours?

30. SENATOR SOURS:

31. I rise out of ignorance. Maybe someone can tell me about
32. this bill to satisfy me. Is it ... is it a substantive change
33. or just a matter of semantics? Just one or the other before
I vote.

1. PRESIDING OFFICER (SENATOR WEAVER):
2. Well, Senator Sours, Senator Kosinski explained the bill.
3. We are on roll call. There was no questions on it.
4. SECRETARY:
5. Swinarski, Vadalabene, Walker, Walker, Weaver, Welsh,
6. Wooten, Mr. President.
7. PRESIDING OFFICER (SENATOR WEAVER):
8. On that question, the ayes are 37 and the nays are 2.
9. HB 1889 having received a constitutional majority is declared
10. passed.
11. PRESIDING OFFICER (SENATOR MOHR):
12. Go to the order of ... well, we have just a couple of
13. housekeeping things here which are going to help the Sec-
14. retary. Senator Swinarski, on 2nd reading, HB 608.
15. SECRETARY:
16. HB 608 (Secretary reads title of bill)
17. 2nd reading of the bill. No committee amendments.
18. PRESIDING OFFICER (SENATOR MOHR):
19. Any amendments from the Floor? Senator McBroom.
20. SENATOR MCBROOM:
21. Our amendment is up there, Mr. President. I've talked
22. to Senator Swinarski and and his people have talked to the
23. staff and we just cannot reach an accord on it and I would
24. like to move the amendment be adopted.
25. PRESIDING OFFICER (SENATOR MOHR):
26. Senator McBroom moves the adoption Amendment No. 1 to
27. HB 608, all those in favor...Senator Swinarski.
28. SENATOR SWINARSKI:
29. Would the Clerk read the amendment or can I just ...
30. I'd like to speak on the amendment. Whatever's the shortest
31. way. I'd like to expedite matters, but I'd like to speak
32. on the amendment.
33. PRESIDING OFFICER (SENATOR MOHR):

1. What do you want...the Secretary?

2. SENATOR SWINARSKI:

3. Senator McBroom, do you wish to speak on the amendment
4. rather than have the Clerk read it?

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator McBroom.

7. SENATOR MCBROOM:

8. Senator Swinarski, I spoke on the amendment earlier today.

9. I'd be glad to go over it again if you want me to. We spoke
10. on it earlier if you recall and you decided to hold the bill
11. and take it out of the record.

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Swinarski.

14. SENATOR SWINARSKI:

15. What this does is eliminate a \$100,000 administrative
16. services from the EPA. And it's a contractual services in
17. the water for the purpose of the river basin modeling. And,
18. what this has done is basically within the data processing
19. operation eliminate a \$100,000 and there will be no river
20. basin modeling program whatsoever in the EPA budget for next
21. year. Secondly, within laboratory...

22. PRESIDING OFFICER (SENATOR MOHR):

23. Senator Partee. Go ahead, I'm sorry, Senator.

24. SENATOR SWINARSKI:

25. ...within laboratory services, it has been said by the
26. committee that there was no justification for it, however a
27. list of equipment was presented to members of the staff. The
28. equipment is needed for laboratory use next year. In the
29. air pollution...may I have some order, Mr. President. I've
30. listened here for a week. In air pollution control there is
31. approximately the elimination of \$74,000. It was originally
32. \$300,000. It was reduced previously in the House to \$230,000.
33. What this has done is further decreased it by \$74,000. In

1. the water patrol program for personal services under the
2. bill that we passed just a few moments ago which was HB 1585,
3. the National Water Program Permit that we have will almost
4. be eliminated because we will not be able to set up. In the
5. interim period the agency will be required to revue NPDES
6. Permits issued in Washington. The agency is also required
7. to complete extensive river basin plans during this period.
8. And finally an extensive surveillance operation must be per-
9. formed. Federal grants are awarded on the total program
10. efforts of the agency measured in man years. The proposed
11. cut will reduce the man years of effort spent in essential
12. agency functions. This will cut and indanger the Federal
13. money that we hope to get which is approximately 1.2 million
14. dollars on HB 1585 that we just finished a few moments ago. And
15. for this reason I believe that this amendment should be de-
16. feated.

