

79th GENERAL ASSEMBLY

REGULAR SESSION

JUNE 2, 1976

1. PRESIDENT:

2. The hour of ten-thirty having arrived, the Senate will  
3. come to order. Will our guests in the gallery please rise  
4. as we have prayer by Father John R. Ossola, Church of the Little  
5. Flower, Springfield, Illinois.

6. FATHER OSSOLA:

7. (Prayer by Father Ossola)

8. PRESIDENT:

9. Reading of the Journal.

10. SECRETARY:

11. Friday, May the 14th, 1976, Tuesday, May the 18th, 1976,  
12. Wednesday, May the 19th, 1976, Thursday, May the 20th, 1976,  
13. Monday, May the 24th, 1976, Tuesday, May the 25th, 1976...

14. PRESIDENT:

15. 76.

16. SECRETARY:

17. Wednesday, May the 26th, 1976, Thursday, May the 27th, 1976.

18. PRESIDENT:

19. Senator Johns.

20. SENATOR JOHNS:

21. Mr. President, I move that the Journals just read by the  
22. Secretary be approved unless some Senator has additions or  
23. corrections to offer.

24. PRESIDENT:

25. You heard the motion. All in favor say Aye. Opposed Nay.  
26. The Ayes have it. The motion carries. A Message from the House.

27. SECRETARY:

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

29. Mr. President - I am directed to inform the Senate  
30. that the House of Representatives has concurred with the Senate  
31. in the adoption of their amendments to a bill with the following  
32. title: House Bill 3068

33. They adopted No. 1 and refused to adopt Amendment No. 2.

1. PRESIDENT:  
2. Secretary's Desk.  
3. SECRETARY:  
4. A Message from the House by Mr. O'Brien, Clerk.  
5. Mr. President - I am directed to inform the Senate  
6. that the House of Representatives has passed bills with the  
7. following titles in the passage of which I am instructed to ask  
8. the concurrence of the Senate, to-wit:  
9. House Bill 3427, 3486, 3686, 3858 and 3924.  
10. PRESIDENT:  
11. Secretary's Desk. Rules Committee. I'm sorry.  
12. The Senate will stand at ease...in recess until the call of the  
13. Chair.  
14. (RECESS)  
15. (AFTER RECESS)  
16. PRESIDENT:  
17. May I have the attention of the Senate for the purpose  
18. of an announcement. There is a meeting being held right now and  
19. that meeting will be followed by a caucus on the Democratic side  
20. and I've just talked to Senator Harris and there's a possibility  
21. they may do the same. So rather than have you sit here undecided  
22. as to when we are coming back, the announcement that I am making  
23. at this moment is that the Senate will be in recess until 1:00  
24. o'clock. Senator Mitchler.  
25. SENATOR MITCHLER:  
26. Mr. President, I'd like to rise on a point of personal  
27. privilege before we do go into recess.  
28. PRESIDENT:  
29. State your point, Senator.  
30. SENATOR MITCHLER:  
31. Seated in the President's gallery in the center section  
32. are a group led by Chris Little, the District Supervisor for the  
33. Positorium which is a non-profit, tax exempt organization

1. founded in 1969. It's located in the City of Aurora and they  
2. work through the Children of Family Services and they're  
3. down in Springfield today observing the General Assembly in  
4. Session and also lobbying for House Bill 3315. Would they  
5. please rise and be recognized by the Senate.

6. PRESIDENT:

7. Will they please rise and be recognized by the Senate.  
8. Senator Bloom.

9. SENATOR BLOOM:

10. Thank you. I rise on a point of personal privilege.

11. PRESIDENT:

12. State your...just a moment, please. We have not yet  
13. recessed, Gentlemen. Senator Bloom is recognized.

14. SENATOR BLOOM:

15. Thank you, Mr. President. Seated in the President's  
16. gallery on the east end are a group of very fine citizens from  
17. the Princeville-Dunlap area of Illinois known as the Rock Island  
18. Property Owners Association. They're down here to observe the  
19. legislative process and hopefully, participate this afternoon  
20. in the Appropriations subcommittee.

21. PRESIDENT:

22. Would they please rise and be recognized by the Senate.  
23. Senator Weaver.

24. SENATOR WEAVER:

25. Thank you, Mr. President. They'll be a Republican caucus  
26. in Room 400 immediately.

27. PRESIDENT:

28. The Senate will stand...any further announcements. The  
29. Senate will stand in recess until 1:00 p.m. today.

30. (RECESS)

31. (AFTER RECESS)

32. PRESIDENT:

33. The Senate will come to order. The Senate will stand in

2/17  
and reading  
B 181  
10/8/76  
G. ...

1. recess until 2:00.
2. (RECESS)
3. (AFTER RECESS)
4. PRESIDENT:
5. The Senate will come to order. The Senate will stand
6. in recess until 3:00 o'clock.
7. (RECESS)
8. (AFTER RECESS)
9. PRESIDING OFFICER: (SENATOR DONNEWALD)
10. Senate Bills on...the Senate will come to order. Senate
11. Bills on 2nd reading. Senate Bill 1535, Senate Bill 1601,
12. Senate Bill 1676, Senator Knuppel. Senate Bill 1707. Senate
13. Bill 1750. Senate Bill 1795. Senate Bill 1867, Senator Bruce.
14. Senate Bill 1877. Senate Bill 1878, Senator Demuzio.
15. Senate Bill 1881, Senator D'Arco.
16. SENATOR D'ARCO:
17. Yeah, I want to...
18. PRESIDING OFFICER: (SENATOR DONNEWALD)
19. Read the bill.
20. SENATOR D'ARCO:
21. There's a Floor amendment.
22. SECRETARY:
23. Senate Bill 1881.
24. (Secretary reads title of bill)
25. 2nd reading of the bill. No committee amendments.
26. SENATOR D'ARCO:
27. There's one Floor amendment that Senator Rock would like
28. to offer at this time.
29. PRESIDING OFFICER: (SENATOR DONNEWALD)
30. Senator Rock.
31. SENATOR ROCK:
32. She's bringing it up.
33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1988  
4/2/76  
Land Resolving

1. Amendment No. 1. Senator Rock.

2. SENATOR ROCK:

3. Thank you, Mr. President and Ladies and Gentlemen of the  
4. Senate. This was the bill that was heard in the Senate  
5. Executive Committee and what the bill does in substance is  
6. transfer the responsibility for programs and duties from the  
7. Department of Mental Health to the newly created Dangerous  
8. Drugs Commission. This is a recommendation of the Governor  
9. with which we have no problem. I have an amendment which I  
10. spoke about in the Committee, since we are, in fact,  
11. transferring the enforcement responsibilities to the Dangerous  
12. Drugs Commission. Amendment No. 1 would recite that the  
13. investigators who work for the Dangerous Drugs Commission, and  
14. there are six in number, are deemed to be conservators of the peace  
15. and have and may exercise all powers possessed by policemen.  
16. Under the Department of Mental Health statute, you will recall,  
17. that their investigators have police power and we are just...  
18. as long as we're transferring the duties and responsibilities we  
19. are investing the Dangerous Drugs Commission investigators  
20. all of whom are police officers, with this kind of power. I know  
21. of no objection and I would move the adoption of Amendment No. 1.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)

23. Is there further discussion? The question is, shall Amendment  
24. No. 1 to Senate Bill 1881 be adopted? Those in favor indicate  
25. by saying Aye. Those opposed Nay. The Ayes have it. The amendment  
26. is adopted. Are there further amendments? Senator Mitchler.

27. SENATOR MITCHLER:

28. Mr. President, I do not have an amendment now, but reading  
29. over the bill, I notice that on page thirteen and fourteen,  
30. Senator Rock there is...

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Rock.

33. SENATOR MITCHLER:

151881  
6/15/76  
L. and R. ...

1. ...there is some language deleted that I would like to  
2. look back. I've no objection to advancing the bill, but would  
3. you agree to bring it back if we had some amendments we would  
4. like to propose?

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Rock.

7. SENATOR ROCK:

8. You...you...this is not my bill, now. It's Senator  
9. D'Arco's bill. Now, the only...what page of the bill were  
10. you questioning?

11. SENATOR MITCHELER:

12. The part that I'm looking at right now and I...I'd like  
13. to research it a little bit, is on page thirteen and fourteen  
14. at the bottom of page thirteen where they delete the Department  
15. of Mental Health and Developmental Disabilities with the  
16. approval of the Department of Law Enforcement. I'd just like  
17. to check into that a little more and there may be some problems  
18. with that but you can advance it with the understanding we bring  
19. it back. There's no problem.

20. PRESIDING OFFICER: (SENATOR DONNEWALD)

21. Senator Rock.

22. SENATOR ROCK:

23. Yeah, just again, for your benefit, that's done  
24. deliberately because we're transferring all the responsibilities  
25. for enforcement and everything from the Department of Mental  
26. Health to the Dangerous Drugs Commission. That's really...is the  
27. substance of the bill, but I'm sure Senator D'Arco will be  
28. more than happy to bring it back.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Senator D'Arco.

31. SENATOR D'ARCO:

32. Specifically, that transfers the Cannabis Control Act  
33. provisions in the Statute to the Dangerous Drug Commission from

5/13/82  
6/12/74  
2. and 13. removed

1. the Department of Mental Health and Developmental Disabilities  
2. and that's the reason for the deletion in the language.

3. But, I'll bring it back if you desire.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Are there further amendments? Senator Berning.

6. SENATOR BERNING:

7. My question is on the bill itself, so I presume I  
8. would have to wait until 3rd reading. I...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. You are correct. Are there further amendments? 3rd reading.  
11. Senator D'Arco, for what purpose do you arise?

12. SENATOR D'ARCO:

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

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. State your point.

16. SENATOR D'ARCO:

17. Seated behind the President is a Gentleman who has served  
18. in the City Council for more years than I can think of and...  
19. but he served so honorably and nobly and at this point, he's  
20. the Dean of the City Council of the City of Chicago, and  
21. he's the Alderman and Work Committeeman of the twenty-fifth  
22. Ward, which is in my district and he happens to be a great friend  
23. of mine and he was a great friend of the late Senator Sam  
24. Romano and at this point, I would like to introduce him, Alderman  
25. Vito Marzulla.

26. ALDERMAN MARZULLA:

27. Thank you, Johnny and Mr. President, Ladies and Gentlemen  
28. of the Council. I came over here after thirty-five...thirty...  
29. thirty-five years after all, I did serve in the General Assembly  
30. for fourteen years, then they moved me out of here and they  
31. put me in the City Council and up to be the Dean of City Council.  
32. I came over here today to say "hello" to each and everyone of you.  
33. Some of the old-timers and some of the new ones. I know many  
34. of you and some of you know me, of course, and we're trying to do

1. the best we can and I sympathize with the job that you have ahead  
2. of you. Do good work and God bless you. Thank you.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. House...House Bills on 2nd reading. House Bill 2736,  
5. Senator Netsch. Read the bill.

6. SECRETARY:

7. House Bill 2736.

8. (Secretary reads title of bill)

9. 2nd reading of the bill. No committee amendments.

10. One Floor amendment offered by Senator Netsch.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Mr. President, there, now, will be a second Floor amendment  
15. also, and I'm sending it up the desk also. The...the bill itself  
16. is a revisory bill. The amendments, also, are revisory amendments.  
17. That is some additional corrections that needed to be made are  
18. made. The...this whole package of bills, and I'll be calling the others  
19. later on, are attempts to conform the statutes to changes that  
20. were made by virtue of the two constitutional amendments changing  
21. the Judicial Article, actually the 1964 one and the 1971 both  
22. have required changes in statutes which have never been made.  
23. All of these bills will relate to that. The particular amendment  
24. that I...that is being offered...

25. PRESIDING OFFICER: (SENATOR DONNEWALD)

26. Could we have some order? Proceed.

27. SENATOR NETSCH:

28. Could you identify which is the first amendment, please...Mr.  
29. Wright?

30. SECRETARY:

31. By striking "circuit" and inserting in lieu thereof, "county".

32. SENATOR NETSCH:

33. Right. There were...was one substantive change made in this  
34. bill which was unintentional and this simply restores the...the



1. word "circuit" rather than "county" in the Statutes as it  
2. properly belongs. The second part of this amendment deletes  
3. some provisions in the title which would have been rather confusing  
4. if they had remained, because they did something which the bill  
5. itself did not do. So, it is a corrective amendment and I would  
6. move its adoption.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? Question is, shall Amendment  
9. No. 1 to House Bill 2736 be adopted? Those in favor indicate  
10. by saying Aye. Those opposed Nay. The Ayes have it.

11. The amendment is adopted. Amendment No. 2, Senator Netsch.

12. SENATOR NETSCH:

13. Again, this amendment was prepared by the Legislative  
14. Reference Bureau to take into account changes in the Statutes that  
15. are being amended that were made during the last regular year  
16. of our Session. It is a corrective and technical amendment. I  
17. would move its adoption.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Is there further discussion? The question is, shall  
20. Amendment No. 2 to House Bill 2736 be adopted? Those in favor  
21. indicate by saying Aye. Those opposed Nay. The Ayes have it.

22. The amendment is adopted. Are there further amendments? 3rd  
23. reading. House Bill 3062, Senator Fawell. House Bill 3303,  
24. Senator Joyce. Read the bill.

25. SECRETARY:

26. House Bill 3303.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. No committee amendments.

29. PRESIDING OFFICER: (SENATOR DONNEWALD)

30. Are there amendments from the Floor? 3rd reading. House Bill  
31. 3355, Senator Dougherty. You wish to move the bill, Senator Dougherty?  
32. Move...read the bill.

33. SECRETARY:

1. House Bill 3355.

2. (Secretary reads title of bill)

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

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. House Bill 3360...just a moment. Are there amendments

6. from the Floor? Senator Rock.

7. SENATOR ROCK:

8. No, not 55, 60.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. 3rd reading. House Bill 3360. Senator Rock, this is

11. Senator Kosinski's bill.

12. SENATOR ROCK:

13. Yes, thank you. I was going to request leave of the Body

14. to handle it in the Senator's absence and also ask leave that

15. the Journal reflect that Senator Kosinski is absent due to the

16. fact that his wife is hospitalized awaiting surgery and he is

17. at the hospital with her.

18. PRESIDING OFFICER: (SENATOR DONNEWALD)

19. Do we have leave for Senator Rock to substitute for

20. Senator Kosinski? Leave is granted.

21. SECRETARY:

22. House Bill 3360.

23. (Secretary reads title of bill)

24. 2nd reading of the bill. The Committee on Appropriations offers

25. one amendment.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. Senator Rock.

28. SENATOR ROCK:

29. Thank you, Mr. President. Amendment No. 1, offered and

30. adopted in committee, reduced this appropriation by some

31. three hundred and forty-six thousand eight hundred dollars to

32. bring the dollar amount in line with the projected need and I would

33. move its adoption.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Is there further discussion? The question is, shall  
3. Amendment No. 1 to House Bill 3360 be adopted? All those in  
4. favor indicate by saying Aye. Those opposed. The Ayes have  
5. it. Amendment is adopted. Are there further amendments?

6. SECRETARY:

7. Amendment No. 2 offered by Senator Rock.

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Rock.

10. SENATOR ROCK:

11. Thank you, Mr. President, Ladies and Gentlemen of the  
12. Senate. Amendment No. 2 allows the Veterans' Commission  
13. to pay claims which were the responsibility of the Scholarship  
14. Commission. It would allow forty-one thousand two hundred and  
15. ninety-five dollars to pay claims to certain community  
16. colleges for FY '75 veterans scholarships. There are no  
17. additional dollars involved and I would move the adoption of  
18. Amendment No. 2.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Question is, shall Amendment  
21. No. 2 to House Bill 3360 be adopted? All those in favor indicate  
22. by saying Aye. Those opposed. The Ayes have it. The amendment  
23. is adopted. Are there further amendments? 3rd reading.  
24. House Bill 3370, Senator Joyce. Read the bill.

25. SECRETARY:

26. House Bill 3370.

27. (Secretary reads title of bill)

28. 2nd reading of the bill. The Committee on Appropriations offers  
29. two amendments.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Senator Hynes...or Senator Rock. Oh, Senator Joyce.

32. SENATOR JOYCE:

33. Amendment No. 1 was the Partee Amendment, the fifty percent.

34. Amendment No. 2,...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)

2. Just...just a moment. We'll address ourself to Amendment  
3. No. 1. Is there further discussion as to Amendment No. 1?  
4. All those in favor of the adoption of Amendment No. 1 to House  
5. Bill 3370 indicate by saying Aye. Those opposed Nay. The Ayes  
6. have it. Amendment No. 1 is adopted. Amendment No. 2, Senator  
7. Joyce.

8. SENATOR JOYCE:

9. At this time I would move to Table Amendment No. 2. It  
10. was decided by both sides that No. 2 cut too deep in the  
11. reductions and that in lieu of that, should we vote on that now  
12. to Table that one?

13. PRESIDING OFFICER: (SENATOR DONNEWALD)

14. Your motion is to...

15. SENATOR JOYCE:

16. Yeah. Table No. 2...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. ...Table Amendment No. 2. Senator Hynes.

19. SENATOR HYNES:

20. Yeah, I would support this...the 3rd amendment which will be  
21. offered...reinststitutes most of the cut, the difference is five  
22. thousand dollars. It was an error in terms of what should have  
23. been cut. It actually cut into part of the funding for an existing  
24. position. So that the total reduction would be thirty-seven  
25. thousand, some hundred dollars rather than forty-three.

