

79TH GENERAL ASSEMBLY

REGULAR SESSION

MAY 7, 1975

1. PRESIDENT:

2. The hour of 10:30 having arrived, the Senate will come to
3. order. Will our guests in the Gallery please stand as we have
4. prayer by Reverend A. R. Roberts, Calvary Baptist Church, Springfield,
5. Illinois.

6. REVEREND ROBERTS:

7. (Prayer given by Reverend Roberts)

8. PRESIDENT:

9. Reading of the Journal. Senator Buzbee.

10. SENATOR BUZBEE:

11. Mr. President, I move that reading and approval of the Journals
12. of Wednesday, April 23rd, 1975, Thursday, April 24th, 1975, Friday,
13. April 25th, 1975, Monday, April 28th, 1975, Tuesday, April 29th,
14. 1975, Wednesday, April 30th, 1975, Thursday, May 1st, 1975, Friday,
15. May 2nd, 1975, and Tuesday, May 6th, 1975 be postponed pending
16. arrival of the printed Journals.

17. PRESIDENT:

18. You heard the motion. All in favor will say Aye. Opposed
19. Nay. The Ayes have it. The motion is adopted. Sorry you were
20. interrupted there, Senator. Committee reports.

21. SECRETARY:

22. Senator Donnewald, the Chairman of Assignment of Bills, assigns
23. the following to Committee:

24. Senate Bill 14...Appropriations - Senate Bill 1494, House
25. Bills 885 and 1090; Judiciary - House Bills 273 and 275; Local
26. Government - House Bill 828; Transportation - House Bill 553.

27. Senator Palmer, Chairman of Education Committee, reports out
28. the following bills:

29. House Bills 224, 328 and 590 with the recommendation Do Pass.

30. Senator Dougherty, Chairman of Local Government Committee,
31. reports out the following bills:

32. House Bills 158, 468 and 503 with the recommendation Do Pass.

33. Senator Johns, Chairman of Executive Committee, reports out

1. House Bills 87, 118, 221 with the recommendation Do Pass. House
2. Bill 163 with the recommendation Do Pass as Amended.
3. PRESIDENT:
4. House Bills on 1st reading. Are there any Senators who desire
5. to pick up a House Bill on 1st reading? If so, please...Senator
6. Hickey.
7. SENATOR HICKEY:
8. ...(Machine cut-off)..Chairman, House Bill 1272 and 1276.
9. They're both easement bills, and I'd like to bypass...move to
10. bypass committee and have them moved to 2nd.
11. PRESIDENT:
12. Is there objection? Leave is granted. House Bill 1276.
13. Read...you've got to read the bill first.
14. SECRETARY:
15. House Bill 1276.
16. (Secretary reads title of bill)
17. 1st reading of the bill.
18. PRESIDENT:
19. 2nd reading. Senator Hickey.
20. SENATOR HICKEY:
21. I move that we bypass committee with House Bill 1272 and move
22. it to 2nd reading. It's another easement bill.
23. PRESIDENT:
24. Is there leave? Leave is granted. Read the bill.
25. SECRETARY:
26. House Bill 1272.
27. (Secretary reads title of bill)
28. 2nd reading...or 1st reading of the bill.
29. PRESIDENT:
30. 2nd reading. House Bill 1270, Senator Demuzio.
31. SECRETARY:
32. House Bill 1270.
33. (Secretary reads title of bill)

1. 1st reading of the bill.

2. PRESIDENT:

3. Senator Johns.

4. SENATOR JOHNS:

5. Mr. President, in line with what Senator Vivian Hickey has

6. just done, I'd like to do that on Senate Bill...I mean House

7. Bill 1719. It's an easement bill, also.

8. PRESIDENT:

9. Senator Johns...

10. SENATOR JOHNS:

11. Asks leave of the Body.

12. PRESIDENT:

13. ...Read the bill.

14. SECRETARY:

15. House Bill 1719.

16. (Secretary reads title of bill)

17. 1st reading of the bill.

18. PRESIDENT:

19. Senator Johns seeks leave to move this bill to the order of

20. 2nd reading without reference to a committee. Is there leave?

21. Leave is granted. 1582, Senator Shapiro.

22. SECRETARY:

23. House Bill 1582.

24. (Secretary reads title of bill)

25. 1st reading of the bill.

26. PRESIDENT:

27. Senator Bruce.

28. SENATOR BRUCE:

29. Yes, Mr. President, relative to House Bill 976, I would ask

30. the Secretary read the bill the first time and that it be...

31. advanced to the order of 2nd reading without reference to committee.

32. PRESIDENT:

33. Read the bill.

1. SECRETARY:

2. House Bill 976.

3. (Secretary reads title of bill)

4. 1st reading of the bill.

5. PRESIDENT:

6. Is there leave to move this bill to 2nd reading without
7. reference to committee? Leave is granted. Senate Bill 17...
8. House Bill 1759, Senator Rock.

9. SECRETARY:

10. House Bill 1759.

11. (Secretary reads title of bill)

12. 1st reading of the bill.

13. PRESIDENT:

14. House Bill 994, Senator Wooten. ... (Machine cut-off)... he's
15. getting the bill out, the Chair recognizes Senator Knuppel. Will
16. the members be in their seats.

17. SENATOR KNUPPEL:

18. Mr. President and members of the Body, on a matter of personal
19. privilege, we have with us today from the Rural Electric Cooperatives
20. of Illinois a group of approximately a hundred and fifty young
21. people who are competing for a trip known as Youth to Washington
22. later this year. There are about eight or ten Electric Co-ops
23. scattered throughout the State of Illinois who have joined in this
24. promotion and they send their contestants to Springfield for a Youth
25. in Springfield Day thereby accommodating those youngsters who are
26. competing but may not be successful in winning a trip to Washington.
27. They're accompanied by Loren Bobbitt, the Legislative Liaison for the
28. Rural Electric Co-ops of Illinois and Robert Patton. I'd like for
29. them to stand and be recognized by the Body.

30. PRESIDENT:

31. Will they please rise and stand. House Bill 994, Senator
32. Wooten.

33. SECRETARY:

1. House Bill 994.

2. (Secretary reads title of bill)

3. 1st reading of the bill.

4. PRESIDENT:

5. House Bill 1743, Senator Romano. The Chair desires to make
6. this announcement to the members. At the Secretary's Desk is a
7. list of Senate Bills on the Calendar on 2nd reading. If you desire
8. that bill be called today on 2nd reading, please come down to the
9. Secretary's Desk and inform him. House Bill 1743, Senator Romano...

10. SECRETARY:

11. House Bill...House Bill 1743.

12. (Secretary reads title of bill)

13. 1st reading of the bill.

14. PRESIDENT:

15. Are there any other House Bills on 1st reading that the
16. members desire read? ...(Machine cut-off)...this is the first day
17. of this procedure, the Senate will be at ease for a few moments so
18. that you may indicate personally to the Secretary which bill you
19. desire called on 2nd reading because after today, this will be the...
20. the standard procedure to inform the Secretary of the bill you
21. desire called on 2nd reading. For what purpose does Senator Joyce
22. arise?

23. SENATOR JOYCE:

24. I would like to take House Bill 1159.

25. PRESIDENT:

26. House Bills on 1st reading. House Bill 478, Senator Carroll.

27. SECRETARY:

28. House Bill 478.

29. (Secretary reads title of bill)

30. 1st reading of the bill.

31. PRESIDENT:

32. House Bill 755, Senator Vadalabene.

33. SECRETARY:

1. House Bill 755.
2. (Secretary reads title of bill)
3. 1st reading of the bill.
4. PRESIDENT:
5. Senator Vadalabene.
6. SENATOR VADALABENE:
7. Yes, Mr. President and members of the Senate, House Bill 755
8. is an easement bill in Madison County. I've had...I've had leave
9. from the...from the leadership on both sides of the aisle to advance
10. this to 2nd reading without reference to committee.
11. PRESIDENT:
12. Is there leave? Leave is granted. Read the bill. Do you
13. read it? Did you read it? All right. 2nd reading. House Bill
14. 813, Senator Schaffer.
15. SECRETARY:
16. House Bill 813.
17. (Secretary reads title of bill)
18. 1st reading of the bill.
19. PRESIDENT:
20. House Bill 1099, Senator Schaffer.
21. SECRETARY:
22. House Bill 1099.
23. (Secretary reads title of bill)
24. 1st reading of the bill.
25. PRESIDENT:
26. House Bill 1159, Senator Joyce.
27. SECRETARY:
28. House Bill 1159.
29. (Secretary reads title of bill)
30. 1st reading of the bill.
31. PRESIDENT:
32. House Bill 1441.
33. SECRETARY:

1. House Bill 1441.

2. (Secretary reads title of bill)

3. PRESIDENT:

4. That's Senator Schaffer is the sponsor. Any further House

5. Bills on 1st reading? Senate Bills on 2nd reading. Senate

6. Bill 266, Senator Glass.

7. SECRETARY:

8. ... (Machine cut-off)...266.

9. (Secretary reads title of bill)

10. 2nd reading of the bill. No committee amendments.

11. PRESIDENT:

12. Any amendments from the Floor? 3rd reading. Senate Bill 658,

13. Senator Daley.

14. SECRETARY:

15. Senate Bill 658.

16. (Secretary reads title of bill)

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

18. PRESIDENT:

19. Any amendments from the Floor? 3rd reading. Senate Bill 724,

20. Senator Nimrod. Oh, take it out of the record. Senate Bill 881,

21. Senator Fawell.

22. SECRETARY:

23. Senate Bill 881.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. The Committee on Local Government offers

26. one amendment.

27. PRESIDENT:

28. Senator Fawell may explain the amendment.

29. SENATOR FAWELL:

30. Yes, Mr. President, this is a nonsubstantive amendment to...

31. there was a...a...a poor wording by the drafter of the bill. I move

32. the adoption of Amendment No. 1.

33. PRESIDENT:

1. Any further discussion? Senator Fawell moves the adoption
2. of Amendment No. 1 to Senate Bill 881. All in favor will say Aye.
3. Opposed Nay. The Ayes have it. The amendment is adopted. Any
4. further amendments? Any amendments from the Floor? 3rd reading.
5. Senate Bill 882, Senator Fawell, Read the bill.
6. SECRETARY:
7. Senate Bill 882.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. The Committee on Finance and Credit
10. Regulation offers one amendment.
11. PRESIDENT:
12. Senator Fawell may explain the amendment.
13. SENATOR FAWELL:
14. Yes, once again, it's a nonsubstantive amendment, Mr. President,
15. and I move the adoption of Amendment No. 1.
16. PRESIDENT:
17. Any further discussion on the amendment? Senator Fawell moves
18. the adoption of Amendment No. 1 to Senate Bill 882. All in favor
19. will say Aye. Opposed Nay. The Ayes have it. The amendment is
20. adopted. Any further amendments? 3rd reading. Senate Bill 980,
21. Senator Roe. Senate Bill 980, Senator Roe.
22. SECRETARY:
23. Senate Bill 980.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. Senate Bill 981,
28. Senator Roe.
29. SECRETARY:
30. Senate Bill 981.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:

1. Any amendments from the Floor? 3rd reading. Wait a minute.

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you. If I could have Senator Roe's attention, I think in

5. the Committee on Executive, he agreed to put an amendment on in 2nd

6. reading.

7. PRESIDENT:

8. Senator Roe.

9. SENATOR ROE:

10. You're right, Senator Rock. I appreciate you bringing that to

11. my attention, and we can just take it out of the record.

12. PRESIDENT:

13. Take it out of the record. Senate Bill 310, Senator Roe.

14. SECRETARY:

15. Senate Bill 310.

16. (Secretary reads title of bill)

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

18. PRESIDENT:

19. Any amendments from the Floor? 3rd reading. Senate Bill 713,

20. Senator Joyce.

21. SECRETARY:

22. Senate Bill 713.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. The Committee on Agriculture, Conservation

25. and Energy offers two amendments.

26. PRESIDENT:

27. Senator Joyce.

28. SENATOR JOYCE:

29. Amendment No. 1 deletes the word January in...in lieu of the

30. word March. This is when the license would expire. And Amendment

31. No. 2...

32. PRESIDENT:

33. Well, let's just take one at a time.

1. SENATOR JOYCE:
2. All right.
3. PRESIDENT:
4. Senator Latherow wants to be heard on this one. Senator
5. Latherow.
6. SENATOR LATHEROW:
7. Well, Mr. President, I just wonder if he'd either agree to
8. hold it or bring it back because I...I have some amendments I
9. want to suggest for it. That's only the agreement I wanted.
10. PRESIDENT:
11. Senator Joyce, you agree to bring it back? Said he'll agree with
12. it. Any further discussion on Amendment No. 1? Senator Joyce moves
13. the adoption of Amendment No. 1 to Senate Bill 713. All in favor
14. will say Aye. Opposed Nay. The Ayes have it. The amendment is
15. adopted. Amendment No. 2.
16. SENATOR JOYCE:
17. Amendment No. 2 deals with what fish can be released in certain
18. waters of the State of Illinois and by whom.
19. PRESIDENT:
20. Any further discussion on this amendment? Senator Bell.
21. SENATOR BELL:
22. Yes, I'd like to ask Senator Joyce a few questions in reference
23. to Amendment No. 2. Senator Joyce, could...could you go into a
24. little more detail as to who makes that determination, and why...
25. you know, why that determination as to length is...was made on the
26. basis that it is? In other words, I'd like a little deeper explana-
27. tion made to the Body and to myself.
28. PRESIDENT:
29. Senator Joyce.
30. SENATOR JOYCE:
31. Yes. The Department of Conservation makes the definition of
32. who can put it in, and what it amounts to is that a person can only
33. put fish into a body of water if he owns it. And it...otherwise, it

1. has to be done by the Department of Conservation, and then, it
2. defines the length of catfish that are caught, and the reason for
3. that is so that they will have one year to spawn before they are
4. ...it...it goes to fifteen inches when they're dressed.

5. PRESIDENT:
6. Senator Bell.

7. SENATOR BELL:
8. Well, Senator Joyce, can you give me the rationale as to why
9. only the Department of Conservation can...can put fish into bodies
10. of water that aren't owned by any one individual?

11. PRESIDENT:
12. Senator Joyce.

13. SENATOR JOYCE:
14. If the person owns a body of water, he can put fish in there,
15. but if it's a State owned body of water, then the Department of
16. Conservation is the one that puts the fish in.

17. PRESIDENT:
18. Senator Bell.

19. SENATOR BELL:
20. Well, I'm trying to determine what the rationale is on the
21. part of the Department of Conservation that they're the only ones
22. that can...can put fish in any moving body of water or body of water
23. owned by more than two people, or is there any rationale?

24. PRESIDENT:
25. Senator Joyce.

26. SENATOR JOYCE:
27. Well, I would suppose that they want to put in the right kind
28. of fish and make sure that ruff fish are not put into different
29. bodies of water, and...and if the Department of Conservation is
30. doing this, I would guess that they would have knowledge of what
31. kind of fish are in there and why they would, you know, what the
32. pond and so forth would...would take and maintain.

33. PRESIDENT:

1. Senator Joyce. Any...any further discussion? Senator Joyce
2. moves the adoption of Amendment No. 2 to Senate Bill 713. All in
3. favor will say Aye. Opposed Nay. The Ayes have it. The amendment
4. is adopted. Senate Bill 990, Senator Glass.
5. SECRETARY:
6. Senate Bill 990.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. No committee amendments.
9. PRESIDENT:
10. Any amendments from the Floor? 3rd reading. Senate Bill 1009,
11. Senator Glass.
12. SECRETARY:
13. Senate Bill 1009.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. No committee amendments.
16. PRESIDENT:
17. Any amendments from the Floor? 3rd...3rd reading. Senate
18. Bill 1030, Senator Chew.
19. SECRETARY:
20. Senate Bill 1030.
21. (Secretary reads title of bill)
22. 2nd reading of the bill. The Committee on Local Government offers
23. two amendments.
24. PRESIDENT:
25. Is Senator Dougherty on the Floor? All right. Read...would
26. ...shall Senator Chew explain the first amendment, Amendment No. 1.
27. SENATOR CHEW:
28. Yeah, Mr. President, these amendments were worked out under the
29. supervision of Senator Dougherty in connection with the conversation
30. I had with the President, and they were all acceptable.
31. PRESIDENT:
32. Any further discussion?
33. SENATOR CHEW:

1. ...and a unanimous vote on the...on the committee.

2. PRESIDENT:

3. Any further discussion on Amendment No. 1...Senator Chew
4. moves the adoption of Amendment No. 1 to Senate Bill 1030. All
5. in favor will say Aye. Opposed Nay. The Ayes have it. Amendment
6. No. 1 is adopted. Amendment No. 2 is under consideration. Senator
7. Chew, any further discussion on Amendment No. 2?

8. SENATOR CHEW:

9. Amendment No. 2, Mr. President, is an agreed amendment by
10. Senator...under Senator Dougherty's sponsorship, and it came out
11. with a unanimous vote.

12. PRESIDENT:

13. Any further discussion on Amendment No. 2? Senator Chew moves
14. the adoption of Amendment No. 2 to Senate Bill 1030. All in favor
15. will say Aye. Opposed Nay. The Ayes have it. The amendment is
16. adopted. Any further amendments? 3rd reading. Senator Latherow.

17. SENATOR LATHEROW:

18. Well, Senator Chew, I just wondered. You know I had an agree-
19. ment with you, one proposed amendment that would allow the cities
20. and unincorporated areas to...to have some voice in where these
21. were located in theirs and other areas.

22. PRESIDENT:

23. Senator Chew.

24. SENATOR CHEW:

25. Yes, I believe you are...discussed this in committee meeting,
26. and I believe the committee was amenable to the suggested amendment
27. in which you are...had discussed. Do you have the amendment ready?

28. PRESIDENT:

29. Senator Latherow.

30. SENATOR LATHEROW:

31. Yes, I...I thought you got a copy of it this morning, but
32. we'll look at it and then we can bring it back. Yeah. Okay.

33. PRESIDENT:

1. All right. I think we can bring it back. That won't be
2. any problem. You and he can work it out, and then, we can bring
3. it back and put it on. Senate Bill 1069, Senator McCarthy.
4. SECRETARY:
5. Senate Bill 1069.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDENT:
9. Any amendments from the Floor? 3rd reading. Senate Bill 1095,
10. Senator Netsch. ... (Machine cut-off) ... bill.
11. SECRETARY:
12. Senate Bill 1095.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDENT:
16. Any amendments from the Floor? 3rd reading. Senate Bill 1097,
17. Senator Davidson. Read the bill.
18. SECRETARY:
19. Senate Bill 1097.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any amendments from the Floor? 3rd reading. Senate Bill 1103,
24. Senator Bell. Read the bill.
25. SECRETARY:
26. Senate Bill 1103.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. The Committee on Finance and Credit
29. Regulations offers one amendment.
30. PRESIDENT:
31. Senator Bell will explain the amendment. Senator Bell.
32. SENATOR BELL:
33. Yeah, Mr. President, I don't have that amendment with me. We

*11:05
2nd Reading
May 11 1911*

1. better take it from the record until I have it set.
2. PRESIDENT:
3. Take it out of the record. Senate Bill 1112, Senator Regner.
4. Read the bill.
5. SECRETARY:
6. Senate Bill 1112.
7. (Secretary reads title of bill)
8. 2nd reading of the bill. The Committee on Transportation offers
9. one amendment.
10. PRESIDENT:
11. Senator Regner.
12. SENATOR REGNER:
13. Mr. President, what this amendment does is underlined a new
14. wordage in the bill that was left out by the Legislative Reference
15. Bureau when they drafted the bill, and I'd move for the adoption of
16. Amendment 1 to Senate Bill 1112.
17. PRESIDENT:
18. The question is shall Amendment No. 1 be adopted to Senate
19. Bill 1112. All in favor will vote Aye. Opposed Nay. The Ayes
20. have it. The amendment is adopted. Any further amendments? 3rd
21. reading. Senate Bill 1113, Senator Regner. Read the bill.
22. SECRETARY:
23. Senate Bill 1113.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. PRESIDENT:
27. Any amendments from the Floor? 3rd reading. Senate Bill 1118,
28. Senator Berning. Read the bill.
29. SECRETARY:
30. Senate Bill 1118.
31. (Secretary reads title of bill)
32. 2nd reading of the bill. No committee amendments.
33. PRESIDENT:

1. Senator Rock.

2. SENATOR ROCK:

3. I don't have any amendments, but I would ask leave of the

4. Senate to have Senator Partee shown as a cosponsor of this legis-

5. lation.

6. PRESIDENT:

7. Is there leave? Leave is granted.

8. SENATOR ROCK:

9. Will that be on the Calendar, Mr. Secretary, please?

10. Yeah.

11. PRESIDENT:

12. Any amendments from the Floor? 3rd reading. Senate Bill 1128,

13. Senator Egan. Read the bill.

14. SECRETARY:

15. Senate Bill 1128.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. The Committee on Judiciary offers one

18. amendment.

19. PRESIDENT:

20. Senator Egan.

21. SENATOR EGAN:

22. Mr. President, the...the amendment restricts the bill to a

23. prospective bill rather than to...and denies its retrospective

24. aspect. It also clarifies the necessary posting device, and the

25. Committee adopted it unanimously. I'd ask for the amendment to

26. be adopted, Mr. President.

27. PRESIDENT:

28. Any further discussion on this amendment? Senator Fawell.

29. SENATOR FAWELL:

30. My only comment, Senator, if...could...could you bring this

31. back to 2nd reading? I still have some...some question about the

32. efficacy of that amendment, but no big problem. I think we can

33. work it out.

1. PRESIDENT:
2. He indicates that he will. Any further amendments? Senator
3. Mitchler.
4. SENATOR MITCHLER:
5. I'll ask the sponsor, does this mean like along a scenic
6. rivers area that if a guy posted a sign every two hundred feet,
7. nobody could come on his property? Is that what the amendment is?
8. PRESIDENT:
9. Senator Egan.
10. SENATOR EGAN:
11. No. It...it provides for private property being used by the
12. public.
13. PRESIDENT:
14. ...(Machine cut-off)...Egan moves the adoption of Amendment No. 1
15. to Senate Bill 1128. All in favor will say Aye. Opposed. The
16. Ayes have it. The amendment is adopted. Any further amendments?
17. 3rd reading. Senate Bill 1160, Senator Glass. Read the bill.
18. SECRETARY:
19. Senate Bill 1160.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDENT:
23. Any amendments from the Floor? 3rd reading. Senate Bill 1178,
24. Senator Berning. Read the bill.
25. SECRETARY:
26. Senate Bill 1178.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments.
29. PRESIDENT:
30. Any amendments from the Floor? Senator Berning.
31. SENATOR BERNING:
32. Yes, thank you, Mr. President. These are two amendments that
33. were requested by the Committee. One is the...is the Dougherty

1. Amendment, and I would assume that would be Amendment No. 1.

2. PRESIDENT:

3. Yes, let's take them one at a time. Would you explain...
4. well, any discussion to Amendment No. 1? Senator Berning moves
5. the adoption of Amendment No. 1 to Senate Bill 1178. All in favor
6. will say Aye. Opposed Nay. The Ayes have it. The amendment is
7. adopted. Amendment No. 2, Senator Berning.

8. SENATOR BERNING:

9. Thank you, Mr. President. Amendment No. 2 was requested by
10. the Committee and makes the bill effective throughout a forest
11. preserve rather than restricting it to just paths, driveways and
12. roadways. In other words, the Committee felt that in imposing...
13. allowing the Forest Preserve Board to impose some restrictions on
14. the use of vehicles, it ought not to be just on pathways, but
15. should be throughout the forest preserve and that's...

16. PRESIDENT:

17. Any further discussion on this amendment? Senator Berning
18. moves the adoption of Amendment No. 2 to Senate Bill 1178. All
19. in favor will say Aye. Opposed Nay. The Ayes have it. The
20. amendment is adopted. Any further amendments? 3rd reading.
21. Senator Nudelman on the Floor? Oh. Senate Bill 1192, Senator Rock.
22. Read the bill.

23. SECRETARY:

24. Senate Bill 1192.

25. (Secretary reads title of bill)

26. 2nd reading of the bill. The Committee on Executive offers one
27. amendment.