17. PRESIDING OFFICER (SENATOR MCBROOM):

18. Senator McBroom.

19. SENATOR MCBROOM:

20. Yes, Mr. President, Members of the Senate, very briefly
21. Senator Swinarski made some comments here that I cannot agree
22. with. He talked about administrative services for the electronic
23. date processing. The institute...the Institute for Environ-
24. mental Quality has about a \$140,000 to accomplish this function
25. now. And, according to this Institute this will be accomplished
26. with the EPA in mind. Now, on air pollution control they have
27. ...they have this money in contractual services and they also
28. they still have \$41,000 for this item, Mr. President. I would
29. like to persist and encourage that my amendment be adopted.

30. PRESIDING OFFICER (SENATOR MOHR):

31. Senator McBroom moves the adoption of Amendment No. 1.
32. All those in favor signify by saying aye. Opposed. Amendment
33. No. 1 is adopted. Secretary will call the roll. No. All

1. right the amendment...all right, the amendment is adopted.
2. SECRETARY:
3. Amendment No. 2, Senator Swinarski.
4. SENATOR SWINARSKI:
5. This is an amendment which basically changes some of
6. the terminology on the last page of this appropriation to
7. conform to the amount of money necessary and to be able...
8. PRESIDING OFFICER (SENATOR MOHR):
9. Excuse me. Could you hold the bell, please. Somebody
10. might think there's a fire. Go ahead, Senator.
11. SENATOR SWINARSKI:
12. Thank you...basically this is an amendment in technical
13. words and it's not...
14. PRESIDING OFFICER (SENATOR MOHR):
15. Senator McBroom.
16. SENATOR MCBROOM:
17. We're in accord on this one, Mr. President.
18. SENATOR SWINARSKI:
19. Fine, I move for a...
20. PRESIDING OFFICER (SENATOR MOHR):
21. Senator Swinarski moves the adoption Amendment No. 2.
22. All those in favor, signify by saying aye. Opposed. Amendment
23. No. 2 is adopted. Further amendments?
24. SECRETARY:
25. Amendment No. 3 by Senator Hynes.
26. PRESIDING OFFICER (SENATOR WEAVER):
27. Senator Hynes.
28. SENATOR HYNES:
29. Amendment No. 3 is the pay plan amendment and I don't
30. want anyone to accuse me of having a crystal ball, but it
31. conforms to the bill as amended by Senator McBroom, and I'd
32. move it's adoption.
33. PRESIDING OFFICER (SENATOR MOHR):

1. Senator McBroom is in accord. Senator Hynes moves
2. the adoption of Amendment No. 3. All those in favor signify
3. by saying aye. Opposed. Amendment No. 3 is adopted. Further
4. amendments. 3rd reading. Senator Mitchler.

5. SENATOR MITCHLER:

6. Yes, Mr. President, Members of the Senate, House Joint
7. Resolution 71 has been assigned to the Senate Executive
8. Committee for a hearing and I would ask that House Joint
9. Resolution 71 be discharged from the Senate Executive Com-
10. mittee. This has the approval of Senator Ozinga, Senator
11. Partee and Senator Harris. Now, what the Resolution does
12. before I ask you to do it. It calls upon the Department
13. of Transportation to conduct hearings in relation to widen-
14. ing of Illinois Route 59 as it extends approximately 50 miles
15. from U.S. Route 14 and its Junction with the U.S. Route 66 and
16. Interstate 55. This is the area of a large shopping center
17. to go in just east of Aurora and it's felt that this study
18. should be given. And, it has the support of the Department
19. of Transportation to do this study. I would ask that they
20. be discharged and put...have the Resolution put on the Sec-
21. retary's desk so that we could pass it out of the Senate.

22. PRESIDING OFFICER (SENATOR MOHR):

23. Is there leave to discharge the Committee on Executive
24. from House Joint Resolution 17? Is it 17? All right, he
25. said 71 and I was given the note 17. 71, the Secretary
26. tells me. It...It's been cleared with the Chairman of
27. Executive, Senator Partee and President Harris. Leave is
28. granted. Senator Graham.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Senator Graham.

