

REGULAR SESSION

Of the 78th GENERAL ASSEMBLY

October 30, 1973

1. PRESIDENT:

2. The Regular Session of the 78th General Assembly
3. will reconvene. The Senate will come to order. The
4. prayer will be offered by Reverend Charles Hendricks
5. of the Third Presbyterian Church of Springfield.
6. Reverend Hendricks.

7. (Prayer by Reverend Hendricks,
8. of the Third Presbyterian Church,
9. Springfield, Illinois)

10. Reading of the Journal.

11. SECRETARY:

12. Wednesday, October 24, 1973.

13. PRESIDENT:

14. Senator Soper.

15. SENATOR SOPEER:

16. Mr. President, Members of the Senate, I move that
17. we dispense with the further reading of the Journal of
18. October 24th and unless there's some corrections or
19. additions to be made that the Journal stand approved.

20. PRESIDENT:

21. Senator Soper has moved that we dispense with further
22. reading of the Journal of October 24. Are there corrections?
23. All in favor of the motion to approve the Journal of October
24. 24th signify by saying aye. Contrary no. The motion carries.
25. So ordered.

26. SECRETARY:

27. Thursday, October 25th, 1973.

28. PRESIDENT:

29. Senator Soper.

30. SENATOR SOPEER:

31. Mr. President, Members of the Senate, I move that
32. we dispense with the further reading of the Journal of
33. October 25th and unless there's some corrections or additions

1. to be made that the Journal stand approved.

2. PRESIDENT:

3. Senator Soper has moved that we dispense with further
4. reading of the Journal of October 25th. Are there
5. additions or corrections? All in favor of the motion
6. to approve the Journal of October 25th signify by saying
7. aye. Contrary no. The motion carries. So ordered.

8. Senator Soper.

9. SENATOR SOPER:

10. Now, Mr. President I move that we postpone the
11. reading of the Journal of October 29th, and the approval
12. of the same pending the arrival of the printed Journal.

13. PRESIDENT:

14. Senator Soper moves that we dispense with the
15. reading of the Journal of October 29. Senator Soper.

16. SENATOR SOPER:

17. That's postpone the reading of the Journal.

18. PRESIDENT:

19. Postpone the reading of the Journal of October
20. 29, until the arrival of the printed Journal. Is
21. there discussion? All in favor of the motion signify
22. by saying aye. Contrary no. The motion carries. So
23. ordered. Resolutions.

24. SECRETARY:

25. Senate Resolution 271 by Senators Savickas and
26. Daley. And it's congratulatory.

27. PRESIDENT:

28. Senator Savickas.

29. SENATOR SAVICKAS:

30. I would move...

31. PRESIDENT:

32. Senator Savickas moves to suspend the rules for the
33. immediate consideration of the Resolution. All in favor

1. signify by saying aye. Contrary no. Motion carries,
2. the rules are suspended. On the motion to adopt.
3. All in favor signify by saying aye. Contrary no.
4. The motion carries, the Resolution is adopted.

5. SECRETARY:

6. Senate Resolution 272 by Senators Savickas, Daley,
7. Palmer, Nudelman, Swinarski and Chew and it's con-
8. gratulatory.

9. PRESIDENT:

10. Senator Savickas moves to suspend the rules for
11. the immediate consideration of the Resolution All
12. in favor signify by saying aye. Contrary no. The
13. motion carries, the rules are suspended. On the motion
14. to adopte. All in favor signify by saying aye. Contrary
15. no. The motion carries, the Resolution is adopted.
16. Messages...Messages from the House.

17. SECRETARY:

18. A Message from the House by Mr. Selcke, Clerk.

19. (Secretary reads Message from the House)

20. PRESIDENT:

21. That final series of bills, yes...House Bills 541,
22. 213, 1273, 1282, 1533, 1564, 1943 are ordered to the
23. Senate Calendar under the Order of Concurrence in House
24. Action on Amendatory Vetoes. House Bills 920, 1505
25. and 1506 are ordered to the Calendar under the Order of
26. Total Vetoes. The last three Senator Merritt, or all?
27. Last three. The last three are House Bills 920, 1505
28. and 1506. I might announce to the membership so that
29. you will have an understanding of our procedure tomorrow,
30. we intend to adjourn when we finish work today, if you
31. want to take this down, the First Special Session until
32. 10:00 tomorrow morning, the Third until 10:15, the
33. Fourth until 10:30, and the Regular until 10:45. The

1. adjournment motion for the Second yesterday convenes us
2. at 2:00 tomorrow. There will probably be no work to
3. take place in the Second so that that can be addressed
4. in a limited Session. As you're all aware, we have a
5. Committee of the Whole at 2:30. I'm sorry, today.
6. Tomorrow, we have Executive at 2:15, and Revenue at
7. 4:30. It is the prospect tomorrow that when we adjourn
8. the Regular Session that we will be able to adjourn for
9. the week, and those of you not on Executive or Revenue
10. will be free to depart. That is why I made the reference
11. to the 2:00 o'clock Session of the 2nd Special Session
12. can accommodate itself in just a limited Session. Now,
13. under the order of Concurrence in House action on Amendatory
14. Vetoes. Senator Course, did you seek recognition? I'm
15. sorry. Senator Course.

16. SENATOR COURSE:

17. Yes Mr. President, I see from the Calendar that on
18. Wednesday the Revenue Committee is going to meet at 4:30.
19. Couldn't that be moved up?

20. PRESIDENT:

21. Executive is meeting at 2:15.

22. SENATOR COURSE:

23. Revenue at 4:30.

24. PRESIDENT:

25. Yes. I...well, they are...the Chairman set them so that
26. they would not conflict with each other. That would be
27. up to the Chair, the Chairman of those Committees. You
28. might contact them Senator. I... I don't want to assume
29. their prerogative. The present schedule calls for Executive
30. at 2:15 and Revenue at 4:30. There are conflicts between
31. a good many members on the same two Committees. Under the
32. order of Concurrence in House Action on Amendatory Vetoes,
33. it's the intention of the Chair to just call in passing those

1. bills on which motions have been filed. Some I am aware
2. that the sponsor may not wish it called, but I will just
3. proceed through the list on that order. Calling those
4. bills on which motions have been filed. HB 18. HB 18,
5. Senator Nimrod.