26. PRESIDING OFFICER: (SENATOR DONNEWALD)

27. The...the motion is to Table Amendment No. 2. All those  
28. in favor indicate by saying Aye. Those opposed Nay. The Ayes have  
29. it. The amendment is Tabled. Amendment No. 2 is Tabled.  
30. Amendment No. 3.

31. SECRETARY:

32. Offered by Senator Joyce.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

34. Senator Joyce.

1. SENATOR JOYCE:

2. Yes, this is the amendment that was referred to by  
3. Senator Hynes. It would restore a total of fifty-eight  
4. hundred and forty-three dollars for Personal Services,  
5. Retirement and Social Security which was the amount deleted  
6. by No. 2.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8. Is there further discussion? The question is,  
9. shall Amendment No. 3 be adopted? Those in favor indicate  
10. by saying Aye. Those opposed Nay. The Ayes have it. Amendment  
11. No. 3 is adopted. Are there further amendments? 3rd reading.  
12. House Bill 3371, Senator Bruce. House Bill 3797, Senator Glass.  
13. Read the bill.

14. SECRETARY:

15. House Bill 3797.

16. (Secretary reads title of bill)

17. 2nd reading of the bill. No committee amendments. One Floor  
18. amendment offered by Senator Glass.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Glass.

21. SENATOR GLASS:

22. Thank you, Mr. President, Ladies and Gentlemen. This amendment  
23. to the Historical...Illinois Historic Preservation Act would give  
24. the Department of Conservation authority by regulation to  
25. authorize...immediate demolition of a historic site when the public  
26. health or safety was involved. Also, the amendment deletes  
27. Section 14 of the Act which was a limitation on Home Rule  
28. Units and that was requested by the City of Chicago. So, I...  
29. I would move, Mr. President, for adoption of this amendment.

30. PRESIDING OFFICER: (SENATOR DONNEWALD)

31. Is there further discussion? The question is, shall Amendment  
32. No. 1 to House Bill 3797 be adopted? Those in favor indicate  
33. by saying Aye. Those opposed Nay. The Ayes have it. The amendment  
34. is adopted. Are there further amendments? Senator Hynes. No

1. further amendment, but I would ask leave to be shown as a  
2. co-sponsor of this bill.

3. PRESIDING OFFICER: (SENATOR DONNEWALD)

4. Is there leave? Leave is granted. 3rd reading.

5. Senate Bills on 3rd reading. Senate Bill 1511, Senator Knuppel.

6. Senate Bill 1516, Senator Carroll. Senate Bill 1603,

7. Senator Bruce. Senate Bill 1604, Senator Knuppel. Senate Bill

8. 1608, Senator Knuppel. Senate Bill 1610, Senator Lane.

9. Read the bill.

10. SECRETARY:

11. Senate Bill 1610.

12. (Secretary reads title of bill)

13. 3rd reading of the bill.

14. PRESIDING OFFICER: (SENATOR DONNEWALD)

15. Senator Lane.

16. SENATOR LANE:

17. Yes Sir, Mr. President, members of the Senate. This is  
18. the annual appropriation as the Secretary said for the Department  
19. of Insurance for the fiscal year '76 - '77. I'd appreciate...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Any further...

22. SENATOR LANE:

23. ...go ahead.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Any further discussion? Senator Harris.

26. SENATOR HARRIS:

27. Well, I just want to call attention to the fact that  
28. I am personally concerned about the fact that we may not have  
29. adequately funded a tremendously important responsibility of  
30. State Government and that is for the Department of Insurance  
31. to be adequately equipped to carefully and fully evaluate  
32. the companies of Illinois in this important field and the troubles  
33. of the companies are really legion in light of their extreme  
34. adverse loss circumstance and I'm just concerned about the adequacy

1. of this and I just didn't want the opportunity to go by.

2. Certainly I intend to support the appropriation.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? The question is, shall Senate Bill  
5. 1610 pass? Those in favor vote Aye. Those opposed vote Nay.

6. The voting is open. Have all voted who wish? Take the record.

7. On that question the Ayes are 54, the Nays are 1, none Voting

8. Present. Senate Bill 1610 having received a constitutional

9. majority, is declared passed. For what...Senator Harber Hall  
10. for what purpose do you arise?

11. SENATOR HALL:

12. Mr. President, when last we met for business of this  
13. Senate,...

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Excuse me, Gentlemen, could we have some order, please?

16. Senator Harber Hall.

17. SENATOR HALL:

18. When we met last yesterday for business of the Senate,  
19. I believe the President overlooked me. Today I'm wearing a  
20. little louder suit and I would like to be recognized for the  
21. purpose of making a motion to go to the order of Concurrence.

22. I know you intended to do that yesterday, but today is a new day  
23. and now is a chance to do that. There is a bill that's of interest  
24. to all of us that I think we should get off the Calendar.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. We are right in the order of Senate Bills, 3rd reading and  
27. we will...that...that motion should be on the order of motions.

28. SENATOR HALL:

29. Well, Mr. President, on Rule four on page 102, if I may  
30. quote, Sir, "the Senate may at any time by unanimous consent  
31. or on motion supported by a majority vote of the Senators elected  
32. to proceed out of order to any order of business, et cetera", I  
33. now, make that motion, Mr. President, that we go to the order of

1. Concurrence on the Secretary's Desk for the purpose of considering  
2. one bill that has been overlooked by the Chair for several  
3. weeks.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. Well, if...if the Gentleman is seeking unanimous consent,  
8. I object and I would also point out that it has not been  
9. overlooked for "several weeks." I think that we can and probably  
10. will get to that order of business in due course. I don't see  
11. any necessity for charging ahead to that order of business  
12. at this point. We've got Senate and House Bills on 3rd reading  
13. that must...of necessity be dealt with and I think that when the  
14. time comes, we'll get there.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. The Senate will stand at ease for one moment. The Secretary...  
17. we do not have a recorded vote on 1610 and I will not entertain  
18. further discussion of any other topic until such time as the  
19. machinery here is in operation. So, if you'll stand at ease  
20. for one moment. The machine has now recorded the vote on  
21. Senate Bill 1610. On that bill...Senate Bill there were 54 Ayes,  
22. 1 Nay, and none Voting Present. Senate Bill 1610, having received  
23. a constitutional majority, is declared passed. Senate Bill  
24. 1711, Senator Rock. Senator Rock.

25. SENATOR ROCK:

26. Thank you, Mr. President. I'd ask leave of the Body  
27. to call this bill back to the order of 2nd reading for the  
28. purpose of an amendment.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there leave? Leave is granted. For what purpose  
31. does Senator Harber Hall rise?

32. SENATOR HALL:

33. Well, I want to pursue the question before that I placed.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Well, Senator Hall, the Chair is going...

3. SENATOR HALL:

4. I'm making a motion...

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. ...to rule that you are out of order, that we are on the  
7. order of Senate Bills, 3rd reading and we have...we are...we have  
8. taken up the consideration of Senate Bill 1711, which is now  
9. on the order of 2nd reading. The Chair will alter its ruling  
10. to say that your motion is in order at any time and the question is,  
11. shall the Senate go out of the ordinary course of business  
12. to the order of Secretary's Desk? A roll call will require thirty  
13. affirmative votes. That is the question. Those in favor vote  
14. Aye. Those opposed vote Nay. The voting is open. Have all  
15. voted who wish? Take the record. On that question the Ayes are  
16. 25, the Nays are 24, 1 Voting Present. The motion fails. On the  
17. order of Senate Bills, 1711 is on the...now on the order of 2nd  
18. reading. Senator Rock.

19. SENATOR ROCK:

20. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
21. I have placed upon the Secretary's Desk and on the desks of  
22. the members, an amendment to Senate Bill 1711 which was sent  
23. up to me by the Legislative Reference Bureau. Enrolling and  
24. Engrossing and the Reference Bureau has advised that a sentence  
25. was inadvertently omitted and they are sending up an amendment  
26. to strike the sentence, as would have been properly done. It's  
27. a technical amendment. There is no objection, I would move its  
28. adoption.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Is there discussion? The question is on the adoption of  
31. Amendment No. 2. All in favor...Amendment No. 1. All in favor  
32. say Aye. All opposed Nay. The Ayes have it. Amendment is adopted.  
33. Further amendments? 3rd reading. Senate Bill 1726, Senator Rock.

1. Did you wish to call that bill, Senator Rock? The Secretary  
2. will read the bill.
3. SECRETARY:
4. Senate Bill 1726.  
5. (Secretary reads title of bill)  
6. 3rd reading of the bill.
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. Senator Rock.
9. SENATOR ROCK:
10. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
11. Senate Bill 1726 is an administration bill which was presented  
12. ...is presented to this Body from the Bureau of the Budget, and...  
13. this amendment continues the provision that allows fund transfers  
14. when appropriations are payable from two or more funds. It changes  
15. the existing statute, as an amendment to the State Finance Act, which  
16. is scheduled to expire on October 1 to provide for quarterly transfers  
17. rather than semi-annual transfers. The quarterly transfer provision,  
18. I am informed, is more consistent with the cash flow needs of the  
19. General Fund and will not, according to the Comptroller's Office,  
20. create any substantial increase in work load. I know of no  
21. objection to the bill and I would solicit a favorable roll call.
22. PRESIDING OFFICER: (SENATOR BRUCE)
23. Is there further discussion? The question is, shall Senate  
24. Bill 1726 pass? Those in favor vote Aye. Those opposed vote  
25. Nay. The voting is open. Have all voted who wish? Take the  
26. record. On that question the Ayes are 50, the Nays are none,  
27. 2 Voting Present. Senate Bill 1726 having received a constitutional  
28. majority is declared passed. Senator Rock, do you wish to call  
29. 1711? Senate Bill 1711, Mr. Secretary.
30. SECRETARY:
31. Senate Bill 1711.  
32. (Secretary reads title of bill)  
33. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
5. Senate Bill 1711 was introduced at the request of the Illinois  
6. Office of Education. You will recall last year, I sponsored  
7. successfully, Senate Bill 379 which mandated the Illinois Office  
8. of Education to maintain and operate a permanent Statewide  
9. facility for deaf-blind children. There is a three word change  
10. in that law by virtue of this proposal, Senate Bill 1711. It  
11. would allow, if passed, the Illinois Office of Education to contract  
12. for services for operating this facility. As you know, this office  
13. and the State Board does not itself, operate any facility...educational  
14. facility, but it would allow...this would allow them to carry  
15. out that mandated responsibility by virtue of contracting  
16. for actual operation and administration. Again, I know of  
17. no objection and I would solicit a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there discussion? Senator Weaver.

20. SENATOR WEAVER:

21. Question of the sponsor, Mr. President.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates that he will yeild. Senator Weaver.

24. SENATOR WEAVER:

25. Senator Rock, what do you estimate the cost of this bill  
26. to be?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rock.

29. SENATOR ROCK:

30. The cost of this bill or the cost of the program?  
31. The cost of the program? I think it's initially in this year,  
32. Senator, at about 1.2 million dollars. When it's fully operational  
33. I would expect that it will probably be in the neighborhood of  
34. about two million dollars annually. We are currently negotiating

1. with the Federal HEW people and I would fully expect that within  
2. two to three years, it will be fully reimbursed by the Federal  
3. government. But, the annual cost will be about two million  
4. dollars.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Weaver.

7. SENATOR WEAVER:

8. Well, Senator Rock, how many people in the State of Illinois  
9. do you presume will avail themselves to these services?

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Rock.

12. SENATOR ROCK:

13. That's difficult to tell with respect to the Statewide  
14. service center for the adults. The current population of  
15. ...of children in our State who are both deaf and blind is, I am  
16. told, about one hundred and fifty-six individuals. There are,  
17. I'm told several hundreds who are over twenty-one who will be able  
18. to take advantage of this Statewide service center but the exact  
19. number, frankly, I don't know.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Weaver, further questions? Is there further debate?  
22. Senator Berning.

23. SENATOR BERNING:

24. Just like to ask the sponsor to refresh my memory. Was  
25. this a service center located in Chicago only or is it a...a State...  
26. does it involve Statewide centers?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Rock.

29. SENATOR ROCK:

30. No, it called for the setting up of a school for deaf-blind  
31. individuals. Additionally, at the request of interested parties  
32. throughout the State, we did, in fact, provide for the maintenance  
33. and operation of a permanent Statewide service center. Now, the

1. physical location as recommended by the Capital Development  
2. Board, will be in the northern part of the State where most  
3. of the population is. Yes. But it is a Statewide center.  
4. PRESIDING OFFICER: (SENATOR BRUCE)  
5. Senator Berning. Is there further...Senator Berning.  
6. Further discussion? Senator Demuzio.  
7. SENATOR DEMUZIO:  
8. (machine cut off)...ask the sponsor a question.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Indicates that he will yield. Senator Demuzio.  
11. SENATOR DEMUZIO:  
12. What services will be provided to the Illinois School for  
13. the Deaf and the Illinois School for the Blind located in  
14. Jacksonville if this bill passes?  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Senator Rock.  
17. SENATOR ROCK:  
18. What services will be provided to them? Well, I would expect  
19. that there would be a coordination, certainly, with the services  
20. they offer and perhaps some contractual arrangements. There...  
21. if you're speaking in direct services to them, frankly,  
22. I...I don't know the answer to that. The bill...the bill, as passed  
23. last year, did provide for coordination of all these kinds of  
24. services as kind of a Statewide center, additionally, so I would  
25. think that those two institutions and other programs would be  
26. able to be better coordinated and better service...the individuals  
27. in need of this kind of service. This relates to children,  
28. primarily, who are both deaf and blind, and as I said, there  
29. are, at latest count, about a hundred and fifty-six in our State.  
30. PRESIDING OFFICER: (SENATOR BRUCE)  
31. Further discussion? The question is, shall Senate Bill 1711  
32. pass? Those in favor vote Aye. Those opposed vote Nay. The voting  
33. is open. Have all voted who wish? Take the record. On that question,

1. the Ayes are 41, the Nays are none, 11 Voting Present. Senate  
2. Bill 1711, having received a constitutional majority, is  
3. declared passed. Senate Bill 1784, Senators Glass and Buzbee.  
4. Senate Bill 1879, Senator Johns. Senate Bill 1935, Senator  
5. Hynes. Senator Hynes. Read the bill, Mr. Secretary. Senator  
6. Hynes.

7. SENATOR HYNES:

8. I'd ask leave to bring it back to 2nd reading for the  
9. purpose of offering an amendment.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Is there leave? Leave is granted. The bill is on the order  
12. of 2nd reading. Senator Hynes.

13. SENATOR HYNES:

14. Amendment No. 6 would change the source of funding but not  
15. the amount for special education building projects to the School  
16. Construction Bond Fund from General Revenue Fund. Traditionally,  
17. we have funded this out of General Revenue. It is now proposed  
18. that it come out of bond proceeds which was the recommendation  
19. last year of the Office of Education and of the Governor, but we  
20. were unable to reach a resolution of the question and I would  
21. move the adoption of Amendment No. 6...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there debate? Senator Davidson.

24. SENATOR DAVIDSON:

25. Would the sponsor yield for a question?

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates that he will yield.

28. SENATOR DAVIDSON:

29. Senator Hynes, would this ten million or approximately  
30. talk about now go into that bill 1737 that's back in subcommittee  
31. on Capital Bonding Authorization?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Hynes.

1. SENATOR HYNES:

2. Well, I don't know where...where it would go, Senator. It  
3. could be...this could be funded out of the existing authorization  
4. or if it were the will of the Body, there could be an additional  
5. authorization approved to support this. It could be done either  
6. way.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Davidson.

9. SENATOR HYNES:

10. But it just seems to be the consensus that it ought to come  
11. out of bond proceeds in any event because there's simply no  
12. chance of it being funded otherwise.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there further discussion? The question is on the adoption  
15. of Amendment No. 6 to Senate Bill 1935. All in favor say  
16. Aye. All opposed Nay. The Ayes have it. The amendment is adopted.  
17. Any further amendments? 3rd reading. Senate Bill 1945, Senators  
18. Carroll - Hickey. Read the bill, Mr. Secretary. For what  
19. purpose does Senator Nimrod rise?

20. SENATOR NIMROD:

21. Mr. President, I had requested that this bill be brought back  
22. to 2nd for purpose of amendment and it was agreed to when the  
23. bill was moved to 3rd.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Carroll.

26. SENATOR CARROLL:

27. Just to remind Senator Nimrod, that was over a week ago.  
28. We have heard of no amendments, you know, we've been waiting for  
29. some word, but we have seen or heard of nothing, and that's why  
30. we were taking it for a vote at this time.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nimrod.

33. SENATOR NIMROD:

1. SENATOR NIMROD:

2.           Regardless, Mr. President, that was agreed that that bill  
3. would be brought back for amendments and we do have amendments  
4. prepared for it. I think there are some on the Secretary's  
5. Desk and there are some more that are being presented and I'll be glad  
6. to walk over with the set of the amendments for Senator Carroll.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8.           Senator Carroll.

9. SENATOR CARROLL:

10.           I just repeat, you know, it can't be held forever. We  
11. have no objection to your profferings, we would look them over  
12. and, you know, each member would make a decision on each  
13. of the amendments. But we had no knowledge of it until this  
14. moment in time and it has been sitting there for quite some time.  
15. Yeah, but somebody has got to ask.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17.           Shall we take this from the record?