31. SENATOR GRAHAM:

32. Let's call...let's call HB 1929. One nine two nine.

33. PRESIDING OFFICER):

1. That Resolution goes to the Secretary's desk. Senator
2. Graham.

3. SENATOR GRAHAM:
4. One nine two nine.

5. PRESIDING OFFICER (SENATOR MOHR):
6. Senator Graham, for what purpose do you rise?
7. SENATOR GRAHAM:
8. Asking to read a bill a third time by title.
9. PRESIDING OFFICER (SENATOR MOHR):
10. Senator Graham's asking for 1929 to be called for a
11. 3rd time.
12. SECRETARY:
13. HB 1929 (Secretary reads title of bill)
14. 3rd reading of the bill.
15. PRESIDING OFFICER (SENATOR MOHR):
16. Senator Graham.
17. SENATOR GRAHAM:
18. Mr. President, Members of the Senate, this bill is the
19. same condition it was when it came over from the House. It's
20. gone through both committees. Had the scrutiny of both committees.
21. I ask for a favorable roll call.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Any further discussion? The question is shall HB 1929
24. pass and on that question, the Secretary will call the roll.
25. SECRETARY:
26. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
27. Chew, Clarke, Conolly, Course, Daley, Davidson, Donnewald,
28. Dougherty, Fawell, Glass, Graham, Harber Hall, Kenneth
29. Hall, Hynes, Johns, Keegan, Knuepfer, Knuppel, Kosinski,
30. Latherow, McBroom, McCarthy, Merritt, Mitchler, Howard
31. Mohr, Don Moore, Netsch, Newhouse, Nimrod, Nudelman,
32. Ozinga, Palmer, Partee, Regner, Rock, Roe, Romano,
33. Saperstein, Savickas, Schaffer, Scholl, Shapiro, Smith,

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

3. PRESIDING OFFICER (SENATOR MOHR):

4. Davidson, aye. Carroll, aye. Swinarski, aye. On
5. that question, the yeas are 46, the nays are none. HB 1929
6. having received the constitutional majority is declared
7. passed. 1952, Senator Dougherty. Senator Dougherty, 1952?

8. SENATOR DOUGHERTY:

9. Hold it please.

10. PRESIDING OFFICER (SENATOR MOHR):

11. Hold it. 1989, Senator Bruce.

12. SECRETARY:

13. HB 1989 (Secretary reads title of bill)
14. 3rd reading of the bill.

15. PRESIDING OFFICER (SENATOR MOHR):

16. Senator Bruce.

17. SENATOR BRUCE:

18. Yes, Mr. President, Members of the Senate, 1989 is the
19. ordinary expenses for the Courts Commission. We had some
20. discussion about this particular appropriation earlier in
21. this Session. I compliment Senator Harris. We were able
22. to reach a compromise. And, this is in a separate appro-
23. priation. I think Senator McBroom also agrees. I know of
24. no concrosery and I'd appreciate a favorable roll call.

25. PRESIDING OFFICER (SENATOR MOHR):

26. Any further discussion? The question is shall HB 1989
27. pass and on that question, the Secretary will call the roll.

28. SECRETARY:

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

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

6. PRESIDING OFFICER (SENATOR MOHR):

7. On that question, the yeas are 39, the nays are none.
8. HB 1989 having received the constitutional majority is de-
9. clared passed. Senator Shapiro.

10. SENATOR SHAPIRO:

11. Mr. President, Members of the Senate, this morning House
12. Joint Resolution No. 72 was read and referred to the Execu-
13. tive Committee. It is a noncontroversial resolution which
14. directs Congress to appropriate the money that they promised
15. for the rehabilitation of the Illinois-Mississippi Canal.
16. I have cleared the following requests with the chairman of
17. Executive Committee and Senator Rock and I would now ask
18. leave of the Senate to discharge the Executive Committee of
19. House Joint Resolution No. 72 so that it may be placed on
20. the Secretary's desk for action at a future time.

21. PRESIDING OFFICER (SENATOR MOHR):

22. Senator Shapiro asking leave to discharge the Executive
23. Committee on House Joint Resolution 72. Is there leave.
24. Leave. And, place it on the Secretary's desk. Senator Ozinga.