6. SENATOR NIMROD:

7. Mr. President and fellow Senators HB 18 is the
8. Death Bill Penalty. And I began to explain to the
9. Senators that there were some changes that were made
10. in this bill from the present...from the time we had
11. had it presented to us. And the, probably the major
12. changes that are involved here have to do with the
13. elimination in which deletes elected official or
14. candidate: provision and also which changes the particular
15. area which pertains to the contract killer. It was the
16. hirer is not included however the trigger man who was
17. hired is included. And also the other provision which
18. has been changed and altered which it deletes is the
19. victims which would be witnesses in the trial or those
20. that were to appear before the Grand Jury. Now there
21. is one other change that was included in there and
22. that is that the accused is already under sentence or
23. life imprisonment. One other provision and deletion
24. that was made for that...I think is of substance and
25. that is, it makes the bill probably far more acceptable
26. and gives us better chance to remain within the
27. constitutional limits, it reads that unless a majority
28. of the judges of such court determines that there are
29. compelling reasons for mercy and that the defendant
30. should not be sentenced to death. I think we can
31. all readily see that there could be some exceptions
32. in this area and this does provide for the three
33. panel judges to be able to decide on these compelling

1. reasons for mercy in the case of a person who is
2. convicted..of...of murder. Now, there are the basic
3. changes and there was one other that is referred to
4. and that is that no sentence of death imposed under
5. this section shall be executed unless there has been
6. a final adjudication of the sentence, which is
7. constitutional. So the final adjudication in...this
8. particular purpose means that the completion of the
9. ordinary appellate process in a single case and does
10. not contemplate exhaustion of all the available
11. remedies. And checking further and speaking with
12. Representative Hyde on that particular bill I did
13. find that there is an automatic process on a death
14. penalty which automatically goes to appeal to the
15. Supreme Court. I think we have all pretty well searched
16. our souls on this subject that this has been a particular
17. subject that has been before the public in a referendum
18. and has an overwhelming support. I believe that we
19. have found that the House has come back...sent it
20. back to us and concurring with the Governor's amendments
21. and changes that have been presented. I believe that
22. it's a decision now from within each of us to enact the
23. will of the people of this State and to proceed with
24. the program of having a death penalty appear on our
25. books. I think the technical decisions that are left
26. to be made in this particular bill are ones that certainly
27. are beyond our hands and that certainly we have done
28. what has been asked of us. And I would ask that you
29. support the passage of this bill and that we may be
30. able to in fact, as the result of its effort save lives
31. that we will be able to restore some sanity and some
32. respect for those within our State. Mr. President,
33. I would ask that we concur in the Amendments of the

1. Governor and I'll be happy to answer any questions at
2. this time.

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. I have just this question. The House action as I
7. understood it added an amendment after the Governor's
8. veto concerning the term final adjudication. Now the
9. question basically is after the Governor has submitted
10. a veto may that veto be amended in language and still
11. remain a constitutional and viable piece of legislation.
12. First of all, let's establish did the House in fact
13. amend the Amendatory Veto with additional language?

14. PRESIDENT:

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Senator Partee I am not aware that the House has
18. made any amendments to the veto.

19. SENATOR PARTEE:

20. Well, let me say to you that I do possess that
21. awareness. The bill was amended with the...a section
22. called final adjudication and the House accepted the
23. Amendatory Veto and added a definition of final
24. adjudication. And that definition is for purposes of
25. this section final adjudication means the completion
26. of the ordinary appellate process in a single case and
27. does not contemplate the exhaustion of all available
28. remedies. Now it is a fact that that language was
29. added to the Governor's Amendatory Veto and I think
30. you ought to have an awareness of it because it
31. establishes I think a precedent that we have discussed
32. in some other areas of adding language to an Amendatory
33. Veto and the constitutional aspects of it I have some

1. ambivalence about. I don't know whether it jeopardizes
2. the bill or whether it doesn't. But I think that this
3. Body ought to be aware of it and certainly you as the
4. sponsor should have or might have known about that. And
5. I think maybe until we have some definitive answer on
6. that, I'm not sure I'm prepared to vote on it.

7. PRESIDENT:

8. Senator Partee and Senator Nimrod, we have just
9. checked the motion filed by Senators Nimrod and me.
10. There is no reference in that motion to the action by
11. the House that you have called our attention to. I
12. think it is...then we would have a conflict as between
13. the action by the House and the action by the Senate.
14. I think you raised an appropriate question Senator Partee
15. and it would be the suggestion of the Chair that we
16. take the bill out of the record and make certain we
17. are on solid ground that the motion that is filed is
18. consistent with the action by the House. Is there
19. leave to take from the record consideration of HB 18?
20. So ordered. House Bill 122, Senator Dougherty.

21. SENATOR DOUGHERTY:

22. Mr. President, I move that the Senate do concur
23. in the amendments that was approved by the House to
24. HB 122, the Governor's Amendatory Veto. What the
25. Amendatory Veto does is it provides for less cost
26. to the ultimate consumer of these lenses, these
27. safety lenses that are mandated by the Federal
28. Act and the bill as originally drawn placed the
29. responsibility for certifying to the patient on the
30. optomologist that these are the glasses as ordered.
31. He has no way without testing. He must rely upon the
32. manufacturer or...on the optician. And to do so would
33. be...put an extra cost on the consumer, the patient.

1. Therefore I recommend...the recommendations of...the
2. Governor's recommendations were also approved by the
3. Illinois Optometric Association and the Department of
4. Health. I would ask concurrence in the Amendatory Veto.
5. PRESIDENT:

6. Is there further discussion? The question is shall
7. the Senate accept the specific recommendations of the
8. Governor as to HB 122 in the manner and form just
9. indicated by Senator Dougherty. On that question the
10. Secretary will call the roll.

11. SECRETARY:

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

22. PRESIDENT:

23. Senator Donnewald, aye. Senator Newhouse, aye.
24. Senator Netsch, aye. Senator Scholl, aye. Senator
25. Ozinga, aye. Senator Sours, aye. On that question the
26. yeas are fifty-one, the nays are none. The specific
27. recommendations of the Governor as to HB 122 having
28. received the required majority vote of Senators
29. elected are declared passed. SB 203, Senator Berning.
30. I'm sorry, HB 203, Senator Berning.