18. SENATOR CARROLL:

19.           Would you take it out of the record for now, please?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21.           Take it from the record. Senate Bill 1947, Senator Rock.  
22. Read the bill, Mr. Secretary.

23. SECRETARY:

24.           Senate Bill 1947.

25.           (Secretary reads title of bill)

26.           3rd reading of the bill.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28.           Senator Rock.

29. SENATOR ROCK:

30.           Thank you, Mr. President and Ladies and Gentlemen of the Senate.  
31. This was a bill that was recently introduced. It's a supplemental  
32. or deficiency appropriation in the amount of forty-five thousand  
33. dollars to pay for the amount owed for the printing of our Journals



1. and Calendars. You will recall that early in the 79th General  
2. Assembly, we had a contract with a printing company. We had  
3. delivery problems and printing errors. In May the equipment  
4. owned by the contractor broke down. The Department of General  
5. Services Printing Section contacted a...a different printer  
6. on an emergency basis. The Auditor General was submitted  
7. an affidavit justifying an emergency authorization and this  
8. amount is due in owing. We are attempting through litigation  
9. handled by the Attorney General's Office to recoup this amount  
10. of money based upon a suit on the performance bond of the original  
11. contractor. But...and if that suit is successful, the money, of  
12. course, would be turned right back to the General Revenue Fund.  
13. In the meantime we do, in fact, owe the money and rather than have  
14. this Gentleman pursue his just claim in the Court of Claims,  
15. we felt it would be more appropriate to...pass and have  
16. approved this supplemental appropriation. So, I would solicit  
17. a favorable roll call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? The question is, shall Senate  
20. Bill 1947 pass? Those in favor vote Aye. Those opposed vote  
21. Nay. The voting is open. Have all voted who wish? Have all voted  
22. who wish? Take the record. On that question the Ayes are 54,  
23. the Nays are none, none Voting Present. Senate Bill 1947, having  
24. received a constitutional majority, is declared passed. Senator  
25. Hynes, did you wish to return to 1935? Senate Bill 1935, Mr.  
26. Secretary.

27. SECRETARY:

28. Senate Bill 1935.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Hynes.

33. SENATOR HYNES:

34. Mr. President and members of the Senate, this is the annual

1. appropriation to the Office of Education. It includes  
2. the operating budget of the...the Office of Education, the various  
3. categorical grants that are provided to local school districts  
4. and the teacher's retirements monies, the contribution from the  
5. State. The total in General Revenue Fund is just short of  
6. five hundred million dollars, four hundred and ninety-eight  
7. million to be exact, some three hundred million in Federal  
8. funds and additional monies out of the Driver Education Fund.  
9. It was reduced by the Appropriations Committee and those reductions  
10. were sustained on this Floor to the extent of some forty-eight  
11. million dollars and it is now in a...at a level fourteen million  
12. dollars below the level recommended by the Office of Education.  
13. This is part of the effort that we have been making to  
14. free-up funds for the common School Aid Formula. And I...I believe  
15. that the bill in its present form meets with the approval of  
16. almost all the members of this Body and I would ask for a roll  
17. call.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Mitchler.

20. SENATOR MITCHLER:

21. Mr. President, I'd like to ask the sponsor a question.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates that he will yield. Senator Mitchler.

24. SENATOR MITCHLER:

25. Yes. Senator Hynes, as I review this bill, is this not  
26. a new approach to the funding of these specific sections of the  
27. Office of Education and is this not a new type to include, for  
28. example, the teacher's retirement with the Driver Ed. program  
29. and that to create an omnibus type of bill for the Office of  
30. Education?

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Hynes.

33. SENATOR HYNES:

34. It is. In the past this would have been two bills.

1. The retirement would have been in one and the Operations...  
2. operational appropriation for the office and the grants would  
3. have been in another. It's been combined into one.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Well, Mr. President and members of the Senate, when you...when you  
8. put the teacher's retirement funding and appropriation in with  
9. other substantive legislation and appropriation matters like  
10. your Driver's Ed. fund and so forth, that it puts a legislator  
11. more or less in an unusual circumstance in voting on this. You  
12. may want to give full support to the Teacher's Retirement Fund  
13. but you may have some questions about the Driver Ed. Fund and  
14. the others and when you get into this omnibus type. I, particularly,  
15. do not like to see that. I think that we can come through with  
16. a separate appropriation bill for the Teacher's Retirement  
17. Fund and let it stand, and you can vote on that. And trying to  
18. combine these matters into one omnibus type of bill, I heard  
19. talk about creating a huge omnibus bill for everything, all  
20. appropriations matters that could be consolidated into one bill.  
21. I am particularly opposed to that because I think each thing should  
22. be voted on its merit. And to combine these, we're starting a  
23. precedent here, this is the first time this has been done according  
24. to Senator Hynes, and I think it's a bad precedent to start because  
25. you're going to be trapped into voting for things that you don't  
26. particularly agree with because you have to vote for the other  
27. items that are concerned.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there further discussion? Senator Regner.

30. SENATOR REGNER:

31. Sponsor yield to a question? Senator Hynes, I know this amount  
32. ...total amount is a reduction from that that IOE recommended, but  
33. how much over the Governor's budget in General Revenue dollars is the

1. 1935 right now?

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Hynes.

4. SENATOR HYNES:

5. That depends on what is done with the School Aid Formula.

6. It depends totally on what level...at what level we fund the

7. School Aid Formula. If we were to adopt the Board of

8. Education's recommended level of funding, this bill would be

9. about 3.9 million dollars over the Governor's level. But, we have

10. not made that decision as yet. The...the...the Office of Education

11. in its recommendations was at a level eighteen million over the

12. budget and they had already allocated a certain amount of money

13. to the Formula and as I said, we reduced that by some fourteen

14. so that if we were to follow through with the Formula bill, which is

15. presently in the Appropriations Committee and adopt the IOE level

16. without change, then we would be formally and approximately

17. over the budget.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Is there further discussion? The question is, shall

20. Senate Bill 1935 pass? Those in favor vote Aye. Those opposed

21. vote Nay. The voting is open. Have all voted who wish?

22. Have all voted who wish? Take the record. On that question the

23. Ayes are 51, the Nays are none, 5 Voting Present. Senate Bill

24. 1935 having received a constitutional majority, is declared passed.

25. Senate Bill 1956, Senator Hickey. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 1956.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Hickey.

32. SENATOR HICKEY:

33. Mr. President and colleagues, this is simply the implementation

1. of the bills which were passed by this Body last week. Makes  
2. an appropriation for this year's payment of one half of a grant  
3. to school districts in, practically speaking, in Winnebago  
4. County, and I would ask your support.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Is there discussion? Senator Shapiro.

7. SENATOR SHAPIRO:

8. Mr. President and Ladies and Gentlemen of the Senate, I just  
9. want to point out that this bill contains a significant  
10. amount of General Revenue Fund money that is not budgeted; it  
11. is not in the Governor's budget for next year and that it  
12. relates strictly to one county in the State whose assessed  
13. valuation on a percentage basis happened to be higher than  
14. the thirty-three and a third which House Bill 990 of a year ago  
15. implemented. I point out to you that there are other counties  
16. in the State that have the same problem, not quite as high  
17. an assessed valuation as Winnebago County, but it's merely a  
18. matter of relativity, as I pointed out the other day, as to  
19. who is getting hurt and who isn't. I submit that this is special  
20. interest legislation. We should not condone this type of  
21. legislation and the best way to take care of the Senate Bill  
22. 1524 which passed out a few days ago, is to defeat this  
23. appropriation bill.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Fawell.

26. SENATOR FAWELL:

27. I rise, also, in opposition. I said quite a bit, I think,  
28. just about last week at this time in regard to Senate Bill  
29. 1524. The cost here for just some special districts while  
30. ignoring many others who also are hurt is a...close to three million  
31. dollars. In a discussion I had this afternoon in regard to the  
32. cost of summer school for all the children, for instance, in the  
33. State of Illinois, price tag of thirty-seven million which  
34. apparently is going to be saved by eliminating this if Senate

1. Bill 1712 is passed and I believe the figure was correct when  
2. I was told that insofar as maintaining summer school for just  
3. the handicapped children, the cost would be to continue the  
4. ADA, three million dollars, but we don't have three million  
5. dollars, I gather, to be able to do that. But, we do have  
6. three million dollars to give to certain special school  
7. districts which happen to be in Winnebago County. And I  
8. reiterate what Senator Shapiro has stated, this is not  
9. a problem only in Winnebago County, and one may say - well,  
10. it's more severe there. The severity is felt deeply in many  
11. townships within many counties and in some counties that  
12. even may have an aggregate of under thirty-three and a third.  
13. That's the average for the county. But it doesn't mean  
14. that within the county you do not have townships which are  
15. well beyond that and school districts within the county which  
16. are suffering a great deal, and as I indicated before, with all  
17. due respect to the problems of Winnebago County, it has to be  
18. a conscienceless legislature which will turn and give special  
19. help here and turn its back to the rest of the districts that  
20. are in the same position. It cannot be condoned on the basis -  
21. well, you got there "firstest with the mostest," or whatever the basis  
22. may be. Equality is an absolute essential in giving our aid  
23. to our common schools. I would hope that we will reconsider  
24. our error of about a week ago and not supply the votes for passage  
25. and, Senator Hickey, I don't think your attorney is here to rescue  
26. you at this time. I don't see Senator Partee, but those are  
27. my thoughts. Thank you.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Further discussion? The question is shall Senate Bill 1956...  
30. Senator Clarke.

31. SENATOR CLARKE:

32. Mr. President, as the sponsor of 990 last year, I'd just like  
33. to point out that when Senator Fawell talks about equality, the  
34. fact of the matter was that for many years, the law said that all

1. the counties would assess at fifty percent. Most of them  
2. didn't do that. Winnebago came closest and was over forty  
3. percent and they was the only one that was. And so you've  
4. had inequality in terms of the tax load that the residents of  
5. Winnebago have carried for a long, long time, and this is merely  
6. trying to help them out a little bit of that predicament that  
7. we created with 990 last year and for that reason, I think it  
8. deserves special consideration.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Glass.

11. SENATOR GLASS:

12. Thank you, Mr. President. At the risk of offending my  
13. good friend and colleague, Senator Clarke, I would like to point  
14. out to him and the other members that if we were really to  
15. follow that kind of reasoning to the ultimate, we would give  
16. all of the districts that were assessing over thirty-three and  
17. a third percents in State money. There were some school districts  
18. in...in my area that were assessing at forty percent or thirty-  
19. nine percent and it seems to me if we want to start singling  
20. out districts, which were doing a good job of assessing, we have  
21. singled out one and if we want to give all of them that were  
22. doing a good job...monies in accordance with their performance,  
23. that would be different, but we're not doing that. We are,  
24. in fact, choosing only this one district and I would respectfully  
25. urge the defeat of the appropriation.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Further discussion? Senator Hickey may close.

28. SENATOR HICKEY:

29. Thank you, Mr. President. I wanted to say something to  
30. Senator Fawell similar to what Senator Clarke did and and I'm  
31. certainly glad to know that he's here this week, that 990 was  
32. done in the interest of equality. This is paying part of the bill  
33. for 990 so that the whole State can be equalized. You're bringing

1. up again this week as you did last, a completely separate  
2. issue which you could have done something about legislatively  
3. yourself for single districts and single townships, which is a  
4. different problem. And lastly I want to say, that we're not  
5. doing this because of the needs of Winnebago County. We're  
6. doing this as we know that all school districts are in need  
7. whether they assessed near what the law said or not. We know that  
8. need exists That's not why I'm asking for support of this.  
9. This is in the interest of achieving equalization for the  
10. whole State and I ask for the support of all of my colleagues.  
11. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is, shall Senate Bill 1956 pass? Those in  
14. favor vote Aye. Those opposed vote Nay. The voting is open.  
15. Have all voted who wish? Take the record. On that question  
16. the Ayes are 36, the Nays are 14, 2 Voting Present. Senate  
17. Bill 1956 having received a constitutional majority, is declared  
18. passed. Senate Bill 1784, Senator Glass.

19. SENATOR GLASS:

20. Thank you, Mr. President, Ladies and Gentlemen. I would  
21. ask leave of the Body to return this bill to the order of 2nd  
22. reading for the purposes of Tabling an amendment and adding  
23. a different amendment.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there leave? Leave is granted. The bill is on the order  
26. of 2nd reading. Senator Glass.

27. SENATOR GLASS:

28. I believe I...I would move at this time that Amendment  
29. No. 2 to Senate Bill 1784 be Tabled.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Glass moves to reconsider the vote by which Amendment  
32. No. 2 was adopted. All those in favor say Aye. Opposed Nay. The  
33. Ayes have it. The motion to reconsider prevails. Now, Senator



1. Glass moves to Table Amendment No. 2. All in favor say Aye.  
2. All opposed Nay. The Ayes have it. The amendment is Tabled.  
3. Senator Rock...Senator Glass, Amendment No. 3. For what purpose  
4. does Senator Dougherty rise?  
5. SENATOR DOUGHERTY:  
6. I'd like to know what the amendment does.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8. He...he was just to proceed to explain that. Senator Glass.  
9. SENATOR GLASS:  
10. Thank you, Mr. President. Senator Dougherty, Ladies  
11. and Gentlemen, in adding Amendment No. 2 some of the language  
12. was left out inadvertently. What the amendment does, this is  
13. the bill which provides funding for the repair and rehabilitation  
14. of bridges in downstate Illinois county and township bridges.  
15. The amendment reduces the total amount to be provided from  
16. thirty million to fifteen million, seven and a half from the  
17. Road Fund, seven and a half from the General Fund. It also  
18. provides that the Department of Transportation apportion  
19. among the several counties of the State for the use of the  
20. road districts...  
21. PRESIDING OFFICER: (SENATOR BRUCE)  
22. Senator Carroll...  
23. SENATOR GLASS:  
24. ...the...the amount available based on the same allocation  
25. as in the Motor Fuel Tax Law. It also provides that any money  
26. which is not utilized by a given county would revert back to the  
27. State and it...it has the further provision that small counties,  
28. and there are nine of them, with assessed valuations of under  
29. thirty million would be entitled to a three to one match. It is,  
30. Senator Dougherty, the same amendment as explained in committee, but  
31. it was improperly written. Move for its adoption.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Senator Glass moves the adoption of Amendment No. 3. Is  
34. there discussion? Senator Knuppel.

1. SENATOR KNUPPEL:  
2. Well, I'm...I'm sure that when I see and understand that...that  
3. I will have no...no objection, but I don't think I even have a copy  
4. of the amendment. Has it been passed out?  
5. PRESIDING OFFICER: (SENATOR BRUCE)  
6. Senator Glass.  
7. SENATOR GLASS:  
8. No, that is correct, Senator Knuppel. It isn't  
9. passed out...it hasn't been passed out. It's a corrective  
10. amendment. I'd be glad to hold it on 2nd reading if that's  
11. your preference until it has been passed out so that you can  
12. examine it.  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. Senator Knuppel.  
15. SENATOR KNUPPEL:  
16. No, I have no objection. I just want to see a copy of it  
17. because if it isn't all right, we're going to have to take  
18. it back again or else...or else I can't support it. You know.  
19. Okay.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Senator Glass.  
22. SENATOR GLASS:  
23. Well, I...I will agree if it's moved to 3rd to pull it  
24. back at the request of any member.  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Senator Dougherty.  
27. SENATOR DOUGHERTY:  
28. Senator Glass, you will recall that we're also holding  
29. 1750 which is Senator Knuppel's bill until we can work out something.  
30. We'd...I'd suggest to just leave it on 2nd reading until we  
31. get this worked out.  
32. PRESIDING OFFICER: (SENATOR BRUCE)  
33. Senator Glass.  
34. SENATOR GLASS:

1. Well, that's all right, Senator Dougherty. It was  
2. on 3rd reading and I pulled it back. All right. I'll  
3. leave it on 2nd. But I would like to adopt the amendment  
4. if we could.  
5.  
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10. (Continued on following page)  
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SB 1945  
Bill to Amend  
6/12/76

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. On the motion to adopt, Amendment No. 3. All in favor say  
3. Aye. Opposed Nay. The Ayes have it. The amendment is adopted,  
4. and the bill will remain on the order of 2nd reading. Senate  
5. Bill 1945, Senator Carroll. Senator Carroll.

6. SENATOR CARROLL:

7. Thank you, Mr. President. Now, that we are aware that there  
8. are amendments to be proffered, I would ask leave to return  
9. the bill to the order of 2nd reading for allowing those who have  
10. them, to offer them.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Is there leave? Leave is granted. Senator Nimrod, you have  
13. four amendments on this bill. Is Senator Harber Hall on the  
14. Floor? You have some amendments on this bill, also, I understand.  
15. Senate Bill 1945, senator Nimrod. Amendment No. 2, Senator Nimrod.