25. SENATOR OZINGA:

26. Mr. President, along the same lines, this morning or
27. sometime during the recent past, House Joint Resolution No.
28. 69 was referred to the Executive Committee and I talked with
29. the Chairman of the Executive Committee and he said it would
30. be all right to discharge the Executive Committee with re-
31. gard to this motion. And, I would ask...and I have taken it
32. up with the...both sides with regard...Now all that this Reso-
33. lution does is it's a congratulatory resolution, congratulating

1. Mildred Dressendorfer of the Legislative Council, now. But,
2. she has spent a lot of time with various Bodies such as the
3. State Treasurer, the Auditor of Public Accounts, the Clerk
4. etc., including the Secretary of the Senate. I would ask
5. that the rules be suspended. First of all that the committee
6. be discharged, then the rules be suspended for immediate adop-
7. tion.

8. PRESIDING OFFICER (SENATOR MOHR):

9. Senator Ozinga asks leave to discharge the Committee on
10. Executive on his congratulatory resolution. Is there leave?
11. Now, Senator Ozinga moves the adoption of the resolution.
12. All those in favor signify by saying aye. Opposed. The
13. resolution is adopted. The Secretary has a few things on
14. his...Senator Graham.

15. SENATOR GRAHAM:

16. I think that before he goes into that and before the
17. Department of Conservation has a stroke, I think we have the
18. Conservation Appropriation Bill on there. It's 604 isn't it
19. Mr. President. Conservation Bill? They're about ready to
20. have a stroke. I think Senator Bruce would like to make a
21. motion to prevent that and I would suggest the Chair re-
22. cognize Senator Bruce at this time.

23. PRESIDING OFFICER (SENATOR MOHR):

24. Senator Bruce.

25. SENATOR BRUCE:

26. Yes, I would move you, Mr. President to have HB 604 read
27. a first time and advanced to the order of 2nd reading without
28. reference to committee.

29. PRESIDING OFFICER (SENATOR MOHR):

30. Is there leave? Secretary will read HB 604 a first time.

31. SECRETARY:

32. HB 604 (Secretary reads title of bill)
33. 1st reading of the bill.

1. PRESIDING OFFICER (SENATOR MOHR):
2. Senator Graham.
3. SENATOR GRAHAM:
4. Now I move we return to the business on the Secretary's
5. desk.
6. PRESIDING OFFICER (SENATOR MOHR):
7. Secretary...2nd reading on 604. ...The Secretary's desk,
8. some clean up matters. Senator McCarthy.
9. SENATOR MCCARTHY:
10. Yes, Mr. President, inadvertently on House Bills on 2nd
11. reading HB 1631 was advanced to 3rd reading. The Secretary
12. informed me there had been a pending amendment that had not...
13. PRESIDING OFFICER (SENATOR MOHR):
14. Senator, we have an agreement with Senator Partee and
15. Senator Harris to hold anything that might be controversial
16. till they come back and I think that this could be considered
17. controversial could it not? Let...I think if we get through
18. this order just cleaning up the Secretary's desk. The
19. word was that they'd be back in just a few minutes and for
20. what purpose Senator Hall...rise?
21. SENATOR HALL:
22. Mr. President, I'd like leave of the Senate to dis-
23. charge the Committee on Health and Welfare...Public Health
24. and Welfare for consideration of HB 1411 for the purpose
25. of Tabling that bill.
26. PRESIDING OFFICER (SENATOR MOHR):
27. Senator Hall moves to discharge the Committee of Public
28. Health on HB 1411 for the purpose of Tabling. Is there
29. leave? Leave is granted. Now Senator Hall...Harber Hall
30. moves to Table HB 1411. All those in favor signify by
31. saying aye. Opposed. 1411 is Tabled. Back to...Senator
32. Rock.
33. SENATOR ROCK:

1. Yes, on the Calendar, Mr. President, is HB...on 1st reading
2. is HB 1400. I've indicated to the Secretary that I would
3. be the Senate sponsor and I do now move, Mr. President, that
4. bill lie upon the Table.

5. PRESIDING OFFICER (SENATOR MOHR):

6. Senator Rock is the sponsor of HB 1400 and he asks
7. leave to Table...Is there leave? The bill is Tabled. Secretary's
8. desk. The Secretary will read Conference Committee Reports
9. for your consideration.

10. SECRETARY:

11. (Secretary reads Conference Committee Report on SB 282)

12. PRESIDING OFFICER (SENATOR MOHR):

13. Senator Romano.

14. SENATOR ROMANO:

15. Mr. President and Members of the Senate, I move that the
16. Senate concur in the Conference Committee Report on SB 282.