31. SENATOR BERNING:

32. There was an inadvertent oversight in the original
33. bill wherein provision for posting of public hearing

1. notices in five public places by means of a poster and
2. consequently the amendment as recommended by the Governor
3. includes this provision on both HB 203 and 204 and I
4. would move to concur in the action of the House in
5. accepting the Governor's Amendatory Veto.

6. PRESIDENT:

7. Is there further discussion? The question is shall
8. Senate...shall the Senate accept the specific recommenda-
9. tions of the Governor as to HB 203 in the manner and form
10. just indicated by Senator Berning. On that question the
11. Secretary will call the roll.

12. SECRETARY:

13. Bartulis, Bell, Berning, Bruce, Ruzbee, 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. PRESIDENT:

24. Senator Johns, aye. Senator Nudelman, aye. Senator
25. Scholl, aye. Senator Keegan, aye. On that...on that
26. question the yeas are fifty-two, the nays are none.
27. The specific recommendations of the Governor as to HB
28. 203 having received the required majority vote of Senators
29. elected are declared accepted. HB 204, Senator Berning.

30. SENATOR BERNING:

31. Mr. President, the same explanation for...prevails
32. for 204 as 203 and again I move to concur.

33. PRESIDENT:

1. Is there further discussion? The question is shall
2. the Senate accept the specific recommendations of the
3. Governor in the...as to HB 204 in the manner and form
4. just indicated by Senator Berning. On that question
5. the Secretary will call the roll.

6. SECRETARY:

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

17. PRESIDENT:

18. On that question the yeas are fifty-two, the nays
19. are none. The specific recommendations of the Governor
20. as to HB 204 having received the required majority vote
21. of Senators elected are declared accepted. HB412, Senator
22. Latherow.

23. SENATOR LATHEROW:

24. Mr. President, Members of the Senate. The Governor's
25. Amendatory Veto to HB 420 merely caught an error that we
26. had made in the intent of that legislature that we...that
27. legislation that we would allow those vehicles under 8,000
28. pounds and used strictly for...for the private use of the
29. owners not to have printed on their sides the name and
30. address and so forth and we inadvertently put that as
31. those having a gross weight in excess of. This merely
32. corrects that error. And I would move that we concur in
33. the Governor's Amendatory Veto.

1. PRESIDENT:

2. Is there further discussion? The question is shall
3. the Senate accept the specific recommendations of the
4. Governor as to HB 412 in the manner and form indicated
5. by Senator Latherow. On that question the Secretary will
6. call the roll.

7. SECRETARY:

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

18. PRESIDENT:

19. On that question the yeas are forty-nine, the nays
20. are none. The specific recommendations of the Governor as
21. to HB 412 having received the required majority vote of
22. the Senators elected are declared accepted. ...bill, 660,
23. Senator Donnewald.

24. SENATOR DONNEWALD:

25. Yes Mr. President and Members of the Senate, this bill
26. in its original form as Enrolled and Engrossed had some
27. technical language difficult and the Governor's version
28. in the form of the Amendatory Veto is much more clear and
29. I concur in his thoughts in his message of August 13th
30. and I would move that the Amendatory Veto be accepted.

31. PRESIDENT:

32. Senator Latherow.

33. SENATOR LATHEROW:

1. Senator Donnewald, I'm sorry I didn't get over to
2. talk to you about this but I'm very questionable about
3. whether or not a person could under this if this
4. is Amendatory Veto is passed or accepted, if a person
5. could drill a water well without first getting a permit
6. and filing a ten dollar fee. Now if...if that is what
7. the intent of this does, I don't think I can support
8. the Amendatory Veto on it.

9. PRESIDENT:

10. Senator Donnewald.

11. SENATOR DONNEWALD:

12. Well, have you read...have you read the Governor's
13. Veto Message?

14. SENATOR LATHEROW:

15. Yes sir.

16. SENATOR DONNEWALD:

17. The...Here, the present law limits the permit requirement
18. to waterwells in quote, which penetrate the subsurface
19. below the glacial drift. Since as a partical matter
20. it is generally impossible to determine the ultimate
21. depth of a waterwell prior to drilling the amendment
22. was intended to extend the permit requirements to all
23. waterways. That's exactly what this does.

24. PRESIDENT:

25. Senator Latherow.

26. SENATOR LATHEROW:

27. Otherwise if this is accepted in the form that has
28. been recommended by the Governor, then you could no longer
29. dig a well, drill a well or anything without filing for
30. a permit and paying \$10.00 for it. Is this correct?
31. That's the way I read it.

32. SENATOR DONNEWALD:

33. All right, did you read the last paragraph? However,

HB 1086
10/30/13

1. as a result of the language deleted by this bill the
2. permit requirement may have been deleted for all water-
3. wells. To correct this error I am recommending that
4. the following language deleted from the existing statute
5. by the bill be reinserted at line 23 after the words and
6. except that in the case of wells drilled for water. I
7. would presume that that's correct.

8. PRESIDENT:

9. Is there further discussion? ...

10. SENATOR DONNEWALD:

11. Hold this for just one moment. ...pass it, we skip
12. it and come back.

13. PRESIDENT:

14. All right. Fine. Let's take it out of the record
15. and we'll proceed to another bill. HB 1086, Senator
16. Rock.

17. SENATOR ROCK:

18. Yes, thank you Mr. President, Ladies and Gentlemen
19. of the Senate. I would move that the Senate concur
20. with the House of Representatives in the adoption of
21. the Governor's Amendment to HB 1086 in the manner and
22. form as recommended by the Governor. HB 1086 was as
23. you will recall a significant, substantial amendment to
24. the Unifed Code of Corrections. I received just a couple
25. of days ago and I'm sure some of the other members have
26. a call from Chairman Pusateri, very concerned about this
27. particular bill and its immediate efficacy. There are
28. certain prisoners who are to appear before the Pardon
29. and Parole Board and under the terms of this bill, they
30. will receive more favorable consideration. Of the two
31. changes made by the Governor are in my opinion, non-substantial,
32. more technical than substantive. And I would ask that
33. a favorable roll call be had and that we, the members

1. of the Senate accept the changes as recommended by the
2. Governor.

3. PRESIDENT:

4. Senator Mitchler.

5. SENATOR MITCHLER:

6. Senator Rock, you said that the..those coming before
7. the Parole and Pardon Board would receive more favorable
8. consideration according to...the...Pusateri I believe you
9. said it was. What type of more favorable consideration
10. would they receive?