16. SENATOR NIMROD:

17. Yes, Mr. President and Fellow Senators, I presume that Amend-  
18. ment No.2 here to this tax increment bill which is basically a  
19. very important bill and it's one that we ought to be seriously  
20. concerned with that...and it does need some changes. We, in the  
21. Revenue Committee had...not had a chance to go over this as we  
22. did in order to be consistent with other laws which exist under  
23. book and other procedures. I think there's certain things that  
24. we ought to do in order to help make this a better bill. This...  
25. this amendment in particular, is as this bill is presently drafted,  
26. requires that a hearing be held prior to the formation of a re-  
27. development area and the adoption of the redevelopment plan.  
28. However, it also allows the hearings to be adjourned to another  
29. date without any further notice, and allows the plan to be  
30. amended without further hearings or notice as long as the exterior  
31. boundaries of the general land use are not substantially altered.  
32. This is too flexible, and I'm afraid we could be...be misused  
33. should there be any opposition on the part of the particular

15074  
1/27/74

1. landowners or developers. The amendment removes the sentence  
2. allowing the adjournment of a hearing without further notice and  
3. the provisions allowing the changes to be made without the further  
4. hearing. Be glad to answer any questions pertaining to this  
5. amendment.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Discussion? Senator Carroll.

8. SENATOR CARROLL:

9. Thank you, Mr. President. I oppose this amendment on the  
10. basis that what Senator Nimrod didn't realize within the lines  
11. he is deleting, is the indication that...that yes, it can be  
12. adjourned without further notice going on, there are very  
13. stringent, very stringent notice requirements in this Act.  
14. However, if you read the rest of the sentence in that this hear-  
15. ing can be continued by motion which must be entered on the  
16. minutes fixing the time and place, and it must be then, and it  
17. must be in front of all those who are there and it must be in  
18. the written record. So, you're not denying access to anybody.  
19. All you're saying is instead of going through this very lengthy  
20. personal notice to everybody who is within the district, who is  
21. supposedly at that meeting, instead of having to go through that  
22. cost and expense again, if they are present, and they have copies,  
23. they're just there and listening, the motion is made like at any  
24. other time, just like our hearings or anything else, and I think  
25. this is working backwards rather than forwards.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Bloom.

28. SENATOR BLOOM:

29. Yes, well, thank you, Mr. President. I rise with Senator  
30. Carroll in opposition to these motions. What he says is absolutely  
31. true. This would mean that every time you recess you would have to

11/25  
11/25  
11/25

1. send out notice...you would have to notice everybody all over  
2. again, as if you were starting again. These bills...this bill  
3. has been worked on and drafted and redrafted five times.  
4. It's had input from every municipality and every interested  
5. party in the State. I would urge the opposition. I would  
6. oppose and urge that these amendments do not be adopted.  
7. And therefore, I'd...I'd move that this amendment lie on the Table.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to Table Amendment No. 2 to Senate Bill  
10. 1945. Those in favor say...say Aye. Opposed Nay. The Ayes  
11. have it. The amendment is Tabled. Amendment No. 3,  
12. Senator Nimrod, are you joined by four Senators? Joined by  
13. three...four...five have requested roll call. On the motion  
14. to Table Amendment No. 2 to Senate Bill 1945. Those in favor  
15. of Tabling will vote Aye. Those opposed will vote Nay. The  
16. voting is open. Have all voted who wish? Take the record.  
17. On that question, the Ayes are 39, the Nays are 13, none  
18. Voting Present. The motion to Table prevails. Amendment  
19. No. 3, Senator Nimrod.

20. SENATOR NIMROD:

21. Yes, Mr. President, this bill defines as a conservation  
22. area any improved area within the boundaries of a redevelopment  
23. project area which are located within a municipality in which  
24. fifty percent or more of the structures in the area have an average  
25. age of thirty-five years or more. The word "average" upsets  
26. me. Under this language it is possible to be clearing relatively  
27. new areas because of new buildings which are adjacent to  
28. buildings which are seventy-five or a hundred years old.  
29. For example, you had one that's a hundred years old and one  
30. that's ten, you would average those and they would be fifty-five  
31. years old. This amendment removes the word "average" and increases  
32. the percentage the area which must be thirty-five years or older  
33. to sixty percent to insure that a genuinely blighted area

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6/2/76

1. is picked for redevelopment and not some area which is relatively  
2. new and certainly being used for other purposes.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Further discussion? Senator Hickey. Senator Hickey moves to  
5. Table Amendment No. 3 to Senate Bill 1945. All in favor of  
6. Tabling say Aye. All opposed Nay. Chair requests a roll call on  
7. the...on the motion to Table Amendment No. 3. Those in favor  
8. vote Aye. Those opposed vote Nay. The voting is open. Have all  
9. voted who wish? Take the record. On that question the Ayes are  
10. 35, the Nays are 19, none Voting Present. The motion to Table  
11. Amendment No. 3 prevails. Amendment...Amendment No. 4, Senator  
12. Nimrod.

13. SENATOR NIMROD:

14. Amendment No. 4 pertains to the purposes for which this bond  
15. proceeds are sold under the authority of the Act, "can be used".  
16. There are nine items which are enumerated on page 5 of the Act.  
17. I think three of them are objectionable and need to...to fulfill  
18. the purpose of this legislation. This amendment eliminates the  
19. authority to spend those bond proceeds for rehabilitation or  
20. construction or repair or remodeling of existing structures.  
21. The municipalities role is supposed to obtain the land and clear  
22. it, and then sell it to private developers. I really don't see  
23. any need for the city to have the authority to actually redevelop  
24. and build and repair any of these structures. Number two, the  
25. capital cost resulting from the construction of redevelopment of  
26. the buildings for other taxing districts. This is authority to  
27. build schools, county buildings, civic centers, and bypass those  
28. existing authorities with per due to that. I just don't think  
29. it's...it's needed or necessary to accomplish the aims of this  
30. particular legislation and redevelopment areas. Number three is  
31. the organizational costs including the cost of informing the  
32. public. This could mean the city, then, could spend bond  
33. money, funds to campaign in favor of the proposal

1. if the issue went to a referendum. I don't believe that  
2. that would be a proper use of the taxpayer's money. This amendment  
3. also eliminates the provision which seems to delegate  
4. authority of the city council to a newly established commission.  
5. And it requires that any money received by a municipality in  
6. conjunction with these projects must be used to pay the cost  
7. of these projects, and must be deposited in special funds created  
8. for this purpose.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Any discussion? Senator Carroll.

11. SENATOR CARROLL:

12. I, also, oppose this amendment because I disagree with  
13. Senator Nimrod as to the...some of the purposes and intentions  
14. of the municipalities, including the area, for example, of Canton.  
15. Canton was almost destroyed by an act of God. Now, some of  
16. these properties are capable of being rehabilitated rather  
17. than torn down and built up again. I think this is clearly  
18. within the intent of the Act. Areas such as Canton, and there are  
19. many others in this State now, and we know because of act of  
20. God in the future, will need this tool, and I think that  
21. this is the wrong approach to take out that part of the tool  
22. and I would, therefore, move that this amendment lie upon the Table.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Further discussions? Senator...the motion is to Table  
25. Amendment No. 4. Those in favor say Aye. Those opposed Nay.  
26. The Ayes have it. The motion to Table prevails. Is Senator  
27. Nimrod joined by four other Senators in request for a roll call?  
28. The question is on the motion to Table Amendment No. 4. Those  
29. in favor vote Aye. Those opposed Nay. Voting is open.  
30. We are on roll call, Senator Nimrod. After this is concluded,  
31. the Chair will recognize you. Have all voted who wish? Take the  
32. record. On that question, the Ayes are 36, the Nays are 15,  
33. none Voting Present. The motion to Table Amendment No. 4 prevails.



11/19/45  
6/12/76

1. Senate...Amendment No. 5, Senator Nimrod.

2. SENATOR NIMROD:

3. Now, Mr. President, I just wanted to ask in the future when  
4. the person makes the motion to Table and they explain their  
5. position...Senator Carroll did he make his motion after he made  
6. his comments or before he made his motion?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Well, once he makes the motion to Table there is no  
9. discussion of that motion.

10. SENATOR NIMROD:

11. Well, did he make his comments after he made his motion?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. No.

14. SENATOR NIMROD:

15. Well, we'll see what he does on this one.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. He made his comments, as the Chair recalls, and then made  
18. the motion to Table and concluded.

19. SENATOR NIMROD:

20. All right. This is a very important amendment, and it inserts  
21. several important provisions with respect to the approval in  
22. the sale of bonds authorized under this legislation. As this  
23. legislation is presently written, there is no interest limitation  
24. on these bonds of any type. There is no provision for public  
25. notice in taking bids on sale of these bonds, or any requirement  
26. that the bonds be sold at public sale. Nor are there any of the  
27. standard provisions with respect to the rights of the bond holders.  
28. The standard provisions similar to those contained in many other  
29. types of bonding authorization legislation such as the downstate  
30. Civic Center Acts are added by this amendment. This includes an  
31. eight percent interest limitation which is very generous for tax  
32. exempt bonds. There may be others who would like to do it...for it  
33. to be lower, but at least this inserts some type of limitation.

11/16/66

1. As the bill presently stands, there is no limitation. The other  
2. important change made by this amendment relates to the approval  
3. of general obligation bonds. If a municipality chooses to  
4. obligate the taxpayers by using its full faith and credit to  
5. redevelop a particular part of the community, I think the matter  
6. should have to be approved by the voters of the municipality by  
7. referendum. This amendment asserts such a referendum requirement  
8. for the issuance of general obligation bonds only, not for revenue  
9. bonds. Remember, this is only for general obligation bonds.  
10. The city could sell these revenue bonds or any other type of  
11. security which does not obligate all the city's properties tax-  
12. payers without referendum. If a specialized project of this  
13. nature is to be undertaken, I do not think the taxpayers should  
14. have to foot the bill. But I have not foreclosed that possibility.  
15. At the very least I think the taxpayers should have a direct  
16. voice in this matter. If they stand to foot the bill if this  
17. project goes sour, the backdoor requirements that opponents  
18. obtain fifteen percent of the voter's signatures within thirty  
19. days is not sufficient. I might make a comment that areas such  
20. as Canton was an area where I was Chairman of a...of a subcommittee  
21. which provided the bill which allows them presently to go ahead. I  
22. do not oppose these particular areas, but I do think we ought to  
23. have this particular bill in regard...relative to others on the same  
24. level. This bonding provision is a very important one and certainly  
25. deserves your consideration and support.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Yes, before we recognize Senator Graham, could we break up  
28. the caucus behind him so...Senator Graham.

29. SENATOR GRAHAM:

30. Mr. President and members of the Senate, so often I presume

1. we get to thinking of Mr. Amendment as a man who is not serious  
2. or sometimes doesn't offer amendments of some substance.  
3. This amendment, Ladies and Gentlemen of the Senate, is important.  
4. It is important to put a bridle and some controls over the  
5. interest and sale of general obligation bonds. If we don't  
6. understand what control of bonds or the failure to control them  
7. has done to certain areas of our country, I suggest we get out  
8. some New York papers of last Summer. I stand solidly in support  
9. of the amendment offered by Senator Nimrod and I think all of  
10. us should recognize that this is in the effort of trying to  
11. subscribe to and adhere to good business practices which so  
12. many times we forget.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Harber Hall.

15. SENATOR HALL:

16. I just want to make the comment, Senator Nimrod  
17. eloquently spoke in favor of his amendment and I just want  
18. to point out to those who might not have been listening  
19. too carefully. He said eight percent. These are tax free  
20. obligations, general obligations of the municipality. This is  
21. equivalent of the sixteen percent for those investors in the fifty  
22. percent income bracket. Sixteen percent is all he's asking for.  
23. Right now they could sell it at nine or ten percent tax free  
24. which the equivalent, of course, is double that. So this is not  
25. a frivolous amendment. This is very serious.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Glass.

28. SENATOR GLASS:

29. Thank you, Mr. President. As a supporter of the bill and I  
30. intend to vote for it, I would, however, echo the sentiments  
31. of the last three speakers on this amendment. This legislation  
32. is advertised as a revenue bonding type legislation so that the  
33. increase in the tax increment realized after the development has been

1. completed, will be sufficient to pay off the bonds and of course,  
2. if that is true, then revenue bonds ought to be the only kind  
3. we're really concerned with and the limitation that the amendment  
4. imposes by requiring a referendum only on GO bonds and not on  
5. Revenue bonds is a reasonable one and I would urge support of  
6. this amendment.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Hickey.

9. SENATOR HICKEY:

10. ...five.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Motion is to Table Amendment No. 5. Those in favor of  
13. Tabling say Aye. Those opposed Nay. Roll call. The question  
14. is on the motion to Table Amendment No. 5. Those in favor  
15. vote Aye. Those opposed vote Nay. The voting is open. Have  
16. all voted who wish? Take the record. On that question the  
17. Ayes are 32, the Nays are 20. The motion to Table prevails.  
18. Amendment No. 6, Senator Nimrod.

19. SENATOR NIMROD:

20. Mr. President, this amendment removes the language  
21. which allows the municipality to sell bonds for the purpose  
22. without referendum. If a city is going to use its full faith  
23. and credit to obligate all the taxpayers to sell the general obligation  
24. bonds, the taxpayers should have a voice in that decision,  
25. and what I would do, then, since the other amendment failed, which  
26. is a corollary to, I would then move to Table this amendment  
27. myself.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Nimrod moves to Table Amendment No. 6. All in favor  
30. say Aye. Opposed Nay. The Ayes have it. The amendment is Tabled.  
31. Amendment No. 7, Senator Harber Hall. No. 7.

32. SENATOR HALL:

33. Which one is...can you give me the first line?

6/12/76

1. SECRETARY:

2. On page three, line 31, by inserting after the word "town"  
3. the following.

4. SENATOR HALL:

5. This amendment, as drafted, this bill would provide any  
6. municipality could use this source of financing new private  
7. enterprise projects. With this amendment we restrict that  
8. to corporate boundaries that have an assessed valuation of  
9. five hundred million but less than five billion. So,  
10. we restrict it to rather large cities but eliminate Chicago,  
11. in order that we can try and find out if a system like this is  
12. workable. This has been tried in three states, as I understand  
13. it and they've had some mixed results, and they've had some problems  
14. with it as testified even by Senator Hickey, herself. She  
15. believes her bill is flawless, obviously, but I think we ought  
16. to try it out and this amendment would tend to restrict that  
17. until it's a proven theory. I move adoption of the Amendment  
18. ...what number, 6?

19. SECRETARY:

20. 7.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Amendment No. 7. Senator Bloom.

23. SENATOR BLOOM:

24. Peoria county has an assessed value of approximately  
25. a billion dollars. Most of it is in the City of Peoria.  
26. Effectively, this amendment would take out the City of Peoria,  
27. as I understand it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hall.

30. SENATOR HALL:

31. Negative. Negative. It would be no city less than five  
32. hundred million. But no city over five billion. It would include  
33. Peoria.

11:45  
6/21/76

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Carroll.

3. SENATOR CARROLL:

4. Without speaking to the amendment, I would move that  
5. it lie on the Table.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Motion is to Table Amendment No. 7. Those in favor say  
8. Aye. Opposed Nay. The Ayes have it. The amendment is Tabled.

9. Is there a request for a roll call? All right. Roll call  
10. has been requested. Those in favor of Tabling will vote Aye.  
11. Those opposed vote Nay. The voting is open. Have all voted  
12. who wish? Take the record. On that question the Ayes are 32,  
13. the Nays are 18, none Voting Present. The motion to Table  
14. Amendment No. 7 prevails. Amendment No. 8, Senator Harber Hall.

15. SENATOR HALL:

16. Well, from that last vote, it looks like we're going to have  
17. a second McCormick Place. Would you read line 1 on here, Mr.  
18. Secretary, so I can see which one...

19. SECRETARY:

20. On page four, line eighteen, by striking the word "and".

21. SENATOR HALL:

22. Yes. In committee hearings we discussed with some of the  
23. ...those to testify, specifically the city attorney, who had  
24. explained that this bill would only be used where certain areas  
25. were defined and certain investors were willing to come in and  
26. build on this condemned property and therefore, in the description  
27. it would appear that that would be the only thing they would do,  
28. but the bill does not specify that. This amendment will require  
29. that a specific owner and operator of the property will be  
30. determined before the city fathers are permitted to exercise the  
31. provisions of going ahead and acquiring the property and developing  
32. it using borrowed money on general obligation bonds. I move  
33. adoption.

6/19/74

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Further discussion? Senator Hickey. Senator Hickey  
3. moves to Table Amendment No. 8 to Senate Bill 1945. Those  
4. in favor say Aye. Those opposed Nay. The Ayes have it.  
5. Request for a roll call. The question is on the motion to Table  
6. Amendment No. 8. Those in favor vote Aye. Those opposed vote  
7. Nay. The voting is open. Have all voted who wish? Take the  
8. record. On that question, the Ayes are 30, the Nays are 21,  
9. none Voting Present. Motion to Table Amendment No. 8 to  
10. Senate Bill 1945 prevails. Amendment No. 9, by Senator Harber  
11. Hall.

12. SENATOR HALL:

13. This amendment, and by the way, this is...I don't know if  
14. this is the last amendment or not, but it's the last one I'm  
15. offering. These amendments have all been well intentioned.  
16. They would make a bad bill a lot better, a lot safer, and this  
17. may be the most important part of it. This bill will permit  
18. city authorities who you must remember, are not necessarily  
19. full-time administrators of the city's business, this will require  
20. them to...I mean this will eliminate their power of eminent  
21. domain. With this bill we are injecting the availability of city  
22. fathers to go out and do private business. They can go out  
23. using the power of eminent domain for a private developer to  
24. take property, buy it at their terms, whatever they want  
25. to pay, it's not their own money, it's taxpayer's money,  
26. and then turn it over to private developers in direct competition  
27. with other free enterprise business entities located in and around  
28. their municipality, in direct competition with them. I believe  
29. that we have given too much power of eminent domain to too many  
30. entities in Illinois throughout the years, to have another access  
31. to this unusual power of grabbing property, taking people,  
32. moving them from their homes when they don't want to, often times,  
33. relocating them, putting them where they don't want to be for the

11/14/47  
11/16

1. purpose of helping develop private property is a mistake.  
2. This amendment eliminates it...eminent domain from this bill.  
3. I move its adoption.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Palmer.