17. PRESIDING OFFICER (SENATOR MOHR):

18. Senator Romano moves the adoption of the Conference
19. Committee Report on SB 288...282. On that the Secretary will
20. call the roll.

21. SECRETARY:

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

32. PRESIDING OFFICER (SENATOR MOHR):

33. Knuppel, aye. Soper, aye. Mitchler, aye. Hall, aye....

1. Kenneth Hall, aye. Netsch, aye. On that question, the yeas
2. are 41, the nays are none. SB 282...the Senate concurs in
3. the Conference Committee Report on SB 282. Next one, Mr.
4. Secretary;

5. (Secretary reads Conference Committee Report on HB 381)

6. PRESIDING OFFICER (SENATOR MOHR):

7. Senator Glass.

8. SENATOR GLASS:

9. I would move that we approve the Conference Committee
10. Report on HB 318.

11. PRESIDING OFFICER (SENATOR MOHR):

12. Senator Glass moves the adoption of the Confernece Com-
13. mittee Report on HB 318 on that the Secretary will call the
14. roll.

15. SECRETARY:

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. On that question, the yeas are 44, the nays are none.
28. The Senate concurs on the Conference Committee Report on
29. HB 318. Next one please.

30. SECRETARY:

31. (Secretary reads Conference Committee Report on HB 827)

32. PRESIDING OFFICER (SENATOR MOHR):

33. Senator Carroll.

1. SENATOR CARROLL:

2. Thank you, Mr. President, Members of the Senate, this
3. dealt with whether or not insurance companies should deduct
4. outside legal fees on subrogated cases. We have had a con-
5. ference, this is the Conference Committee Report that if the
6. total recovery is under \$250 dollars they can deduct a pro
7. rata share if it's more than that, the companies will carry
8. the cost. This has been agreed to by all sides. I would
9. move for the favorable roll call on the adoption of the Con-
10. ference Committee Report.

11. PRESIDING OFFICER (SENATOR MOHR):

12. The question is shall the Senate concur in the Conference
13. Committee Report on HB 827 and on that question, the Secretary
14. will call the roll.

15. ACTING SECRETARY (MR. WRIGHT):

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

26. PRESIDING OFFICER (SENATOR MOHR):

27. Romano, aye. Smith, aye. On that question, the yeas
28. are 41, the nays are none. The Senate concurs in the Con-
29. ference Committee Report on HB 827. Do you have another one
30. Mr. Secretary?

31. ACTING SECRETARY (MR. WRIGHT):

32. HB 794. Senator Rock, you want to explain it or you
33. want me to read it?

1. PRESIDING OFFICER (SENATOR MOHR):
2. Sen...Senator Rock.
3. SENATOR ROCK:
4. Well, I don't see Senator Mitchler on the Floor...In all
5. fairness to him I think he ought to be around. Because the
6. sum and substance of that report is that we are rec...I have
7. agreed to recede from his amendment. Which I thought was
8. awfully...heck of an idea I thought.
9. PRESIDING OFFICER (SENATOR MOHR):
10. We'll take that out of the record and hold it. Next
11. one.
12. ACTING SECRETARY (MR. WRIGHT):
13. HB 926. Senator Romano you want me to read it or do
14. you want to...
15. SENATOR ROMANO:
16. Mr. President, and Members of the Senate, this was the
17. bill that we passed out earlier in the week and the House
18. did not send over an amendment and we had adopted one amend-
19. ment but this amendment was left out so we had to take this
20. procedure to put this amendment on. And, I move that the
21. Senate concur in the Conference Committee Report on SB 936.
22. PRESIDING OFFICER (SENATOR MOHR):
23. Question is shall the Senate concur in the Conference
24. Committee Report on SB 926 and on that question, the Secre-
25. tary will call the roll.
26. ACTING SECRETARY (Mr. Wright);
27. Bartulis, Bell, Berning,
28. PRESIDING OFFICER (SENATOR MOHR):
29. For what purpose does Senator Knuepfer arise?
30. SENATOR KNUEPFER:
31. I'm sorry but I am not aware of this I think is a bill
32. that pertains to Public Welfare Committee, I don't know.
33. I'm not aware that our staff has looked at it. Do you know

1. whether that might be true or not?