11. PRESIDENT:

12. Senator Rock.

13. SENATOR ROCK:

14. I..I think that if you'll take a look at the original
15. HB 1086 there...there are provisions in there with regard
16. to the allotment of what's called good time. There were
17. some changes that were made that Mr. Pusateri and other
18. members of the Pardon and Parole Board feel are necessary.
19. As a matter of fact those changes were recommended by the
20. Pardon and Parole Board. Now, the delay or the fact that
21. the Governor has amended this obviously delayed the effective
22. date of all the other provision in this bill. The two changes
23. that the Governor did make were really kind of technical
24. changes. He deleted two provisions which are really non-
25. substantial. The interest in this bill lies in matters
26. other than what the Governor changed.

27. PRESIDENT:

28. Is there further discussion? The question is shall
29. the Senate accept the specific recommendations of the
30. Governor as to HB 1086 in the manner and form just
31. indicated by Senator Rock. On that question the Secretary
32. 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. PRESIDENT:

12. Senator Donnewald, aye. Senator Carroll, aye. Senator
13. Buzbee, aye. On that question the yeas are fifty-two, the
14. nays are none. The specific recommendations of the Governor
15. as to HB 1086 having received the required majority vote
16. of Senators elected are declared accepted. Sozry, I
17. skipped over Senator Palmer's bill, HB 966. Senator Palmer.

18. SENATOR PALMER:

19. Mr. President and Members of the Senate, I move
20. that the Senate concur with the House in the adoption of
21. the Governor's amendment to HB 966. The amendments are as
22. follows. 966 is a Land Acquisition bill and one of the
23. amendments are...there are two amendments here...deletes
24. the reference to development. In other words it limits
25. the bill to land acquisition only which is acceptable and
26. I believe should be approved. And the other amendment
27. provides a better...description of land acquisition in the...
28. question of be simple. It..it makes it more inclusive
29. by including acquisition of easements, and other property
30. interests, less than be simple if such property interests
31. are sufficient to carry out the purposes of this act.
32. And I move that we concur with these amendments, and
33. ask for a favorable roll call.

1. PRESIDENT:
2. Senator Knuepfer.
3. SENATOR KNUEPFER:
4. Did...did I understand Senator Palmer that one...
5. amendment makes the Land Acquisition Act nonacquisitive.
6. It deletes the acquisition.
7. PRESIDENT:
8. Senator Palmer.
9. SENATOR PALMER:
10. Deletes the application, development. In other
11. words there are reference in the...in the bill as it
12. now reads, acquisition and development. What this
13. amendment does is delete the word development and leaves
14. it as land acquisition only.
15. PRESIDENT:
16. Is there further discussion? Question is shall
17. the Senate accept the specific recommendations of the
18. Governor as to HB 966 in the manner and form just
19. indicated by Senator Palmer. On that question Secretary
20. 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. PRESIDENT:
33. On that question the yeas are forty-seven, the nays

1. are one. The specific recommendations of the Governor
2. as to HB 966 having received the required majority vote
3. of Senators elected is declared accepted. HB 1089,
4. Senator Rock.

5. SENATOR ROCK:

6. Thank you Mr. President. Ladies and Gentlemen of
7. the Senate HB 1089 is one of...another one of the series
8. of four bills which passed both Houses unanimously. And
9. it is an amendment...was an amendment to the Juvenile Court
10. Act. In the Governor's Amendatory Veto he limits the class
11. of children which the Department of Children and Family
12. Services must accept. That is, under the present Juvenile
13. Court Act the Department of Children and Family Services
14. is empowered to say to the court we cannot take this child.
15. We don't have the facility or whatever. Now this is a
16. problem concerning which Senators Fawell and myself have
17. been extremely active. We are attempting at least to
18. bring the Department into line where it will not refuse
19. any of these children. What we have done, you'll recall
20. HB 1087 which mandated that the Department of Children
21. and Family Services could not refuse a minor under the
22. age of 13. Heretofore in some instances a minor under
23. the age of 13 was in fact refused by the Department and
24. therefore the court had no recourse but to send or commit
25. that child to the Department of Corrections, its juvenile
26. division. We have now said in an accompanying piece of
27. legislation that a minor under 13 years cannot be refused
28. by the Department of Children and Family Services. This
29. bill went a step further and attempted to include all
30. children under the age of 18. Now the Governor's Amendatory
31. Veto limits the class to minors less than 13 years of
32. age committed to the Department under subsection A-4 of
33. 52, that is those children under 13 who are declared to be

1. delinquents. I think that we should concur in the
2. Governor's Amendatory Veto, this is a subject with which
3. we will have more legislation next Session. But I think
4. for the present time given the current fiscal problems
5. that the Department of Children and Family Services does
6. have and given the fact that they do not yet have
7. the physical facilities to take on the care and custody
8. of these children, I think that we should concur in
9. the Governor's Amendatory Veto and I would so move Mr.
10. President.

11. PRESIDENT:

12. Senator Knuepfer.

13. SENATOR KNUEPFER:

14. Well, then between 13 and 18 we have the present
15. situation which they're just in limbo and the court
16. doesn't know where to send them. Is that the situation?

17. SENATOR ROCK:

18. Well, it's...it's not so much the limbo situation
19. Senator as it is that the Department has an option if
20. you will. There are currently some 1200 children in
21. the care and custody of the Department between the ages
22. of 13 and 18 who have been adjudicated as delinquents,
23. and that is they are not in the care and custody of
24. the Department of Corrections but are in the Department
25. of Children and Family Services. All we...all this bill...
26. that...it would leave that situation the same. That is
27. that the court could say to the Department of Children
28. and Family Services if...if the court entered an order
29. assigning or...committing this child to Children and
30. Family Services that Department currently has an option
31. and it can say we can't take this child. They...they
32. are...they are administratively I am told attempting to
33. take as many as they physically and fiscally can handle.

1. But to mandate it, they claim would be...would put them
2. in a fiscal crunch. But I...I don't think it's fair to
3. say that, you know, the children are kind of free-floating.
4. They are committed to one Department or the other.