28. PRESIDENT:

29. Senator Rock.

30. SENATOR ROCK:

31. Thank you, Mr. President. I would like the Calendar to reflect
32. that last week, I asked leave of this Body to be shown as the chief
33. sponsor of that bill. The Calendar should so reflect.

1. PRESIDENT:

2. It will futuristically. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Sir. Amendment No. 1 which was offered in
5. Committee by myself changes the substance of the bill. It deletes
6. everything after the enacting clause and will provide that the
7. twelve million dollars due and owing the Road Fund from the Regional
8. Transportation Authority will be paid in 1976 instead of 1975.
9. Now, Committee Amendment No. 1, frankly, there was a technical
10. error. So, I am moving at this point, Mr. President, to Table
11. Amendment No. 1 and offer Amendment No. 2 which does the identical
12. ...or serves the identical purpose with Amendment No. 1 except it's
13. technically correct. Now, this was pointed out to me by Senator
14. Harris in the Committee that there was a technical error. One line
15. was dropped in the typing. I would move, therefore, to Table
16. Committee Amendment No. 1 and offer Amendment No. 2 from the Floor.

17. PRESIDENT:

18. Senator Rock moves to Table Committee Amendment No. 1 to
19. Senate Bill 1192. All in favor will say Aye. Opposed Nay. Committee
20. Amendment No. 1 is Tabled. Senator Rock.

21. SENATOR ROCK:

22. Thank you, Mr. President. I have on the Secretary's Desk, and
23. I have distributed to everybody a copy of what's called Amendment
24. No. 2 to Senate Bill 1192, and what this does is provide that the
25. Regional Transportation Authority shall repay to the Road Fund the
26. sum of twelve million dollars on June 30, 1976. I would move
27. adoption of Amendment No. 2.

28. PRESIDENT:

29. Any further discussion on the motion? Senator Rock moves the
30. adoption...Senator Morris.

31. SENATOR MORRIS:

32. I have a couple questions I'd like to ask on this amendment
33. before we vote on it.

1. PRESIDENT:

2. He indicates he will yield.

3. SENATOR MORRIS:

4. Senator Rock, first of all, why...why the one year delay?

5. Why can't they pay the money back?

6. PRESIDENT:

7. Senator Rock.

8. SENATOR ROCK:

9. Well, the one year delay was requested by the members of the
10. Board of the RTA and they just felt that in their current fiscal
11. posture where one the amount of Federal monies is...is as yet
12. uncertain, and since in their judgement and the judgement of others,
13. the Road Fund is under no immediate compulsion to have this twelve
14. million repaid that they've asked for a years delay.

15. PRESIDENT:

16. Senator Morris.

17. SENATOR MORRIS:

18. Senator Rock, I...I would like to know, we've given something
19. like eighty-five or ninety million dollars to the RTA in State
20. money already. From my understanding, they still have several
21. million dollars left, and I...I can't understand why they wouldn't
22. pay us back so that we can get to the business of the downstate
23. roads as the money is supposed to be for? And I'd like to know if
24. the Department of Transportation is in support of this amendment
25. if they in actuality are not planning to spend twelve million this
26. year?

27. PRESIDENT:

28. Senator Rock.

29. SENATOR ROCK:

30. If you are asking me does the Department of Transportation
31. support this, frankly, I do not know. They were not present in
32. Committee. I have not heard from them, nor did I ask them, by the
33. way.

1. PRESIDENT:

2. Senator Morris.

3. SENATOR MORRIS:

4. Do you know if this twelve million has been figured in the
5. proposed 1976 budget...or '75 - '76 budget?

6. PRESIDENT:

7. Senator Rock.

8. SENATOR ROCK:

9. Yes, Sir. This was the amount of money which was agreed to
10. by all concerned with respect to the interim period before the
11. actual...once the referendum had been approved and before the
12. Board actually got an operation, this was the amount of money
13. that was lent to the Authority by the State under a...under a
14. contractual agreement, and all we are asking is for a delay and the
15. repayment.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Senator Morris.

18. SENATOR MORRIS:

19. Well, I...I'm going to have to vote against this amendment,
20. Senator Rock, because I think the RTA has enough money that it
21. could repay the money back, and I think that it discriminates
22. against other areas which need the funds for downstate roads and
23. others. And I'd just like you to know I'm going to have to vote
24. against it.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. I'd like to ask the sponsor if this twelve million dollar
29. amount that's taken from the Road Fund in the State Treasury for
30. another year is going to have any interest to the State of Illinois?

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Rock.

33. SENATOR ROCK:

1. I'm...I'm sorry. The question...the question is whether or
2. not interest is going to be paid back to the State. My understand-
3. ing is no.

4. PRESIDING OFFICER (SENATOR BRUCE):

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Well, I think the original intent of that twelve million
8. dollar loan from the Road Fund from the State Treasury was to
9. get the RTA started. Now, the RTA is started, and if we prolong
10. the repayment of this loan by the Regional Transportation Authority,
11. they will become involved deeper and deeper in obligations to
12. grants, to various mass transportation in the six county area, and
13. since I have been down here, I have learned that if you prolong
14. the repayment of a bill long enough, sooner or later, it's slipped
15. through and it's eliminated totally. Now, it would appear to me
16. that the people of Cook County need this twelve million dollars for
17. highway repairs and road work by the Department of Transportation.
18. And we were good enough to loan it to the RTA Board for one year,
19. but they're on the ground now. They have all that taxing authority
20. and everything, and let them use their taxing authority and show
21. the people exactly how they are going to operate and not borrow
22. twelve million dollars from needed Road Fund monies for Cook County
23. from the Road Fund in the State Treasury. I would rise in opposition
24. to that portion of this amendment.

25. PRESIDING OFFICER (SENATOR BRUCE):

26. Senator Buzbee.

27. SENATOR BUZBEE:

28. Thank you, Mr. President. Mr. President, it seems to me that
29. this is an extremely important proposition before us, and I think
30. that the members would be well served if they were aware of what's
31. going on. So, therefore, Mr. President; my first request is that
32. I'm going to ask you to call for a lot of order.

33. PRESIDING OFFICER (SENATOR BRUCE):

Thank you, Mr. ...Senator Buzbee. We are on roll call. We
1. are on 2nd reading. The...call the attention of the members.

2. Senator Buzbee.

3. SENATOR BUZBEE:

4. Well, Mr. President, I was one who supported the RTA package
5. last year because I thought it was a...a very good compromise to
6. an extremely complicated problem even though it didn't have anything
7. at all to do with my district transportation-wise. But it seems
8. to me that what this amendment does is simply taking twelve million
9. dollars out of downstate highways to be built this year, and saying,
10. RTA - you don't have to pay it back for another year. Now, it's...

11. PRESIDING OFFICER (SENATOR BRUCE):

12. State your point, Senator Rock.

13. SENATOR ROCK:

14. Well, the...the point is that the...the Senator apparently
15. does not understand the purport of the amendment. It in no way
16. affects the downstate or upstate or midstate or western state road...

17. PRESIDING OFFICER (SENATOR BRUCE):

18. I...I'm sorry, Senator...

19. SENATOR ROCK:

20. ...road program. We are talking about available cash balances
21. in the motor...Motor Fuel Tax Fund. Without the repayment of the
22. twelve million dollars, the Department of Transportation estimates
23. that at the close of this fiscal year that given all the road
24. programs and all the projected programs, there will be an available
25. cash balance of somewhere between sixty-eight and seventy million
26. dollars. Now, this in no way affects the FY '75 or FY '76 road
27. program, and...and for that reason, that's a misstatement and I wish
28. to correct it.

29. SENATOR BUZBEE:

30. Well, I...

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Buzbee.

33. SENATOR BUZBEE:

Well, I guess in this case, we simply have a...a difference in

1. our definitions of the...what it will affect because the bill very
2. plainly...the amendment very plainly says that the Regional Transporta-
3. tion Authority shall not...shall also repay without interest twelve
4. million dollars to the Road Fund in the State Treasury not later
5. than June 30th, and 1975 is marked out, and in lieu thereof, not
6. later than June 30th, 1976. The fact remains, it's twelve million
7. dollars that the...that the Road Fund would have available to it
8. in this fiscal year that by this amendment will not be available
9. until the end of June 30th, 1976. So, I guess it's all according
10. how you look at it, who's ox is being gored. In this case, I think
11. it's my ox that's getting gored because I believe that there is
12. sufficient funds in the RTA treasury right now to pay back this
13. twelve million dollars without hurting them financially and making
14. that money available for such things as downstate highways and
15. highway improvements in Cook County and so forth. So, I suggest
16. that the amendment ought to be defeated because this is a classic
17. case of twelve million dollars that's owed to the State Highway
18. Fund and which will not be able to be spent on downstate highways
19. if we don't...if we pass this amendment. Thank you.

20. PRESIDING OFFICER (SENATOR BRUCE):

21. Senator Harris.

22. SENATOR HARRIS:

23. Well, Mr. President, I just was prompted by Senator Rock's
24. recital of the balances in the Road Fund at the end of fiscal '76
25. if all those projects that he referred to were to be completed, if
26. that is the case, then why the request by the administration for
27. five hundred sixty-five million dollars of C...Series C Transporta-
28. tion Bonds? Yes, I appreciate that the request has been amended by
29. the Senate Appropriations Committee, but I'm just referring to what
30. was originally asked for. I realize that the bond authorization
31. really has no direct concern with Senate Bill 1192, but I know that
32. we are all, particularly us downstaters, are tremendously concerned
33. about the Road Fund, and I don't think it is all that effective.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. ... Senator Harris, is that a question to the sponsor?

3. SENATOR HARRIS:

4. The question is why...

5. PRESIDING OFFICER (SENATOR BRUCE):

6. Thank you. Well, I...I understand. I just wanted to know.

7. Senator Rock.

8. SENATOR ROCK:

9. Well, two responses. Why...the...the request as made in the
10. special message was, of course, not mine. Secondly, the amount of
11. money requested in Transportation C Bonds has, in fact, been
12. reduced by a democratic amendment some two hundred and sixty-five
13. million dollars.

14. PRESIDING OFFICER (SENATOR BRUCE):

15. Senator Harris.

16. SENATOR HARRIS:

17. Well, I would respond that I'm not at all persuaded that the
18. Road Fund is that capable, and I'm negative on the adoption of
19. this amendment. The twelve million dollars that the RTA owes to
20. the State Road Fund ought to be paid back.

21. PRESIDING OFFICER (SENATOR BRUCE):

22. Senator Partee.

23. SENATOR PARTEE:

24. Well, Mr. President and members of the Senate, I rise in support
25. of this amendment. We have argued, cogitated and debated the RTA
26. question. The simple fact of the matter is that the money is due
27. and owing, twelve million dollars from RTA, as of June 30th, 1975.
28. The further simple fact is the RTA was late in getting its program
29. started due in part to delays created within the confines of this
30. building. I suggest to you that there is no attempt, let me
31. emphasize, no attempt to not repay this money. The obligation is
32. there. The obligation will be fulfilled. The problem is, as expressed
33. by the members of that bipartisan board, they cannot do what needs to

1. be done in terms of the implementation of the program if they have
2. to pay back this thirteen million dollars immediately. If I thought
3. for one moment that this would in any way jeopardize any downstate
4. road building program, this amendment would not...would not be
5. offered. This amendment does not, Senator Buzbee and others, in any
6. way jeopardize all roads now planned on the planning board for down-
7. state roads. The amount of money within the Road Fund amply takes
8. care of that situation without the repayment of this money, and
9. there will be still almost a hundred million dollars left at the end
10. of this fiscal year. I sort of resent, really, your suggesting that
11. we would in any way jeopardize the Road Fund. I've been in this
12. Body a number of years, and I have been supportive and you can take
13. your digest and go back and look through the years at my vote for
14. downstate roads. I've never voted against them. I've never intended
15. in any way to obviate their necessity by such an action as this.
16. You are simply W R O N G, wrong in your assessment. It has also
17. been said that I don't think they need the money. That's a terrible
18. thing to say when you don't have the facts. They do need the money.
19. The Republicans and Democrats alike on that board have said they need
20. this money for another year, and it only defers the payment until
21. June 30th, 1975. Had they gotten started at the time they started
22. out originally, I don't think this actually would have been necessary.
23. But the fact of the matter is they didn't, and for that reason, they
24. need this additional year to be...to pay back this money. As to the
25. interest question, it doesn't in any way change or alter it one iota
26. the obligation to pay back the money under the conditions of which it
27. was borrowed. There was no interest in it to begin with, and there
28. is no reason now to attach an interest consideration. And to bring
29. that into this discussion is surplusage of the rankest and grossest
30. order. Now, let me suggest to you that this is, in my humble judge-
31. ment, a fair assessment of what needs to be done at the moment.
32. Government ought to be responsive. We have transportation problems
33. in that end of the State. We have railroads going out of business.

1. We have at this Legislature's whim and caprice a new kind of
2. system which system ought to have the chance to get off the ground,
3. which system ought to have the opportunity to...to prove itself.
4. The simple matter is what would happen if they didn't pay it by
5. June 30th? We're trying to put in the law of the obligation to
6. repay it by '75 and it will be paid by 1975...'76, the new date for
7. payment. I submit that this is an amendment that ought to have
8. your consideration and your vote.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Senator Schaffer.

11. SENATOR SCHAFFER:

12. I have listened to this debate with a certain amount of bitter-
13. sweet pleasure. A year ago, those of us who reperesent the collar
14. counties cried and wept and filibustered to defeat the RTA while
15. our friends from downstate wlo had made other arrangements chose
16. to vote for it. Now, the shoe is on the other foot. We're trying
17. to raid the downstate Road Fund, and I'm, quite frankly, enjoying
18. it. Senator Rock, I'd like to ask you a question if you'd yield.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Indicates that he would yield.

21. SENATOR SCHAFFER:

22. If this amendment is put on, does it in all probability delay
23. the infliction of the five percent or gas tax on the RTA area?

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Rock.

26. SENATOR ROCK:

27. Well, when you...when you say the infliction of a five percent
28. gas tax, as you and I both know, under the legislation as passed,
29. the Board is empowered or authorized to impose a tax up to that
30. amount. Now, if the Board doesn't chose to do it, that's up to the
31. Board. Whether or not this twelve million is...has any correlation
32. with that, frankly, I don't know.

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Schaffer.

2. SENATOR SCHAFFER:

3. Well, Senator Rock, I would suggest to you that if the RTA
4. Board, and I understand the suburban members of the Board are not
5. aware of this bill or this amendment, so, I...I question its bi-
6. partisanship. If you're in need of some votes to pass this amend-
7. ment and we can get some guarantees that that gas tax will not be
8. inflicted, I think there's some votes on this side of the aisle that
9. are willing to listen to that discussion. If, on the other hand,
10. you have the votes, proceed right now and I suspect we won't be with
11. you.

12. PRESIDING OFFICER (SENATOR BRUCE):

13. Senator Soper.

14. SENATOR SOPER:

15. Mr. President and members of the Senate...

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Senator Soper, a point of personal privilege. Senator Graham.

18. SENATOR GRAHAM:

19. Thank you, Senator Soper. Mr. President and members of the
20. Senate, sitting back in Senator Regner's seat is an old friend of
21. many of us, many of you Gentlemen who have served in the House of
22. Representatives, he's been a distinguished colleague in the Illinois
23. House. He's been a close, personal friend and a good ally of mine
24. on various commissions including the penal institution. I think we
25. could all pay tribute to the gentleman from Sparta, Jim Holloway.
26. Jimmy, we're glad to see you back.

27. PRESIDING OFFICER (SENATOR BRUCE):

28. Jimmy Holloway. It's nice to have you here, Jim. Senator
29. Latherow.

30. SENATOR LATHEROW:

31. I might wonder at this time, Jimmy, how well off the State
32. would be if we just had a halfback which you and another member
33. down there took to southern Illinois.

1. PRESIDING OFFICER (SENATOR BRUCE):

2. Senator Soper.

3. SENATOR SOPER:

4. Mr. President and members of the Senate, I rise to support
5. this amendment. You know, I've listened here since 1966 about
6. roads for southern Illinois. I've supported roads in southern
7. Illinois, and we've had a transportation problem in our district,
8. and I believe that we should all get together with this thing because
9. nobody is trying to rape any fund. Nobody is trying to take any
10. money from anybody. The money is available. It's just to pay
11. back one year later, and I don't think that you should...you should
12. take a situation like this and...and put one part of the State
13. against the other part of the State. Southern Illinois needs its
14. roads. I'll help provide the votes to get them their roads. We
15. need this transportation, and I urge the members on our side not to
16. be squeamish about this thing, stand up and...and allow this thing
17. to go through so that we can have some transportation. Thank you
18. very much.

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Senator Donnewald.

21. SENATOR DONNEWALD:

22. Yes, on a point of personal privilege, Mr. President, I know
23. it's against the rules, but I'd like to have the students of Fairview
24. Heights, Our Lady of Assumption School and Father Rensing, stand up
25. and take a bow.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Is there further discussion? Senator Rock may close...Senator
28. Demuzio.

29. SENATOR DEMUZIO:

30. Mr. President and members of the Senate, the point that I want
31. to raise is that I have yet to hear any factual justification for
32. this twelve million dollars not to be paid back.

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Is there further discussion? Senator Harris, you've spoken
2. once. Senator...Senator Harris.

3. SENATOR HARRIS:

4. I just have an inquiry, Mr. President. This is an amendment.
5. It requires a majority of those voting on the question, is that
6. not correct?

7. PRESIDING OFFICER (SENATOR BRUCE):

8. The ruling is it will take a majority of those voting on the
9. question.

10. SENATOR HARRIS:

11. Yes. So, I would hope that people who were listening would
12. get the point and be on the roll call.

13. PRESIDING OFFICER (SENATOR BRUCE):

14. Senator...is there further discussion? Senator Rock may close
15. the debate.

16. SENATOR ROCK:

17. Well, I am proposing Amendment No. 2 to Senate Bill 1192 which
18. provides, as has been said, that the cash balance for the fiscal year
19. and the Road Fund will be less twelve million dollars as...as an
20. accommodation to the Regional Transportation Authority. The obliga-
21. tion is clear. The money will be paid back. It's just a question
22. of delaying it, and I would move the adoption of Amendment No. 2.

23. PRESIDING OFFICER (SENATOR BRUCE):

24. Senator Rock has moved the adoption of Amendment No. 2. All
25. those in favor say Aye. There's been a request for a roll call.
26. The question is on the adoption of Amendment No. 2 to Senate Bill
27. 1192. Those in favor vote Aye. Those opposed vote Nay. The voting
28. is open. Have all voted who wish? Take the record. On that
29. question, the Ayes are 25, the Nays are 29, 3 Voting Present.
30. Amendment No. 2 having failed to receive a majority of those voting
31. is declared lost. Are there further amendments? 3rd reading.
32. Senator Lemke, did you seek recognition?

33. SENATOR LEMKE:

1. ... (Machine cut-off)... wanted to vote Yes.

2. PRESIDING OFFICER (SENATOR BRUCE):

3. The record will show that you have hit the wrong button.

4. Senate Bill 1252. Senator Netsch, Senate Bill 1252.

5. SECRETARY:

6. Senate... Senate Bill 1252.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. No committee amendments.

9. PRESIDING OFFICER (SENATOR BRUCE):

10. Any amendments from the Floor? 3rd reading. I would remind

11. the members that between Senate Bill 1252, the Chair has no calls

12. until we get to Senate Bill 1325. We have a large gap. So the

13. members do wish bills called, they should alert the Chair. Senate

14. Bill 1325, Senator Hickey. Read... read the bill.

15. SECRETARY:

16. Senate Bill 1325.

17. (Secretary reads title of bill)

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

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Any amendments from the Floor? 3rd reading. Senate Bill 1366,

21. Senator Donnewald. Senator Donnewald. Read the bill.

22. SECRETARY:

23. Senate Bill 1366.

24. (Secretary reads title of bill)

25. 2nd reading of the bill and no committee amendments.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Any amendments from the Floor? 3rd reading. Senate Bill 1377,

28. Senator Sommer. Read the bill.

29. SECRETARY:

30. Senate Bill 1377.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER (SENATOR BRUCE):

1. Any amendments from the Floor? 3rd reading. Senate Bill 1382.
2. Senator Sommer. Read the bill.
3. SECRETARY:
4. Senate Bill 1382.
5. (Secretary reads title of bill)
6. 2nd reading of the bill. The Committee on Elections and Reappor-
7. tionment offers one amendment.
8. PRESIDING OFFICER (SENATOR BRUCE):
9. Senator Sommer moves the adoption of Committee Amendment No. 1.
10. Is there any discussion? All those in favor say Aye. All Opposed.
11. Amendment is adopted. Any further committee amendments? Any amend-
12. ments from the Floor? Senator Sommer.
13. SENATOR SOMMER:
14. Mr. President and members of the...the Secretary has a second
15. amendment on his desk. This is the amendment that I promised Senator
16. Dougherty that we'd put on. It does exactly what we agreed to do
17. in the committee.
18. PRESIDING OFFICER (SENATOR BRUCE):
19. Senator Sommer moves the adoption of Amendment No. 2. Senator
20. Sommer moves the adoption of Amendment No. 2. Any discussion? All
21. those in favor say Aye. All Opposed. Amendment is adopted. Senate
22. Bill 1484, Senator Daley. Read the bill. Senator Sommer.
23. SENATOR SOMMER:
24. We noted that you failed to move that bill to 3rd reading.
25. PRESIDING OFFICER (SENATOR BRUCE):
26. I'm sorry. On Senate Bill 1382, 3rd reading. Senate Bill
27. 1484, Senator Daley. Read the bill.
28. SECRETARY:
29. Senate Bill 1484.
30. (Secretary reads title of bill)
31. 2nd reading of the bill. The Committee on Judiciary offers one
32. amendment.
33. PRESIDING OFFICER (SENATOR BRUCE):

1. Senator Daley moves the adoption of Committee Amendment No. 1.
2. Is there discussion? All those in favor say Aye. All Opposed.
3. Amendment is adopted. Any amendments from the Floor? 3rd reading.
4. Senate Bill 1485, Senator Daley. Read the bill.

5. SECRETARY:

6. Senate Bill 1485.

7. (Secretary reads title of bill)

8. 2nd reading of the bill. The Committee on Judiciary offers one
9. amendment.

10. PRESIDING OFFICER (SENATOR BRUCE):

11. Senator Daley moves the adoption of Committee Amendment No. 1.

12. Is there discussion? All those in favor say Aye. All Opposed. The
13. amendment is adopted. Any amendments from the Floor? 3rd reading.

14. Senate Bill 1488, Senator Regner. Read the bill.

15. SECRETARY:

16. Senate Bill 1488.

17. (Secretary reads title of bill)

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

19. PRESIDING OFFICER (SENATOR BRUCE):

20. Any amendments from the Floor? 3rd reading. Senate Bill 1490,
21. Senator Hall, Kenneth Hall. Read the bill.

22. SECRETARY:

23. Senate...Senate Bill 1490.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDING OFFICER (SENATOR BRUCE):

27. Any amendments from the Floor? 3rd reading. The Chair will
28. now return to the beginning of 2nd reading bills because this is
29. the first day sponsors have asked. Senator Chew.

30. SENATOR CHEW:

31. I want to take this as a point of personal privilege.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. State your point.

1. SENATOR CHEW:

2. Cause I feel that it will affect some of my colleagues.

3. PRESIDING OFFICER (SENATOR BRUCE):

4. Sorry. Could we have some order for Senator Chew. Senator
5. Chew.

6. SENATOR CHEW:

7. I have just sent down to the new restaurant to get a bite to
8. eat, and I ordered some liver and onions, and the liver is like
9. a piece of leather that's been overcooked, and I'm going to
10. demonstrate to you this what I'm talking about because a lot of
11. it's going to be eaten down here in this rush period and that food
12. down there is lousy. Now, here.

13. PRESIDING OFFICER (SENATOR BRUCE):

14. We are looking forward to your demonstration.

15. SENATOR CHEW:

16. It's not soul food at all. And I'm serious. I'm serious
17. about this. You go down there. You built the restaurant. You
18. leased it out, and now you pay the price, and you can't get any-
19. thing down there worth eating, and I think something should be done
20. about it. You know sometimes we run around here, and we're so
21. busy doing nothing and killing yourself with this junk, and I
22. refuse to eat it...