6. SENATOR PALMER:

7. I move that Amendment No. 9 lie on the Table.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. The motion is to Table Amendment No. 9. Those in favor  
10. will vote Aye. Those opposed will vote Nay. The voting is  
11. open. Have all voted who wish? Take the record. On that  
12. question the Ayes are 28, the Nays are 19, none Voting Present.  
13. Amendment No. 9 to Senate Bill 1945 is Tabled. Further amendments?  
14. 3rd reading. Senator Carroll, would you...the bill is on the  
15. order of 2nd reading. If you would ask leave of the Body, we  
16. could return the bill to the order of 2nd reading for one  
17. amendment which has just come to the Secretary's Desk.

18. Senator Carroll.

19. SENATOR CARROLL:

20. The bill being on 3rd, I would ask leave that it be brought  
21. back to second.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there leave? Leave is granted. The bill is on the  
24. order of 2nd reading. Amendment No. 10, Senator Clarke.

25. SENATOR CLARKE:

26. Mr. President, we always save the best for the last. It's  
27. my understanding that this bill has a retroactive provision in it.  
28. It allows any municipality which has started this type of re-  
29. development over the last eighteen months to be included.  
30. This amendment merely deletes that...retroactive provision  
31. because I think it's not only wrong, I think it's unconstitutional.  
32. I think it could endanger the whole bill, when bonds start  
33. to be issued and it becomes active. And I think that this is an



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1. amendment that really should seriously be supported.

2. I move its adoption.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll.

5. SENATOR CARROLL:

6. Thank you, Mr. President. I oppose this amendment for a  
7. very simple reason. In order for this concept to work, it has  
8. to be done in such a way where a municipality can work with  
9. developers on areas that they would not privately develop  
10. and to see if a plan will float to see what kind of building  
11. would be built to see what kind of taxes can be generated,  
12. so you can see what kind of increment that you have. The  
13. area, for example, of Peoria, specifically testified in committee  
14. that they have been looking at certain areas, that their  
15. planning people have been looking to plan downtown Peoria.  
16. You would say to them, apparently, that that area that they've  
17. been talking about is no longer eligible because they happen to  
18. have done the...the discussions of it prior to the passage  
19. of this law. I don't think that's your intent, but that would  
20. be the effect of it. A lot of other areas have had planning  
21. going on, discussion stages, a lot of areas of this State.  
22. Again, I repeat, that while it may not apply to Canton this year,  
23. it may, and other areas throughout this State that have been  
24. looking at a way of rejuvenating their downtown areas, all areas  
25. of this State. You're saying that if you've looked at the way,  
26. then we can't do it. I think that's the wrong way to go and if  
27. it's appropriate, I would make a motion that this lay upon the Table.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The motion is to Table Amendment No. 10. Those in favor  
30. will vote Aye. Those opposed will vote...Senator Clarke, it is  
31. not debatable. Senator Carroll, will you withhold your motion?  
32. Senator Clarke, Senator Carroll has withheld his motion.

33. SENATOR CLARKE:

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6/21/76  
3rd Reading

1. I...I just want to comment that I don't think that's  
2. the...certainly the intent or the effect of this amendment  
3. that people have discussed it, but they can still go ahead  
4. when you start with the actual development and the issuance  
5. of bonds.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Carroll now moves to Table Amendment No. 10 to  
8. Senate Bill 1945. Those in favor will vote Aye. Those opposed  
9. will vote Nay. The voting is open. Have all voted who  
10. wish? Take the record. On that question the Ayes are 31,  
11. the Nays are 24, none Voting Present. The motion to Table  
12. Amendment No. 10 prevails. Further amendments? 3rd reading.  
13. Read the bill, Mr. Secretary.

14. SECRETARY:

15. Senate Bill 1945.

16. (Secretary reads title of bill)

17. 3rd reading of the bill.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you, Mr. President and members of the...thank you,  
22. Mr. President, members of the Senate. Well, we have discussed  
23. some aspects of the bill, mainly those that some members were  
24. not in favor of. We have not really discussed the general concept  
25. of the legislation. Very simply put, the idea is that today  
26. our urban centers throughout Illinois are not capable of rejuvenating  
27. themselves. There is no Federal money available. There is no  
28. private development money available, and the reason is because  
29. we have some blighted or near blighted structures in our urban  
30. centers that are decaying, that nobody can afford in today's  
31. market to buy those structures, demolish them, and rebuild those  
32. urban centers. What this law does, it provides a municipalities  
33. with that tool of self-help. It says to them, at no cost to the

BB 945  
6/2/76

1. taxpayer, you can, after public hearings, designate an area that is  
2. blighted or near blighted that is a conservation area, designate  
3. those types of areas for redevelopment and if no developer  
4. can afford to come in there after full and extensive public  
5. hearings with full and extensive notice, if still no developer will  
6. come in, then the municipality can acquire that property, float  
7. a bond issue for the cost of acquisition of the structures,  
8. demolition of the structures, preparation of the land, putting  
9. in streets, sewers, whatever else is necessary, take that, sell  
10. it to a developer as if it were raw land at actual land values  
11. for that area, so that if you are in a downtown area, it should  
12. be more than if you are out in a suburban area. Sell it to them  
13. for the actual land cost, let them build their building  
14. and then tax it. Tax it at full fair market value. Now, you  
15. take that taxes that that area used to generate and you still  
16. give that to all of your taxing bodies, but you take that increase  
17. in taxes that that developer is paying, you take that increment  
18. as we call it, and you allocate that to a special fund to retire  
19. these revenue bonds. These revenues are based on the taxes paid  
20. by the developer. Any amount we have provided that is not used  
21. to pay off the bond any given year is to be turn over that  
22. year to all of the taxing bodies. What this does this increases  
23. your tax base for the entire area. It increases it a little bit  
24. now and an awful lot when those bonds are paid off. This is  
25. a way of local government, by its own bootstraps, cleaning  
26. up its own areas, without a real cost to the taxpayer.  
27. Yes, the taxpayer comes up with the original money through the  
28. bond issue, but it is paid back by the increase in taxes that this  
29. municipality has generated. I think this is very needed legislation  
30. today. It is working in several states, including several large  
31. urban center type states. It has been working. They have  
32. paid off their bonds. They have paid them off more rapidly than  
33. the twenty years we've allowed under this Act. I think this is

AB 1945  
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1. the type of law that we need today if we are going to  
2. rejuvenate our urban centers, provide a strong tax base for our  
3. municipalities, for our school districts, and all of the  
4. other taxing districts in this State. I'd be more than willing  
5. to answer any questions.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Is there discussion? Senator Merritt.

8. SENATOR MERRITT:

9. Yes, Mr. President and members of the Senate.

10. I wonder if Senator Carroll would yield to a question.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Indicates that he will yield. Senator Merritt.

13. SENATOR MERRITT:

14. I was very much interested, Senator Carroll, in the  
15. memorandum that I believe you put out using the example of,  
16. I don't have it in front of me but...it seemed to me like  
17. it was three hundred thousand valuation with a five dollar tax  
18. rate producing fifteen thousand a year and then compared to three  
19. million valuation using the same tax rate producing a hundred  
20. and fifty thousand in tax revenues a year. Isn't that pretty  
21. much correct, I think? Now, Senator, what would you propose  
22. in that example? You didn't indicate how much would be  
23. expended in arriving at those valuations. In other words, how  
24. many bonds would be issued in there the...you didn't touch upon that  
25. in the memorandum.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Carroll.

28. SENATOR CARROLL:

29. Let me just indicate, Senator Merritt, that I'm sorry, you're  
30. right. We didn't want to get too lengthy in this description.  
31. I have about a twelve page that will show you exactly what happened  
32. in one municipality and I think it was Minneapolis, but effectively  
33. what happens is, you're not giving the developer any money to build

8/19/45  
6/18/76

1. his building. In a case like this, or in the average case,  
2. let's use these facts, probably a hundred thousand dollars of  
3. that hundred and thirty-five would be necessary each year to  
4. retire the bonds. Now, in this particular fact case, it would  
5. look like, knowing the city that they were using, not only  
6. would they get...would the other municipalities get the original  
7. fifteen thousand, they would probably be getting that thirty-five  
8. thousand that isn't necessary for the bond retirement. Traditionally,  
9. you look at it and the land value is maybe twenty-five percent  
10. of the cost of acquisition. So you're getting back twenty-five  
11. percent front end, you're floating about seventy-five percent  
12. of the real value.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Merritt.

15. SENATOR MERRITT:

16. I'm still not exactly clear, Senator, in that example.  
17. Would that be a bond issue, then, of say one million dollars or  
18. two million? I can't relate it till I know how many bonds  
19. approximately would be floated in that example.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Carroll.

22. SENATOR CARROLL:

23. I would guess it to be in that area, Tom. I...I don't  
24. know exactly, but I'm sure if we computed back...if you have  
25. an assessed value of three hundred thousand, you've got  
26. what, about six million dollars worth of fair cash value  
27. of the property. So, assuming you sell the land for about two  
28. million you may have a four million dollar...no, it would have  
29. to be less than that for the example to work. It would base on...  
30. you could work backwards from the rate. The point is though,  
31. let me...let me take it to you this way. Before you pass  
32. the bond issue, you had to have had all of these meetings.  
33. You had to have had all of these hearings and approve a project.

BB 11/15  
6/12/76

1. The project has to have the cost figures of acquisition and  
2. how much you're going to sell it to the developer for.. So  
3. you know before you float the bonds, not only how much the city  
4. is putting up, but additionally what taxes the new building  
5. that that developer will build will generate.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Merritt.

8. SENATOR MERRITT:

9. Senator Carroll, first of all, I'm..I'll say heartily  
10. in favor of the concept you have, but going on that basis  
11. of two million we'll just say, the issuance of the bonds,  
12. and well, we'll say a very favorable rate of five percent would  
13. ...the interest would eat up a hundred thousand of that figure  
14. to say nothing about the principal debt retirement.

15. It...it seems to me like we're on a pretty thin ground. I'm in  
16. favor of the concept, but I sure want to point out the financial  
17. aspect.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Sommer.

20. SENATOR SOMMER:

21. Would the sponsor yield for a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Indicates that he will yield. Senator Sommer.

24. SENATOR SOMMER:

25. Senator Carroll, is this the first allocation of condemnatory  
26. powers by the General Assembly for essentially private uses?

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Carroll.

29. SENATOR CARROLL:

30. I wouldn't know. I'm not the historian that some of the  
31. members of the General Assembly are. But this is not a private  
32. power. This goes to a municipality. And it gives them the  
33. eminent domain power that they already have in other areas.

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1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Sommer.

3. SENATOR SOMMER:

4. Well, is it not true that in order to exercise the power  
5. of eminent domain, they have to show a public purpose. The  
6. public purpose has traditionally been defined as building  
7. a municipal building or a park or that sort of thing, the things  
8. that we all recognize. In this case, they're going to be building  
9. a store. Now, is this the first opportunity we've had for  
10. somebody in their little house to get condemned out because the  
11. city wants to build a store?

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Carroll.

14. SENATOR CARROLL:

15. I really don't know, Senator Sommer. However, if you  
16. do recall the purpose clause of this Act says specifically that  
17. it is found to be a purpose, the General Assembly of the State  
18. of Illinois, that there exists these types of conditions  
19. in municipalities that greatly erode the tax base of those  
20. municipalities. (Machine cut off)...advise that this is not  
21. the first time.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Sommer.

24. SENATOR SOMMER:

25. What is the...what other ones were there? Senator Nudelman  
26. may know, I don't know. What...did Senator Nudelman indicate  
27. to you what...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Carroll.

30. SENATOR CARROLL:

31. Yes, he reminded me of several in the Chicagoland area, some  
32. of which are basically based on Federal programs, some of which  
33. have been based on enactments of the General Assembly such as

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- 1. Sandburg.
- 2. PRESIDING OFFICER: (SENATOR BRUCE)
- 3. Senator Sommer.
- 4. SENATOR SOMMER:
- 5. Just so you recognize, even that Downtown Redevelopment Act that
- 6. we passed a year or so ago, did not have a condemnation power
- 7. in it. This Act does. This Act would allow you to condemn
- 8. everything out here around the Capitol building to build stores,
- 9. if the city of Springfield desired to do so because
- 10. these houses are over thirty-five years old. I've talked to
- 11. Senator Latherow who has some expertise in this area and he says
- 12. this Chamber is about a quarter of an acre. In other words, you
- 13. would need something like a body of land six times this Chamber
- 14. and you could go with it. In other words a very small tract of
- 15. land with some houses on it could be condemned and made into
- 16. a store or whatever anybody wanted to. Most neighborhoods are
- 17. over thirty-five years old in average age. I'm saying to you that
- 18. how would you...how are you going to explain that to your
- 19. citizens when you tell them you're...you're going to leave your
- 20. house because we're going to put a store in there. And there's
- 21. no requirement that the area be run down or blighted. All it
- 22. says is the only requirement that would have to be is that the
- 23. area didn't...didn't fit in some plan that somebody had, doesn't
- 24. have to be blighted, Senator Carroll. It can be a conservation
- 25. area or a blighted area. Under one of the definitions of a
- 26. conservation area is that it...it doesn't fit in the plan. I
- 27. agree with what's been said earlier, the concept is excellent
- 28. but why didn't we tighten it up with some of these amendments
- 29. that we had? What you're doing is you're getting a great concept
- 30. and a lousy bill, frankly.
- 31. PRESIDING OFFICER: (SENATOR BRUCE)
- 32. Further discussion? Senator Harber Hall.
- 33. SENATOR HALL:



6/2/78

1. Well, after having tried to pass three, what I thought  
2. were very sensible amendments that were turned down, I'd  
3. be remiss not to speak in...on the question of passage.  
4. This is the greatest job of prestidigitation with the people's  
5. money I've ever seen. Thank you. Thank you. I've got some more  
6. here I can use. Wait. I can't read that one. I...I think...  
7. I think, you know, we all like to think of our downtown cities  
8. as something we want to improve on. I certainly want to  
9. improve Bloomington's downtown. I've worked to that goal with  
10. private enterprise. I know what Peoria is going through. I know  
11. what Rockford is going through and the other cities that have  
12. an interest here. But you cannot squeeze more blood out of  
13. the taxpayers than there is there available. You can keep  
14. issuing bonds and you're going to issue a lot more bonds  
15. besides these, and we're going to find ourselves just as New  
16. York City is, without anymore recourse for money and we're  
17. going to go broke. You cannot deprive taxing districts any  
18. more for schools. I'll tell you what you're going to do, you're  
19. envisioning something here that you can do by postponing the  
20. payment date and you're saying that you're going to build up your  
21. tax base. I say hogwash. You are not going to, you cannot do  
22. it. There is so much there and that's all you're going to get.  
23. If you get the shoppers downtown to shop in your store, they're  
24. going to come from miles around the outskirts where new enterprise  
25. has built new buildings. They're going to lose their sales tax  
26. because those shoppers are no longer going to be with them and  
27. they're going to be stuck with new buildings, and you're going to  
28. come over to Pekin and you're going to rob my poor friend,  
29. Senator Sommer, of his shoppers. You're going to suck them into  
30. downtown Peoria and his...his businessmen are going to go broke.  
31. I don't mind that if it's free competition, that's fair. Everything  
32. is fair in free competition, but you're doing it with taxpayer's  
33. money. I say it's...looks good, it's well-intentioned, I'm sure,

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6/2/76

1. and I ask you to think about it and vote No.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. See, I have Senator Nimrod, Berning, Shapiro, and now  
4. Senator Knuppel. Senator Nimrod.

5. SENATOR NIMROD:

6. Yes, Mr. President, and fellow Senators, first I'd like  
7. to ask a question of Senator Carroll.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Indicates he will yield.

10. SENATOR NIMROD:

11. Senator Carroll, on the tax rates, it refers in...in the bill,  
12. is that the tax rate for the city that's involved on the  
13. amortization of the bonds?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Carroll.

16. SENATOR CARROLL:

17. Senator Nimrod, I'm not sure what aspect you're asking about,  
18. but, the amount...if you're talking about the clerk's extension  
19. he's extending the rates of all taxing bodies that are shown  
20. on that tax bill at that time, so that when you freeze  
21. the area in order to figure out what the increment is, if the rate  
22. in...of any of the taxing bodies in there go up, then the amount  
23. that the...that is paid before the increment goes up accordingly.  
24. It's the extension of the existing rates of all taxing bodies.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Nimrod.

27. SENATOR NIMROD:

28. Yes, thank you, Senator Carroll, I assume that that  
29. aggregate referred to that so what we're doing, really, is  
30. using the tax rates of other taxing bodies in order to  
31. sell bonds for one...amortizing the bonds for one particular  
32. ...taxing body. This is very questionable, and not being an  
33. attorney, I would think it might even be unconstitutional.