5. PRESIDENT:

6. Senator Knuepfer.

7. SENATOR KNUEPFER:

8. Well, I...I think this point, at this point in time,
9. it's probably best to accept this. But I think by the
10. time we get back here next year that it would certainly
11. be appropriate to look at this and make a determination
12. where we want these children to be handled. And I'm
13. willing to.. to buy this for a limited period of time
14. such as next year.

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Senator I concur wholeheartedly with that train of
19. thought. I think for the present we can well back off
20. from our original intent. But I think that the subject
21. should be dealt with next time. You will recall that in
22. the Executive Committee we considered a bill to transfer
23. the whole juvenile department of the Department of Corrections
24. into the Department of Children and Family Services. I
25. for one intend to bring that issue up again. And I think
26. that you are perfectly correct that if in fact we are
27. dealing with minors they should be committed to the
28. Department of Children and Family Services and that
29. Department should not have in my opinion the right
30. to refuse those children. The problem again is one
31. that is...cuts across all of State government, is a
32. fiscal one. They just don't have the appropriations
33. to do this right now. I think that we will certainly

1. address ourselves to that problem next Session. In the
2. meantime Mr. President, I move that the Senate concur
3. with the House in the adoption of the Governor's
4. Amendment to HB 1089 in the manner and form as recommended
5. by the Governor.

6. PRESIDENT:

7. Is there further discussion? The question is shall
8. the Senate accept the specific recommendations of the
9. Governor as to HB 1089 in the manner and form just
10. indicated by Senator Rock. On that question the Secretary
11. 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. PRESIDENT:

24. On that question the yeas are fifty-two, the nays
25. are none. The specific recommendations of the Governor
26. as to HB 1089 having received the required majority vote
27. of Senators elected are declared accepted. HB 1212,
28. Senator McCarthy.

29. SENATOR MCCARTHY:

30. Yes Mr. President. HB 1212 is before us on a motion
31. that we adopt the specific recommendations of the Governor
32. I urge a favorable vote. What this bill did when it was
33. passed was to take from the Environmental Protection Agency

1. and place with the Pollution Control Board the power
2. to impose only a performance bond. It also provided
3. that the decision as to whether or not a performance
4. bond had been violated would vest the jurisdiction
5. would vest in the circuit court. Governor deleted that
6. and said that the decision by his Amendatory change,
7. the decision as to whether or not the performance bond
8. had been violated should remain with the Pollution
9. Control Board. Now this bill is acceptable to the
10. sponsors which is mainly the State Chamber of Commerce.
11. It did pass the House where the Governor's changes were
12. adopted on October 16th by a vote of 126 to nothing. I
13. think it's an improvement. I think that the Governor's
14. changes are all right. I think that we do need this
15. legislation and I would recommend a vote to adopt the
16. Governor's recommendations. If there are any questions
17. that any members have I will be happy to attempt to answer
18. them.

19. PRESIDENT:

20. Is there further discussion? Question is shall
21. the specific recommendations of the Governor as to HB
22. 1212 be accepted in the manner and form just indicated
23. by Senator McCarthy. 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. Senator Berning, aye. On that question the yeas
5. are forty-nine, the nays are none. The specific recommen-
6. dations of the Governor as to HB 1212 having received
7. the required majority vote of Senators elected are
8. declared accepted. HB 1247, Senator Savickas.

9. SENATOR SAVICKAS:

10. Mr. President, could you hold this for a minute?
11. I want to get the Governor's Veto Message on this. This
12. deals with insurance for the physically handicapped and
13. raising the rates on it. Could we hold it just for a
14. few minutes?

15. PRESIDENT:

16. The bill will be held. HB 1436, Senator Kenneth Hall.

17. SENATOR KENNETH HALL:

18. Thank you Mr. President, Members of the Senate.
19. HB 1436 I move that the Senate do not concur with the
20. House on changing one word. Originally that it was passed
21. as saying that shall the House pass, changed the word
22. and accepted the Governor's Amendatory recommendation here
23. for that...the word be changed to may. Now, the recommended
24. change of the Governor, recommended that the State matching
25. grants be made discretionary the same as local grants. He
26. would change the word shall to may in this section dealing
27. with the making of State grants. Now HB 1436 as originally
28. written for your information was a bill that would have
29. provided the Governor's Office of Human Resources match
30. each dollar locally collected from governmental units
31. or profits of non-profit organizations for the use of
32. community action agency. Now, I have been in conference
33. with Senator Davidson over there and I've also talked

1. to the President of the Senate, so I imagine Senator
2. Davidson has something to say at this time.

3. PRESIDENT:

4. I think the members should understand Senator
5. Hall, I think when you rose to proceed you said that
6. the Senate non-concur. Did you mean now concur?

7. SENATOR KENNETH HALL:

8. Now, n-o-w.

9. PRESIDENT:

10. We just want to make sure that the record is
11. clear on it. Senator Davidson is recognized.

12. SENATOR DAVIDSON:

13. Mr. President and Members of the Senate last week
14. when this came up I raised the point of the word shall
15. to may and in ...the community action people have met
16. with me and they said that this may is all right with
17. them. They're not over enamored with it, but it's all
18. right with them. And what I really want to do is get
19. on the record so the Governor's Office will clearly
20. understand they start playing footsy with not funding
21. this \$30,000 to these community action agencies that
22. have raised their local money that I'm going to be back
23. in here next year with the word shall. This is a
24. urgent needed thing and I would concur in giving the
25. vote even though it's may and takes it out of the shall
26. because they have to have it implemented in the areas
27. where they're going particularly here in Springfield.
28. And I'd appreciate a favorable vote.

29. PRESIDENT:

30. Is there further discussion? The question is shall
31. the Senate accept the specific recommendations of the
32. Governor as to HB 1436 in the manner and form indicated
33. just now by Senator Kenneth Hall. On that question the

1. Secretary will call the roll.

2. SECRETARY:

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

13. PRESIDENT:

14. Senator Carroll, aye. Senator Keegan, aye. Senator
15. Glass, aye. On that question the yeas are thirty-three,
16. the nays are one, one voting present. The specific
17. recommendations of the Governor as to HB 1436 having
18. received the required majority vote of the Senators
19. elected are declared accepted. There's been a request
20. for a verification of the roll call. Secretary will
21. call the names of those voting in the affirmative. Will
22. the members be in their seats.