23. PRESIDING OFFICER (SENATOR BRUCE):

24. I...I hope you wouldn't make this a partisan issue...

25. SENATOR CHEW:

26. ...and I want...I want leadership in this Senate to not make
27. note of it, but do something about it.

28. PRESIDING OFFICER (SENATOR BRUCE):

29. Senator Chew, your...your request is duly noted in the record.

30. SENATOR CHEW:

31. You can take that away.

32. PRESIDING OFFICER (SENATOR BRUCE):

33. Gentlemen, we're on 2nd reading. Senator Mitchler.

1. SENATOR MITCHLER:

2. Mr. President, on a point of personal privilege, I would
3. suggest to Senator Chew that he made a mistake by eating there
4. because yesterday they had a bomb scare from 11:30 until 1:00,
5. and at that time, everybody...vacated the building and everybody
6. ate elsewhere and they had all that food left over. So, what
7. you've got is what was fried up yesterday, Senator.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Senate Bills 2nd reading. Senate Bill 306, Senator Roe.
10. Read the bill.

11. SECRETARY:

12. Senate Bill 306.

13. (Secretary reads title of bill).

14. 2nd reading of the bill. No committee amendments. One Floor
15. Amendment offered by Senator Roe.

16. PRESIDING OFFICER (SENATOR BRUCE):

17. Senator Roe offers Amendment No. 1. Would...explain the amend-
18. ment.

19. SENATOR ROE:

20. Mr. President and members of the Senate, I move adoption of
21. Amendment No. 1 which makes kidnaping a Class 2 felony.

22. PRESIDING OFFICER (SENATOR BRUCE):

23. Is there discussion? All those in favor say Aye. All
24. Opposed. Amendment is adopted. Any further amendments? 3rd
25. reading. Senate Bill 724, Senator Nimrod. Read the bill.

26. SECRETARY:

27. Senate Bill 724.

28. (Secretary reads title of bill)

29. 2nd reading of the bill. The Committee on Executive Appointments
30. and Administration offers one amendment.

31. PRESIDING OFFICER (SENATOR BRUCE):

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Yes, Mr. President, I would like to move that the Senate...

2. I mean Amendment No. 1 be Tabled being as I'm presenting...there's
3. another amendment on there which incorporates the changes.

4. PRESIDING OFFICER (SENATOR BRUCE):

5. Senator Nimrod has moved...Committee Amendment No. 1 be Tabled.
6. All those in favor say Aye. All Opposed. The amendment is
7. Tabled. Senator Bell.

8. SENATOR BELL:

9. Yes, Mr. President, I'm not too sure if I'm in the right order
10. of business in this request but we...Senate Bill 231 is on 2nd
11. reading, and I would like to be shown as prime sponsor, Senate
12. Bill 231. I have permission of the Senate sponsor.

13. PRESIDING OFFICER (SENATOR BRUCE):

14. We're right in the middle of a 2nd reading bill. We'll...
15. we'll get back. Well, we're on...adoption of amendments and we'll
16. ...we'll get back to you. Senator Nimrod.

17. SENATOR NIMROD:

18. Yes, Mr. President, I have Amendment No. 2 on the Secretary's
19. Desk, and it incorporates everything that was in Amendment No. 1.
20. And at the request of the committee, I added one member to the
21. Advisory Committee, to the Public Arts Advisory Committee, and also
22. expanded on the definition of fine art which Senator Partee had
23. asked me to do. And I would move for the adoption of Amendment No. 2.

24. PRESIDING OFFICER (SENATOR BRUCE):

25. Senator Nimrod has moved for the adoption of Amendment No. 2.
26. Is there discussion? All in favor say Aye. All Opposed. Amendment
27. No. 2 is adopted. Any further amendments? 3rd reading. Senate
28. Bill 1034, Senator Hickey. Read...read the bill.

29. SECRETARY:

30. Senate Bill 1034.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDING OFFICER (SENATOR BRUCE):

S.B. 1103
May 11, 1975
2nd reading

1. Any amendments from the Floor? 3rd reading. Senate Bill
2. 1103, Senator Bell.

3. SECRETARY:

4. Senate Bill 1103.
5. (Secretary reads title of bill)

6. 2nd reading of the bill. The Committee on Finance and Credit
7. Regulations offers one amendment.

8. PRESIDING OFFICER (SENATOR BRUCE):

9. Explain the amendment, Senator Bell.

10. SENATOR BELL:

11. Yes, thank you, Mr. President. This Amendment No. 1 adopted
12. by the Committee on Finance and Credit Regulations. It allows the
13. savings and loan industry to not be affected by the out of state
14. companies that have some basis of saving loan business in the State
15. of Illinois not to be adversely affected by Senate Bill 1103 which
16. addresses itself to the restrictions of S and L's in writing of
17. life insurance and fire and casualty insurance. There's this...
18. this particular amendment was necessary in order to not adversely
19. affect the interstate commerce that goes on in reference to the
20. S and L's and the insurance industry. And I would move for the
21. adoption of Amendment No. 1.

22. PRESIDENT:

23. Is there further discussion? Senator Rock.

24. SENATOR ROCK:

25. What's...what's the purpose of the amendment?

26. SENATOR BELL:

27. Well, if you look at the...Senator Rock, do you have a copy of
28. the amendment there? Okay. The purpose of the amendment, Senator
29. Rock, is, as I pointed out just a moment ago, to allow in the interstate
30. commerce of...between insurance companies that have holdings and S
31. and L's in the State of Illinois that their particular interests will
32. not be adversely affected by this bill.

33. PRESIDENT:

SB 1103
11/19/75
11/22/75

1. Senator Rock.

2. SENATOR ROCK:

3. The amendment says delete line 21 in its entirety and insert
4. in lieu thereof the following language. Now, that's got nothing
5. to do with interstate commerce or anything else as far as I can see.

6. PRESIDENT:

7. Senator Bell.

8. SENATOR BELL:

9. Well, as I understand it, the wording of, and loan association
10. which lends money on the security of real estate located in the
11. State of Illinois does, in fact, have that bearing, Senator Rock.
12. Real...savings and loans loan money on real estate located
13. in the State of Illinois. Some of these savings and loans are
14. affiliates to large corporations, conglomerates if you will, that
15. are located outside the State of Illinois, and that to me, anyway,
16. constitutes a kind of interstate commerce.

17. PRESIDENT:

18. Any further discussion? Any further discussion. Senator
19. Bell...Senator Nudelman.

20. SENATOR NUDELMAN:

21. Trying to understand this, but I still don't know what the
22. amendment does to the bill.

23. PRESIDENT:

24. Senator Bell.

25. SENATOR BELL:

26. Well, Senator Nudelman, the amendment deletes line 21 and
27. substitutes thereof, and loan association which lends money and
28. security of real estate located in the State of Illinois. That's
29. what the amendment does.

30. PRESIDENT:

31. Senator Nudelman.

32. SENATOR NUDELMAN:

33. How does this affect interstate commerce?

SB 1103
1973
2nd reading

1. SENATOR BELL:

2. Well, this was...

3. SENATOR NUDELMAN:

4. I would like to see amendments when they're being presented.

5. I don't think that's too much to ask.

6. PRESIDENT:

7. Senator Bell.

8. SENATOR BELL:

9. This is a committee amendment. I'm wondering if there...if
10. he might not already have this in his book or on his desk somewhere.
11. If not, we'll certainly provide it.

12. PRESIDENT:

13. It's never in the book until it's adopted.

14. SENATOR BELL:

15. Right. I'll see that he gets a copy of the amendment.

16. PRESIDENT:

17. You'll be willing to bring it back in case he desires it?

18. All right. With the understanding that it can be brought back
19. in case a member wants to examine or rediscuss this amendment,
20. Senator Bell moves the adoption of Amendment No. 1 to Senate
21. Bill 1103. All in favor will say Aye. Opposed Nay. The Ayes have
22. it. Amendment is adopted. 3rd...any further amendments? 3rd
23. reading. Senate Bill 1135, Senator Newhouse.

24. SECRETARY:

25. Senate Bill 1135.

26. (Secretary reads title of bill)

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

28. PRESIDENT:

29. Any amendments from the Floor?

30. SECRETARY:

31. One Floor Amendment offered by Senator Newhouse.

32. PRESIDENT:

33. Senator Newhouse.

1. SENATOR NEWHOUSE:

2. Mr. President, Senators, this is an amendment that was agreed
3. on in committee that changes the number down...downward from five
4. to three for the subjections to deduction orders, and I move its
5. adoption.

6. PRESIDENT:

7. Any further discussion? The question is shall Amendment No. 1
8. to Senate Bill 1135 be adopted. All in favor will say Aye. Opposed
9. Nay. Ayes have it. The amendment is adopted. Is that Harris? 1150
10. ...Senate Bill 1152, Senator Harris. Senate Bill 1150...one moment.
11. Let the record show that there were no further amendments to Senate
12. Bill 1135 and the bill is now on 3rd reading. Senate Bill 1152,
13. Senator Harris.

14. SECRETARY:

15. Senate Bill 1152.

16. (Secretary reads title of bill)

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

18. PRESIDENT:

19. Any amendments from the Floor? 3rd reading. And I think the
20. Calendar shows Senator Vadalabene as being the sponsor. It'll be
21. corrected. 3rd reading. ...(Machine cut-off)...53, Senator Harris.

22. SECRETARY:

23. Senate Bill 1153.

24. (Secretary reads title of bill)

25. 2nd reading of the bill. No committee amendments.

26. PRESIDENT:

27. Any amendments from the Floor? 3rd reading. Senate Bill 1180,
28. Senator Harris.

29. SECRETARY:

30. Senate Bill 1180.

31. (Secretary reads title of bill)

32. 2nd reading of the bill. No committee amendments.

33. PRESIDENT:

1. Any amendments from the Floor? 3rd reading. Senate Bills on
2. 3rd reading. The Chair wishes to announce that inasmuch as a large
3. number of bills have been added to the Senate Bills on 3rd reading,
4. we will start at the first bill on 3rd reading and we'll commence
5. each day at where we stopped the day before. Senate Bills on 3rd
6. reading. Senate Bill 18, Senator Nimrod. Senate Bill 54, Senator
7. Nudelman. Senate Bill 55, Senator Nudelman. Senate Bill 57,
8. Senator Kosinski. Senate Bill 68, Senator Fawell. Read the bill.

9. SECRETARY:

10. Senate Bill 68.

11. (Secretary reads title of bill)

12. 3rd reading of the bill.

13. PRESIDENT:

14. Senator Fawell.

15. SENATOR FAWELL:

16. Yes, Mr. President and members of the Senate, this is a fairly
17. significant bill. It...I'll try to be as brief as possible. What
18. it does is to eliminate the so-called rollback tax in what has
19. been referred to as the Resource Equalizer Legislation. It affects
20. approximately seventy school districts in the State of Illinois, in
21. only those seventy, and it does not in any way require any payment
22. of additional funds from the State of Illinois. What this part of
23. the Resource Equalizer Formula, however, has done, that is I...I am
24. referring to the rollback tax, is to bring about a type of discrimin-
25. ation to approximately seventy school districts and require them to
26. bring the quality of their programs down. I think what we felt in
27. the Education Committee in regard to this bill, and in the subcommittee
28. which studied the bill, was that the intent basically of Resource
29. Equalizer was to make it clear that we would have a floor of a
30. guarantee of x number of dollars behind every child in attendance in
31. our public schools, and we have set this for it saying that there
32. should be twelve hundred and sixty dollars of State and/or local
33. funds behind every child in average daily attendance. We've gone

1. further and said that a school district can increase its tax rate
2. based upon an increase of fifteen percent applied against the
3. twelve sixty. But there still are a number of districts that for
4. various reasons each year find that they are...they would be
5. obligated to bring their tax rate down and thus fire a number of
6. teachers, take programs out of the curriculum, and, in effect, bring
7. the quality of their program down even though they have referendum
8. approved tax rates back in the local districts whereby the taxpayers
9. of their area have given approval to the extension of a tax rate
10. that, in effect, is over the maximum set forth in the so-called Resource
11. Equalizer Legislation. I know that many of you on the Floor are not
12. deeply familiar with the vagaries of the Resource Equalizer Formula.
13. Suffice it to say that a majority of our Education Committee felt
14. that this was quite a proper step, and I repeat, that if we do not
15. remove this so-called mandatory rollback, we are, in effect, saying
16. to a number of districts that even though you do have high quality
17. programs, we're going to force you to fire teachers. We're going
18. to force you to take fine programs in your curriculum, and this,
19. despite the fact that the voters in your district have fully approved
20. of your tax rate. There any questions, I'd be more than glad to
21. attempt to respond to them. But I do hope that we can send this
22. bill over to the House. Thank you.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Egan.

25. SENATOR EGAN:

26. Senator Fawell, we discussed the referendum addition to the
27. bill. Apparently, that was never done.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Fawell.

30. SENATOR FAWELL:

31. No, it was not done, Senator. We did give consideration to that in
32. committee as you will recall. The...the...the main point in my own
33. mind for not doing that is that all of these tax rates have been

1. approved by referendum by the local populous anyway. And it...it
2. as I've indicated, refers to approximately seventy school districts
3. in basically Cook, DuPage and the Chicagoland area, and so that...to
4. necessitate a...a referendum again for what is...what would really
5. be a...a double approval by the taxpayers, I...I felt it simply
6. wasn't being fair to these...these districts. I think it's especially
7. discriminatory when...when we realize that the base amount for a
8. number of districts that do exceed the maximum tax rate is undis-
9. turbed by this formula because we just arbitrarily said that if you
10. did have school districts that were actually levying a rate that did
11. produce more than the twelve sixty per child and that particular
12. base amount was in effect at the time the bill went into effect,
13. they don't have to rollback whatsoever. Increasingly, I think all
14. of us who worked so hard on Resource Equalizer Legislation have come
15. to the conclusion, a great number of us, that to force a number of
16. school districts to bring the quality of their programs down makes
17. no sense at all, and again, I say these are referendum approved tax
18. rates we're talking about.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Egan.

21. SENATOR EGAN:

22. Yes, I appreciate that, Senator, because we discussed it at
23. length in the committee, and I had thought that there was some
24. accession to my wish for a referendum, and I appreciate the fact
25. that you've expressed and the reasons that you've propounded for
26. ...for your negative attitude in that respect. However, as long as
27. we're on the subject, I would like to point out just a few reasons
28. that I feel the way I do as long as we've voiced so many of the
29. other reasons. If...if the...if you are, as you say, reducing the
30. quality of education in the area, you are at least saving the tax-
31. payer some money, the fellow who pays his real estate tax. When
32. the referendum was taken to bring this situation currently to what
33. it is, we had a different taxing structure at least in Cook County.

1. The assessments have changed in Cook County. The valuation of
2. property has risen tremendously since that time. The amount of
3. tax money that will be taken as a result of the rollback is going
4. to be something that is going to be felt by each and every indivi-
5. dual homeowner who pays his tax. All I've suggested was that as
6. long as it's a brand new type of tax, it's not...I shouldn't say
7. that because it isn't, but as long as...as long as the assessment
8. procedure is now different, as long as the amount is considerably
9. greater than the original referendum, I think, anticipated, because
10. of those conditions, let's give the homeowner in the districts the
11. opportunity to express themselves and say whether or not they want
12. to, in fact, go ahead with increasing the amount of money that they
13. spent on education over that which the rest of the State does. And
14. I think it's only fair to the taxpayer that we do that, and so,
15. without the referendum, as I discussed with you and Senator Glass, I
16. ...I just cannot support the...the bill, although I don't object to
17. it with...with the...with the referendum.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Hynes.

20. SENATOR HYNES:

21. Mr. President, I also oppose this bill on...several grounds.
22. First of all, it makes a major change in the School Aid Formula
23. which we so recently adopted, a change which involves an important
24. philosophical principle. We may be able to agree that certain
25. modifications of that principle are in order, but I do not think
26. there is yet a consensus that the rollback provision ought to be
27. totally eliminated. Furthermore, the Committee on Education after
28. some considerable study and consideration of the matter came up
29. with a proposal which is on the Calendar, Senate Bill 1493 on 2nd
30. reading, which will substantially alleviate the problem that this
31. bill addresses itself to. There are, in addition, discussions in
32. progress about further modification of Senate Bill 1493, and I think
33. it would be premature and inadvisable to pass this legislation at

1. this time. I would urge all members to oppose this bill.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Senator Glass.

4. SENATOR GLASS:

5. Thank you, Mr. President. I would urge support of...of Senate
6. Bill 68. What it...Senator Hynes said is correct insofar as some
7. of the districts are concerned. The other bill that is...will be
8. before us that came out of the Senate Education Committee will
9. eliminate the rollback for thirty-five of the seventy districts
10. that are...are forced to reduce and roll back their taxes by the
11. present Resource Equalizer Law, but it doesn't get at all of them,
12. and I really think this bill does what is correct. That is, it
13. allows the districts who have already by referendum raised their
14. tax rates to the current levels to...to keep them there, and most
15. of them have determined that in order to maintain their present
16. programs, they're going to have to do this. And I would just say
17. to the members of the Senate that I don't think any of us really
18. intend to deprive school districts from providing the programs that
19. the people in the communities want to provide. Without this bill
20. that, in effect, is what we're doing. We're saying you have to
21. spend less money and a lot of the districts have said that means
22. we're going to have to fire some of our teachers and...and cut
23. back. So, all...all this bill does, and I...I think it's a very
24. important bill as Senator Fawell said, is allow districts to keep
25. the programs they have and to retain at the tax rates that they
26. have voted in the past, and I would urge an Aye vote on this bill.

27. PRESIDING OFFICER (SENATOR ROCK):

28. May we have a little order, and will those not entitled to
29. the Floor, please clear it. Senator Shapiro.

30. SENATOR SHAPIRO:

31. Mr. ...Mr. President and Ladies and Gentlemen of the Senate,
32. Senate Bill 68 as it's presented to us is not unreasonable. There's
33. been a considerable amount of time spent this Session concerning

1. ourselves with the Resource Equalizer. This bill would not affect
2. any school district in the State other than seventy who have to
3. comply with this provision of the Resource Equalizer Act. It
4. would not take one additional cent of State aid or State monies
5. to implement this Act. I, furthermore, want to point out to you
6. that we are helping those school districts that are not rollback
7. districts, and we are doing it by pumping an additional twenty-five
8. to thirty million dollars in. This money will go to those school
9. districts who do not...who have not attained the Resource Equalizer.
10. We are helping them because their constituents have been for reasons
11. best known to themselves have not been able to raise their tax rates
12. to the qualifying rate. In the rollback provision as presented in
13. Senate Bill 68, these districts have approved these high tax rates
14. by referendum through the front door, I might add, and if we are
15. really concerned about tax rates as they pertain to school districts,
16. what we really ought to do is just mandatorily present a bill that
17. will rollback the tax rates for all school districts. I see no
18. reason for penalizing these seventy odd districts. I think it's a
19. good bill, and it doesn't harm or affect State aid one iota, and I
20. think it should receive a favorable vote from this Senate.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Is there any further discussion? Senator Fawell may close the
23. debate.

24. SENATOR FAWELL:

25. If I...if I can have your attention just...just for one minute
26. more. This is extremely important legislation and...

27. PRESIDING OFFICER (SENATOR ROCK):

28. Excuse me, Senator. May we have some order please, and will
29. the Pages and Clerks and everybody take their conferences off the
30. Floor. Senator...Senator Fawell.

31. SENATOR FAWELL:

32. Those...those of us in the Chicagoland area, I think, we'll find
33. that one or more of our districts that we represent are quite

1. vitally concerned about this. The problem will get greater because
2. the rollback proportionately increases as does the...as you have
3. an increase or the...the full implementation of the Resource Equal-
4. izer Formula takes place. I want to stress two points, however. -
5. This is not an alteration of the School Aid Formula. I don't think
6. Senator Hynes meant to say that, absolutely no change in the
7. Formula is made by this bill. What we're simply doing is to say
8. that as far as some seventy districts are concerned and they alone
9. ...they alone are the only districts that we're saying you have to
10. rollback locally approved tax rates, but when we say that to only
11. seventy districts, we're saying that you have to, for...for instance,
12. eliminate the courses and the type of an educational product that
13. you desire to have in your district because we, in Springfield, are
14. trying to shoot for that nebulous equality which, of course, we
15. never can really obtain. But if we're serious about saying that
16. we're going to ask that rollback be a part of the total Resource
17. Equalizer Legislation, then we must not just pick on some sixty or
18. seventy school districts. We have to say it to everybody in the
19. State of Illinois. I don't think any of us when we voted for this
20. legislation intended that we would say to New Trier that you have
21. to come down to a certain level or to Downer's Grove that you have
22. to come down to a certain level, and Ladies and Gentlemen, that is
23. what we are saying - school districts in your area as this legisla-
24. tion goes on, will suddenly find the trap in which we have put
25. them, and bear in mind, for the first year this didn't even take effect-
26. that is the rollback feature. It was delayed. It didn't take
27. effect until the second year and now a number of districts are
28. finding out how they have been entrapped in this regard. Nobody
29. intended it. I do hope we can support Senate Bill 68. Thank you.

30. PRESIDING OFFICER (SENATOR ROCK):

31. The question is shall Senate Bill 68 pass. Those in favor
32. will vote Aye. Those opposed will vote Nay. The voting is open.
33. Have all voted who wish? Have all voted who wish? Take the record.

1. Senator Fawell has moved to postpone consideration. Senate Bill
2. 73, Senator Nudelman. Just wait till the Secretary gets ready. He'll
3. have to read the bill. Senate Bill 73.

4. SECRETARY:

5. Senate Bill 73.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Nudelman.

10. SENATOR NUDELMAN:

11. Mr. President, Ladies and Gentlemen of the Senate, this is
12. a bill which was requested by certain members of the Bar because
13. of an awkward situation in the Adoption Act. It merely deletes
14. the requirement that the parent or parents of an adopted or adopting
15. ...of a...of an adult being adopted be required to give consent.
16. It's a simple bill. That's all it does, and it gives an adult the
17. power over his own destiny in this type of a situation. I would
18. solicit your favorable vote. Neither Bar Association opposes this,
19. and many members of the Bar have requested it as a...as a needed
20. addition to the Act.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Glass.

23. SENATOR GLASS:

24. Senator Nudelman...Senator Nudelman, I'd like to ask if this
25. bill has merit?

26. PRESIDING OFFICER (SENATOR ROCK):

27. Indicates he will yield. Senator Nudelman.

28. SENATOR NUDELMAN:

29. Extreme merit both from the right side and the left side of
30. the aisle.

31. PRESIDING OFFICER (SENATOR ROCK):

32. Senator Merritt.

33. SENATOR MERRITT:

1. Mr. President and members of the Senate, inasmuch as my name
2. is being bandied around here considerably, I'd like those on this
3. side of the aisle to know I am a cosponsor on the bill because it
4. originated originally through a very fine lawyer in my district, Jack
5. Horsley of the law firm of Craig and Craig in Mattoon. Senator
6. Nudelman and others on the bill know of his expertise in this field,
7. and I certainly would appreciate support from this side of the
8. aisle.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Is there any further discussion? Senator Nudelman may close
11. the debate.

12. SENATOR NUDELMAN:

13. Mr. President, I would request all to vote Aye on the bill.

14. PRESIDING OFFICER (SENATOR ROCK):

15. The question is...shall Senate Bill 73 pass. Those in favor
16. will vote Aye. Those opposed will vote Nay. The voting is open.
17. Have all voted who wish? Have all voted who wish? Take the
18. record. On that question, the Ayes are 54, the Nays are none,
19. Voting Present are none. Senate Bill 73 having received a consti-
20. tutional majority is hereby declared passed. Senate Bill 87,
21. Senator Vadalabene.

22. SECRETARY:

23. Senate Bill 87.

24. (Secretary reads title of bill)

25. 3rd reading of the bill.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Vadalabene.