2. PRESIDING OFFICER (SENATOR MOHR):

3. This...this is a bill that came over...

4. SENATOR KNUEPFER:

5. Oh, ... all right. Jeff says it's ok. I'm sorry I
6. did not know that.

7. PRESIDING OFFICER (SENATOR MOHR):

8. Continue with the roll call.

9. ACTING SECRETARY (MR. WRIGHT):

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

19. PRESIDING OFFICER (SENATOR MOHR):

20. On that question, the yeas are 32, the nays are none.
21. The Senate adopts the Conference Committee Report on SB 926.
22. Senator Graham.

23. SENATOR GRAHAM:

24. Mr. President, good news tonight. I now move you that
25. the Senate stand in recess until 10:15.

26. PRESIDING OFFICER (SENATOR MOHR):

27. Senate will be re...Senator Weaver.

28. SENATOR WEAVER:

29. I'd like to announce a Republican caucus immediately
30. in the President's office..

31. PRESIDING OFFICER (SENATOR MOHR):

32. Republican caucus immediately in the President's office.
33. The Senate will stand recessed until 10:15 tonight. Senator

1. Rock.

2. SENATOR ROCK:

3. Yeah...this is 10:15 p.m. this evening. And I'm ...
4. I take it we are all to be back here?

5. PRESIDING OFFICER (SENATOR MOHR):

6. Well I tell you if you want me to handle everything, I'll
7. be happy to do that by myself. You're all expected back.
8. Recess...Senator Hynes.

9. SENATOR HYNES:

10. I would like to make a suggestion, that perhaps just the
11. leadership come back to earn that extra stipend. And, they
12. can on our behalf move the Transportation Department Appro-
13. priation to 2nd reading.

14. PRESIDING OFFICER (SENATOR MOHR):

15. Senator...Senator I believe me when I tell you we earn
16. it every day. Recess until 10:15 tonight.

17. SENATOR OZINGA:

18. For you Democratic Members that might not come back
19. tonight, Executive Committee 9 a.m. Room 212, tomorrow morn-
20. ing.

21. (RECESS)

22. (AFTER RECESS)

23. PRESIDENT:

24. Senate will come to order. Proceed, Mr. Sweeny. Senate
25. will come to order. I want to apologize to everyone. I have
26. been involved and I realize that we recessed till 10 and it
27. is now approximately 11, but we just had a few additional
28. details to look after and I thank you for your patience in
29. being in your seats. ... Senator Ozinga.

30. SENATOR OZINGA:

31. Mr. President, before we get embroiled in any other big
32. arguments or anything or before anybody happens to move or
33. ...I would to announce that there is going to be a Executive

1. Committee Meeting tomorrow morning at 9 o'clock for the
2. consideration of two nominees of the Governor. 9 o'clock
3. in room 212.

4. PRESIDENT:

5. Executive at 9 o'clock Saturday morning in room 212.
6. Mr. Secretary, messages from the House.

7. SECRETARY:

8. (Secretary reads Messages from the House)

9. PRESIDENT:

10. Is there unanimous consent that the Senate suspend the
11. provisions of Rule 5 to permit the passage of House Bills
12. after June 28 for the period June 29 to July 1 '73 and
13. inclusive, and further that the provisions of Rule 56 be
14. suspended for the remainder of the Session so as to waive
15. the requirement that Conference Committee Reports on Appro-
16. priation Bills be printed and placed on the desks of the
17. members at least 3 legislative days prior to final passage of the
18. bill or the consideration of the Report for the period June 29
19. to July 1, '73 inclusive. Is there leave for this suspension?
20. So ordered. Messages from the House.

21. SECRETARY:

22. (Secretary reads Messages from the House)

23. PRESIDENT:

24. Is there leave to have the bill read a 1st time and
25. advanced to the order of 2nd reading without reference?
26. So ordered. The Secretary will read the bill for a 1st time.

27. SECRETARY:

28. HB 1979 (Secretary reads title of bill)
29. 1st reading of the bill.

30. PRESIDENT:

31. 2nd reading. Is there any further business to come before
32. the Senate? The Senate will adjourn until 10 a.m. Saturday
33. morning. Don't forget Executive in room 212 at 9. The Senate
stands adjourned until 10 o'clock tomorrow morning.