23. SECRETARY:

24. The following voted in the affirmative: Bell,
25. Bruce, Buzbee, Carroll, Clarke, Conolly, Daley, Davidson,
26. Donnewald, Fawell, Glass, Harber Hall, Kenneth Hall,
27. Hynes, Keegan, Knuppel, Kosinski, McCarthy, Netsch, Newhouse,
28. Nudelman, Palmer, Partee, Rock, Romano, Saperstein,
29. Smith, Vadalabene, Walker, Welsh, Wooten, Mr. President.

30. PRESIDENT:

31. Senator Harber Hall on the Floor? Is Senator...
32. remove Senator Hall. Is Senator Bruce on the Floor?
33. Yes, ok. Yes. Is Senator Walker on the Floor? remove

1. Senator Walker's name from the roll call. Senator
2. Swinarski.

3. SENATOR SWINARSKI:

4. ...am I recorded?

5. PRESIDENT:

6. Yes, no I will rule that you cannot be added to
7. the roll call at this point. We went through that
8. once before this Session. We are verifying those who
9. are in attendance and that's all we're going to do.
10. For what purpose does Senator Dougherty arise?

11. SENATOR DOUGHERTY:

12. I know I'm not making any changes here but I did
13. vote aye on it, I think that the Secretary didn't hear
14. me but I did vote aye.

15. PRESIDENT:

16. Well, we've gone through this before and the Chair
17. is going to protect the integrity of the ears of Messrs
18. Fernandes, and Wright. And I'm not going to get into
19. this in any way. These men are absolutely trustworthy
20. and we all know that there are times from time to time
21. during roll call that there is too much noise here. I
22. will suggest that they are not infallible. But there are
23. terrific. On verification the yeas are thirty-one, the
24. nays are one, those voting present one. The specific
25. recommendations of the Governor as to HB 1436 having
26. received the required majority vote of the Senators
27. elected are declared accepted. Senator Swainarski.

28. SENATOR SWINARSKI:

29. On a point of personal privilege.

30. PRESIDENT:

31. Proceed.

32. SENATOR SWINARSKI:

33. In the comment just made a few moments ago by the

1. President of this Chamber I've know Senator Dougherty
2. for a long time and I would never doubt his integrity.
3. I think Senator Dougherty in the years hes spent here
4. and the other members of this Body respect his integrity,
5. And surely if he says he had voted and the people of
6. his district had elected him to vote. If he says he
7. did vote I would accept Mr...Senator Dougherty's word
8. and his integrity also.

9. PRESIDENT:

10. The Chair will acknowledge the remarks of Senator
11. Swinarski to point out that no question of the integrity
12. of a Senator is involved. We are involved in the question
13. of verifying a roll call and nothing more. Senator
14. Dougherty.

15. SENATOR DOUGHERTY:

16. ...question anybody, it's entirely possible they
17. did not hear me and my voice is not very strong at times.
18. Next time I'll just hollar a little louder.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Yes Mr. President this must be the week for the
23. Senate Chamber to be gifted with so many distinguished
24. visitors. I'd like the Senate to acknowledge the
25. presence of our distinguished Lieutenant Governor Neil
26. Hartigan.

27. PRESIDENT:

28. HB 1471, Senator McCarthy.

29. SENATOR MCCARTHY:

30. Yes Mr. President and Members of the Senate, HB
31. 1471 passed this Chamber on...relates to the matter
32. of unemployment compensation. I mention that because
33. it doesn't relate to Workmen's Compensation. This was

1. a bill where the agreed process between management and
2. labor did work. But there was a mistake in the draftsman-
3. ship of the bill and I guess I'm responsible for it, in
4. that the date of September 9, 1973 was inadvertently left
5. in the bill and the Governor picked it up and he recommended
6. that we change that to November 4, 1973. Now, the bill if
7. the Governor had signed it would have suspended all
8. unemployment compensations, for the payments for the
9. payments between September 9 of this year to November 4
10. of this year and I think it was the intention of the Body
11. that the increase should become effective November 4 of
12. this year, and the Governor's change if adopted would
13. make that amendment effective on November 4 of this year.
14. That is the explanation I have for it. I don't think
15. there's any controversy, but I'd be happy to answer any
16. questions that any Members have.

17. PRESIDENT:

18. Senator Glass.

19. SENATOR GLASS:

20. I'd like to ask the sponsor a question Mr. President,
21. Senator McCarthy, was this bill an increase in the unemploy-
22. ment compensation in the amounts indicated in the digest.
23. Are there any amendments to it do you know?

24. PRESIDENT:

25. Senator McCarthy.

26. SENATOR MCCARTHY:

27. I don't have the digest in front of me but I'll give
28. you the increases. The increases on the single person is
29. from \$51 to \$60. For a person with a dependent spouse, it
30. goes 74 to 82. The next category is 86 to 88, the person with
31. one dependent child. Two children is 87 to 95, three children
32. it's 90 to 98, four or more children it goes 97, 105, so
33. it's an eight dollar per week increase.

1. PRESIDENT:
2. Senator Sours.
3. SENATOR SOURS:
4. I'd like to get straight on a couple of facts here
5. Senator McCarthy if I may please. Was there any date in
6. the original bill when it would have been effective?
7. PRESIDENT:
8. Senator McCarthy.
9. SENATOR MCCARTHY:
10. Well, the way the bill, now when you speak of the
11. original bill you mean introduced over in the House?
12. SENATOR SOURS:
13. In the House.
14. SENATOR MCCARTHY:
15. I'm sorry sir, I can't answer it. The bill I have
16. in front of me shows it November 4, 1973, that's the way
17. in which we passed it. But I don't know in the original
18. bill when it would have been effective, but when it
19. reached this Chamber sir, when it reached this Chamber
20. the increase would be effective November 4, 1973.
21. SENATOR SOURS:
22. Maybe Senator Mitchler has the answer to that...
23. PRESIDENT:
24. Senator Mitchler.
25. SENATOR MITCHLER:
26. Yes, Mr. President, Members of the Senate, what
27. the bill originally does it increases the weekly benefit
28. amounts for unemployment compensation. And this Body
29. and the House did approve of that. Now the Governor
30. supports the increases in the weekly benefit amount,
31. however the Governor felt that there is an error in the
32. date this is to begin. That this error could halt all
33. benefit payments. Therefore the Governor amended through

1. his Amendatory Veto an...in order to avoid confusion
2. through changing the increased compensation date from
3. September 9 to November 4th, 1973. Now there doesn't
4. appear to be any problem with the Amendatory Veto, the
5. State Chamber said that it's acceptable and that there
6. probably was no problem to begin with. Now that's the
7. research that I had done on the Amendatory Veto, so I
8. would assume that it's acceptable.