28. SENATOR VADALABENE:

29. Thank you, Mr. President and members of the Senate. Senate
30. Bill 87 is a product of the Illinois Library Association, represent-
31. ing over five thousand school and public libraries in the State of
32. Illinois. This bill received a...a sort of a massive amendment on
33. 2nd reading which was, I think, Senator Shapiro adopted that

1. resolution. So, if there's any further questions in regard to

2. Senate Bill 87, I would yield at this time to Senator Shapiro.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Even unwillingly. Senator Shapiro.

5. SENATOR SHAPIRO:

6. Mr. President and Ladies and Gentlemen of the Senate, Senate
7. Bill 87 as amended does provide for grants to school districts for
8. the use in their libraries and any type of media instruction that
9. they may have. The amendment merely stated that if the amount of
10. money appropriated or if one category of school could not use the
11. entire amount that it would be apportioned to other school districts
12. who have higher enrollments, and the bill came out of the committee
13. with eleven to zero vote, eleven Ayes and no Nays. And I would
14. urge this side of the aisle and all members of the Senate support
15. the bill. It has been in the process of being implemented for a
16. good number of years and it has support...the support of practically
17. all the educational groups throughout the State.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Any further discussion? The question is shall Senate Bill 87
20. as amended pass. Those in favor will vote Aye. Those opposed
21. will vote Nay. The voting is open. ... (Machine cut-off)...voted
22. who wish? Take the record. On that question, the Ayes are 55, the
23. Nays are 1, those Voting Present, 1. Senate Bill 70...87 as amended
24. having received the constitutional majority is declared passed.
25. Senate Bill 90, Senator Nudelman. Senate Bill 91, nope. Senate
26. Bill...Senator Palmer, 104. 104, Mr. Secretary. Let me...

27. SECRETARY:

28. Senate Bill 104.

29. (Secretary reads title of bill)

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Palmer has amended Senate Bill 104.

32. SENATOR PALMER:

33. Mr. President and members of the Senate, this is the bill that

1. provides for the creation of the Condominium Property Law Study
2. Commission which is well...needed and there...there...the people
3. are waiting for this study, and I ask for a favorable roll call.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Any discussion? Senator Carroll.

6. SENATOR CARROLL:

7. I just...question of the sponsor, Mr. President.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Indicates he will yield. Senator Carroll.

10. SENATOR CARROLL:

11. I just was wondering where he got the stoop that he's standing
12. on so that the members of the Senate can see him during debate?

13. PRESIDING OFFICER (SENATOR ROCK):

14. I think he borrowed it from another prominent public official.

15. Senator Palmer may close the debate.

16. SENATOR PALMER:

17. Like I said in my opening remarks, these...this is wanted by
18. the developers, by the consumers, and I therefore ask for a
19. favorable roll call.

20. PRESIDING OFFICER (SENATOR ROCK):

21. The question is shall Senate Bill 104 pass. Those in favor
22. will vote Aye. Those opposed will vote Nay. The voting is open.
23. Have all voted who wish? Take the record. On that question, the
24. Ayes are 51, the Nays are none, those Voting Present none. Senate
25. Bill 104 having received the constitutional majority is declared
26. passed. For what purpose does Senator Bell arise?

27. SENATOR BELL:

28. A point of personal privilege, Mr. President.

29. PRESIDING OFFICER (SENATOR ROCK):

30. State your point.

31. SENATOR BELL:

32. Fellow Senators, in the Gallery this afternoon, we're
33. privileged to have visiting with us the Joliet Montessori School

1. School System and Representative Leinenweber's wife is in
2. attendance. She's been very active over the years with the
3. Joliet Montessori program, and I wonder if they might stand
4. for recognition by the Senate.
5. PRESIDING OFFICER (SENATOR ROCK):
6. Senate Bill 105, Mr. Secretary.
7. SECRETARY:
8. Senate Bill 105.
9. (Secretary reads title of bill)
10. 3rd reading of the bill.
11. PRESIDING OFFICER (SENATOR ROCK):
12. Senator Palmer.
13. SENATOR PALMER:
14. Well, Mr. President and Gentlemen of the Senate, the commission
15. that you just in good judgement created requests a favorable
16. roll call for the appropriation of twenty...the meager sum of
17. twenty-five thousand dollars. I ask for a favorable roll call.
18. PRESIDING OFFICER (SENATOR ROCK):
19. The question...any further discussion? The question is shall
20. Senate Bill 105 as amended pass. Those in favor will vote Aye.
21. Those opposed will vote Nay. The voting is open. ...(Machine
22. cut-off)...all voted who wish? Take the record. On that question,
23. the Ayes are 54, the Nays are none, 1 Voting Present. Senate
24. Bill 105 as amended having received the constitutional majority is
25. declared passed. ...(Machine cut-off)...Bill 121, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 121.
28. (Secretary reads title of bill)
29. 3rd reading of the bill.
30. PRESIDING OFFICER (SENATOR ROCK):
31. Senator Bell.
32. SENATOR BELL:
33. Yes, thank you, Mr. President. The bill has been amended and

1. actually the synopsis no longer addresses itself accurately to
2. the bill. The bill as it now stands in its passage form or up for
3. passage would raise the maximum gallonage of wine which a first
4. class wine maker could make from five thousand to ten thousand
5. gallons per year, and would raise the maximum for second class
6. wine makers from ten thousand to twenty thousand gallons. In
7. addition, it would raise from one thousand to five thousand gallons
8. per year the maximum a wine maker could sell at retail at his
9. premises. Now, this is a significant bill to two small wineries
10. in...in residence State wineries that are located, one in my district,
11. called Thompson Winery that specializes in...in champagne, and then,
12. a small winery over in the Nauvoo area. I think it's called Golds
13. Field or something like that. The problem that the winery had was
14. the, specifically, the ability to sell more than, under the present
15. law, more than a thousand gallons of wine. This bill allows them
16. to increase that by fivefold, up to five thousand gallons on the
17. premises. The bill has...is now in a...in a...in a form that the
18. Illinois Liquor Control Commission has no objections to, and if
19. there isn't any discussion or questions, I'd approve...appreciate
20. your favorable vote.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Carroll.

23. SENATOR CARROLL:

24. Would the sponsor yield to a few questions?

25. PRESIDING OFFICER (SENATOR ROCK):

26. Indicates he will yield.

27. SENATOR CARROLL:

28. Senator Bell, what's the difference between the bill as amended
29. and the original version?

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Bell.

32. SENATOR BELL:

33. Well, the...the original version, I've tried to...I'm...I'm trying to

1. think back, Senator Carroll, because the bill started out in
2. January and we went through quite a series of working out the
3. amendment on it, and I'll be very honest with you, I'd have to
4. go back and rereview the original bill to answer your question.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Carroll.

7. SENATOR CARROLL:

8. Well, I'd like to know what the rationale was behind the
9. amendment?

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Bell.

12. SENATOR BELL:

13. Well, I explained that in my first comments, I thought. I'll
14. be glad to go over that again. The...the winery in my district,
15. which is one of two instate wineries in Illinois, has under the
16. present law been restricted in the ability to produce more than
17. ten thousand gallons a year of wine as a Class II wine maker and
18. to be able to sell on their premises, the most significant thing,
19. more than one thousand gallons on their premises. The new bill or
20. the...the change here that they're trying to arrive at is the
21. ability to produce twenty thousand gallons a year as a Class II wine
22. maker and to sell on the...premises five thousand gallons which is
23. a fivefold increase from the way the law now stands. It gives them
24. more, it...it...Senator Carroll, what it does it allows them to produce
25. more and sell more on the premises.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Carroll.

28. SENATOR CARROLL:

29. Well, first of all, what is a first class wine maker? I know
30. a lot of people in my area who claim to be first class wine makers
31. but I don't know what the distinction is.

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Bell.

1. SENATOR BELL:

2. Well, the little old....

3. SENATOR CARROLL:

4. Your...on several religious occasions and things like that.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Bell.

7. SENATOR BELL:

8. Well, I'm not prepared to answer what a first class wine
9. maker is. It's...it's...it's something that was drafted into the
10. law sometime back, and I'd have to go back and research the
11. difference between a Class I and a Class II wine maker.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Senator Carroll.

14. SENATOR CARROLL:

15. While you're doing that, maybe also, you can explain to us
16. the rationale of allowing them to sell five times more wine at
17. their local premises as opposed to distributing it throughout the
18. State to be sold in retail establishments where generates more local
19. income through taxes, et cetera.

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Bell.

22. SENATOR BELL:

23. Well, that question I can answer. We...the Illinois Liquor
24. Control Commission and the Illinois Liquor Industry as such, was
25. very strongly opposed to their going into a broad state distributor-
26. ship. At present...at present, the instate wineries have to sell,
27. because they're very small wineries, they have to sell at their
28. location, Senator Carroll. If, in fact, they were able to go into
29. the regular channels of distributorship, it was felt that it would
30. allow the out of state wineries like Gallo or Taylor from New York
31. or the large California wineries to gain a foothold into Illinois
32. lands for the production of grapes and take over the wine making
33. industry and in Illinois such as it is which is...it's a very small

1. industry but as the law presently is...it...it's drafted in a way
2. to prevent the large California wine growers from intruding into
3. Illinois and taking up Illinois farm land for the production of
4. grapes and the profits flowing out to California. That's the way
5. I understand it. I'm certainly no specialist in...in this parti-
6. cular area of wine making. I might inform you, I have a little,
7. little grape arbor in the back yard and we do produce a few gallons
8. a year out of it. Not bad. I don't think I qualify as a Class I
9. wine maker though.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Carroll.

12. SENATOR CARROLL:

13. I'm not sure if you would be a first class wine maker either.
14. I don't know, I haven't tasted it, but I will...I...I still don't
15. think I understand the rationale behind the amendment as it changed
16. it, and I think you've attempted to answer the question. So, thank
17. you.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Savickas.

20. SENATOR SAVICKAS:

21. Well, Mr. President, would the Senator yield to a question or two?

22. PRESIDING OFFICER (SENATOR ROCK):

23. Indicates he will yield.

24. SENATOR SAVICKAS:

25. I'd like to know what the purpose of these restrictions on
26. the wine making in Illinois were placed on in the first place?
27. Maybe this could answer our question on why we want to change it
28. to...for this particular winery. It seems like a self-interest
29. bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Bell.

32. SENATOR BELL:

33. Well, Senator Savickas, the...the present Illinois winery laws

1. go back to about nineteen, oh, back to nineteen twenties or early
2. thirties and there's been very little done in reference to changing
3. these laws up...actually up to this stage as I understand it.
4. The...at that time when those statutes were drafted, for some reason
5. or other, it was felt that Illinois land should be precluded or
6. excluded from the possible control of California or large, new out
7. of state wineries coming in. Whether that, in fact, is a right
8. assumption or not, I'm not prepared to address myself to, but
9. evidently, these laws were drafted in a rather protective manner
10. for...for Illinois wineries. Now, the present law as it...as it
11. now stands, has allowed small Illinois wineries to, in fact, maintain
12. themselves as small protected Illinois wineries, and there's only
13. two of them that I know of. One, I...as I say, is over in the
14. western part of the State at Nauvoo and then I have...we have a
15. small one in Monee which is in my district. The one in Monee,
16. specifically, has had a problem in trying to market its wine at its
17. location. It wants to sell more. It...it's prevented by the present
18. laws in the...and the industry from getting into the distributorship
19. channels because of the fear of...of outside control coming into
20. Illinois, and I can't explain why that is. I...I really don't know.
21. It seems to be a complicated area of the law that's quite old, and
22. I can't, frankly, give you all the answers I'd like to on this. I
23. would imagine we'd have to have somebody from the liquor industry,
24. possibly an attorney that could go back and...and recodify the why
25. and wherefore of many of those original laws.

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Savickas.

28. SENATOR SAVICKAS:

29. Well, would this bill allow the California growers to come in
30. and operate in Illinois?

31. PRESIDING OFFICER (SENATOR ROCK):

32. Senator Bell.

33. SENATOR BELL:

1. This bill does not...this bill does not address itself to
2. that situation, and as the law is presently now, and I...and I can't
3. give you an explicit answer on this, just what I understand as the
4. law is now, they are, in fact, prevented from doing so, Senator
5. Savickas.

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Savickas.

8. SENATOR SAVICKAS:

9. I didn't understand that we are prevented from doing what - from
10. allowing California growers to...wineries to come in here? Is this...

11. PRESIDING OFFICER (SENATOR ROCK):

12. Senator.

13. SENATOR SAVICKAS:

14. ...don't you think that this is hindrance to our ability to
15. bring businesses into Illinois to provide jobs, to keep up our
16. economy? If we perpetuate this system of just locking out every-
17. body except for two personal concerns, it seems like this is just
18. self-serving legislation and not serving for the State of Illinois.

19. SENATOR BELL:

20. Well, Senator Savickas...

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Bell.

23. SENATOR BELL:

24. ...the...the bill does...does not address itself to the pre-
25. clusion or the inclusion of allowing out of state wineries to come
26. into gain control of land in Illinois for grape production. The
27. bill has nothing to do with that. Now, as to whether it's a self-
28. interest bill, I say yes, Senator, it certainly is. It addresses
29. itself to two small wineries in Illinois and that's all we have
30. are those two small wineries, one of which happens to be in my
31. district, the other which as I say is in western Illinois, that want
32. to be able to expand the sales of their product at their location.
33. They are prevented to...from going by the current law into regular
distributorship channels. Lord knows why it goes back to the old
statutes, and I'm not prepared to argue the merits of that parti-

1. cular situation. This bill is for the benefit of Illinois wineries
2. period, because there's only two of them.

3. PRESIDING OFFICER (SENATOR ROCK):

4. Senator Savickas.

5. SENATOR SAVICKAS:

6. If I may make a suggestion. Since there are many unanswered
7. questions about this most important subject, then maybe we should
8. hold this and find out just what this legislation means and why
9. some of these questions have not been submitted to the sponsor for
10. answering to the membership. Maybe some of these questions could
11. be cleared up once the sponsor sits down and talks to the people
12. who initiated this legislation, and we could resolve the question
13. quickly.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Latherow.

16. SENATOR LATHEROW:

17. Thank you, Mr. President. I wonder if the sponsor would
18. yield to a question?

19. PRESIDING OFFICER (SENATOR ROCK):

20. Indicates he will yield.

21. SENATOR LATHEROW:

22. How many licensed wineries are there in the State of Illinois?

23. PRESIDING OFFICER (SENATOR ROCK):

24. Senator Bell.

25. SENATOR BELL:

26. Senator Latherow, there are two.

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Latherow.

29. SENATOR LATHEROW:

30. Well, what I was thinking about is about three or four years
31. ago, there was only one licensed winery and I thought about two
32. years ago we passed legislation here that took the license off of
33. them and allowed them to operate without a license to that...to that
respect. Now, I'm very glad to hear that this is something vital

1. to my area in Nauvoo, Illinois and namely the Gem City Vineland,
2. and I've had no correspondence...correspondence or word at all
3. from them concerning this. Now, I can very easily see what is
4. attempting to be done here, but to think that that's vital to that
5. industry which I may not say that I consume much of but I do buy
6. from them once and a while as some of you here know, to think that
7. they've said nothing to me about it. So, I don't believe I can
8. support the legislation unless I hear something from them.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Senator Fawell. No. Senator Mitchler.

11. SENATOR MITCHLER:

12. Well, just in support of Senator Bell's bill, I believe the
13. winery he's referring to has become rather widely known for their
14. expertise in the distilling and the bottling and the dispensing of
15. champagne, and they have received a considerable attention through-
16. out the entire United States. Now, the majority of domestic cham-
17. pagne comes from New York State and California, and I think what
18. has happened to this winery located in Will County is the fact that
19. they have increased production. They have an opportunity to add
20. more jobs to become a greater...a greater winery and business, and
21. when business is leaving the State of Illinois at a greater rate
22. than any of the other fifty states, I think that we should give
23. close attention to a...an industry, a business which happens to be
24. a winery and growing because of their fine product and reputation,
25. and if this will help them sell more of their product, I think that
26. we should get behind this bill. Now, if I'm wrong in that assump-
27. tion, I know Senator Bell will correct me, but I believe that is a
28. good, valid reason for voting Aye on Senator Bell's bill.

29. PRESIDING OFFICER (SENATOR ROCK):

30. Senator Buzbee.

31. SENATOR BUZBEE:

32. Thank you, Mr. President. Would the sponsor yield to a question?

33. PRESIDING OFFICER (SENATOR ROCK):

1. Sponsor indicate he will yield.
2. SENATOR BUZBEE:
3. I'm...I'm wondering are these...are these grapes that this
4. wine is made out of? Are those Illinois grown grapes?
5. PRESIDING OFFICER (SENATOR ROCK):
6. Senator Bell.
7. SENATOR BELL:
8. Yes...yes, Senator Buzbee, to my knowledge, they are.
9. PRESIDING OFFICER (SENATOR ROCK):
10. Senator Buzbee.
11. SENATOR BUZBEE:
12. Well, I...I wasn't aware that...that the soil conditions in
13. Illinois or the weather conditions were such it would allow us to
14. grow grapes. I wondered if they were imported, if so, if those
15. grapes were picked by union labor or...or what?
16. PRESIDING OFFICER (SENATOR ROCK):
17. Senator Bell.
18. SENATOR BELL:
19. Well, I...I cannot, in fact, say...stand here and say that
20. ...that none of it is imported. I really don't, frankly, know.
21. To the best of my knowledge, they are grown here in Illinois, and
22. the soil conditions up in that particular area seem to lend them-
23. selves to growing of that type of grape for...for champagne purposes,
24. as far as who picks it, I have no idea.
25. PRESIDING OFFICER (SENATOR ROCK):
26. Senator Buzbee.
27. SENATOR BUZBEE:
28. It seems to me that we ought to be made aware as to whether
29. we're talking about the...the use of Illinois farm products or
30. whether we're talking about somebody else's farm products. It
31. seemed to me that Senator Carroll a while ago made a very valid
32. point in his part about the, I don't really understand why we
33. need to increase the sale of wine at the...at the point of produc-

1. tion there, and I...I would be very interested to know what...who's
2. products they are. As an example in my area, there are a lot of apples
3. and peaches grown. Do they make any peach wine there or apple wine?
4. Do you know?
5. PRESIDING OFFICER (SENATOR ROCK):
6. Senator Bell.
7. SENATOR BELL:
8. I don't know.
9. PRESIDING OFFICER (SENATOR ROCK):
10. Senator Buzbee.
11. SENATOR BUZBEE:
12. Well, I have...I have just one last question. Would this, in
13. any way, allow the sale of wine in dormitories?
14. PRESIDING OFFICER (SENATOR ROCK):
15. Senator Bell.
16. SENATOR BELL:
17. I would assume that...that it probably wouldn't allow for the
18. sale of wine in dormitories. It certainly...at certain universities
19. it would allow for the consumption of wine in...dormitories in
20. Illinois.
21. PRESIDING OFFICER (SENATOR ROCK):
22. Senator Buzbee.
23. SENATOR BUZBEE:
24. Well, I think that in itself, if nothing else, makes this a
25. very questionable bill. Thank you.
26. PRESIDING OFFICER (SENATOR ROCK):
27. Senator Partee.
28. SENATOR PARTEE:
29. Well, I can understand this bill if it was for Nauvoo parti-
30. cularly because it is a historical site, but the thing that disturbs
31. me is simply this - we don't, of course, sell enough wine. We don't
32. make enough in Illinois and if our product is superior to the
33. products from New York State and California, certainly, we want to

1. do everything in the world to make sure that Illinois wine gets
2. sold. It doesn't do very much by saying that everybody who comes
3. to Monee should buy this wine. The thing to do, I think, you'd be
4. doing them a favor if you didn't vote for this bill because then
5. if they have a superior product, they will do like all other persons
6. who sell items, that manufacture items, they'll get a distribution
7. system and they'll get in touch with the distributors of spirited
8. products throughout the State, and they'll start selling them.
9. They'll sell a lot more than they will in Monee, you can believe
10. that. So, it seems to me, if we want to make this product have the
11. kind of accessibility to people that it needs to have because of its
12. superior quality, we ought to say, no, you just sell the limited
13. amount that you can at the factory, but let's get going with your
14. distribution system and sell as much as you can make throughout the
15. rest of the State and the rest of the country.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Roe. Oh, I'm sorry. For what purpose does Senator
18. Latherow arise?

19. SENATOR LATHEROW:

20. I'd like to answer Senator Partee there for just...Senator...

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Latherow.

23. SENATOR LATHEROW:

24. Your Nauvoo Gem City Vineland sells all the wine they can make
25. with...without even having to put a runner on the road to sell the
26. product for them. They have that good distribution. The demand is
27. great.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Partee.

30. SENATOR PARTEE:

31. Then you're saying you don't need this bill, is that right?

32. PRESIDING OFFICER (SENATOR ROCK):

33. Senator Latherow.

1. SENATOR LATHEROW:

2. Apparently, they didn't. They never contacted me on it,
3. Senator.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Roe.

6. SENATOR ROE:

7. I move the previous question.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Roe has...Senator Graham, do you wish recognition?
10. Senator Roe has moved the previous question. All in favor
11. signify by saying Aye. The Ayes have it. The motion carries.
12. Senator Bell may close the debate.

13. SENATOR BELL:

14. Well, I think all the points have been pretty well covered.
15. I would just like to touch on a few in reference to Senator
16. Partee's comments. Senator Partee, certainly the...the free
17. enterprise distribution system is the best route to go, and that's
18. the route that we originally intended to try to fly this bill, but
19. when you get wrapped up in the old dram shop statutes and the pro-
20. tections of the...of the liquor industry and all the various inter-
21. groups...interest groups that came into the picture as we tried to
22. get the Thompson Winery into position where it could, in fact,
23. compete on a state-wide basis against those California and large
24. New York grape wine producing firms, we found...I, quite frankly,
25. I found myself involved in a...in an area here that's been a
26. protected industry that...well, I...it was...it was beyond me to
27. be able to move a bill like you indicated you would have like to
28. have seen, Senator Partee. So, I went back to the Thompson Winery.
29. We talked about the problem, and right now, they're marketing at
30. their location and they feel that they can continue to progress for
31. a reasonable period of time in the future by amending the present
32. statutes to allow them to sell at their location an additional five
33. thousand gallons and...or an additional four thousand gallons over

1. and above the thousand that's presently being sold there. I offered
2. you, Senators, this idea that it, in fact, allows those two indus-
3. tries, those two wineries in Illinois, the ability to increase pro-
4. duction, the ability to sell more at home without disturbing the
5. particular marketing processes in Illinois that seem to be a very
6. closed situation, but nevertheless, it does allow the two industries
7. to progress and to move forward. And I think that's vital, and I
8. would like to see our membership here in the Senate vote Do Pass in
9. reference to this particular question. Thank you.

10. PRESIDING OFFICER (SENATOR ROCK):

11. The question is shall Senate Bill 121 as amended pass. Those
12. in favor will vote Aye. Those opposed will vote Nay. The voting
13. is open. Have all voted who wish? Take the record. Senator Bell
14. moves to postpone consideration. It will be postponed. 126, Senator
15. Egan. 130, Senator Johns. 134, Senator Partee. 130...you wish to
16. call 134, Senator? 134, Mr. Secretary.

17. SECRETARY:

18. Senate Bill 134.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Partee.

23. SENATOR PARTEE:

24. Well, Mr. President and members of the Senate, Senate Bill 134
25. relates to the specialized living centers for the developmentally
26. disabled. It cares for people who are both substantially handi-
27. capped and mostly adults who are also mentally retarded, the cerebral
28. palsied, and the epileptics. And this is a system whereby the
29. funding will be by way of an appropriation for the projected costs
30. for these specialized living centers...

31. PRESIDING OFFICER (SENATOR ROCK):

32. Excuse me, Senator. For what purpose does Senator Weaver arise?

33. SENATOR WEAVER:

1. Well, Mr. President, yesterday we asked for some further infor-
2. mation on this, Senator Partee, and haven't received it yet. So, I
3. ...I just wonder if you would hold that until we did...get that
4. information.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Partee.

7. SENATOR PARTEE:

8. Yes, it was my impression you already had it, but if you don't
9. have it, we'll just take it out of the record. We'll get back to
10. it.