131945  
6/21/76

1. I certainly support the concept. I do not think there's some need  
2. here...we certainly have looked for Peoria to...to resolve some  
3. problems. I know there was originally three other bills that  
4. have passed to help Peoria, and...and they have not used them.  
5. In fact, we took one to help Canton last time which was an old  
6. Peoria bill that we amended and equipped them to be able to  
7. accomplish the area for industrial blighted areas and use it  
8. for commercial. I think that we're not opposed to the concept,  
9. we have given some very good amendments that make this bill  
10. passable and usable. I question the fact, with your reference  
11. to other states. Other states have found some serious problems  
12. with this whole type...this concept. And those have not been  
13. remedied in this bill. I think one in particular is California.  
14. I think what we ought to do is to be sure that this bill would  
15. be in its proper form and do the job it's intended to do, not to  
16. pass something which is going to be costly, excessive, and certainly  
17. going to cause us some serious problems in the future. I hope  
18. we'd reconsider these items and make this bill a...a good one,  
19. as I think the concept is a good one, but certainly, I think  
20. it's just being pushed through without regard to what is in the  
21. best interest of the taxpayers.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Berning.

24. SENATOR BERNING:

25. I'd like to ask the sponsor a question.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Indicates that he will yield. Senator Berning.

28. SENATOR BERNING:

29. Senator Carroll, what is the inference including in the bill  
30. conservation areas? Does this mean any city, county, state,  
31. conservation property?

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Carroll.

BB 1715  
6/10/16

1. SENATOR CARROLL:

2. Specifically, Senator Berning, what it means as it says,  
3. it means an improved area within the boundaries of the city  
4. which is at least...structures are fifty years old...I'm sorry,  
5. fifty percent of the structures are thirty-five years old, which  
6. is not quite yet a blighted area, but, and I'm quoting,  
7. "by reason of the lapidation, obsolescence, deterioration, or  
8. illegal use of individual structures, overcrowding of structures  
9. and community facilities, detrimental land use or layout,  
10. depreciation of physical maintenance, lack of community planning  
11. or any combination of these factors, it is about to become  
12. a blighted area." The idea is to stop the blight before it gets  
13. so bad that it's going to cost you twice as much to get in there  
14. and do anything with it. The idea is to stop significant future  
15. deterioration of areas that are just on the edge of going  
16. over into that blighted, Federal definition. This is just short  
17. of the Federal definition, but says, "where there has been a  
18. public finding by your municipality after hearing that this  
19. is about to become," then you try and conserve that area.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Berning.

22. SENATOR BERNING:

23. Well, Mr. President and members of the Senate, I have been  
24. contacted personally to support this bill by a person in whom  
25. I have great confidence and just a cursory examination of it  
26. and the testimony that I've heard on it, reassures me that  
27. there is great merit to the objectives, but Mr. President, I...  
28. I have some grave concerns and I'd like to just briefly  
29. touch on them. I was not aware as the measure was propounded  
30. to me originally, that it...enabled the injection of the municipal  
31. government into what is called euphemistically a conservation area.  
32. Now, I merely want to point out that it appears that a conservation  
33. area, then, is essentially a grouping of privately owned structures,

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1. including homes, which can be summarily acquired, eliminated and any  
2. kind of improvement put in that meets the discretion of the  
3. municipality and those promoting this. Now, what happens to the  
4. block immediately adjacent to an area like this? It is composed  
5. of homes again. These people are paying their taxes to support  
6. the schools, when the valuation of adjacent property is  
7. enhanced by the injection of public monies into the redevelopment,  
8. there's bound to be a rippling affect in those surrounding blocks.  
9. Those people, then, are going to be faced with an increased  
10. valuation which results in an increased tax bill to them. This,  
11. it appears to me, is a side effect to this legislation which  
12. makes it just a little less desirable. Now, there may be other  
13. aspects to this that I'm not familiar with, but I...I'd like to  
14. point out, also, that the elimination of crime is not going to  
15. be accomplished by any kind of redevelopment insofar as I can  
16. see and the pronouncement that this is going to be a help to  
17. health, safety, morals and welfare is a delusion.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Shapiro.

20. SENATOR SHAPIRO:

21. Mr. President, would Senator Hickey yield to a question?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. She indicates that she will yield. Senator Shapiro.

24. SENATOR SHAPIRO:

25. Yes, Senator Hickey, do you find any inconsistency with your  
26. co-sponsorship of this bill as compared to your sponsorship of  
27. Senate Bill 1956 and 1524?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hickey.

30. SENATOR HICKEY:

31. No, Senator Shapiro, I find no inconsistency.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Shapiro.

AB 1945  
6/12/76

1. SENATOR SHAPIRO:

2. Oh. Mr. President and Ladies and Gentlemen of the Senate,  
3. I would like to speak to Senate Bill 1945 because I do believe  
4. there is an inconsistency here. The lament of the bills to  
5. help the Rockford school district in Winnebago County because of  
6. the freezing of assessed valuation is directly related to this  
7. bill because it not only jeopardizes local governments, but  
8. is double jeopardy for school districts. Senate Bill 1945,  
9. if I read the example placed before me correctly, uses an  
10. example whereby any increased assessed valuation due to this  
11. redevelopment would be placed on the tax rolls, yet the local  
12. governmental...units of government would be denied the increased  
13. revenues from that increased assessed valuation and in turn,  
14. since the increased assessed valuation would be placed on the  
15. tax rolls, the average assessed valuation per pupil would be  
16. increased which in turn would reduce State aid to that local  
17. school district and again, the local district would be denied  
18. the local revenues. In other words, a school district  
19. would lose State aid if this increased assessed valuation were  
20. placed on the tax rolls, and would be denied the local revenues  
21. due to this increased assessed valuation, and in view of the  
22. fact that we passed out special legislation to help one particular  
23. school district, it does seem to me that there is an inconsistency.  
24. I think we ought to defeat the bill and get on with the business  
25. of the Senate.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Knuppel.

28. SENATOR KNUPPEL:

29. Well, it's been my experience it always takes longer to  
30. foal the best foals, and that's what we've been going through  
31. here this afternoon. We've got Senator Hickey, the Vadalabene of the  
32. north getting things for Rockford, which I'm sure some...some  
33. people on the other side are a little bit jealous of, but this is

11/19/45  
6/10/76

1. a good bill. It's a good idea. It's a new concept as far as  
2. Illinois is concerned and Lord alone knows we need plenty of those  
3. in this Body. This gives us a new tool to deal with a municipal  
4. problem. I'm sure that the bill is not perfect. There is  
5. a lot of amendments been offered here today and I'm sure some  
6. of those in some parts of them may have some merit and I  
7. would suggest that Senator Hickey and Senator Carroll work  
8. with those people who have offered those amendments in the House  
9. to...to improve this bill to make it a better bill. But  
10. as I say, it's time now to foal. We've spent enough time.  
11. This is a good foal. We've taken a long time. Let's deliver  
12. it.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Hickey.

15. SENATOR HICKEY:

16. Thank you, Mr. President. I simply want to say that  
17. this, instead of hurting tax districts, in the long run will help  
18. all tax districts and by broadening the base of taxes will help  
19. all taxpayers, also. It will help cities of all size since  
20. there is no...there is no limitation in the bill on the size  
21. of municipality that may avail itself of this. As we've  
22. already said, there are already fourteen states which have  
23. availed themselves of this kind of legislation and opportunity  
24. to help rebuild the center of their cities. Somebody on the  
25. other side of the aisle alluded to the problems that California  
26. has had with it and we were very well aware of those and did  
27. take care of...of the problems that they experienced which  
28. principally were that sometimes they did allow developers to come  
29. in who could have developed the area without this kind of help.  
30. That provision here has been taken care of when we say that areas  
31. are not at all eligible if in any other way, some other kind  
32. of redevelopment would work. As far as the constitutionality,  
33. Minnesota has...which has the uniformity clause similar to Illinois

DB  
1945  
6/15/76

1. has already tested this in the courts. Maybe this will have  
2. to be tested in the courts, but it held up in Minnesota.  
3. And so, contrary to what some people think about this, I do  
4. want to say, remember, it will help taxing districts, it will help  
5. taxpayers, it will help rebuild the center of many of our  
6. cities and our towns and I ask for your support. Thank you.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Carroll to close the debate.

9. SENATOR CARROLL:

10. Thank you, Mr. President. In closing, I would just like  
11. to remind those who have spoken that yes, this has been  
12. studied for almost two years now. Yes, we have looked  
13. at the other states and have taken out the parts that were found  
14. to be objectionable by those who had either worked in those states,  
15. or anyone else who had a concept of what had happened. Yes, there  
16. was a problem in California and it was specifically dealt with  
17. by chapter and verse in this legislation and it deals with  
18. vacant land. We have, by this concept, asked the other taxing  
19. bodies, true, Senator Shapiro, to forego an increment that they  
20. would not otherwise have gotten, because if the area is  
21. capable of being developed privately, it must first be  
22. developed privately and then those taxing bodies, including the  
23. school districts, get that additional money. But where they  
24. are losing money, because of a declining tax base, we are saying,  
25. then, let the municipality come in and help itself, and thereby  
26. increase the tax base for future generations and partially increase  
27. it now with the amount that's not necessary to retire the bond.  
28. So rather than being inconsistent, it is probably extremely  
29. consistent, for it is saying let us renovate our own areas, let  
30. us expand our tax base and let us now have a favorable roll call.  
31. Thank you.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. The question is shall Senate Bill 1945 pass. Those in favor



AB  
6/2/76

1. vote Aye. Those opposed vote Nay. The voting is open.  
2. Have all voted who wish? Take the record. On that question,  
3. the Ayes are 40, the Nays are 11, 4 Voting Present. Senate  
4. Bill 1945, having received a constitutional majority, is  
5. declared passed. House Bills, 3rd reading. House Bill 2728,  
6. Senator Netsch. Senator Netsch.

7. SENATOR NETSCH:

8. Thank you, Mr. President. I would like to move with a series  
9. of revisory bills today. I don't think it will take a great  
10. deal of time. With respect to nine of them, I need to return  
11. them to 2nd reading for the purpose of amendment and I'll start  
12. with House Bill...

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there leave to return Senate Bill 2728 to the order of  
15. 2nd reading,..House Bill 2728? Leave is granted. The bill is  
16. on the order of 2nd reading. Senator Netsch.

17. SENATOR NETSCH:

18. I would move the adoption of Amendment No. 1 to House  
19. Bill 2728. This amendment, like all of the others, was prepared  
20. by the Reference Bureau and it's designed simply to pick up  
21. any changes in the statutes that were being amended that were made  
22. during the course of last year's Session. It is corrective  
23. and technical and makes no substantive changes. I move the adoption.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Is there discussion? The question is on the motion to adopt  
26. Amendment No. 1 to House Bill 2728. All in favor say Aye.  
27. All opposed Nay. The Ayes have it. The amendment is adopted.  
28. Any further amendments? 3rd reading. House Bill 2729, Senator  
29. Netsch. Same motion?

30. SENATOR NETSCH:

31. Same motion.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Leave to return to the order of 2nd reading. Is there leave?

1. Leave is granted. The bill is on the order of 2nd reading.

2. Senator Netsch, for amendment.

3. SENATOR NETSCH:

4. I would offer Amendment No. 1 to House Bill 2729.

5. The explanation is the same. It is corrective and technical and

6. was prepared by the Reference Bureau to make sure that the

7. sections being amended are accurately being amended.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Further discussion? The motion is to adopt Amendment No.

10. 1 to Senate...House Bill 2729. All in favor say Aye. Opposed

11. Nay. Ayes have it. Any further amendments? 3rd reading.

12. House Bill 2730, Senator Netsch.

13. SENATOR NETSCH:

14. I would move that it be brought back to 2nd reading for

15. the purpose of an amendment.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Is there leave? Leave is granted. The bill is on the order

18. of 2nd reading, for the purpose of amendment. Senator

19. Netsch.

20. SENATOR NETSCH:

21. I would offer Amendment No. 1 to House Bill 2730. It is

22. corrective and technical and in this case makes one change. We

23. found one substantive change in the original bill. We have

24. now removed it so that we can continue to say that no substantive

25. changes are being made. I move the adoption of Amendment No. 1.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. On the motion to adopt. All in favor say Aye. Opposed Nay.

28. The Ayes have it. Amendment is adopted. Any further amendments?

29. 3rd reading. House Bill 2731, Senator Netsch.

30. SENATOR NETSCH:

31. I would seek leave to bring it back to 2nd reading...

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Is there...is there leave? Leave is granted. The bill is on

HB 2733  
Recall  
6.2.76

1. the order of 2nd reading. Amendments from the Floor. Senator  
2. Netsch.

3. SENATOR NETSCH:

4. I offer Amendment No. 1 to House Bill 2731, also technical  
5. and corrective prepared by the Reference Bureau.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Moves...Senator Netsch moves the adoption of Amendment No.

8. 1. All in favor say Aye. All opposed Nay. The Ayes have it.

9. The amendment is adopted. Any further amendments? 3rd reading.

10. House Bill 2733, Senator Netsch.

11. SENATOR NETSCH:

12. I seek leave to move it back to 2nd reading.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there leave? Leave is granted. The bill is on the

15. order of 2nd reading. Are there amendments from the Floor?

16. Senator Netsch.

17. SENATOR NETSCH:

18. I move the adoption of Amendment No. 1 to House Bill 2733,

19. also technical and corrective prepared by the Legislative

20. Reference Bureau.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. On the motion to adopt, all in favor say Aye. All opposed

23. Nay. The Ayes have it. The amendment is adopted. Any further

24. amendments? 3rd reading. House Bill 2734, Senator Netsch.

25. SENATOR NETSCH:

26. I seek leave to move it back to 2nd reading for purposes of

27. an amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there leave? Leave is granted. The bill is on the order

30. of 2nd reading. Senator Netsch for the purpose of an amendment.

31. SENATOR NETSCH:

32. I move the adoption of Amendment No. 1 to House Bill 2734,

33. also technical and corrective prepared by the Legislative

34. Reference Bureau.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. On the motion to adopt, all in favor say Aye. All opposed  
3. Nay. The Ayes have it. The amendment is adopted. Any further  
4. amendments? 3rd reading. House Bill 2735, Senator Netsch.

5. SENATOR NETSCH:

6. I do not have an amendment for this one. I'll leave it  
7. on 3rd reading.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. House Bill 2738, Senator Netsch.

10. SENATOR NETSCH:

11. Let's see. 2736, we have done. 273...yes. I seek leave  
12. to move 2738 back to 2nd for the purpose of an amendment.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Is there leave? Leave is granted. The bill is on the order  
15. of 2nd reading. Amendments from the Floor. Senator Netsch.

16. SENATOR NETSCH:

17. I move adoption of Amendment No. 1 to House Bill 2738,  
18. technical and corrective prepared by the Legislative Reference  
19. Bureau.

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. On the motion to adopt, Amendment No. 1. All in favor  
22. say Aye. All opposed Nay. The Ayes have it. The amendment  
23. is adopted. Any further amendments? 3rd reading. House Bill  
24. 2968.

25. SENATOR NETSCH:

26. I seek leave to move it back to 2nd for the purpose of an  
27. amendment.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Is there leave? Leave is granted. The bill is on the order  
30. of 2nd reading. Amendments from the Floor. Senator Netsch.

31. SENATOR NETSCH:

32. I move the adoption of Amendment No. 1 to House Bill  
33. 2968. It is technical and corrective, prepared by the Legislative  
34. Reference Bureau.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. On the motion to adopt, all in favor say Aye. All opposed  
3. Nay. The Ayes have it. The amendment is adopted. Any further  
4. amendments? 3rd reading. Senator Netsch, you ready to proceed  
5. with this entire series of bills?  
6. SENATOR NETSCH:  
7. I am.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. On the order of House Bills, 3rd reading. House Bill  
10. 2728, Senator Netsch. Secretary read the bill. For what  
11. purpose does Senator Fawell arise?  
12. SENATOR FAWELL:  
13. I have a parliamentary about my good friend, Senator Netsch.  
14. I had a thought that these were not relevant to this Session. I  
15. thought we...we spent a lot of time discussing that. How  
16. did they become relevant again. I...I just want to know the route.  
17. I thought that they were...  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19. Senator Fawell, they were returned to the Rules Committee  
20. and the Rules Committee has ruled on these bills and they have  
21. now returned to the Calendar. They were on the Calendar, they  
22. have been removed, returned to Rules, and the Rules Committee  
23. made a determination as to the relevance of these bills to the  
24. Legislative Session and under the four categories under which  
25. we operate, they found that they met one of the four standards.  
26. SENATOR FAWELL:  
27. "They" is now relevant, is that right?  
28. PRESIDING OFFICER: (SENATOR BRUCE)  
29. Well, the...they found the bills were necessary to the  
30. operation of State government. I think that is probably the  
31. category under which they were declared within our rules.  
32. SENATOR FAWELL:  
33. I was just wondering.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Wonder no more. Read the bill, Mr. Secretary. House  
3. Bill 2728.

4. SECRETARY:

5. House Bill 2728.

6. (Secretary reads title of bill)

7. 3rd reading of the bill.

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Graham. 2728 on the board. Senator Netsch.

10. SENATOR NETSCH:

11. I would like to ask leave of the Body to describe  
12. all of the bills at one time so that I will not have to go  
13. through each one.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Is there leave to discuss...have an explanation of all  
16. bills under the sponsorship of Senator Netsch? Leave is granted.