9. PRESIDENT:

10. Senator Sours.

11. SENATOR SOURS:

12. Well, now if there's...if there's non-concurrence
13. Senator McCarthy that simply means that this bill is
14. dead, not the Unemployment Compensation Statute. Isn't
15. that true? In other words, what is on the books today
16. untouched by this legislation will nevertheless be the law
17. if this does not receive 30 votes concurring.

18. SENATOR MCCARTHY:

19. I...I share your opinion.

20. SENATOR SOURS:

21. Yeah, all right.

22. SENATOR MCCARTHY:

23. I share your opinion.

24. PRESIDENT:

25. Is there further discussion? The question is shall
26. the Senate accept the specific recommendations of the
27. Governor as to HB 1471 in the manner and form just indicated
28. by Senator McCarthy. On that question the Secretary will
29. call the roll.

30. SECRETARY:

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

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

8. PRESIDENT:

9. For what purpose does Senator McCarthy arise?

10. SENATOR MCCARTHY:

11. Respectfully a call of the absentees.

12. PRESIDENT:

13. Call the absentees.

14. SECRETARY:

15. Bartulis, Bell, Berning, Clarke, Conolly, Fawell,
16. Glass, Harber Hall, Knuepfer, McBroom, Merritt, Mitchler,
17. Howard Mohr, Don Moore, Nimrod, Ozinga, Roe, Schaffer,
18. Scholl, Shapiro, Sommer, Soper, Sours, Swinarski, Weaver,
19. Mr. President.

20. PRESIDENT:

21. Senator McCarthy.

22. SENATOR MCCARTHY:

23. Mr. President, I...I understand there's 29 votes
24. forthis and it needs 30, so I guess that I'd like to...

25. PRESIDENT:

26. Motion to postpone would be in order. Senator
27. McCarthy moves to postpone consideration on the specific
28. recommendations of the Governor as to HB 1471. Senator
29. McCarthy.

30. SENATOR MCCARTHY:

31. Yes Mr. President I rise on a point of personal
32. privilege to mention to the members that what Senator
33. Sours said is correct that under unless this bill receives

1. 30 votes there will be no increase in the unemployment
2. compensation in spite of our actions of last Session.
3. Thank you for the point of personal privilege.

4. PRESIDENT:

5. HB 1491, Senator Sours. Senator Sours.

6. SENATOR SOURS:

7. I'm not going to call that bill because, not because
8. of what just happened by any means but what...there are
9. two bills and the Peoria people are trying to decide which
10. they prefer because if we pass them both, the last one
11. passed, in some opinion govern and it's going to go into
12. courts. We're going to try to obviate that. Other than
13. that, I'm for the bill, let's wait till we see what we're
14. going to do about it.

15. PRESIDENT:

16. We'll wait for the Peoria people then. HB 1517,
17. Senator Romano.

18. SENATOR ROMANO:

19. Mr. President, Members of the Senate HB 1517 amends
20. the Insurance Code to make minor procedural changes in
21. the operation of the guarantee fund. The Governor has
22. returned the bill with the following recommendations, that
23. the following language deleted by the bill from the
24. Insurance Code be reinstated...be inserted at page 2,
25. line 20 of HB 1517. If more than one member of group of
26. wholly owned or controlled companies is a member of the
27. fund, only one vote will be allowed for the entire group.
28. The Governor believes that limitations on the influence
29. of major groups upon the fund is desirable. Number two,
30. that the period of stay imposed upon all proceedings
31. arising out of a covered claim against an insolvent
32. company amended in HB 1517 to 180 days, the change that
33. page 6, line 2 to 120 days. The Code itself provides

1. for a stay of 60 days and although the Governor agrees
2. that this is too short a period he feels that 180 days
3. stay constitutes excessive delay. Number three, that
4. Section 2, page 6, lines 13 through 14 which repeal
5. Section 537-8 of the Code be deleted. Section 537-8
6. of the Insurance Code requires that the guarantee fund
7. should it opt to process covered claims against insolvent
8. companies itself must comply with the Director's instructions
9. concerning notification of involved persons. The Governor
10. indicates that the Department of Insurance also opposes
11. the repeal of Section 537:8. I now move Mr. President
12. that the Senate concur with the House and accept the
13. Amendatory Veto of the Governor.

14. PRESIDENT:

15. The question is shall...Senator Merritt.

16. SENATOR MERRITT:

17. Mr. President, members of the Senate, just very briefly
18. I would agree with practically everything that Senator
19. Romano said. I...I think the only possible argument here
20. would be over the days of delay. 180 days as contained
21. in the original bill is certainly too long because it's
22. ...the fund was actually designed to eliminate delays and
23. expedite the payment of these claims. There's some question
24. whether 120 days which doubles the present time is too much
25. but I...I would certainly hope that the members of this
26. side of the aisle might vote to concur in this Amendatory
27. Veto.

28. PRESIDENT:

29. Is there further discussion? The question is shall
30. the Senate accept the specific recommendations of the
31. Governor as to HB 1517 in the manner and form just
32. indicated by Senator Romano. On that the question the
33. Secretary will call the roll.

1. SECRETARY:

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

12. PRESIDENT:

13. Senator Saperstein, aye. Senator Scholl, aye.
14. Senator Davidson, aye. On that question the yeas are
15. forty-nine, the nays are none. The specific recommen-
16. dations of the Governor's as to HB 1517 having received
17. the required majority vote of the Senators elected are
18. declared accepted. Senator Savickas do you wish to call
19. either of your bills this morning, or this afternoon?

20. SENATOR SAVICKAS:

21. 1247 we're ready to go.

22. PRESIDENT:

23. HB 1247, Senator Savickas.

24. SENATOR SAVICKAS:

25. HB 1247 originally amended the Insurance Code to
26. prohibit the charging of higher premiums to physically
27. handicapped persons. And the Ammendatory Veto was
28. enacted because the section of the Insurance Code
29. amended by this bill in it's original form expired
30. on August 1st, 1971 and the Governor has merely moved
31. the language of the bill to a new section and there is
32. no substantial change as a result. And I would hope
33. that we would concur in the Governor's Ammendatory Veto.