11. PRESIDING OFFICER (SENATOR ROCK):

12. Take it out of the record, Mr. Secretary. 137, Senator Hall, do
13. you wish that called? 137, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 137.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Hall. Senator Kenneth Hall. Senator Hall. Got a
20. dead mike. Put him on Senator Netsch please. Senator Kenneth Hall.

21. SENATOR HALL:

22. Thank you, Mr. President and members of the Senate, Senate
23. Bill 137 amends the Capital Development Board Act. It excludes
24. capital facilities at nonpublic institutions of higher learning for
25. ...jurisdiction of Capital Development Board. Now, the purpose of
26. this legislation is required for nonpublic institutions of higher
27. learning to expend funds for Capital Development Bonds for the con-
28. struction, remodeling and rehabilitation of facilities. Under the
29. provisions of this...bill, it expedites constructions and avoids
30. delays and additional State expenses. So, I would ask your most
31. favorable support for this bill.

32. PRESIDING OFFICER (SENATOR ROCK):

33. There any discussion? Senator Wooten.

1. SENATOR WOOTEN:

2. Yes, Mr. President, I must confess I, quite frankly, don't
3. understand what's at issue. Exclude capital facilities at nonpublic
4. ...institutions of higher learning, the jurisdiction of the Capital
5. Development Board, under whose jurisdiction would those capital
6. facilities fall then?

7. PRESIDING OFFICER (SENATOR ROCK):

8. Senator Kenneth Hall.

9. SENATOR HALL:

10. Senator Wooten, that...this bill is part of the package for
11. the Accelerated Program and what this bill does it simply removes
12. the Capital Development Board from the picture and substitutes the
13. Board of Higher Education to avoid complications, delays and additional
14. State expense partly because of the possible availability of matching
15. private institutional funds to supplement State grants.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Wooten.

18. SENATOR WOOTEN:

19. The Board of Higher Ed, in other words, then would assume juris-
20. diction but this is over nonpublic institutions. How do the nonpublic
21. institutions react to this? I'm...is this kind of an agreed situa-
22. tion all the way around, Senator?

23. SENATOR HALL:

24. Yes, it's...there was no objection from them.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and Ladies and Gentlemen of the Senate, I think
29. that this group ought to realize what they're voting on here. Senate
30. Bill 137 by itself is rather innocuous. It just merely reaffirms
31. that those grants that are...that will be made to our private
32. institutions of higher education for construction purposes will not
33. be subject to the Capital Development Board. Now, I personally have

1. no argument with that cause, we all realize what a poor job CDB has
2. done, and when it comes to capital construction throughout the State,
3. but if this is good for the private institutions, it should also be
4. good for the public institutions. Let's take them all out from under
5. the jurisdiction of the Capital Development Board. Furthermore,
6. this bill will implement Senate Bills 126 and 139 which will make
7. these grants on a per capita basis, which in no way pertains to the
8. capital needs of that private institution. I really don't know how
9. the...what the consensus of opinion is here within this group, but
10. I personally am going to resist passage of this bill. I would urge
11. other members to resist passage if it comes up for a vote. I really
12. think this bill ought to be held until Senate Bill 126 and 139 are
13. called, because it relates directly to those two bills.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Fawell.

16. SENATOR FAWELL:

17. Mr. President and members of the Senate, I would agree with
18. what Senator Shapiro has just said. I think we have to recognize
19. that what we in the Legislature have said to the Capital Development
20. Board is that when we are putting State funds into capital construc-
21. tion that we will have the Capital Development Board oversee that
22. construction as being the entity that will supposedly protect the
23. taxpayers of the State of Illinois so that the taxpayers' funds will
24. be wisely used. Now, I...I think to a degree, the Capital Development
25. Board has been, perhaps, overly criticized and the problems in...in
26. staffing up in regards to very much increased capital bond program
27. of the State in the last several years has been a big problem for
28. CDB. I think they deserve some criticism, but I think that they are
29. getting in position and have done some very fine work. The Board of
30. Higher Education has no expertise whatsoever, and I think if...if we
31. adopt the philosophy that's in this bill, we're simply saying insofar
32. as capital construction is concerned for private higher education that
33. when we turn the taxpayers funds over, that we're simply not going to

1. get any overseeing in regard to how that construction money is used.
2. I...I don't believe that we really intend or desire that end, so I
3. would rise in opposition also.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Hickey.

6. SENATOR HICKEY:

7. Mr. Chairman, I'd like to say that...that I agree with some
8. of the things that have been said, but as far as this bill is...and
9. maybe this bill should be broader, that's...I'm not quarreling with
10. that, but it seems to me that it...then and maybe it should be
11. considered at the same time with some others because...they are
12. interrelated, but if we're going to make those awards of money to
13. the privates, the way that it is set up and we have not yet decided
14. that, it seems to me appropriate that it isn't going to change the
15. amounts of money any whether it's done this way or not, and that the
16. privates should be able to have autonomy in...in their own construction
17. somewhat under the wing of the IBHE which they would not enjoy at all
18. under CDB. So, it seems to me that this bill for what it states is
19. right and that we should...should...should vote this bill in and
20. then consider the other issues when they come along. I rise in
21. support of the bill.

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator...Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. I think that in this bill, we are
26. allowing the private sector of higher education to do what we don't
27. allow the public higher education institutions to do, and I...I just
28. think it's taking the wrong path, and I would hope that this side
29. of the aisle would vote against this bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Harber Hall.

32. SENATOR HALL:

33. Mr. President, many of us on this side of the aisle and I...I

1. believe on both sides of the aisle, have many questions about the
2. Capital Development Board. I would like to ask the sponsor of this
3. measure in view of the fact that there are two other very important
4. matters shortly to come before the Body concerning the Capital
5. Development Board, if he won't hold this bill. These two bills and
6. the sponsor's bill of this Senate Bill 137 do correlate, and I...I'd
7. like to hold...have him hold it if he would.

8. PRESIDING OFFICER (SENATOR ROCK):

9. Senator Kenneth Hall.

10. SENATOR HALL:

11. Okay. We'll...we'll hold it, Senator.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Take it out of the record, Mr. Secretary. 138, Senator
14. Dougherty. Secretary, read the bill.

15. SECRETARY:

16. Senate Bill 138.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Senator Dougherty.

21. SENATOR DOUGHERTY:

22. Mr. President, I'd like to have this bill called back to the
23. order of 2nd reading for the purpose of offering an amendment.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Senator Dougherty has asked leave to call back Senate Bill 138
26. to the order of 2nd reading for the purpose of an amendment. Is
27. there leave? Leave is granted. The bill is now on 2nd reading.

28. Senator Dougherty.

29. SENATOR DOUGHERTY:

30. I would like to Table Amendment No. 3 and substitute thereof
31. Amendment No. 4. This is a clarification amendment. I've had it
32. checked with the staff of Senator...or President Harris's staff,
33. former President, if you will, and they are agreed to this...correct

1. this amendment...corrected amendment is necessary. I have...

2. PRESIDING OFFICER (SENATOR ROCK):

3. Senator Dougherty has moved to...

4. SENATOR DOUGHERTY:

5. ...I...having voted on the prevailing side, I move...

6. PRESIDING OFFICER (SENATOR ROCK):

7. ...Move to reconsider the vote by which Amendment No. 3...

8. SENATOR DOUGHERTY:

9. ...move to reconsider the vote by which it passed...

10. PRESIDING OFFICER (SENATOR ROCK):

11. ...was adopted. All in favor signify by saying Aye. All

12. Opposed. The Ayes have it. The vote is reconsidered. Senator

13. Dougherty now moves to Table Amendment No. 3. All those in favor

14. signify by saying Aye. All those Opposed. Amendment No. 3 is

15. Tabled. Amendment No. 4 on the Secretary's Desk. Senator Dougherty.

16. SENATOR DOUGHERTY:

17. It's merely a technical amendment. I've had it checked with
18. the staffs on the other side of the aisle, and they're in agreement
19. with me that this amendment is necessary to correct a prior error.

20. PRESIDING OFFICER (SENATOR ROCK):

21. Senator Dougherty moves the adoption of Amendment No. 4. Is
22. there any discussion? All those in favor of Amendment No. 4 signify
23. by saying Aye. All those Opposed. The Ayes have it. Amendment No. 4
24. is adopted. Are there any further amendments? Any amendments from
25. the Floor? 3rd reading. Senator Dougherty, do you wish to come
26. back to this...

27. SENATOR DOUGHERTY:

28. I do wish to come back. Yes, Sir.

29. PRESIDING OFFICER (SENATOR ROCK):

30. Thank you. Senate Bill 157, Senator Regner. 157, Mr. Secretary.
31. Read the bill, please.

32. SECRETARY:

33. Senate Bill 157.

1. (Secretary reads title of bill)

2. 2nd...3rd reading of the bill.

3. PRESIDING OFFICER (SENATOR DONNEWALD):

4. Senator Regner.

5. SENATOR REGNER:

6. Mr. President and members of the Senate, Senate Bill 157
7. creates the Land Use Study Commission as you know. We have a very
8. important area of consideration here and there is several pieces
9. of Federal legislation pending on this topic, and by the adoption
10. of...a Land Use Commission bill such as this, it would provide the
11. State agency necessary to, really, to keep the Federal Government
12. out of the State until we make our own determination. The makeup
13. is four members of the Senate, four members of the House, the four
14. mayors - one appointed by each legislative leader, four county board
15. members, and four practicing farmers appointed by the legislative
16. leaders. And I'd ask for a favorable roll call.

17. PRESIDING OFFICER (SENATOR DONNEWALD):

18. There any discussion? Senator Morris.

19. SENATOR MORRIS:

20. Senator Regner, would you yield to a question?

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. Indicates he will yield. Senator Morris.

23. SENATOR MORRIS:

24. What will this do in the event the Udall or any of the other
25. bills being considered by the Federal Congress for some State funds
26. and that? Would this get us in a position of qualifying for those
27. monies?

28. SENATOR REGNER:

29. Yes, it would, Senator Morris. I drafted this with the help
30. of the NLC in Washington, and this would qualify as the...as a State
31. agency that could take the Federal monies and use them in whatever
32. studies under the Udall and possibly the Jacksonville.

33. PRESIDING OFFICER (SENATOR DONNEWALD):

1. Senator Morris.

2. SENATOR MORRIS:

3. Is...is this commission actually going to get about the
4. business of doing some land use planning or is it just going to
5. push paper around so that we qualify for funds?

6. PRESIDING OFFICER (SENATOR DONNEWALD):

7. Senator Regner.

8. SENATOR REGNER:

9. I would hope it would get about the job, however, as you know,
10. I'm not an appointing authority to the members of the commission,
11. so it would be who is on the commission appointed by the leaders.
12. But I would hope it would do some kind of a job that we do need done
13. here in Illinois.

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator Morris.

16. SENATOR MORRIS:

17. What would be the...the scope of their...their authority?
18. Would they be able to go into an area such as Lake County and tell
19. us how we are to plan our land or would they be strictly a overseer?

20. SENATOR REGNER:

21. No, they would not have the authority to go into any area and
22. tell them how to do it. What the commission is empowered to do
23. under this particular bill is to hold state-wide hearings, examine
24. various factors such as environmental factors, determine whether
25. the State should direct the implementation of comprehensive planning
26. and report back to the General Assembly, both on an interim basis
27. next Spring in March and then also in 1976 with a final report, but
28. they would not have any authority to actually implement anything.

29. PRESIDING OFFICER (SENATOR DONNEWALD):

30. Is there further discussion? The question is shall Senate
31. Bill 157 pass. All those in favor vote Aye. All those opposed No.
32. The voting is open. Senator Latherow, I'm sorry.

33. SENATOR LATHEROW:

1. Well, I just wanted...I just wanted to recognize that I just
2. now got a copy of the amendment, the first I've seen of it and...
3. and I...I hesitate to say anything at this time, but I want to
4. recognize the fact that you have controlling properties and you're
5. putting three-fourths right out of the members of this commission
6. on there that own none of it. I just want to recognize that.

7. PRESIDING OFFICER (SENATOR DONNEWALD):

8. Have all those voted who wish? Take the record. On that
9. question, the Ayes are 43, the Nays are 2. Senate Bill 157 having
10. received the constitutional majority is declared passed. Senator
11. Palmer, Senate Bill 161. Senator Latherow, for what purpose do you
12. arise?

13. SENATOR LATHEROW:

14. I failed to push my button. I want to be recorded as No on
15. that.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. The record will so show. Senator Dougherty, you're going to
18. hold Senate Bill...

19. SENATOR DOUGHERTY:

20. Yes, I'm going to hold it.

21. PRESIDING OFFICER (SENATOR DONNEWALD):

22. ...138. Senator Rock, Senate Bill 162. Read the bill.

23. SECRETARY:

24. Senate Bill 162.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR DONNEWALD):

28. Senator Rock.

29. SENATOR ROCK:

30. Just a question of the Secretary. I understand that there has
31. been a request properly filed for a fiscal note by Senator Bloom.
32. His request is, of course, in order, and my question is I...I did,
33. in fact, receive a fiscal note and I wonder if it's on file properly,

1. otherwise, it's buried here in this file some place.

2. PRESIDING OFFICER (SENATOR DONNEWALD):

3. The Secretary will check the file. The file, Senator Rock...
4. Senator Rock, the file does not show a request for a fiscal note,
5. however, I've been advised that there is one filed. It probably
6. is buried in the Secretary's office.

7. SENATOR ROCK:

8. Well, my question related to...I know a fiscal note was, in
9. fact, prepared. I...I just don't know whether or not it was filed.
10. The request I know was filed, but was the fiscal note also filed?

11. PRESIDING OFFICER (SENATOR DONNEWALD):

12. The fiscal note, I'm advised, was not filed.

13. SENATOR ROCK:

14. Well, I just...I hate to lose my place. We're liable not to
15. get back to this order of business until about ten days from now.

16. PRESIDING OFFICER (SENATOR DONNEWALD):

17. I have one coming up and you can come right back.

18. SENATOR ROCK:

19. All right. Let me just check on the fiscal note. The request
20. was made by Senator Bloom. I know I have asked that it be fulfilled
21. and I will recheck it.

22. PRESIDENT:

23. Take 162 out of the record. Senate Bill 163, Senator Donnewald.
24. Read the bill.

25. SECRETARY:

26. Senate Bill 163.

27. (Secretary reads title of bill)

28. PRESIDENT:

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, Mr. President and members of the Senate, I think that I
32. have had distributed among all of the members earlier this morning
33. a resume and the reason for the request under Senate Bill 163. This

1. is an appropriation in the amount of two hundred twenty-five thousand
2. dollars, which is the balance of a judgement due from the City of
3. Salem for an accident that occurred where a police officer off duty
4. was ordered to assist in the chase of one attempting to avoid arrest.
5. During that occurrence, the officer who was off duty was injured
6. and lost the sight of both eyes permanently. Now, the matter went
7. to court and the matter was argued back and forth among the attorneys
8. for the plaintiff and defendant and it was then determined or it was
9. thought at that time by the defense that the Tort Immunity Law which
10. was passed prior to the Kaneland Case would be, in fact, effective.
11. Now, the court ruled, the court ruled later that the Tort Immunity
12. Law did not apply to the municipality, but that the Municipal Code
13. had in its chapter imposing absolute liability on the municipal
14. corporation which...to which...there is no defense.

15. PRESIDENT:

16. For what purpose...one moment, Senator Donnewald. One moment,
17. Senator Donnewald. What purpose does Senator Glass arise?

18. SENATOR GLASS:

19. I was only seeking recognition after the sponsor is through, Mr.
20. President.

21. PRESIDENT:

22. After he shall have finished, fine. Senator Donnewald.

23. SENATOR DONNEWALD:

24. There was...there was no defense the court ruled and it did
25. go all the way to the Supreme Court of Illinois ruling that there
26. was no defense on the part of the...on the part of the municipality
27. to the statute that we enacted. Now, the Kaneland Case, Kaneland
28. Case prior to 1964, the Tort Immunity Law was not, in fact, enforced.
29. I think in Senator Mitchler's district, we did pass legislation to
30. give them a sum of nearly three quarters of a million dollars. Now,
31. this, Gentlemen and Ladies of the Senate, does not, in fact, establish
32. a precedent. This is an obligation, a moral obligation that we, in
33. the Senate, have because of the bills that we passed imposing absolute

1. liability on that...on that municipality. Now, I'd like to say
2. this also in my opening statement, I...I've observed that this...very,
3. very same law applying to a municipality does not, mind you, does
4. not apply to a county if the circumstances were, in fact, the same.
5. Now, I think that everyone here probably is aware of what the case
6. is. It's unfortunate. I think that we should pass this particular
7. legislation because we, in the General Assembly, impose such an
8. obligation upon the municipalities such as Salem. I think now no
9. precedent will be established. I think now that...that we do know
10. that the court has ruled on it...well, Mr. President, I can't hear
11. nor I don't think anybody else can.

12. PRESIDENT:

13. ...It's difficult for anyone to hear when everybody is talking.
14. Will the members be in their seats and give Senator Donnewald your
15. attention. Senator Donnewald may continue the debate.

16. SENATOR DONNEWALD:

17. Well, what...what it does it did impose the absolute liability
18. under the Municipal Code and did not have the Tort Immunity Law
19. take effect at all, and I think that the adequate insurance is now
20. held by all municipalities where in this case it wasn't. There was
21. a minimal amount of insurance because the city was under the impres-
22. sion that the Tort Immunity Law had taken care of that particular
23. situation. I would urge your favorable vote on this legislation.
24. Thank you.

25. PRESIDENT:

26. Senator Glass.

27. SENATOR GLASS:

28. Well, thank you, Mr. President. I...and I would point out to
29. the membership that this is a very important bill and I have a...I
30. have trouble understanding why Senator Donnewald doesn't feel this
31. would set a precedent. No matter how you cut it, this would amount
32. to the State of Illinois paying a judgement for the City of Salem,
33. and...and to me that is a precedent. I think there are ways that

1. ...that municipalities can pay their judgements. They can levy
2. a tax, the...they can sell judgement funding bonds for that purpose.
3. There are notes that can be given and I think this would be a very
4. dangerous precedent for the State of Illinois to engage in. I...I
5. know it's a difficult situation for the city in question, and it's
6. ...it is unfortunate that they happen to be caught without adequate
7. insurance, but I think the...the other side of the coin is that if
8. we begin paying judgements for municipalities under this set of
9. circumstances, it isn't going to be hard to find others that are...
10. that are equally meritorious. So, I certainly would urge that this
11. bill be defeated.

12. PRESIDENT:

13. Any further debate? Senator Rock.

14. SENATOR ROCK:

15. Thank you, Mr. President and Ladies and Gentlemen of the Senate.
16. I rise in support of this bill. It is obviously of some benefit to
17. a city in southern Illinois. It does not in any way relate to the
18. County of Cook or the city which I represent, but I think in fairness
19. to this city since the...this result was occasioned by a change in
20. the statute of which they were unaware, that the General Assembly has
21. this obligation and I, for one, and I urge everybody on this side
22. to vote Aye.

23. PRESIDENT:

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Mr. President and members of the Senate, Senator Donnewald
27. alluded to an incident that occurred in a school district in Kane
28. County. I believe the figure was about seven hundred and fifty
29. thousand dollars. It was a school bus accident where children were
30. burned and it would have literally just put the school district out
31. of...out of business. A precedent was set at that time when the
32. members of the General Assembly and this is prior to my serving,
33. Senator Merritt Little was the Senator at that time and this money

1. was actually taken from road funds, motor fuel tax funds because the
2. General Assembly did see in their wisdom that there was a problem
3. with a local unit of government within the State of Illinois. And
4. many times we have often referred to these local units of government
5. that we create as creatures of the Illinois General Assembly. The
6. municipality in the City of Salem is such a creature. I do believe
7. that this is a precedent. I do not know of a previous incident, and
8. my limited experience would not afford me that knowledge, but if in
9. the feeling of Senator Donnewald representing his district, he came
10. and I believe this was voted out of committee nine to seven, and if
11. two hundred and twenty-five thousand dollars can be appropriated, it
12. passes both Houses, is approved by the Governor, I believe that we
13. will be saving some taxpayers - people that would be required if
14. there was a tax imposed upon them to come up with that, and I believe
15. that we would be doing a favor to the City of Salem. I think that
16. maybe we can help them out this time if we have the money. At least
17. they're not asking for relief in the form of billions of dollars
18. where they're not doing anything or working.

19. PRESIDENT:

20. Any further discussion? Senator Wooten.

21. SENATOR WOOTEN:

22. Yes, a question of the sponsor. Senator Donnewald, I think
23. the...the main concern that would flow through the Body is the
24. establishment of a precedent. In what way can we offer some kind
25. of security, official or unofficial, formal or informal, that we
26. won't be opening a door for such settlements? Is it...have all
27. cities acquired the proper protection?

28. PRESIDENT:

29. Senator Donnewald.

30. SENATOR DONNEWALD:

31. Yes, since this has occurred, the cities have been fully aware
32. of...of the problem that did arise because of the bill that we
33. enacted in this General Assembly that made it an absolute liability

1. with no defense.

2. PRESIDENT:

3. Senator Wooten.

4. SENATOR WOOTEN:

5. So, we may assume that if a similar case arises through a
6. city's negligence...yeah. All right, but I mean if...if...if a
7. similar case arises, say a...a city in my district through their
8. own negligence finds themselves strapped and comes to me and says
9. you've done this before, I would want to be able to say we did it
10. before in a special case because it was not the city's negligence.
11. If it's your negligence, it's your problem. And we can agree among
12. ourselves as ladies and gentlemen that we're not going to encourage
13. this kind of thing in the future. I...I say I don't know how you...
14. I don't know how you make a...a legal stricture against this sort
15. of thing. I certainly wouldn't want a lot of cases to come before
16. us like this, once we have permitted the...the one.

17. PRESIDENT:

18. Any further discussion? Senator Fawell.

19. SENATOR FAWELL:

20. A...a question for the sponsor. As I recall the Tort Immunity
21. Act...

22. PRESIDENT:

23. One moment. Will the members be in their seats. Senator Fawell.

24. SENATOR FAWELL:

25. As I recall the...the Tort Immunity Act does not grant immunity
26. to public entities if the public entity voluntarily chooses to take
27. out liability insurance coverage, and it's been my experience that
28. most of the public entities do take out public liability insurance
29. coverage. My question is, did the City of Salem have liability
30. coverage here? Is...is it their policy to have no such coverage
31. whatsoever?

32. PRESIDENT:

33. Senator Donnewald.

1. SENATOR DONNEWALD:

2. Yes, they had a...they had a policy of not more than fifty
3. thousand dollars, but with the thought that the...the only the
4. Tort Immunity Act would...would protect them. They saw no use.
5. They were not aware of the enactment in the Municipal Code which
6. ...by...by a strange coincidence, a county with a sheriff that
7. uses the same statutes employed in the explanation of this bill
8. would...would take someone into act to help enforce a law or
9. prevent an escape or whatever, they would not be liable under the
10. same Municipal Act, but there was insurance but they saw no need
11. for insurance because of the Tort Immunity Law that we enacted
12. subsequent to the Kaneland Case.

13. PRESIDENT:

14. Senator Fawell.

15. SENATOR FAWELL:

16. Yeah, the only...the only point I wanted to make is I think
17. that most public entities, nevertheless in spite of the Tort
18. Immunity Act, have seen fit to adequately insure themselves anyway
19. because of the vagaries of that Tort Immunity Act. I'm sure that
20. the City of Salem from this point on certainly will be...will be
21. doing so even in spite of the absolute strict liability section to
22. which you refer to. That's...that's the only comment I have.