17. SENATOR NETSCH:

18. I was just informed that not only do I have leave but it  
19. is demanded that I talk about all of them at one time.  
20. They are all revisory bills that were prepared and passed through  
21. the House last year. They are intended to correct language in  
22. existing statutes that is necessitated by the adoption of the  
23. Judicial Article in 1970 and in fact, in some cases, by the  
24. Judicial Article in 1964. To the best of our knowledge, they  
25. make no substantive changes at all. They have been reviewed  
26. by the Republican Staff and by the Democratic Staff here and the  
27. same was done in the House. We are as confident as we can be  
28. that there are no substantive changes. It is important that  
29. they be passed now so that corrective changes in the future  
30. can deal with the law as it should be, Senator Fawell. That  
31. is the reason why they were reported out by the Rules Committee.  
32. If there are no questions, I would ask for a favorable roll call  
33. on House Bill 2728 and subsequently on the others in the series.

1. PRESIDING OFFICER: (SENATOR BRUCE)
2. Is there further discussion of the bills in the series?
3. The question is shall House Bill 2728 pass. Those in favor
4. vote Aye. Those opposed vote Nay. The voting is open. Have
5. all voted who wish? Take the record. On that question the Ayes
6. are 50, the Nays are none, 1 Voting Present. House Bill 2728,
7. having received a constitutional majority is declared passed.
8. House Bill 2729, Mr. Secretary.
9. SECRETARY:
10. House Bill 2729.
11. (Secretary reads title of bill)
12. 3rd reading of the bill.
13. PRESIDING OFFICER: (SENATOR BRUCE)
14. On the...the question is shall House Bill 2729 pass.
15. Those in favor vote Aye. Those opposed vote Nay. The voting
16. is open. Have all voted who wish? Take the record. On that
17. question the Ayes are 55, the Nays are none, none Voting Present.
18. House Bill 2729 having received a constitutional majority is
19. declared passed. House Bill 2730, Mr. Secretary.
20. SECRETARY:
21. House Bill 2730.
22. (Secretary reads title of bill)
23. 3rd reading of the bill.
24. PRESIDING OFFICER: (SENATOR BRUCE)
25. The question is shall House Bill 2730 pass. Those in
26. favor vote Aye. Those opposed vote Nay. The voting is open.
27. Have all voted who wish? Take the record. On that question the
28. Ayes are 52, the Nays are none, none Voting Present. House Bill
29. 2730 having received a constitutional majority is declared passed.
30. House Bill 2731, Mr. Secretary.
31. SECRETARY:
32. House Bill 2731.
33. (Secretary reads title of bill)
34. 3rd reading of the bill.

MS 3-10-33  
6-2-74

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall House Bill 2731 pass. Those in  
3. favor vote Aye. Those opposed vote Nay. The voting is open.  
4. Have all voted who wish? Take the record. On that question  
5. the Ayes are 55, the Nays are none, none Voting Present. House  
6. Bill 2731 having received a constitutional majority, is declared  
7. passed. House Bill 2733, Mr. Secretary.

8. SECRETARY:

9. House Bill 2733.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall House Bill 2733 pass. Those in  
14. favor vote Aye. Those opposed vote Nay. The voting is open.  
15. Have all voted who wish? Take the record. On that question the  
16. Ayes are 52, the Nays are none, none Voting Present. House  
17. Bill 2733 having received a constitutional majority is declared  
18. passed. House Bill 2734, Mr. Secretary.

19. SECRETARY:

20. House Bill 2734.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall House Bill 273...34 pass. Those in  
25. favor vote Aye. Those opposed vote Nay. The voting is open.  
26. Have all voted who wish? Take the record. On that question  
27. the Ayes are 50, the Nays are none, none Voting Present. House  
28. Bill 2734 having received a constitutional majority is declared  
29. passed. House Bill 2735, Mr. Secretary.

30. SECRETARY:

31. House Bill 2735.

32. (Secretary reads title of bill)

33. 3rd reading of the bill.



1. PRESIDING OFFICER: (SENATOR BRUCE)

2. The question is shall House Bill 2735 pass. Those in favor  
3. vote Aye. Those opposed vote Nay. The voting is open.

4. Have all voted who wish? Take the record. On that question  
5. the Ayes are 53, the Nays are none, none Voting Present.

6. House Bill 2735 having received a constitutional majority  
7. is declared passed. House Bill 2738, Mr. Secretary.

8. SECRETARY:

9. House Bill 2738.

10. (Secretary reads title of bill)

11. 3rd reading of the bill.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. The question is shall House Bill 2738 pass. Those in favor  
14. vote Aye. Those opposed vote Nay. The voting is open.

15. Have all voted who wish? Take the record. On that question the  
16. Ayes are 53, Nays are 1, 1 Voting Present. Senate Bill...House Bill  
17. 2738 having received a constitutional majority is declared passed.

18. House Bill 2968, Mr. Secretary.

19. SECRETARY:

20. House Bill 2968.

21. (Secretary reads title of bill)

22. 3rd reading of the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. The question is shall House Bill 2968 pass. Those in favor  
25. vote Aye. Those opposed vote Nay. The voting is open.

26. Have all voted who wish? Take the record. On that question  
27. the Ayes are 51, the Nays are 3, none Voting Present. House Bill  
28. 2968 having received a constitutional majority is declared passed.

29. House Bill 3197, Senator Shapiro. House Bill 3202, Senator Hynes.

30. House Bill 3250, Senator Shapiro. Mr. Secretary read the bill.

31. SECRETARY:

32. House Bill 3250.

33. (Secretary reads title of bill)

34. 3rd reading of the bill.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Shapiro.

3. SENATOR SHAPIRO:

4. Mr. President and Ladies and Gentlemen of the Senate.

5. House Bill 3250 authorizes the transfer of some property owned  
6. by the University of Illinois to the Bureau County Soil and  
7. Water Conservation District. This property was given to  
8. the University of Illinois in 1952 and is totally wind eroded  
9. and has no value. It has been carried for many years on the  
10. U. of I. Asset Ledger at no value and was used by the Forestry  
11. Department for a reforestation project to control wind-erosion on  
12. sandy soil. That department is now determined that they no  
13. longer have any use for the property and it lies adjacent to  
14. some property owned by the Soil and Water Conservation in Bureau  
15. County. Since they are willing to accept the property and the  
16. U. of I. has no use for it, I would appreciate a favorable  
17. roll call on this bill. If there are any questions, I will  
18. attempt to answer them.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Further discussion? The question is shall House Bill  
21. 3250 pass. Those in favor vote Aye. Those opposed vote Nay.  
22. The voting is open. Have all voted who wish? Take the record.  
23. On that question the Ayes are 49, the Nays are none, none Voting  
24. Present. House Bill 3250 having received a constitutional majority  
25. is declared passed. House Bill 3301, Senator Hickey. For what  
26. purpose does Senator Harber Hall rise?

27. SENATOR HALL:

28. Well, Mr. President, here we are on House Bills and as I  
29. read the rules on the Daily Order of Business I don't believe  
30. that I heard you call the order of Motions in the normal  
31. precedence of conducting the business and I would like you to go  
32. back and call on the order of Motions, my motion in respect to  
33. Senate Bill 31.

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Hall, your motion has been made and denied. We are  
3. on the order...the Chair went to the order, as our Calendar  
4. is printed, the order of House Bills, 3rd reading. We are on  
5. that order of business. We have been for some time, I might  
6. point out. Senator Howard Mohr.

7. SENATOR MOHR:

8. Yes, Mr. President, I have an order of business on the  
9. Secretary's Desk and before we should adjourn, I would like  
10. this motion considered. Just one...

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. We have not reached the order of Motions. We are on the  
13. order of House Bills, 3rd reading. Senator Hickey has been  
14. recognized. Senator Howard Mohr.

15. SENATOR MOHR:

16. I understand that, Mr. President. I'm not going to debate  
17. that point but I do want to be recognized and I would point out  
18. that that motion would be in order at any time. But, I'll  
19. hold it till you get through here and appreciate being called  
20. when you complete your business.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Harber Hall.

23. SENATOR HALL:

24. My question is on page 101, does Item J following Item I, which  
25. is "reading of bills of the Senate a 3rd time," isn't it  
26. procedural to call for Item J, "presentation of motions,"  
27. and was that...was that done?

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Hall, you have made your motion to go out of the  
30. order of business and we've voted on that. That is a question of  
31. some mootness. Senator Harber Hall.

32. SENATOR HALL:

33. I...I made a verbal motion, not in relation to the Calendar,  
34. that was a special motion. I'm just wanting to conduct in order,

1. and...and it seems to me you have not conducted the business  
2. of this Body in order as prescribed by the rules. Now, this is  
3. only...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator...Senator Hall...

6. SENATOR HALL:

7. ...this is only... June

8. PRESIDING OFFICER: (SENATOR BRUCE)

9. Senator Hall, when we received...when we concluded the  
10. business of Senate Bills on 3rd reading, there were no motions.  
11. There were no pending motions, there were no motions on the  
12. Secretary's Desk. We proceeded to House Bills, 3rd. We are on  
13. that order of business. Senator Hickey is recognized for House  
14. Bill 3301.

15. SENATOR HICKEY:

16. Mr. President,...

17. SECRETARY:

18. House Bill...House Bill 3301.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Hickey.

23. SENATOR HICKEY:

24. Mr. President and colleagues, this allows a little less  
25. than an acre and a half of land to go from the Secretary of  
26. Transportation to Winnebago County for consideration which  
27. was arrived at through appraisal. This land was acquired in the  
28. first place during the time of construction of highways back  
29. in '59 and '63 and it is now no longer needed. There is no access  
30. which brought up a problem in...in...in committee. They worried  
31. about that, but, one side of it, I understand, it usually flooded.  
32. A creek runs through it and it's the neighbors who...who now  
33. want to purchase it and keep it absolutely free and I ask for your

1. support of this bill.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Any further discussion? Senator Soper.

4. SENATOR SOPER:

5. Thank you, Mr. President. I think the Calendar says that

6. "authorize the conveyance of certain State owned property of

7. Winnebago County." I just heard Senator Hickey say that the

8. neighbors want to buy it. Now, is Winnebago County going to

9. buy this, or who are our neighbors? It could be Iowa,

10. Wisconsin, or whatever this Winnebago County is, I don't know.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Hickey.

13. SENATOR HICKEY:

14. Senator Soper, I'm sorry that you haven't heard enough

15. about Winnebago County lately to find out where it is, but I'll...

16. I'll show you on the map after...after the meeting. But, this

17. piece of...this piece of land...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Hall.

20. SENATOR HICKEY:

21. ...this piece of land is in Winnebago County and we're

22. talking about...and the transfer is to Winnebago County who

23. will then sell it to the neighbors.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Soper.

26. SENATOR HICKEY:

27. Not the neighbors of Illinois, but the neighbors of the...of

28. the property. Everybody in connection with this, anybody who has

29. anything to do with it is in perfect agreement. There are no questions

30. whatsoever...

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Soper.

33. SENATOR HICKEY:

34. ...I asked people...

1. SENATOR SOPER:

2. All right, now, you're...you're...you're going to ask...

3. you're going to ask the people of the State of Illinois

4. who bought some property to convey a piece of property

5. to Winnebago County free...no? Oh, well, let me finish.

6. All right. It's going to be for how much money and how much money

7. are they going to sell it for? Why don't you ask for the

8. conveyance to be made for the...to the people who are going

9. to buy it from the State? Or is there a differential

10. in the price? Is there a slight commission? And before you

11. answer that, is...was that an invitation or a threat that you

12. made to me before?

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Hickey.

15. SENATOR HICKEY:

16. Senator Soper, the...the price is nine thousand three

17. hundred and fifty dollars that...that Winnebago County is going

18. to pay the Department of Transportation for this and I have not

19. been told if the County plans to make it a...make a profit or

20. not. You're asking whether...why I didn't ask for it to be

21. ...transferred directly to the people who wanted ultimately,

22. the county asked for me to handle it this way, the County Board.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator...Senator Soper do you have further discussion?

25. Senator Soper.

26. SENATOR SOPER:

27. I'd just like, you know, I'd like to accommodate...Winnebago

28. County again today, but if they're going to make a slight profit

29. on this I don't see why the people of the whole State of Illinois

30. should lose the money. And I think we ought to know what

31. Winnebago County is going to do and I think in this bill should

32. be put that if Winnebago County sells this property, that any

33. profit that they make goes to the State. And I mean that. I'm

1. not kidding.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Hickey.

4. SENATOR HICKEY:

5. Senator Soper, there isn't anything in the bill itself

6. about...about the county selling the property, but the county

7. is paying the State more than the State paid for it back

8. in '59 and '63, I think to the tune of about...the State is

9. going to make about six thousand dollars on the transfer.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Knuppel. For what purpose does Senator Soper...you're

12. ...you're time has expired.

13. SENATOR SOPER:

14. Well, I just wondered...my time has expired?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Yes. Yes, Senator Soper.

17. SENATOR SOPER:

18. I know you've got the gavel Mr....

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. No, Senator Soper. We...

21. SENATOR SOPER:

22. ...Mr. President, you know.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. ...it is run automatically...

25. SENATOR SOPER:

26. I know, I know.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. ...and ran...

29. SENATOR SOPER:

30. But, this is a debate and we're asking some questions. I

31. think it's very vital.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Well, if...if...

1. SENATOR SOPER:  
2.           And I think we ought to know what we're doing...  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4.           Under...  
5. SENATOR SOPER:  
6.           ...around here. And if you want to cut me off, it's all right  
7. with me, but, I object.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9.           ...under the rules...  
10. SENATOR SOPER:  
11.           And I'll sit down.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13.           No. Senator Soper, under the rules, you are allowed  
14. to discuss the debate...in debate twice. And so we are going  
15. around the first time and I will certainly recognize you  
16. the second time. Senator Knuppel is now recognized.  
17. SENATOR KNUPPTEL:  
18.           Well, I...I really regret that, because I don't think he  
19. had finished. I...I'd be happy...I'll...I can go after him. He  
20. had not really finished and I didn't mean to interrupt him.  
21. PRESIDING OFFICER: (SENATOR BRUCE)  
22.           Senator Knuppel, have you...have you concluded?  
23. SENATOR KNUPPTEL:  
24.           Well, all right. All I want to say is that I've got to  
25. admire this young lady down here in front of me. She's had  
26. her hand in our pocket all day. It reminds me...it reminds me  
27. of that story, you know, about the poor, old farmer got hurt  
28. and went to the hospital and he went in the emergency room,  
29. got up on a table. A nurse come running in there and she says  
30. "No, no, no, you'll have to get out of here," she says, "this  
31. room is reserved for women in labor." And the guy says, "Well,  
32. that's they way it is. Everything for women and labor and not  
33. one damn thing for the poor farmer." Today it's everything



1. for Winnebago County. And we ought to declare a day down here  
2. for Winnebago County it seems to me. But, I think that Senator  
3. Soper's suggestion is a good one and I don't know that it  
4. necessarily should apply to this bill, but, I think we've...  
5. we've got such loose practices about the sale of land by the  
6. State and the transfer of it and a couple years ago here I had  
7. a bill held up just for this very reason by Senator Knuepfer  
8. with respect to the sale of the Peoria State Hospital. And in the  
9. proposal that came forth was a proposal that the City of Barton-  
10. ville take this land and...and that they re-sell it. But one  
11. of the things we insisted on in committee was that if they  
12. did re-sell it and made a profit on it, that that profit within  
13. a certain period of time ought to belong to the State. I don't  
14. think that...that either municipal corporations or individuals  
15. ought to be allowed windfalls or rip-offs at the expense of the  
16. State, and I...I think that his...that his suggestion, if this  
17. land is intended to be re-sold, Senator, I...I think that...that  
18. the profit should be and that you should accept an amendment that  
19. if it's sold within two years, some such period, re-sold by the  
20. County of Winnebago that the people of the State are entitled  
21. to that money. I think that's only fair.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Graham.

24. SENATOR GRAHAM:

25. I just wanted to make an observation similar to that made  
26. by Senator Knuppel. For a long time around here, Gene Johns,  
27. Delmar Mitchell, and C. L. McCormick had the record of Southern  
28. Illinois beggars. Extracted money out of us like nobody's business.  
29. But, all of their extractions put together has been surpassed  
30. by a lady from Rockford today.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Further debate? Senator Soper.

33. SENATOR SOPER:

1. Thank you, very much. I hope you're using the Democratic clock  
2. this time. I'll get my three minutes. I would suggest, Senator,  
3. that you take the bill out of the record and prepare an amendment  
4. for this thing on your own cause I think this side of the aisle  
5. and some of the...some on your side of the aisle shouldn't  
6. vote for this till we...we do put the recommendations in that I  
7. made and that Senator Knuppel made, and then maybe we can get  
8. this thing done the right way. Otherwise, I think you're...you've  
9. already got three million dollars or something, you know.  
10. Save something for the whole State of Illinois.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Hickey.

13. SENATOR HICKEY:

14. Senator Soper, as I said, the...the State now is realizing  
15. a...a...at least a...about a three hundred percent profit on this,  
16. but, if this will...and I...it is my understanding, although  
17. I don't have this in writing, that...that there isn't to be  
18. a profit made, but if anybody would feel better at all about that  
19. kind of amendment being drawn and added to it, I'll ask that  
20. we take this from the record now, and I'll bring it back later  
21. with that amendment on it saying that if...there is any  
22. profit that it accrue to the State.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Is there leave? Take the bill out of the record. There is  
25. leave. House Bill 3353, Senator Rock. Read...read the bill, Mr.  
26. Secretary.