1. PRESIDENT:

2. Is there further discussion? The question is shall
3. the Senate accept the specific recommendations of the
4. Governor as to HB 1247 in the manner and form just
5. indicated by Senator Savickas. On that question the
6. Secretary will call the roll.

7. SECRETARY:

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

18. PRESIDENT:

19. On that question the yeas are forty-eight, the nays
20. are none. The specific recommendations of the Governor
21. as to HB 1247 having received the required majority vote
22. of Senators elected are declared accepted. We have
23. completed the order of concurrence in House action on
24. Amendatory Vetoes. Message from the House.

25. SECRETARY:

26. (Secretary reads Message from the House)

27. PRESIDENT:

28. The Chair wishes to make plain what our procedure
29. will be next week, before the Adjournment Resolution is
30. put by Senator Graham. When we adjourn tomorrow as I
31. indicated to you those that are not members of Executive
32. and Revenue will be free to depart. We will reconvene
33. on Tuesday of next week, convening the First Special

1. Session at 1:00. The Regular Session will reconvene next
2. Tuesday at 2:00. Those are the two margins to go by.
3. The First Special Session, Tuesday at 1:00. The Second
4. at 1:15. The Third at 1:30. The Fourth at 1:45. The
5. Regular at 2:00. Senator Graham moves the adoption of
6. the Adjournment Resolution for the Regular Session. All
7. in favor signify by saying aye. Contrary no. The motion
8. carries, the Resolution is adopted for the Regular Session
9. We have a Death Resolution. I'm sorry, Senator Netsch.

10. SENATOR NETSCH:

11. Mr. President might I just ask is there any way
12. of predicting right now how many days we will be in
13. Session next week just so that we can make appropriate
14. travel arrangements and all.

15. PRESIDENT:

16. I would speculate that we would be here at the minimum
17. two days, Tuesday and Wednesday and the prospect might be
18. and we would be able to...ascertain this sometime Wednesday
19. whether it would be necessary for us to remain Thursday.
20. The prospect actually is that we could get out of here
21. on Wednesday, but I think I would hold some reserve
22. possibility of a change of Tuesday and Wednesday only
23. to possibly include Thursday. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Mr. President, I have an announcement to make.
26. Pension Commission which was scheduled to hold a meeting
27. tomorrow evening that meeting has been cancelled and
28. tentatively rescheduled for next Tuesday evening. You
29. will be notified of the time and place.

30. PRESIDENT:

31. Senator Clarke.

32. SENATOR CLARKE:

33. Mr. President, I...in response to Senator Course

1. I checked with the Executive Committee and ascertained
2. that they think they can be through tomorrow afternoon
3. by 4:00 o'clock, so we'll move the Revenue Committee up
4. from 4:30 to 4:00 o'clock and possibly we can expedite
5. our business, and get you out a little earlier.

6. PRESIDENT:

7. Senator Don Moore.

8. SENATOR DON MOORE:

9. Yes thank you Mr. President. Just a reminder to the
10. members of the Senate Committee on Elections and Reapportion-
11. ment there will be a meeting tomorrow morning at 8:30 a.m.,
12. in Room A-1 to consider the report of the subcommittee on
13. the Knuppel-Adams election contest in the 48th Legislative
14. District.

15. PRESIDENT:

16. Are there further announcements? Is there further
17. action to come before the Regular Session? Senator Regner.
18. On the Secretary's desk a motion to concur in House Amendment
19. to SB 660.

20. SENATOR REGNER:

21. Yes Mr. President, Members of the Senate this bill
22. came to us on the last day of the Session with a House
23. Amendment. The Amendment corrects some dates that were
24. in the bill, inserts the Home Rule article...the Home
25. Rule Amendment and also reinserts some language that was
26. inadvertently left out of the original bill. And I would
27. move to concur in House Amendment No. 1 to SB 660.

28. PRESIDENT:

29. Is there discussion? Question is shall the Senate
30. concur in House Amendment No. 1 to SB 660. On that
31. question the Secretary will call the roll.

32. SECRETARY:

33. Bartulis, Bell, Berning, Bruce, Buzbee, Carroll,
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.
10. PRESIDENT:

11. Senator Hynes, aye. Senator Kenneth Hall, aye.
12. Kosinski, aye. Dougherty, aye. Donnewald, aye. Keegan,
13. aye. Carroll, aye. Netsch, aye. Course, Daley, Palmer,
14. Partee, Bruce, Senator Davidson, aye. Knuppel, aye. On
15. that question the yeas are fifty-two, the nays are none.
16. The Senate concurs in the adoption of House Amendment No. 1
17. to SB 660. Senator Graham.

18. SENATOR GRAHAM:

19. I think you might remember this gentleman, many of us
20. do., from nineteen hundred sixty-four, the newest member
21. of the Illinois House of Representatives Marvin Dee is
22. checking with the Senate, standing right behind us.

23. PRESIDENT:

24. ...further business to come before the Senate in
25. the Regular Session? We have a Death Resolution offered
26. by Senator Partee. Will the members please be in their
27. seats?

28. SECRETARY:

29. Senate Resolution 273 by Senators Partee and Harris.

30. (Secretary reads Resolution)

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

1. Well Mr. President, Members of the Senate I think
2. the Resolution in and of itself by it's...verbage expresses
3. the grace and the breadth of the life of Charlie Whalen
4. to me he was and I think Illinois will remember him as
5. a journalistic institution. I would move Mr. President
6. that the rules be suspended for the immediate consideration
7. and for the immediate adoption of this Resolution. I would
8. urge that all Senate Members be made cosponsors of this
9. Resolution.

10. PRESIDENT:

11. Is there leave? So ordered. Senator Partee
12. moves to suspend the rules for the immediate consideration
13. of the adoption of the Resolution. All in favor signify
14. by saying aye. Contrary no. The motion carries. On the
15. motion to adopt, the Death Resolution acknowledging our
16. friend Charlie Whalen, all those in favor of adoption
17. signify by rising. The Resolution is adopted. The
18. Regular Session stands adjourned until 10:45, Wednesday
19. October 31st.

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