23. PRESIDENT:

24. Senator Netsch.

25. SENATOR NETSCH:

26. Mr. President, a question of the sponsor. Senator Donnewald,
27. I...I think that many of us recognize that the Molitor situation
28. was defensible because it involved a complete nonwarning, a lack of
29. warning to the community or the school district, in fact, involved
30. there that there was going to be a very dramatic change in law and
31. the result of it was that the whole burden of that dramatic and I
32. think good change in law fell on that one school district. I think
33. that what some of us are just attempting to establish on the...the

1. record here is that this is at least comparable if not quite as
2. dramatic as the Molitor situation, and if I may phrase this state-
3. ment and see if this is accurate. There was in existence a...quite
4. apart from the Tort Immunity Act a...a provision in the Municipal
5. Code which involved, apparently, imposed a kind of liability under
6. the very circumstances that took place here. I assume that we can't
7. really say that the municipality...had no warning of that statute
8. because a municipality is supposed to know the law. But aren't you
9. also saying that it...the statute itself was not read as imposing
10. that kind of strict liability that in fact in this very law suit,
11. the court decided to interpret it as imposing. In other words, the
12. court reached out to a New York case, decided to read our statute
13. differently from what had been anticipated and that is the...the
14. unexpected change in law for which this community could not have
15. planned. Is that...I think the...Senator Donnewald's answer was that
16. that is substantially correct. I think that's important to make
17. that point, Mr. President, because what we are trying to say is that
18. we are not establishing a precedent. We are not going to bail
19. communities out just because they are careless in not planning for
20. their tort liability. This is a situation where the city could not
21. have planned. It had no way of anticipating this and that, at
22. least, puts it in a class closer to the Molitor situation.

23. PRESIDENT:

24. Any further discussion? Senator Berning.

25. SENATOR BERNING:

26. Thank you, Mr. President. I'd just like to ask a question of
27. the sponsor. I've been trying diligently to listen as to the
28. comments going on, but my question, Senator, has to do with two
29. facets of this. Number one, will we not be establishing a rather
30. difficult precedent? There will be undoubtedly similar situations.
31. And secondly, since we do have a State program of aid to the munic-
32. ipalities through sales tax, income tax sharing and this type of
33. support, would it not be justifiable to make this or any such claim

1. contingent upon amortization through the State support programs,
2. the sales tax distribution and the revenue sharing. In other
3. words, what I am saying is it seems only fair to the rest of the
4. State that while this money, perhaps, should be advanced to meet
5. a...an emergency, should it not then be amortized over a period
6. of years out of the revenues that come to the municipality from the
7. State?

8. PRESIDENT:

9. Senator Donnewald may answer the question again.

10. SENATOR DONNEWALD:

11. As...as to question number one, the answer is no. I don't
12. feel it establishes a precedent. I think that we've discussed
13. that quite thoroughly in the debate. Number two, again, that's one
14. A really. It goes right back to, as far as I'm concerned, I think
15. it's morally our responsibility in the General Assembly to...to
16. rectify, I think, an error that we made because the city assumed
17. as Senator Netsch explained, the city did assume that this particu-
18. lar bill enacted by the General Assembly the...under the Municipal
19. Code in Chapter 125 did not apply to a case where it established
20. absolute liability.

21. PRESIDENT:

22. Any further discussion? The question is shall Senate Bill 163
23. pass. All in favor will vote Aye. Opposed will vote Nay. The
24. voting is open. Have all voted who wish? Take the record. On
25. this question, the Ayes are 32, the Nays are 15, 3 Voting Present.
26. Senate Bill 163 having received the constitutional majority is
27. declared passed. For what purpose does Senator Demuzio arise?

28. SENATOR DEMUZIO:

29. Mr. President, rise on a point of personal privilege.

30. PRESIDENT:

31. State your point.

32. SENATOR DEMUZIO:

33. Seated in the Gallery behind us...behind me is my beloved

1. mother, the former Catherine Murphy. I'd like for her to stand and
2. be recognized by the Senate.

3. PRESIDENT:

4. Mrs. Murphy. Senate Bill 168, Senator Regner. Read the bill.

5. SECRETARY:

6. Senate Bill 168.

7. (Secretary reads title of bill)

8. 3rd reading of the bill.

9. PRESIDENT:

10. Senator Regner.

11. SENATOR REGNER:

12. Mr. President and members of the Senate, this bill amends the
13. Illinois Governmental Ethics Act and it clarifies the intention of
14. the General Assembly to require the filing of statements of economic
15. interest by any person who is a holder of or a candidate for the
16. office of trustee of a community junior college. And apparently it
17. was an oversight in the statutes that we had passed a couple of
18. years ago. The Community College Board favors this bill in order to
19. end the confusion that has taken place in the last couple of elections.

20. PRESIDENT:

21. Any further discussion? The question is shall Senate Bill 168
22. pass. All in favor will vote Aye. Opposed will vote Nay. The
23. voting is open. Have all voted who wished? Take the record. On
24. this question, the Ayes are 45, the Nays are none. Senate Bill 168
25. having received the constitutional majority is declared passed.
26. Senate Bill 173, Senator Hynes. Read the bill.

27. SECRETARY:

28. Senate Bill 173.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Hynes.

33. SENATOR HYNES:

1. This legislation as it...as amended is a comprehensive statute
2. to combat the abuses involved in the dogfighting contests that have
3. taken place in this State and around the country. It expands the
4. existing law into seven categories and increases the penalties so
5. that now it will provide the tools necessary to eliminate this abuse.
6. I believe that there is...no objection from any quarter to the bill
7. in its present form and I would ask for your favorable support
8. including my colleagues in the back row here.

9. PRESIDENT:

10. Any further bows...or any further discussion? Senator Mitchler.

11. SENATOR MITCHLER:

12. I'd rise in support of this and urge a unanimous vote. This is
13. a very worthwhile bill. And in addition to that, I would ask that
14. I be listed as a cosponsor with the sponsor's permission. And
15. Senator Harber Hall also asked to be listed as a cosponsor on Senate
16. Bill 173.

17. PRESIDENT:

18. Is there leave? Leave is granted. Any further discussion?
19. The question is shall Senate Bill 173 pass. All in favor will vote
20. Aye. Opposed will vote Nay. The voting is open. On this question
21. ...have all voted who wish? Take the record. On this question, the
22. Ayes are 54, the Nays are none. Senate Bill 173 having received the
23. constitutional majority is declared passed. I understand, Senator
24. Rock, you are ready to proceed with 162? Senate Bill 162.

25. SECRETARY:

26. Senate Bill 162.

27. (Secretary reads title of bill)

28. 3rd reading of the bill. And I...financial...fiscal note requirement
29. has been met.

30. PRESIDENT:

31. Senator Rock.

32. SENATOR ROCK:

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

1. I do not see Senator Bloom on the Floor but it was his request,
2. and that's, frankly, what delayed us. He had filed in writing a
3. request for a fiscal note. The fiscal note was, in fact, prepared
4. subsequent to that and was just, frankly, lost in the file some
5. place. It is contemplated under the fiscal note that no State funds
6. will be expended nor will any appropriation be requested for the
7. operation of this agency. Senate Bill 162 creates the Illinois
8. Municipal Financing Agency Act, and what it does is creates this
9. agency for the purpose of marketing municipal bonds for those muni-
10. cipalities who wish to take part in. This is a permissive, volun-
11. tary participation program. This agency would issue bonds and be
12. allowed to use the or obtain a higher bond rating than the small
13. municipalities can themselves. The State is under no obligation.
14. This...this is similar to if not identical to the Illinois Housing
15. Development Authority. All expenses will be paid from bond proceeds,
16. and the idea is that the small municipalities will have to...will,
17. in fact, using this plan if they so choose be able to enjoy the
18. lower interest rate that is available to an agency such as this or,
19. in fact, to the State itself. It's important to note, however, that
20. the State is not obligated in anyway, shape or form, nor is the full
21. faith and credit of the State behind these bonds. The bonds are
22. and will remain the...the liability if you will of the municipality
23. itself. This is the program that was...is promoted and supported
24. by State Treasurer Alan Dixon. The bills were introduced in the
25. 77th and now the 78th General Assembly. The idea is a good one.
26. It has the support of the Illinois Municipal League and numerous
27. editorials throughout the State. I just want to say again that this
28. ...this program calls for permissive, voluntary participation by
29. the municipalities. Nobody is mandated to use the services of this
30. agency. In addition, there were two amendments which were offered.
31. One would, at the request of the Department of Local Government
32. Affairs, would provide that the agency must, in fact, assure itself
33. of the financial feasibility of both the...the contemplated program

1. and the municipality itself before the bonds will, in fact, be...
2. be sold. And secondly, there was an amendment offered by Senator
3. Don Moore that says that the four members appointed to the agency
4. by the Governor will be selected from nominees proffered by the
5. four legislative leaders. The bill is a good one, and I would ask
6. your favorable support.

7. PRESIDENT:

8. Senator Glass.

9. SENATOR GLASS:

10. Would the sponsor yield for a question?

11. SENATOR ROCK:

12. Yes.

13. SENATOR GLASS:

14. Senator Rock, you indicated that this would not affect the
15. full faith and credit of the State of Illinois. That it would not
16. be behind the bonds. It's my understanding that...that this would in-
17. crease the bonded indebtedness of Illinois. Am I misinformed on
18. that?

19. SENATOR ROCK:

20. If you'll look, Senator, at Page 5, my understanding, it's
21. just the opposite. It says each bond and note must contain a
22. special statement to the effect that the agency is obligated to
23. pay the principal thereof and the interest thereon only from
24. revenues or funds of the agency, and that the State is not obligated
25. to pay such principal or interest and that neither the faith and
26. credit nor the taxing power of the State is pledged to the payment
27. of the principal or the interest on these bonds or notes.

28. PRESIDENT:

29. Senator Glass.

30. SENATOR GLASS:

31. Well, the...the other question that I have is....

32. PRESIDENT:

33. Just one moment. One moment. Senator Rock is trying to handle

1. a bill. There's a great deal of noise and confusion around him.
2. He can't hear or think. Senator Glass.

3. SENATOR GLASS:

4. Yeah. The...the other question I have is...is simply this. I...
5. I take it the purpose of this agency would be to enable municipali-
6. ties to more easily market their bonds. Now, before we put a State
7. agency in the position of really competing with private industry,
8. in other words, buying those bonds in lieu of banks or whatever
9. other buyers might be available, I would like to know whether that's
10. necessary, and again, I...I may have received misinformation, but
11. all the information I have is that municipalities are not having
12. trouble marketing their bonds and it seems to me unless they are,
13. we should not jump to put the State in a position of...of buying
14. the bonds. Do you have any...any comments on that, Senator?

15. PRESIDENT:

16. Senator Rock.

17. SENATOR ROCK:

18. Well, I think in the committee, Senator, the information you
19. have received was, in fact, testified to. There is a just a
20. difference of opinion, apparently. It is the information supplied
21. by the State Treasurer to me, does indicate that certain municipali-
22. ties have in effect lost their favorable rating or are not rated
23. at all with respect to their bonds and so as a...as a...direct
24. result, they...they cannot, in fact, market their bonds. It is the
25. opinion of the Treasurer and myself that this is a voluntary, parti-
26. cipation program. The municipal...municipality needn't get into
27. the program, but, in fact, for those small municipalities who have
28. at present time no market for their bonds, this, in fact, would...is
29. designed to help them.

30. PRESIDENT:

31. Senator Glass.

32. SENATOR GLASS:

33. Well, and...finally, I just...I just would again emphasize and...

1. and question you as to the...the State's bond rating because the
2. ...the testimony as I understand it in...in the committee indicated
3. that other states that have launch programs of this type have
4. suffered a...a decline in their...in their bond ratings. So, I...I
5. ...I'm accepting your statement that this would not affect the
6. State's bond rating and I would just hope that's accurate because
7. there is this conflict in...in the testimony.

8. PRESIDENT:

9. Any further...Senator Rock may close the debate.

10. SENATOR ROCK:

11. Well, I...I didn't mean to close the debate. I noticed some
12. others wish to talk, but Senator Glass...

13. PRESIDENT:

14. Just one moment. Yes, I think...Senator Rock, continue.

15. SENATOR ROCK:

16. Senator...Senator, I just want to answer, to respond to that
17. one point that he made. The States of Maine and Vermont have, in
18. fact, adopted this program. The fact is that their bond ratings
19. have been reduced from triple A to double A and I have a letter
20. from Moody's which indicates the fact that both these States have
21. ...municipal bond banks was not a factor in the reduction of the
22. ratings, and I have a fourteen or fifteen page report which you are
23. welcome to share with me. But...but the existence of what they
24. call a municipal bond bank in that State had nothing whatever to
25. do with that reduction rate.

26. PRESIDENT:

27. Senator Bell.

28. SENATOR BELL:

29. Just a few questions of the sponsor. Senator Rock, could you
30. inform us or inform me at the present time how these small munic-
31. ipalities are, in fact, marketing their bonds?

32. PRESIDENT:

33. Senator Rock.

1. SENATOR BELL:
2. ...At the present time.
3. SENATOR ROCK:
4. Through a regular bonding house, I presume.
5. PRESIDENT:
6. Senator Bell.
7. SENATOR BELL:
8. Then the...the new Municipal Financing Agency would, in fact,
9. be purchasing these bonds from those small municipalities?
10. PRESIDENT:
11. Senator Rock.
12. SENATOR ROCK:
13. Could, in fact, if the municipality chooses to participate.
14. PRESIDENT:
15. Senator Bell.
16. SENATOR BELL:
17. Then...then, I offer to you, Sir, that...that this program
18. is going to be, in my opinion, as best I can see it, in conflict
19. with the Governor's program in marketing the additional bonding
20. and obtaining the additional...well, obtaining the additional
21. bonding authority first of all, and then, marketing those bonds
22. that he wants to...that he wants to market. Would seem to me that
23. your side of the aisle has a little problem, maybe, in this area.
24. Secondly, that it will, in fact, exacerbate the situation as far
25. as Illinois maintaining its high credit rating when there's going
26. to be an...a...a tremendous market push in reference to the drainage
27. of funds because of the United States Congress position in going
28. into the securities field and the bonding authorities that...the
29. moves that are being made in that direction and that, in fact, it's
30. going to probably work to the detriment, therefore, of the State of
31. Illinois and its credit rating.
32. PRESIDENT:
33. Senator Rock.

1. SENATOR ROCK:

2. Well, I can only emphasize and hopefully reemphasize so
3. there...there just is no question that I have read verbatim the
4. section which indicates that this is not an obligation of the
5. State nor is the State putting behind this agency its full faith
6. and credit nor its taxing power. To attempt in any way, conjunc-
7. tively or disjunctively, to...to say in any way that Senate Bill
8. 162 has any relation whatever with the Accelerated Building Program
9. is simply not the fact. These are two different entities all
10. together, and whatever you think of the Accelerated Building Program
11. as proposed in the special message of the Chief Executive, has
12. nothing whatever to do with Senate Bill 162. This is an act which
13. would create a municipal financing agency for the purpose of alle-
14. viating the problem of small municipalities who are unable to market
15. their municipal bonds for projects that both they feel are worth-
16. while and that the agency in its determination feels is fiscally
17. feasible and definitely worthwhile for the municipality.

18. PRESIDENT:

19. Any further discussion? Senator Fawell.

20. SENATOR FAWELL:

21. Senator Rock, what...I don't understand. I think that you
22. have indicated that this would not cost the State any money, and
23. yet, you're going to have to have a...a rather large staff if local
24. districts do take advantage of it what...at all. The State is going
25. to have to, as I understand the bill, go out and issue notes and
26. bonds which do not have the State putting forth any of its personal
27. liability. The...the...the bonds and notes issued by the State
28. evidently will indicate on their face that they, in turn, will be
29. payable if and when the general obligation notes and bonds from
30. the local district which they purchase are payable. And it seems
31. to me that you're going to have to have an...an appreciable staff
32. that's involved. How...how we could say that there is no cost
33. involved is...is beyond me. That...that's the one point. And the

1. second point that I'd like to make is, it seems to me that...that
2. there's a questionable need for the bill, but in the one area where
3. there is a need, the bill is silent and that is in regard to
4. revenue bond issues. If...in my experience, the...the bond issues
5. that one has trouble finding purchasers for would be in the revenue
6. area, and if the State would be able to give aid and assistance in
7. purchasing revenue bonds for local districts, I think it would be
8. a...an immense help, but I would say that...that ninety-nine and
9. nine tenths percent of all of your GO bond issues are...there's no
10. problem in regard to a...a market whatsoever, and you'll find that
11. your local lending institutions, I think, are...are picking up those
12. bonds at...at rates which are awfully close to what they're paying
13. on certificates of deposit. We've even had a case recently where
14. it's been less than that. And I think you...that this will be
15. although not a...not a legal debt of the State, if the State is going
16. to perform any service at all, it's going to have to impress its
17. bond buyers that there is more of a guarantee of ultimate payment
18. than would otherwise be guaranteed by just the local district. The
19. State must be adding something or the bond buyer wouldn't be...
20. wouldn't be buying when otherwise he would not with the local district.

21. PRESIDENT:

22. Senator Rock, speaking to the combination of smaller cities
23. that combine their issues may close the debate.

24. SENATOR ROCK:

25. Well, I will...I will attempt, certainly, to answer that
26. lengthy question. One, the expenses, as the expenses of any bond
27. issue, will be from the proceeds of the bonds.

28. PRESIDENT:

29. One moment, Senator Rock. For what purpose does Senator Graham
30. arise at Senator Fawell's microphone?

31. SENATOR GRAHAM:

32. Over here. Mr. President and members of the Senate, so seldom
33. do I do this, but I do have the pleasure of introducing to the Senate

1. some youngsters from WeGo, that's West Chicago to you, here visit-
2. ing the Senate today and I'd like for them to stand and be acknow-
3. ledged by the Senate. Senator Fawell and I jointly introduce them.

4. PRESIDENT:

5. Our friends from WeGo, please stand and be recognized by the
6. Senate. Please stand and be recognized by the Senate. Senator Rock,
7. have you...

8. SENATOR ROCK:

9. Well, again, with respect to Senator Fawell's question about
10. who's going to bear the expense. The expense will be, in fact,
11. borne in a manner similar to that which the Illinois Housing
12. Development Authority expense is borne, namely out of the proceeds
13. of the bonds and there will be no State appropriation necessary.
14. Secondly, I say and I reiterate that this is not an obligation of
15. the State. It does not have the full faith and credit of the State
16. behind it. The legislation is designed as introduced by Treasurer
17. Dixon is designed to assist the small, economically depressed and
18. the new municipalities to market their bonds without paying puni-
19. tively high interest rates. It's an attempt to assist small com-
20. munities. It's a voluntary program. It...it does not mandate
21. their participation, but in fact, as the...the Board of Directors
22. of the Illinois Municipal League who are in support of this bill
23. have indicated that there are, in fact, in our State municipalities
24. who are...unable to market their bonds, and this agency would, one,
25. screen the program that the municipality wishes to float bonds for,
26. and if in the judgement of the agency, the program was good and it was
27. within the fiscal capacity of the municipality, then the agency
28. would go to work and hopefully save the municipality some money..
29. I would ask, Mr. President, the Sergeant-at-Arms ring the bell and
30. I would seek a favorable roll call.

31. PRESIDENT:

32. The question is shall Senate Bill 162 pass. All in...Senator
33. Glass, you desire to speak again?

1. SENATOR GLASS:

2. Mr. President, I have a parliamentary inquiry as to the vote
3. required for passage of this bill, and if I may, just briefly
4. explain under the Illinois Constitution, Article 9, Section 9 A
5. and B, it is provided that State debt means bonds or...other
6. evidences of indebtedness which are secured by the full faith and
7. credit of the State or are required to...and then this is the
8. important part, or are required to be repaid directly or indirectly
9. from tax revenue and which are incurred by the State, any depart-
10. ment, authority, public corporation, or a quasi public corporation
11. of the State, any State college or university or other public
12. agency created by the State. And then, under...under Subsection B,
13. it provides...

14. PRESIDENT:

15. Well, wait a minute. Why don't you finish with A. You left
16. out the very sentence that answers your question, but not by units
17. of local governments or school districts.

18. SENATOR GLASS:

19. Well, Mr. President, I would point out to you that under
20. Section 6.07 of Senate Bill 162, the agency proposed to be created
21. does have the power...the power to borrow money and issue its
22. negotiable bonds or notes, provide for and secure the payment
23. thereof and to purchase and hold and dispose of any of its bonds
24. or notes. So, I am speaking of the agency rather than the units of
25. local government, and I would point out that in...in case it is
26. State debt that a...a three-fifths vote of the members elected to
27. each House of the General Assembly is required for approval. And
28. I...I would also if I might refer to the verbatim transcript of
29. June 19, 1970 at the Constitutional Convention wherein it states
30. in the debate the section shall, referring to this section, shall
31. apply whether the bonds or evidence of indebtedness are secured by
32. the full faith and credit of the State or by specific tax or nontax
33. revenue. And this is intended to make it clear that we want the

1. legislative provision set out here to apply to both revenue bonds
2. and general obligation bonds. And I'm not...I'm not debating the
3. merits of the bill, but I think it's important that we have a
4. ruling on...on what vote is required on this...on this bill.

5. PRESIDENT:

6. Before the Chair rules on your question, I would ask Senator
7. Rock to repeat what he has read on two occasions that part of the
8. bill which relates to this question. Senator Rock.

9. SENATOR ROCK:

10. Thank you, Mr. Chair...Mr. President...Ladies and Gentlemen
11. of the Senate. Again, I would refer to Page 5, Section 5, Sub-
12. section B where it very plainly states that the State is not
13. obligated to pay such principal and interest and that neither the
14. faith and credit nor the taxing power of the State is pledged to
15. the payment of the principal or the interest of the bonds or notes.
16. I would say for that reason Senator Glass' point while...while...
17. his inquiry was well taken, it just...that constitutional provision
18. is simply inapplicable to this bill.

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Well, I...I understand what Senator Rock is saying, and I...
23. I'm aware of that and I would urge that despite what he read,
24. namely that the full faith and credit of the State is not behind
25. these bonds that nevertheless this would constitute State debt as
26. defined in the Constitution and I believe your parliamentarian has
27. a section because State debt does not have to be debt in which the
28. full faith and credit of the State is pledged but it can simply
29. be debt wherein State tax revenues are involved.

30. PRESIDENT:

31. It is a question, Senator, which is...which lends itself to
32. two interpretations. The Chair rules that thirty votes are required
33. to pass Senate Bill 162. Any further discussion? The question is

1. shall Senate Bill 162 pass. All in favor will vote Aye. Opposed
2. will vote Nay. The voting is open. Have all voted who wish?
3. Take the record. On this question, the Ayes are 36, the Nays are
4. 11, Present 2. This bill, Senate Bill 162, having received a clear
5. constitutional majority is declared passed. Senator Rock.

6. SENATOR ROCK:

7. I wonder, Mr. President, if I might have leave of this Body
8. to proceed a little out of order. Senate Bill 271 is a companion
9. to 162 which just passed...

10. PRESIDENT:

11. Is there leave? Leave is granted. Senate Bill 271.

12. SECRETARY:

13. Senate Bill 271.

14. (Secretary reads title of bill)

15. 3rd reading of the bill.

16. PRESIDENT:

17. Senator Rock.

18. SENATOR ROCK:

19. The question was just asked and I think it's a good one, how
20. did this bill get separated this far from the other one? It was
21. not intended to be that way. When the bills were delivered from
22. the State Treasurer's office, they got lost on my desk amongst a
23. pile of others that I have had my name put on or somebody else's
24. name put on. Senate Bill 271 is the companion bill and it merely
25. authorizes local governmental units to issue GO Bonds in lieu of
26. bonds otherwise authorized only for sale to the Illinois Municipal
27. Financing Agency. There is a...a Home Rule Amendment on it. The
28. bill is a necessary companion bill, and I would urge a favorable
29. vote.

30. PRESIDENT:

31. Any further discussion? The question is shall Senate Bill 271
32. pass. All in favor will vote Aye. Opposed will vote Nay. The
33. voting is open. Have all voted who wish? Take the record. On

1. this question, the Ayes are 35, the Nays are 12, 2 Voting Present.
2. Senate Bill 271 having received the constitutional majority is
3. declared passed. Senate Bill 183, Senator Harris.

4. SECRETARY:

5. Senate Bill 183.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDENT:

9. Senator Harris.

10. SENATOR HARRIS:

11. Mr. President, members of the Senate, Senate Bill 183 is a
12. bill that was introduced by Senator Partee and me and I believe
13. some thirty-nine other members of this Body. It is the work product
14. of over a year of evaluation and study to react to the very serious
15. problem of retail theft. The United States Federal Bureau of Inves-
16. tigation has calculated that the retail loss from retail theft in
17. Illinois is some eight hundred million dollars a year. To the
18. extent that we can pinpoint a more effective response to discourage
19. this kind of loss on a continuing basis, we will achieve a result
20. definitely in the public interest. This bill is supported by the
21. Illinois State's Attorney Association, and I might say that the
22. Senate Judiciary Committee was really diligent and helpful in putting
23. this bill into better shape than that in which Senator Partee and
24. I actually introduced it. The subcommittee composed of Senators
25. Nudelman, Carroll and Fawell met with us and the staff for, I think,
26. maybe ten or twelve hours all together, and we arrived at a meeting
27. of the minds, offered amendments in the committee. The bill was
28. amended as a result of the...recommendation of the subcommittee.
29. The bill was cleared by the committee on a unanimous vote. The
30. amendments were adopted on 2nd reading, of course, by the Body, and
31. I think now we do have a truly effective means to respond to the
32. very serious question of retail theft in Illinois particularly. I
33. think appropriate safeguards are in the bill to provide for those

1. persons that might be found to be offenders under the provisions
2. of this new Retail Theft Act. I think the traditional American
3. and Illinois system of jurisprudence is properly maintained here,
4. but a more effective tool will be available to the State's Attorneys
5. if this bill does become law. I would call your attention to the
6. fact that just yesterday, the Chicago Tribune editorialized favor-
7. ably in regard to this bill. I would be happy to respond to any
8. questions, otherwise, I would call for a favorable action by the
9. Senate on Senate Bill 183.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Wooten.

12. SENATOR WOOTEN:

13. Senator, I...

14. PRESIDING OFFICER (SENATOR ROCK):

15. Senator indicates he will yield. Senator Wooten.

16. SENATOR WOOTEN:

17. Senator, I think the...the thing that bothered many of us
18. were the rather hair-raising presumptions of guilt that were made
19. in the bill. Do...what presumptions remain? I, quite frankly,
20. was not looking for it today and have not had a chance to establish
21. what remains as a presumption of guilt in the bill?

22. PRESIDING OFFICER (SENATOR ROCK):

23. Senator Harris.

24. SENATOR HARRIS:

25. That...yes. In the amendment that language that deals with
26. the removal of the...from the premises of the merchandise, that
27. language has been stricken but other than that a...most of the
28. language in that Subparagraph B does remain. This question of the
29. establishment of the presumption of guilt, of course, is not new
30. to the Illinois Statute. It was a question that received a great
31. deal of attention by the subcommittee and by the full Judiciary
32. Committee. I believe that reasonably responds to the question
33. that you legitimately have raised.

1. PRESIDING OFFICER (SENATOR ROCK):

2. Senator Wooten.

3. SENATOR WOOTEN:

4. The only change then is you say is merchandise outside the
5. store. How about placing in a pocket? You know that can be
6. loosely construed. I can envision a situation where somebody would
7. have their arms full and maybe just tuck a bulky object just for
8. support in a pocket and the presumption of guilt is placed in that
9. kind of language, it seems to me it's a little too stringent.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Senator Harris.

12. SENATOR HARRIS:

13. Well, the question you raised is that if the person were to
14. proceed beyond the last station of the store with...and that would,
15. of course, be a matter of instruction to the jury and we feel that
16. it is properly responded to here.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Wooten.

19. SENATOR WOOTEN:

20. Well, that...that's really what I was looking for. That...it
21. proceeds past the last station of the store. Okay. No problem.
22. Thank you.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Any further discussion? Senator Partee.

25. SENATOR PARTEE:

26. Well, Mr. President, I would just rise to offer my voice in
27. support of this legislation. It is true that when this legislation
28. was first introduced, there were many things in the bill that
29. troubled a large number of the members of the committee where it
30. was presented, the Judiciary Committee. And I would like to publicly
31. compliment those three Senators who have been alluded to who worked
32. on a committee which have now put this bill in what I consider to
33. be good form and a bill which would have the approbation of the

1. greatest civil libertarian in America. It is a bill which lends
2. itself to an area where there is a great deal of help needed.
3. Many bills are in this Session of the Legislature relating to
4. consumerism and what the consumer pays for what he gets. The fact
5. of the matter is the millions of dollars that are lost today by
6. theft within the establishment, either by customers or by personnel,
7. is sought to be eliminated here and hence when those millions of
8. dollars are eliminated, it means that the consumer is a final, bottom
9. line beneficiary of this kind of legislation. It is excellent
10. legislation. It will in many, many instances substantially reduce
11. and diminish the cost of goods to the ultimate...ultimate consumer.
12. I certainly recommend it to your vote.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Any further discussion? For what purpose Senator Graham
15. arise?

16. SENATOR GRAHAM:

17. In addition, Mr. President and members, lending my support to
18. this bill having been a retail merchant for some twenty-five years,
19. I fully understand the importance of this and in addition to asking
20. your support on it, I would like to take this moment to introduce
21. a dear and close friend of mine and yours, the former Director of
22. Corrections who is sitting with us here, Pete Bensinger.

23. PRESIDING OFFICER (SENATOR ROCK):

24. Any further discussion? Senator Harris may close the debate.

25. SENATOR HARRIS:

26. Roll call.

27. PRESIDING OFFICER (SENATOR ROCK):

28. The question is shall Senate Bill 183 pass. Those in favor
29. will vote Aye. Those opposed will vote Nay. The voting is open.
30. ... (Machine cut-off) ... all voted who wish? Take the record. On
31. that question, the Ayes are 56, the Nays are 1, none Voting Present.
32. Senate Bill 183 as amended having received a constitutional majority
33. is hereby declared passed. ... (Machine cut-off) ... 88, Senator

1. Donnewald. For what purpose Senator Newhouse arise?

2. SENATOR NEWHOUSE:

3. Thank you, Mr. President. I rise on a point of personal
4. privilege.

5. PRESIDING OFFICER (SENATOR ROCK):

6. State your point, Sir.

7. SENATOR NEWHOUSE:

8. Mr. President, in the Gallery immediately to your rear and
9. to your left are a group of my neighbors from the south side of
10. the City of Chicago who come down to observe the Senate in action.
11. I wish they would rise and be recognized by this Body.

12. PRESIDING OFFICER (SENATOR ROCK):

13. Will our guests please rise? 192, Senator Mitchler. For
14. what purpose Senator Partee arise?

15. SENATOR PARTEE:

16. With that same group in the south Gallery are members of that
17. delegation. Would they please rise and be recognized.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Would you please rise...please rise and be recognized. 19...
20. 192: 192, Senator Mitchler. 192, Mr. Secretary.

21. SECRETARY:

22. Senate Bill 192.

23. (Secretary reads title of bill)

24. 3rd reading of the bill.

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Yes, Mr. President and members of the Senate, Senate Bill 192
29. as amended reduces the drivers license fee for handicapped persons.
30. The amendment redefined disabled persons to handicapped persons so
31. it will conform with the Motor Vehicle Code. That's exactly what
32. it does. It extends the same courtesy to handicapped persons as
33. now enjoyed by senior citizens in having a reduced license fee. I

1. would ask for a favorable roll call.

2. PRESIDING OFFICER (SENATOR ROCK):

3. Is there any discussion? Senator Savickas.

4. SENATOR SAVICKAS:

5. Would...would the Senator yield to a question?

6. PRESIDING OFFICER (SENATOR ROCK):

7. Indicates he will yield. Senator Savickas.

8. SENATOR SAVICKAS:

9. Well, a handicapped person, I don't know about your definition,

10. that could be someone that has a broken foot, has a bad arm, just

11. ...I wonder what the...you can put...put almost anybody into this

12. area at one time or another.

13. PRESIDING OFFICER (SENATOR ROCK):

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Senator Savickas, no, handicapped person is clearly defined

17. in the Illinois Motor Vehicle Code, and that is the reason that we

18. used that language as compared to a disabled person that is used in,

19. for example, the Disabled Persons and Senior Citizens Property Tax

20. Relief Act.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Savickas. No further questions. Any further discus-

23. sion? Senator Partee.

24. SENATOR PARTEE:

25. Senator, I have not a clear reading of the position of the

26. Secretary of State's Office on this bill, nor the financial impact

27. of the bill. Could you tell us the answers to those questions?

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Mitchler.

30. SENATOR MITCHLER:

31. There are approximately, Senator Partee, twenty-five thousand

32. handicapped persons that would be eligible to apply for this reduced

33. license...

1. PRESIDING OFFICER (SENATOR ROCK):
2. Senator, for what...excuse me, Senator. Senator Partee.
3. SENATOR PARTEE:
4. I probably need to restate my question because he commences
5. to tell me something that is already obvious. I asked a rather
6. specific question as to the position of the Secretary of State
7. and the financial impact.
8. PRESIDING OFFICER (SENATOR ROCK):
9. Senator Mitchler.
10. SENATOR MITCHLER:
11. I believe the Secretary of State would be opposed to it
12. because of the extra administrative problem that they would have
13. in putting it through.
14. PRESIDING OFFICER (SENATOR ROCK):
15. The second question.
16. SENATOR MITCHLER:
17. And the second question, the amount of...the number of persons
18. that would be involved with this from the best figures that we can
19. get from the Secretary of State would be about twenty-five thousand
20. which would be eligible for the handicapped special license plate.
21. PRESIDING OFFICER (SENATOR ROCK):
22. Senator Partee.
23. SENATOR PARTEE:
24. No, he's answered my first question. That was really was
25. the bottom line for me.
26. PRESIDING OFFICER (SENATOR ROCK):
27. Any further discussion? Senator Mitchler, do you wish to
28. close?
29. SENATOR MITCHLER:
30. I just close with this. The license fee is eight dollars.
31. This would reduce it half as now enjoyed by senior citizens to
32. four dollars. It would be a savings of one dollar a year for the
33. handicapped persons as defined. And I do believe that we should

1. recognize that handicapped persons often are in the same predicament as the senior citizen and that they are on limited income and have
2. financial problems. And I think this would be a courtesy that we
3. could extend to them and it would amount to a very small amount
4. of money yet have a great impact in recognizing their handicap.
5. PRESIDING OFFICER (SENATOR ROCK):

6. The question is shall Senate Bill 192 as amended pass. Those
7. in favor will vote Aye. Those opposed will vote Nay. The voting
8. is open. Have all voted who wish? Take the record. Senator
9. Mitchler moves to postpone consideration. Consideration will be
10. postponed. 196...just wait...wait just a second, Senator, till
11. the Secretary gets cleared away. Senate Bill 196, Mr. Secretary.
12. Read the bill.
13.

14. SECRETARY:

15. Senate Bill 196.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER (SENATOR ROCK):

19. Senator Harber Hall.

20. SENATOR HALL:

21. Mr. President, I'm almost ashamed to explain this bill. It's
22. a merely bill after that long reading of a synopsis. This merely
23. brings the regulation for barbers in respect to furnishing a picture
24. for their license and for the annual taking of a TB examination.
25. It brings them in line with the beauticians and most other registered
26. occupations. I know of no objection at this time to it. I would
27. solicit your favorable vote for this.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Morris.

30. SENATOR MORRIS:

31. Senator Hall, if I recall in committee, wasn't there something
32. about wanting to retain the picture on the barber's licenses?

33. PRESIDING OFFICER (SENATOR ROCK):

1. Senator Harber Hall.

2. SENATOR HALL:

3. I didn't attend the committee hearing. I understand that the
4. Department of Registration and Education may have a question if
5. this bill passes and goes to the House about the possibility of
6. only requiring a picture on apprentice barbers and not on barbers.
7. If they do, they will present it in committee over there. Outside
8. of that, they didn't make a formal objection to the bill.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Senator Morris.

11. SENATOR MORRIS:

12. Well, I...I was under the impression in the committee that
13. this situation would have been resolved before we reached this point
14. in 3rd reading from the fellow that was there from Registration and
15. Education that they would work with this problem. You haven't been in
16. communication with them on this?

17. PRESIDING OFFICER (SENATOR ROCK):

18. Senator Hall.

19. SENATOR HALL:

20. Yes, I have talked to the Department with Mr. Watson. He has
21. not offered me an amendment and said he would not and does not object
22. to the passage of this bill. Now, if he wants to make a change, he
23. will in the House.

24. PRESIDING OFFICER (SENATOR ROCK):

25. Senator Morris.

26. SENATOR MORRIS:

27. Thank you.

28. PRESIDING OFFICER (SENATOR ROCK):

29. Senator Wooten.

30. SENATOR WOOTEN:

31. Mr. President and Senator Hall, that's the...the aspect of
32. this bill that I find objectionable. Why do you delete the need
33. for a picture being present on the license? It seems to me that

1. serves a very useful purpose and I cannot see what it has to do with
2. the announced objective of the bill as it is summarized in our
3. Calendar, and it...it...since this is extraneous to your purpose,
4. why do you delete it and why not correct it yourself rather than
5. depend on what may or may not happen in the House?

6. PRESIDING OFFICER (SENATOR ROCK):

7. Senator Harber Hall.

8. SENATOR HALL:

9. Well, I think I speak for the barbers, certainly, that's the
10. reason I introduced the bill is...because barbers have an objection
11. to it. They point out that virtually no other licensed profession
12. requires a...a picture. Now, the barber that trims these beautiful
13. hairs on my head told me and showed me that he sent in a picture of
14. Harry Truman with his and he put it on the wall with Harry Truman's
15. picture on it. So, you know, I...I think we ought to be reasonable
16. about regulations that are promulgated throughout the State upon
17. our citizens and the barbers don't need something that someone else
18. doesn't have unless some...someone in the Department says they do.
19. Mr. Watson does have a question about apprentice barbers. If he
20. cares to continue to have apprentice barbers send their picture in
21. during their apprenticeship so that they can be identified as not
22. fully qualified barbers, he can make that change. I told him I'd
23. be glad to handle the amendment here if he wanted to put it in.
24. He didn't want to. So, that's all I say, Senator Wooten. Do you
25. know of any other objection?

26. PRESIDING OFFICER (SENATOR ROCK):

27. Senator Wooten.

28. SENATOR WOOTEN:

29. No, I merely think that at a time when we are generally con-
30. ceding that pictures on certificates serve a useful purpose, it
31. is a retrograde motion to eliminate it in this one category where
32. we already have it. I think the bill is perfectly reasonable in
33. its other aspects, but I think that is something that is...simply,

1. it's...it's an untoward aspect of the bill. I'm sorry it's in
2. there. I hope that provision is restored in the House. I just wish
3. that we...we could resolve it here in the Senate because it weakens
4. an otherwise good bill.

5. PRESIDING OFFICER (SENATOR ROCK):

6. Senator Latherow, for what purpose do you arise?

7. SENATOR LATHEROW:

8. Mr. President, I rise on a point of personal privilege for
9. the purpose of introduction.

10. PRESIDING OFFICER (SENATOR ROCK):

11. State your point.

12. SENATOR LATHEROW:

13. In the President's Gallery are a group of young people from
14. Roseville Junior High School accompanied by Mr. Stevenson and Mr.
15. Farr, and I wonder if they would rise and...and be recognized by
16. the Senate.

17. PRESIDING OFFICER (SENATOR ROCK):

18. Would our guests please rise. Senator Davidson.

19. SENATOR DAVIDSON:

20. Mr. President and members of the Senate, I'd like to rise in
21. support of Senate Bill 196. You can debate about the picture all
22. you want. If any of you had talked to the barber or any of you have
23. any dealings with any other licensure provisions or particularly on
24. an annual or biannual basis and in the Department of Registration,
25. there is no license picture requirement, and as most barbers...
26. Senator Hall already made the point about the man who sent in a
27. picture of someone other than himself. As a barber who had called
28. on...my...in my office in opposition to both the X-ray and the
29. picture is three things. One, it's a cost they shouldn't have to
30. assume. Two, by the...the tonsorial effect that people now use
31. what's known as toupees or wigs. The guy could change his appearance
32. tomorrow, and three, as far as identification, what you're talking
33. about promoted under the Secretary of State's, the driver license,

1. there's very few barbers who will be using anything for identifica-
2. tion that's not acceptable to the normal retail or banking people
3. identification anyway. I urge you to pass this bill as it is.
4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Daley.

6. SENATOR DALEY:

7. Mr. President and fellow Senators, I'd like a point of personal
8. privilege to introduce a group of students from the 23rd Legislative
9. District from the Hamline School. Would you please rise.

10. PRESIDING OFFICER (SENATOR ROCK):

11. Will our guests in the Gallery please rise. Any further
12. discussion? Senator Harber Hall may close the debate.

13. SENATOR HALL:

14. I have nothing else to say for the bill. I...I'm glad it
15. drew some comment. It's an innocuous bill that I think remedies
16. the situation that some license people have had and objected to
17. and brings them in alignment with other regulated professions.
18. I solicit your support.

19. PRESIDING OFFICER (SENATOR ROCK):

20. The question is shall Senate Bill 196 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. Have all voted who wish? Take the record. On that question, the
23. Ayes are 44, the Nays are none, 1 Voting Present. Senate Bill 196
24. having received a constitutional majority is hereby declared passed.
25. Senate Bill 204, Mr. Secretary. Read the bill.

26. SECRETARY:

27. Senate Bill 204.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER (SENATOR ROCK):

31. Senator Sommer.

32. SENATOR SOMMER:

33. Mr. President, fellow Senators, currently the law in relation

1. to automobile titles is if a husband and wife put their name on
2. the title and they say the magic words husband and wife, that's a
3. joint tenancy. If they don't say that, it's not a joint tenancy
4. and people just don't know that and they...one, they anticipate
5. that the rights of survivorship will exist without those words, and
6. they blow it. What happens if they don't have those husband and
7. wife words on is that if you get an intestate estate, one third of
8. the car belongs to somebody and two-thirds to somebody else or a
9. half to somebody and a half to somebody else, and you really have a
10. mess. Secondly, it's difficult currently under the present law
11. to clear your title with the Secretary of State through no fault of
12. their own, it's just that the law is murky. I've talked to the
13. Secretary of State's office about this and they have absolutely no
14. objection to this bill.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Is there any discussion? The question is shall Senate Bill 204
17. pass. Those in favor will vote Aye. Those opposed will vote Nay.
18. The voting is open. Have all voted who wish? On that...take the
19. record. On that question, the Ayes are 44, the Nays are 2, 3 Voting
20. Present. Senate Bill 204 having received a constitutional majority
21. is hereby declared passed. 207, Mr. Secretary. Senate Bill 207,
22. Mr. Secretary, read the bill.

23. SECRETARY:

24. Senate Bill 207.

25. (Secretary reads title of bill)

26. 3rd reading of the bill.

27. PRESIDING OFFICER (SENATOR ROCK):

28. Senator Philip.

29. SENATOR PHILIP:

30. Mr. President and Ladies and Gentlemen of the Senate, Senate
31. Bill 206...7 amends the General Assembly Compensation Act, and
32. allows the members of the General Assembly to be elected to be paid
33. monthly. Now, this adds a third dimension to the way you can take

1. your annual salary. As you're probably aware, there are three
2. ways you can...two ways you could take it. First of all is in one
3. lump sum the day you get sworn in. The second option is the first
4. day you get sworn in, you can take fifty percent and one year later
5. you can take the other fifty percent. We still allow you to do
6. that, and we add the third dimension and that is if you so desire,
7. you can take it on an...on a monthly basis. And I ask for your
8. favorable consideration.

9. PRESIDING OFFICER (SENATOR ROCK):

10. Is there any discussion? Senator Hickey.

11. SENATOR HICKEY:

12. I rise in opposition to this bill, and I want to explain why.
13. I would vote for a bill that mandated monthly payments, but I think
14. to leave this optional is a complete mistake and I oppose it.

15. PRESIDING OFFICER (SENATOR ROCK):

16. Senator Harber Hall.

17. SENATOR HALL:

18. I wonder if the sponsor would respond to a question.

19. PRESIDING OFFICER (SENATOR ROCK):

20. Indicates he will yield. Senator Hall.

21. SENATOR HALL:

22. Senator Philip, I wondered would you condescend to hold this
23. bill one day while I prepare an amendment that would require a
24. monthly payment?

25. PRESIDING OFFICER (SENATOR ROCK):

26. Senator Philip.

27. SENATOR PHILIP:

28. Absolutely not, you had that bill in the Senate Executive
29. Committee. I supported your position, if you remember, it got
30. out...it was defeated Do Not Pass. And I might say this to the
31. Senator on the other side of the aisle, why should you deny a fellow
32. member the right to take his salary monthly? Now, we know we can't
33. pass the bill any other way. We've had those bills in this Session.

1. They've all been defeated in committee, and all I'm saying if you
2. so desire, you may take your salary monthly, and on that basis, I
3. ask for your support.

4. PRESIDING OFFICER (SENATOR ROCK):

5. Senator Partee.

6. SENATOR PARTEE:

7. I think you did the Legislature a disservice because inferential
8. in this kind of a request is a statement that a Legislator can't
9. handle a year's pay and that he has to be paid each month, otherwise,
10. he can't handle it. In addition to that, you're requesting the
11. Secretary...the Treasurer, the Comptroller, all the people who are
12. involved that have to go through the machinations of passing out
13. monthly checks which are...which is additional costs, additional
14. expenditure, and those who will be supporting it will be the ones
15. crying about the increasing costs of government. It's a lousy bill.

16. PRESIDING OFFICER (SENATOR ROCK):

17. Senator Knuppel.

18. SENATOR KNUPPEL:

19. Well, as long as it's voluntary, it's still a free country if
20. they don't take away my right to take it all at once.

21. PRESIDING OFFICER (SENATOR ROCK):

22. Senator Fawell. Senator Fawell.

23. SENATOR FAWELL:

24. Just briefly, I...I can understand the feelings and emotions
25. on a bill like this, but I think the average taxpayer is and I've
26. received a number of letters, and I think probably many of you have
27. too. A school teacher writes that she can't understand why she
28. can't have her entire salary, then, for the full year and others
29. feel the same way. I think quite some time ago, maybe a hundred
30. years ago when the Legislature came down here in a two-year session
31. was really a maybe two or three months in the first year. It...it
32. made sense to draw the entire salary, but I think in all honesty, we
33. have to admit that it's very close to being full time now, and I

1. see absolutely, especially in the form in which this bill is
2. presented, absolutely nothing wrong with it, and I'm sure that ninety-
3. nine and nine tenths percent of the people would feel that way too.
4. PRESIDING OFFICER (SENATOR ROCK):

5. Any further discussion? Senator Philip may close the debate.
6. SENATOR PHILIP:

7. I just might make a...a few points, Mr. President. In the
8. Executive Committee which the President is a member of, we did not
9. get one descending vote. In regard to the cost to the State of
10. Illinois, and I just have here before me a study on what it costs
11. to produce a warrant in the State of Illinois, each warrant costs
12. twenty-six cents totally. Now, if you would take the rest of your
13. legislative salary and have it invested by the State of Illinois at
14. six, eight, ten percent would way, by far, outweigh the costs of
15. twenty-six cents per warrant. So, I think it's good common sense.
16. I think it's good legislation. All of the employees of the State
17. of Illinois get paid monthly. I don't know why we shouldn't be...
18. have that opportunity also.

19. PRESIDING OFFICER (SENATOR ROCK):

20. The question is shall Senate Bill 207 pass. Those in favor
21. will vote Aye. Those opposed will vote Nay. The voting is open.
22. PRESIDENT:

23. ...(Machine cut-off)...voted who wish? Take the record. On
24. this question, the Ayes are 31, the Nays are 5, 7 Voting Present.
25. Senate Bill 207 having received the constitutional majority is
26. declared passed. Senate Bill 209, Senator Nimrod.

27. SECRETARY:

28. Senate Bill 209.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDENT:

32. Senator Nimrod.

33. SENATOR NIMROD:

1. Mr. President and fellow Senators, this bill is necessary
2. because in Cook County of the quadrant reassessment and we passed
3. a bill similar to this last year. The Assessing Program is now in
4. the fourth quadrant, and it's necessary to extend this provision so
5. that the taxing bodies or the taxpayers will not be hurt for one
6. more year and that will complete the four quadrants, and I would
7. be happy to answer any questions. Otherwise, I ask for a favorable
8. roll call.

9. PRESIDENT:

10. Any further discussion? Senator Clarke.

11. SENATOR CLARKE:

12. Senator, I'd just like to get a further explanation of exactly
13. what this bill does now. It has been amended hasn't it?

14. SENATOR NIMROD:

15. Yeah. Senator Clarke, these amendments were Tabled and the
16. bill is now...as it originally was which does exactly what we did
17. last year. So, the problem has been removed.

18. PRESIDENT:

19. Senator Clarke.

20. SENATOR CLARKE:

21. Well, you want to explain that at a little more detail as
22. exactly what it does now?

23. PRESIDENT:

24. Senator Nimrod.

25. SENATOR NIMROD:

26. Yes, Senator Clarke, what this does is using the base year of
27. 1972, what's happened is that we've had the quadrant...assessment
28. and we've had an increase, and at the same time, we had a reduction
29. of the multiplier. Now, what would happen is that if we do not do
30. this, then certain areas, either the taxing bodies will not be able
31. to collect their money because of the change in the multiplier or,
32. in fact, it will account for one quadrant getting a tax reduction.
33. It allows those taxing bodies to be assured that they will be getting

1. at least as much money as they did using the 1972 base regardless
2. of what happened to the change in the multiplier which was set by
3. the local government...the Department of Local Government Affairs.
4. PRESIDENT:

5. Senator Clarke.

6. SENATOR CLARKE:

7. Well, I'd like...I'd just like to state, Mr. President, that
8. last year when we worked out this...compromise in Conference Committee
9. the reason was that the multiplier had been changed after the taxing
10. bodies had made their levy, and at that time, we, in effect, said
11. and the Governor in signing the bill said that this was a one time
12. only proposition because these taxing bodies knew that they had a
13. one four eight multiplier in Cook County now and could plan for it.
14. And I have not heard of any change in the multiplier in Cook County
15. lowering it from one four eight. So, that it seems to me that what
16. we're doing here is, in effect, we're just putting more taxes on the
17. people in order to satisfy the taxing districts for a second year
18. in the row and this can get to be a habit.

19. PRESIDENT:

20. Senator Rock.

21. SENATOR ROCK:

22. Well, we...we fought long and hard about this last year and
23. wound up in a four or five or six day Conference Committee on this
24. very subject, and I, for one, am not prepared at this time to vote
25. on Senate Bill 209 unless unfavorably. And I would ask everybody,
26. especially those who have districts that lie in whole or in part with-
27. in the City of Chicago to check the fiscal impact on the Chicago
28. School Board.

29. PRESIDENT:

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, I...I would believe, Senator Rock, if you would talk with
33. Senator Carroll and Senator Daley that this was held in committee

1. for four weeks, and this very question which you asked was brought
2. up. And what it was going to do is going to cost the Chicago schools
3. some eight million dollars, and this very issue which was discussed
4. as of this point, I think if we don't do this what we're saying is
5. that quadrant four which is the south part of the townships and the
6. south part of the City of Chicago including the Loop will, in fact,
7. get a tax reduction and we are discriminating, what we're trying to
8. do is protect the taxpayers as well as the taxing bodies so we do
9. not have an inequity because of the quadrant reassessment. So, the
10. very thing you're saying you want to hold up is...is what's already
11. been gone over and protected.

12. PRESIDENT:

13. Any further discussion? Senator Egan.

14. SENATOR EGAN:

15. Senator Nimrod, explain how that happens, would you.

16. PRESIDENT:

17. Senator Nimrod.

18. SENATOR NIMROD:

19. Yes. Senator Egan, last year for example, what happened is
20. that we still don't know what Local Government Affairs is going to
21. do with a multiplier. They could, in fact, after this date come
22. up and change this multiplier again. Now, what we're saying is
23. that because we have quadrant reassessment and that there has been
24. a change in the multiplier that different zones within Cook County,
25. the four quadrants, have been reassessed at different times. So,
26. when you leave the assessment the same and you...I mean you increase
27. the assessment, and you leave the multiplier the same like the one
28. five nine, then in fact, you are going to be raising the taxes. But
29. if you lower the multiplier and you increase the assessment for one
30. quadrant, the other quadrant was not changed. So, what we're saying
31. is that we allow the quadrants, the taxing bodies, to take their
32. choice of what using the '72 base plus the '72 multiplier, or use
33. your new assessment and use the new multiplier. The reasons we...

1. you offer that option is in no case can they get more money than
2. they had in '72, and so, if...if they go back and use that base.
3. So, the fact that they don't owe more money than they levied for.
4. So, they cannot get additional money, but at least they're guaranteed
5. they're not going to suffer a big loss. If this does not pass, the
6. residents of quadrant four will, in fact, have a tax reduction and
7. various school districts and of the other local governments will
8. receive less money. The people will get a tax break only in quadrant
9. four which is certainly not the intent of this whole purpose.

10. PRESIDENT:

11. Senator Egan.

12. SENATOR EGAN:

13. Yes, Senator Nimrod, that didn't happen in quad one. The taxes
14. went up in quad one. And when the first...when the assessment
15. started when the...under the new assessment practice in the Assessor's
16. office, when quad one was assessed, the taxes went up. When quad
17. two was assessed which is ours, that...the taxes went up. Now, how
18. can you say that quad four...they're going down?

19. PRESIDENT:

20. Senator Nimrod.

21. SENATOR NIMROD:

22. Well, what happened...thank you, Mr. President. When the
23. reassessment was made on quad one, what happened is that it got
24. by the Legislature, and in fact, the taxing bodies got a windfall.
25. So, last year we had some combined meetings in effect here which
26. said look, what's happening is quadrant two now is going to get a
27. big tax increase, and in order to protect these taxpayers, we'd
28. better get together and pass a bill that gives them this option.
29. The bill that we're talking about right now was passed last year
30. to protect those residents of quadrant two. Quadrant...so that
31. means they did not get that big jump. Quadrant three is also under
32. that because they're...it's a...it's a follow-up from last year.
33. They still have it, but quadrant four has not been reassessed and

1. we, in fact, have a lower multiplier with the same assessed valua-
2. tion. So, if we do not have this, that means they will have a...
3. the lower assessed valuation times a lower multiplier from one five
4. nine to one four eight. So, quad four will actually be paying less
5. in taxes and there will be less money available for distribution to
6. those school districts and we're causing a chaotic condition. Now,
7. this will not happen again, and the reason it will not happen again
8. is we're talking about going to a county, a wide program on having
9. the multiplier on a county-wide basis or in fact that there will not
10. be this reassessment under the quadrant program anymore, and if it is,
11. of course, we're going to have this whole chaotic condition. But I
12. understand the assessors and the Department of...I mean the...
13. Committee...Revenue Committee has now in subcommittee study that come
14. out as committee bills this very question to solve this problem for
15. next year within Cook County and the rest of the State.

16. PRESIDENT:

17. The hour is now 2:32. We have a few housekeeping matters to
18. take care of and then get to committee. It is indicated to me that
19. several other members desire to ask questions or to debate this
20. issue. It is suggested to me that perhaps this bill should be taken
21. out of the record because I don't think we're going to get a chance
22. to finalize it today, to take care of the housekeeping matters and
23. get to the committees reasonably on time. What is your pleasure,
24. Senator Nimrod? We'll start right here tomorrow. Take it out of
25. the record. Senate Bill...Senate Bill 210 that's to be brought back
26. for the purpose of an amendment. Senate Bill 210. Senator Wooten.
27. Read the bill.

28. SENATOR WOOTEN:

29. Mr. President, I would like leave of the Body to return 210
30. to the order of 2nd reading for the purpose of an amendment.

31. PRESIDENT:

32. Is there leave? Leave is granted. For what purpose does
33. Senator Davidson arise?

1. SENATOR DAVIDSON:

2. Well, for the purpose that you're going to have some house-
3. keeping procedures to get to, the proposed amendment on this bill
4. that he wants to bring back is going to raise some debate. This
5. amendment is a controversial amendment after I have just looked at
6. it, and we're going to be here for a little bit.

7. PRESIDENT:

8. The...we are not going to address ourselves to the amendment
9. today, we are simply taking the bill back to the order of 2nd
10. reading so that he may offer the amendment at a later date.

11. SENATOR DAVIDSON:

12. Okay.

13. PRESIDENT:

14. All right. Now, the bill is on 2nd reading. Senator Wooten.

15. SENATOR WOOTEN:

16. I would merely like to point out that copies of the amendment
17. have been circulated and I hope they won't be lost. Every member
18. should have a copy now. So...maybe we ought to just take it out
19. of the record, Senator, so it will stay on 3rd then.

20. PRESIDENT:

21. All right. The bill is on 3rd reading. We're taking it out
22. of the record. You will, however, pass the copies of the amendment.
23. Senator Bruce, for what purpose do you arise?

24. SENATOR BRUCE:

25. For purposes of a motion. Senate...House Bill 1090 was inad-
26. vertently assigned to Senator Egan yesterday. I should be shown
27. as the sponsor of that legislation, House Bill 1090, and I have a
28. motion in relation to that bill. I have talked to Senator Hynes
29. who has conferred with Senator Weaver relative to that bill which
30. is an appropriation bill. I would now move that the Committee on
31. Appropriations be discharged from further consideration of House
32. Bill 1090 that it be read a...it be advanced to the order of 2nd
33. reading.

1. PRESIDENT:

2. You heard the motion. All in favor will say Aye. Opposed
3. Nay. Senate...Senator Savickas.

4. SENATOR SAVICKAS:

5. Well, I...I'd like to know what kind of an appropriation it is.

6. PRESIDENT:

7. Senator Bruce.

8. SENATOR BRUCE:

9. Yes, it's an appropriation to the Illinois Law Enforcement
10. Commission. I've spoken to the Chairman. He has spoken to the
11. Minority Spokesman. There will be an amendment offered tomorrow
12. which I believe will meet with unanimous approval of the committee.
13. There has been discussion of the amendment. At this point, all...
14. the...the problem is that radios for the State Police, the contract
15. must be let no later than the 10th of May. If we don't move it
16. this week, we lose about a million dollars in Federal money. I...I
17. believe that the Chairman and Minority Spokesman have been apprised
18. of this situation.

19. PRESIDENT:

20. Senator Hynes.

21. SENATOR HYNES:

22. What Senator Bruce has said is correct. The...the bill must
23. be passed this week or we will not be able to qualify for the...for
24. the Federal funds involved. Therefore, if it is read a 2nd time
25. today, it can be passed tomorrow. It is the understanding that
26. the bill will be amended tomorrow to remove features that are either
27. objectionable or questionable, and essentially, the bill will simply
28. be concerned with the state-wide radio network for the State Police
29. in its amended form, but if we do not move it today, it is not going
30. to be worth anything as a vehicle for the purpose that...that the
31. State Police have in mind.

32. PRESIDENT:

33. The question is shall the Appropriations Committee be discharged

1. from further consideration of House Bill 1090 and shall House
2. Bill 1090 be placed on the order of 2nd reading. All in favor will
3. vote Aye. Opposed Nay. The Ayes have it. It is so ordered. House
4. Bill 1090 is on 2nd reading. Read the bill. The bill will be
5. read before we adjourn. Senator McCarthy.

6. SENATOR McCARTHY:

7. Yes, just on a housekeeping matter, Mr. President. With
8. reference to House Bills 301, 302 and 303, I'd like to show Repre-
9. sentative Welsh as the Senate sponsor and delete me. I mean Senator
10. Welsh, excuse me, as the...Senate sponsor if the Clerk would make
11. that change. And I ask leave of the Body.

12. PRESIDENT:

13. To delete you or your name.

14. SENATOR McCARTHY:

15. To delete me and put...Senator Welsh in.

16. PRESIDENT:

17. Your name. Is there leave? Leave is granted. Senator Netsch.

18. SENATOR NETSCH:

19. Mr. President, I would like leave of the Body to have Senator
20. Bruce at his request shown as the lead sponsor on House Bill 445.
21. I would like my name to be retained on it as a second cosponsor,
22. but Senator Bruce...

23. PRESIDENT:

24. Is there leave? Leave is granted. Senator Course.

25. SENATOR COURSE:

26. I'd like unanimous consent to return House Bill 645 which is
27. on 3rd reading to the order of 2nd reading for the purpose of put-
28. ting in a housekeeping amendment on it. Senate Bill 645.

29. PRESIDENT:

30. House or Senate, Senator? Senate Bill?

31. SENATOR COURSE:

32. Senate Bill. It's in the Senate.

33. PRESIDENT:

1. Is there leave? Leave is granted.

2. SENATOR COURSE:

3. Now, Mr. President, I'd like...

4. PRESIDENT:

5. Wait a minute. Wait a minute till we have the bill. Do we
6. have the bill here, Mr. Secretary?

7. SENATOR COURSE:

8. I'd like unanimous consent to...

9. PRESIDENT:

10. One minute, Senator Course. I want to get the bill out here
11. first. Senator Course is recognized.

12. SENATOR COURSE:

13. I'd like unanimous consent to return Senate Bill 1251 which is
14. on the order of 3rd reading to have it re-referred to the Revenue
15. Committee.

16. PRESIDENT:

17. Just a moment. Is the bill 645 that we're considering?
18. Senator Course offers Amendment No. 3 to Senate...just a moment.
19. The amendment has not been adopted. Senator Course has had unanimous
20. consent to return the bill, Senate Bill 645, from the order of 3rd
21. reading to 2nd reading. It is now on 2nd reading, and Senator
22. Course moves to adopt Amendment No. 3 to Senate Bill 645. Senator
23. Course.

24. SENATOR COURSE:

25. This is a housekeeping amendment, Ladies and Gentlemen. It
26. removes a semicolon or in Section 3 it inserts in lieu thereof a
27. period.

28. PRESIDENT:

29. Senator Course moves the adoption of Amendment No. 3 to Senate
30. Bill 645. All in favor will say Aye. Those opposed Nay. The Ayes
31. have it. The amendment is adopted. Are there any further amendments?
32. 3rd reading. Senator Egan.

33. SENATOR EGAN:

1. Thank you, Mr. President. I would like unanimous consent to
2. take Senate Bill 833 from the Committee on Finance for the purpose
3. of Tabling the bill.

4. PRESIDENT:

5. Senator Egan has made a motion. All in favor will say Aye.
6. Opposed Nay. The...the amendment is...the motion carries. Senator
7. Egan, what is the number of the bill?

8. SENATOR EGAN:

9. Senate Bill 833.

10. PRESIDENT:

11. Senator Egan now moves to Table Senate Bill 833. All in favor
12. will say Aye. Opposed Nay. The motion carries. 833, Senate Bill
13. is Tabled. ...(Machine cut-off)...Senate Bill...was that House
14. Bill 109...90 in your custody. Please read the bill for the record.

15. SECRETARY:

16. House Bill 1090.

17. (Secretary reads title of bill)

18. 2nd reading of the bill.

19. PRESIDENT:

20. That satisfies the constitutional requirement. 3rd reading.
21. Senator Course, you had another bill.

22. SENATOR COURSE:

23. Yes, Mr. President, I'd like unanimous consent to re-refer
24. Senate Bill 1251 which is on 3rd reading to the...re-referred to the
25. Revenue Committee.

26. PRESIDENT:

27. Where's the bill now?

28. SENATOR COURSE:

29. It's on 3rd reading in...in the Senate.

30. PRESIDENT:

31. The motion is to re-refer Senate Bill 1251 to take from the
32. Calendar and re-refer it to the Revenue Committee. All in favor
33. will say Aye. Opposed Nay. The motion carries. The bill is re-

1. referred to Revenue. Message from the House.

2. SECRETARY:

3. A Message from the House by Mr. O'Brien, Clerk.

4. Mr. President - I am directed to inform the Senate that
5. the House of Representatives has adopted the following Preamble and
6. Joint Resolution, in the adoption of which I am instructed to ask
7. the concurrence of the Senate, to-wit:

8. House Joint Resolution Constitutional Amendment No. 18.

9. PRESIDENT:

10. Executive. Senator Mitchler.

11. SENATOR MITCHLER:

12. Mr. President, I'd ask...ask leave of the Senate to be added
13. as a cosponsor to Senate Bill 667 and Senate Bill 668.

14. PRESIDENT:

15. Is there leave? Leave is granted. Senator Hynes.

16. SENATOR HYNES:

17. An announcement, Mr. President, of the Appropriations Committee
18. will meet in Room 212 at 3:30 as opposed to 2:30, the originally
19. scheduled time. 3:30 in Room 212 for Appropriations.

20. PRESIDENT:

21. Senator Weaver.

22. SENATOR WEAVER:

23. Thank you, Mr. President. An announcement. There will be a
24. Republican caucus in the morning at 9:30, 9:30, in Room 400,
25. Republican caucus.

26. PRESIDENT:

27. Senator Newhouse.

28. SENATOR NEWHOUSE:

29. Thank you, Mr. President. Pensions and Personnel will meet in
30. Room 400 promptly at 8:30. Let me urge the members to be there on
31. time. We have only seven bills and two of them have been postponed.
32. The Republican caucus has been set at 9:30. So, if we start promptly
33. at 8:00, that caucus will be able to come off. If we don't start

1. promptly at 8:30 rather, it won't be possible. So, I'd ask you to
2. come at 8:30 so we can drop the gavel and begin the hearings
3. immediately. Thank you.

4. PRESIDENT:

5. That's tomorrow morning.

6. SENATOR NEWHOUSE:

7. Morning, yes.

8. PRESIDENT:

9. Resolutions.

10. SECRETARY:

11. Senate Resolution 67 introduced by Senator Lemke, Daley,
12. Kosinski, Romano and Savickas. It's congratulatory.

13. PRESIDENT:

14. Senator Lemke moves the adoption of Senate...what is it?
15. Senate Resolution 67. He moves the immediate suspension of the
16. rules for the immediate consideration of that resolution. All in
17. favor will say Aye. Opposed Nay. The...the resolution is under
18. consideration. The question is shall the resolution be immediately
19. adopted. All in favor will say Aye. The Nays...Ayes have it.
20. The resolution is adopted.

21. SECRETARY:

22. Senate Resolution 68 introduced by the same sponsors, and it's
23. congratulatory.

24. PRESIDENT:

25. Senator Lemke moves for the immediate suspension of the rules
26. for the consideration of Senate Resolution 68. All in favor will
27. say Aye. Would you like to say Aye? Maybe...opposed Nay. The
28. Ayes have it. Senator Lemke now moves for the immediate adoption of
29. Senate Resolution 68. All in favor will say Aye. Opposed Nay. The
30. Ayes have it. The resolution is adopted.

31. SECRETARY:

32. Senate Resolution 69 introduced by Senator Savickas, Daley and
33. Lemke. It's congratulatory.

1. PRESIDENT:

2. Senator Savickas moves for the immediate consider...suspension
3. of the rules for the immediate consideration of Senate Resolution 69.
4. All in favor will say Aye. Opposed Nay. The resolution is under
5. consideration. And the question now is shall Senate Resolution 69
6. be adopted. All in favor will say Aye. Opposed Nay. Senate
7. Resolution 69 is adopted.

8. SECRETARY:

9. Senate Resolution No. 70 introduced by Senators Howard Mohr
10. and Harris. And it's commendatory.

11. PRESIDENT:

12. Senator Harris moves for the suspension of the rules for the
13. immediate consideration of Senate Resolution 70. All in favor will
14. say Aye. Opposed Nay. The...the motion carries. Senator Harris
15. now moves for the immediate adoption of Senate Resolution 70. All
16. in favor will say Aye. Opposed Nay. The resolution is adopted.

17. SECRETARY:

18. Senate Resolution No. 71 introduced by Senators Mitchler,
19. Graham and all Senators. And it's commendatory.

20. PRESIDENT:

21. Senator Mitchler moves...Senator Mitchler here? Can we do
22. this by proxy? Senator Mitchler is here. Senator Mitchler moves
23. for...Executive. Do you want this to go to Executive?

24. SENATOR MITCHLER:

25. Well, this is a...Mr. President and members of the Senate,
26. this is a commendatory resolution for Floyd...Howard Floyd, who is
27. with the labor group. He's being honored by the Riverside Club as
28. Man of the Year. I'd ask unanimous...leave of the Senate and have
29. immediate consideration and adoption.

30. PRESIDENT:

31. Senator Mitchler moves for the immediate consideration of
32. Senate Resolution 71 in his...in his two hundred series. All in
33. favor will say Aye. Opposed Nay. The Ayes have it. The...the

1. resolution is under consideration. Senator Mitchler now moves for
2. the immediate adoption of Senate Resolution 71. All in favor will
3. say Aye. Opposed Nay. The resolution is adopted.

4. SECRETARY:

5. Senate Resolution 72 introduced by Senators Egan, Rock, Hynes,
6. Partee and all members. And it's congratu...or commendatory.

7. PRESIDENT:

8. Senator Egan moves the suspension of the rules for the immediate
9. consideration of Senate Resolution 72. All in favor will say Aye.
10. Opposed Nay. The resolution is under consideration and Senator Egan
11. now moves for the immediate adoption of Senate Resolution 72. All
12. in favor will say Aye. Opposed Nay. The resolution is adopted.

13. SECRETARY:

14. Senate Resolution 73 introduced by Senators Lemke, Daley,
15. Savickas and Kosinski. And it's congratulatory.

16. PRESIDENT:

17. Senator...Senator Lemke moves the suspension of the rules for
18. the consideration of Senate Resolution 73. All in favor will say
19. Aye. Opposed Nay. The rules are suspended. Senator Lemke now moves
20. the adoption of Senate Resolution 73, the immediate adoption thereof.
21. All in favor will say Aye. Opposed Nay. The resolution is adopted.

22. SECRETARY:

23. Senate Joint Resolution 37 introduced by Senator Berning.

24. PRESIDENT:

25. Executive.

26. SECRETARY:

27. Senate Joint Resolution 38 introduced by Senator Palmer.

28. PRESIDENT:

29. Senator Palmer is recognized.

30. SENATOR PALMER:

31. Yeah, at a committee investigating the delay in receiving the
32. unemployment compensation checks, many complex problems have surfaced
33. that warrant a further consideration. And by this resolution, we're

1. asking for extension of time of reporting date to June 25th, 1975,
2. and I ask for the adoption of this resolution.

3. PRESIDENT:

4. Senator Palmer seeks suspension of the rules for the immediate
5. consideration of Senate Joint Resolution 38. All in favor will say
6. Aye. Opposed Nay. The Ayes have it. Senator Palmer now moves that
7. Senate Joint Resolution be adopted. All in favor will say Aye.
8. Opposed Nay. The resolution is adopted without his vote. Intro-
9. duction of bills.

10. SECRETARY:

11. Senate Bill 1495 introduced by Senators Don Moore, Smith,
12. Dougherty, Roe, Schaffer and Lane.

13. (Secretary reads title of bill)

14. 1st reading of the bill.

15. PRESIDENT:

16. Senator Smith. Would you use the mike, Senator, it'll be
17. easier for all of us to hear you. There's some extensive noises.

18. SENATOR SMITH:

19. I merely wish to announce that the meeting that was intended
20. to have been held by the Committee on Public Health, Welfare, and
21. Corrections will be held at approximately 3:15 in Room 122-B.

22. PRESIDENT:

23. Senator Harris.

24. SENATOR HARRIS:

25. Mr. President, I would seek leave of the Senate to proceed out
26. of...to proceed to the order of matters on the Secretary's Desk to
27. consider House Joint Resolution 44 which is congratulatory.

28. PRESIDENT:

29. Is there leave? Leave is granted. Senator Harris moves for
30. the immediate suspension of the rules for the consideration of
31. House Joint Resolution 44. All in favor will say Aye. Opposed Nay.
32. The motion carries. Senator Harris now moves for the immediate
33. adoption of House Joint Resolution 44. All in favor will say Aye.

1. Opposed Nay. House Joint Resolution 44 is adopted. ... (Machine
2. cut-off)... may I have the attention of the membership, the Chair is
3. asking leave as relates to Senate Bills 206, 628, 689, 309 and 17...
4. 177 and 714 which are on the Secretary's Desk relating to Motions
5. in Writing that those motions be carried on our Calendar for hearing
6. on Monday, May the 12th. Is there leave? Leave is granted.
7. ... (Machine cut-off)... further business to come before the Senate?
8. The Senate stands adjourned until 10:30 a.m. tomorrow morning.

9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.