27. SECRETARY:

28. House Bill 353.

29. (Secretary reads title of bill)

30. 3rd reading of the bill.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. House Bill is 3353. Senator Rock.

33. SENATOR ROCK:

1. Thank you Mr. President. Ladies and Gentlemen of the  
2. Senate. House Bill 3353 is a transfer within the FY '76  
3. appropriation to the Department of Children and Family Services.  
4. We are transferring one million seventy-five thousand dollars  
5. out of the Operations Section into the Grant Section and we  
6. are additionally appropriating two hundred and eighty-eight  
7. thousand dollars in Federal money. The bill has been thoroughly  
8. scrutinized in committee and I would seek a favorable roll call.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Is there further debate? The question is, shall House  
11. Bill 3353 pass? Those in favor vote Aye. Those opposed vote  
12. Nay. The voting is open. Have all voted who wish? Take the  
13. record. On that question the Ayes are 54, the Nays are none,  
14. none Voting Present. House Bill 3353 having received a con-  
15. stitutional majority is declared passed. House Bill 3363,  
16. Senator Rock. Read the bill, Mr. Secretary.

17. SECRETARY:

18. House Bill 3363.

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Senator Rock.

23. SENATOR ROCK:

24. Thank you Mr. President, Ladies and Gentlemen of the Senate.  
25. House Bill 3363 is a supplemental FY '76 appropriation of four  
26. hundred and thirty-two thousand three hundred dollars to the  
27. Comptroller for reimbursement to counties under the Juvenile  
28. Court Act. Amendment No. 1 was offered in committee by Senator  
29. Harris and I will yield to Senator Harris for the purpose of  
30. explaining the other part of this bill and then I would solicit  
31. a favorable roll call.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. Senator Harris.

1. Thank you, Mr. President. I just wanted to point out  
2. that we did amend the title, I don't know whether the bill  
3. that the Secretary is using did show the amendment to the  
4. ...the jacket may not have been changed, but the actual  
5. type of the bill now should read, that an appropriation is  
6. being made to the Comptroller and the Office of Education.  
7. That was the thrust of my amendment. I just want the record  
8. to show that the amendment did provide for a change in the title  
9. and the purpose of it is that when we changed the salaries  
10. for Superintendents of Education Service Regions last year,  
11. there was not a corresponding increase in the appropriation for  
12. that purpose to the Office of Education. The Superintendent of  
13. the...of Education...or the Office of Education has paid the  
14. superintendents at their new statutory rate. This is now a  
15. supplemental appropriation to provide for the difference that  
16. we inadvertently failed to provide last year. Now, that part  
17. of the bill as provided for by Representative Shea's purpose  
18. in the first place, of course, was not changed, we regularly provide  
19. this appropriation late in the Session to reimburse the county  
20. for the administration of the Juvenile Court Act. This bill, now  
21. has the additional purpose and it is an urgent matter. The  
22. appropriation for Superintendents of Education Service Regions  
23. has been exhausted. They are anxiously awaiting this action. I  
24. know of no opposition to it and would urge a favorable roll call.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Any further discussion? The question is, shall House Bill  
27. 3363 pass? Those in favor vote Aye. Those opposed vote Nay.  
28. The voting is open. Have all voted who wish? Take the record.  
29. On that question, the Ayes are 53, the Nays are none, none Voting  
30. Present. House Bill 3363 having received a constitutional majority  
31. is declared passed. House Bill 3364, Senator Rock. Mr. Secretary  
32. read the bill, please.

33. SECRETARY:

1. House Bill 3364.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

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

8. House Bill 3364 is introduced by Representative Shea in the House,

9. is a supplemental appropriation of one hundred thousand dollars

10. to the State Board of Education for special education instructional

11. materials. The Office of Education maintains that this additional

12. appropriation is needed so that these instructional...

13. instructional materials can be ordered for the September term.

14. The materials in question are...concern themselves with a circulating

15. library of textbooks for childrens...children and adults who are

16. visually handicapped. These are books for blind or visually

17. handicapped people. I know of no objection. I would solicit

18. a favorable roll call.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Is there discussion? Senator Weaver.

21. SENATOR WEAVER:

22. Thank you, Mr. President. I'd just like to point out this

23. is a hundred thousand dollars of unbudgeted funds.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Further discussion? Senator Bell.

26. SENATOR BELL:

27. Yeah, thank you, Mr. President. My notes indicate here that,

28. Senator Rock, that this hundred thousand is also appropriated for

29. in Senate Bill...or House Bill 3315. Is that true?

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Rock.

32. SENATOR ROCK:

33. Frankly, I'm not aware of its existence in...in 3315. You...you

HB 3417  
June 20, 1917  
3rd Reading

- 1. could possibly be right, but I was not aware of that.
- 2. PRESIDING OFFICER: (SENATOR BRUCE)
- 3. Senator Bell. Further...further discussion? The question
- 4. is, shall House Bill 3364 pass? Those in favor vote Aye.
- 5. Those opposed vote Nay. The voting is open. Have all voted who
- 6. wish? Take the record. On that question the Ayes are 46, the
- 7. Nays are none, 9 Voting Present. House Bill 3364 having
- 8. received a constitutional majority is declared passed. House
- 9. Bill 3484, Senator Morris. Read the bill, Mr. Secretary.
- 10. SECRETARY;
- 11. House Bill 3484.
- 12. (Secretary reads title of bill)
- 13. 3rd reading of the bill.
- 14. PRESIDING OFFICER: (SENATOR BRUCE)
- 15. Senator Brady.
- 16. SENATOR BRADY:
- 17. Yes, Mr. President. As requested before I'd like
- 18. leave of the Body to be shown as a co-sponsor of this bill.
- 19. PRESIDING OFFICER: (SENATOR BRUCE)
- 20. Is there leave? Leave is granted. Senator Morris.
- 21. SENATOR MORRIS:
- 22. Well, this is a rather simple bill. This is the bill
- 23. that would establish monthly pay for legislators. It's
- 24. the House Executive Committee bill and the bill is something
- 25. that's been discussed, you know, very well in both Chambers and
- 26. I think it's at the point, now, that I'll answer questions and
- 27. if there are no questions, let's roll it.
- 28. PRESIDING OFFICER: (SENATOR BRUCE)
- 29. Senator Mitchler.
- 30. SENATOR MITCHLER:
- 31. I'd like to ask Senator Morris a question.
- 32. PRESIDING OFFICER: (SENATOR BRUCE)
- 33. He indicates that he will yield.

1634  
June 8, 1974  
Sen. Mitchler

1. SENATOR MITCHLER:

2. Senator Morris, this is putting the legislators' salaries  
3. to be paid in twelve equal monthly installments. And that's  
4. to be paid starting January 31, 1977 and at the last day of  
5. each month, thereafter. Now, is that the same way that  
6. the State officers are paid, or are they paid semimonthly?

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator Morris.

9. SENATOR MORRIS:

10. I really don't know, Senator Mitchler. Semimonthly, I  
11. believe, is the way the State officers are paid. Or bimonthly.  
12. Senator Nudelman, my grammarian corrected me.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator Mitchler.

15. SENATOR MITCHLER:

16. Can someone give me an answer to that question if Senator  
17. Morris does not have it?

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Morris.

20. SENATOR MORRIS:

21. If I don't have that answer, Senator Mitchler, there's  
22. probably not a person alive who has that answer.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Mitchler.

25. SENATOR MITCHLER:

26. Very good question, Senator Morris, but at least I gave  
27. you credit because outside of you and I the other Senators  
28. did not have the answer either. But, State officers are paid  
29. monthly and this would bring the legislature into the conformity  
30. and be paid the same as the State officers. Now, this whole  
31. question arises out of the fact that over the past several  
32. years, the increases in the legislators' salaries has resulted  
33. that it is up to twenty thousand dollars annual salary now,

*All right  
Miche, 11/10  
3rd reading*

1. where I recall when I first came down here in 1965 it was  
2. a salary of six thousand. We're now into annual Sessions.  
3. I recall that we met for six months and then adjourned for eighteen  
4. and a lot of this has made changes that I think this legislation  
5. is in its proper time and complies with the changes that have  
6. been made in the operation of the Illinois General Assembly.  
7. However, there's one section that I see in here that you have  
8. not amended into the Act and I'm wondering why you did not do it  
9. so it conformed to the State officers salaries and that is  
10. lines 28, 29, 30, and 31 on page two. This...this is an old  
11. item that was in the previous legislation for members of the  
12. General Assembly, but, if you're going to make changes and update  
13. it, we now have life insurance and we have other things such  
14. as the per diem, but I don't think that any other areas in  
15. State government enjoy that and I quote, "if a member dies having  
16. received only a portion of the amount payable is compensation,  
17. the unpaid balance, shall be paid to the surviving spouse of  
18. such member or if there be none, to the estate of such member."  
19. Now, that really is something built into legislators...

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Senator Mitchler, your time has expired.

22. SENATOR MITCHLER:

23. ...legislators' salaries that I don't think is. Now, is there  
24. a reason for that and I have an amendment if you want to  
25. bring your...back to 2nd and put it on so that you are bringing  
26. your bill into conformity with what people expect. Or if you want  
27. to leave that on, I'm still going to vote for it, Senator,  
28. because that isn't the reason I'm trying to kill the bill. But,  
29. I just want to bring up the attention that I think we should go  
30. all the way if you're going to go part way and do it right.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Savickas.

33. SENATOR SAVICKAS:



4433411  
June 2, 1976  
J. P. [unclear]

1. Well, I just wondered if this great concern to bring our  
2. pay in line...or paycheck in line with the State officers, does  
3. this also mean that we'll be get...getting paid what the State  
4. officers get paid?

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Morris.

7. SENATOR MORRIS:

8. Well, according to Senator Mitchler's answer, yes, we will  
9. be paid at the same time the State officers are paid.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Savickas.

12. SENATOR SAVICKAS:

13. No, my question is, at the same rate and the same time?

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. Senator Morris.

16. SENATOR MORRIS:

17. I don't know. I've never been interested in running  
18. for one of those offices and I don't know what they're  
19. paid. I...I...I would assume they're paid more than we are  
20. and this is a bill that says if you'll read it, in line 13  
21. on page one, the sum of twenty thousand dollars per year. And  
22. that's what the compensation is at this time for twenty members  
23. of the Senate. I'd like to point out that thirty-nine members  
24. of the Senate make seventeen five and this does not do anything  
25. in the area of a pay increase. I'm sure that if you'd like to  
26. introduce a bill along those lines, there may be some  
27. support for it.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Savickas, have you concluded? Further discussion?

30. Senator Harber Hall.

31. SENATOR HALL:

32. As a modest supporter of this concept for the last four years,  
33. I rise and hasten to join with Senator Morris in asking for a

AB 3411  
Jan 21, 1974  
2nd Reading

1. favorable vote that for once since I've been down here in ten years,  
2. we're taking away a special privilege that we've given ourselves.  
3. I've never seen that before, but at last, we no longer will have  
4. this one special privilege.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Further debate? Senator Berning.

7. SENATOR BERNING:

8. Well, Mr. President, the normal procedure and consideration  
9. extended any members of the Body, i.e., sponsor, is to bring  
10. a bill back from 3rd reading if there is a...request for the  
11. consideration of an amendment. And having come now aware of the  
12. fact that contained in 3484 is the provision for paying  
13. any balance of the compensation due a member of the General  
14. Assembly who expires, to his spouse, I would very seriously  
15. urge that this amendment be considered and I would request  
16. the sponsor to allow this bill to be brought back to 2nd reading  
17. so this amendment can be considered.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Morris.

20. SENATOR MORRIS:

21. I'd like to respond to that in two ways, Senator Berning.  
22. First of all, we have Senate Bill 31 still technically alive  
23. in the Senate and all we have to do is recede from the House  
24. amendment to accomplish what you would like to accomplish and  
25. I'm sure that Senator Hall would be acceptable to that. Secondly,  
26. I am of great concern that we get a bill to end advance pay and that  
27. is the central issue, onto the Governor's desk for a...potential  
28. signature as quickly as possible. Bringing this back today to  
29. put on that amendment and then putting on that amendment, in a  
30. sense, throws a monkey wrench into the process. The bill will  
31. then go back to the House where, I understand from talking to  
32. House members, the House members will refuse to accept that  
33. amendment and would put it into Conference Committee and I just  
34. would hate to jeopardize the bill in that way. The central

113 346  
June 2, 1977  
Bill Berning

1. theme here was to end advance pay. I would check the roll call,  
2. but I would assume you have supported in the past the system  
3. we have and this is a provision, lines 28 through 32 that have  
4. been in this law for years and years, and it's not something  
5. that was put in.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. Senator Berning.

8. SENATOR BERNING:

9. Well, I am touched by the sponsor's concern over the  
10. urgency of this measure. If this was such an urgent measure  
11. we would have proceeded long ago on Senate Bill 31. It now,  
12. becomes quite evident at least to me, that this is a devious  
13. means of preventing the original sponsor of Senate Bill 31  
14. from passing his bill. Without going into the merits of the  
15. existing legislation, which probably predates me, I still feel  
16. that this amendment is desirable and I regret that the  
17. sponsor does not see fit to call the bill back. The whole...

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Berning, your time has expired.

20. SENATOR BERNING:

21. ...matter cannot become effective until January of '77,  
22. anyway, so let me allay your fears, Senator Morris, that this  
23. would not become effective soon enough.

24. PRESIDING OFFICER: (SENATOR BRUCE)

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Well, I just think that it's courtesy, it's something that  
28. anybody ought to do, that if you can't beat the amendment, you can't  
29. pass the bill, probably and that probably you ought to call it  
30. back. Now, the bill isn't effective until January 12th, 1977.  
31. I...I personally, as far as the bill is concerned, I...I'm going  
32. to vote for it, however, my personal opinion is, we're voting  
33. a full time legislature down the road, fellows, at forty-two thousand

*Handwritten notes:*  
HHS 2/11/76  
June 21, 1976  
John Nudelman

1. five hundred dollars a year in today's money. Because certainly  
2. any member of this Body is worth as much as a State's Attorney  
3. in a county of thirty thousand people or...or a...or a judge...  
4. and...I know, I never overlook that...or a judge who comes to  
5. work at ten thirty and quits at two thirty and takes an hour and  
6. a half at noon. And...and I think all the people that...all these  
7. goody-two-shoes and...this is what the people want. I know this.  
8. This is what the people want and...and I'm in favor of giving them  
9. what they want and I think in the end, five or six years from now,  
10. everybody will look down the road and they'll say, "hey, what  
11. went on? We didn't know about this and we didn't expect this,"  
12. because what you're going to get with all these trying to legislate  
13. out conflicts of interest and money in advance, we're the only group  
14. I know is voting themselves a pay decrease, what you're going  
15. to end up with is a full time legislature at forty-two thousand  
16. five hundred dollars year, but on this subject of bringing it  
17. back for amendment, I would encourage Senator Morris to bring it  
18. back, because someday, it may...the shoe may be on the other foot.  
19. I notice he had his shoe off here a minute ago and...and it may be on  
20. the other foot someday and I think it...that if...that this is a  
21. good policy and one that ought to be followed in this Body.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Is there further discussion? Senator Schaffer.

24. SENATOR SCHAFFER:

25. Senator Morris, I...I was just going to close debate or try  
26. to. I did have a chance to talk to some of my constituents on  
27. this issue over the weekend and...and...and in general discussion,  
28. I didn't find anyone here who thought any member of the Illinois  
29. Legislature was crooked enough to die so his wife would get some  
30. money.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Senator Nudelman.

33. SENATOR NUDLEMAN:

11/25/64  
Jan 23, 1971  
3rd reading

1. Thank you, Mr. President. I know that in today's climate  
2. there's no way that this silly bill will not pass, but I think  
3. that it should be...yeah, well, I think it should be stated  
4. and I think it should be further pointed out for the record  
5. that the concept of monthly paychecks will ultimately cost all  
6. government money, because it will withhold the use of the tax  
7. money which is presently taken from your check in the month of  
8. January for the whole year, from the various taxing bodies which  
9. get that tax money, the Federal government and the State  
10. of Illinois, et cetera. It will substantially increase record  
11. keeping needing additional employees' time and so forth, and as  
12. a result of these and other expenses, the net cost to the people  
13. whom you appear or want to appear to be serving by this bill  
14. will increase so that in these times of attempted economy  
15. I think this is a...a...a phony issue that has been raised by  
16. some people. I don't...I'm not talking about the sponsor of the  
17. bill, but I...outside influences, and I think you're succumbing  
18. to pressures which are unreal and which should be faced up to and...and  
19. encountered by the type of arguments which exist against this type  
20. of legislation and the bill should not pass. I'm just saying  
21. this for the record because I don't think there are many in this Chamber  
22. who would dare not vote for the bill.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. Senator Chew.

25. SENATOR CHEW:

26. Yeah, Mr. President, I...I'm not agreeing with anybody.  
27. I'm merely saying that men and women that are here, it seems to  
28. me, are here because someone has sent you here. And over the years  
29. we talk about two incidents and I'm going to mention both of them.  
30. And one member of this Senate drew two years salary and subsequently  
31. was indicted so it was a question of whether the State could  
32. recover the money. Now, the real question is, did the State  
33. try to recover the money? And the answer is no. The Attorney

11/3/60  
Jan 2, 1976  
Bill Nudelman

1. General's Office did not make a big outcry and there were some  
2. newspaper print on what had happened to the Senator here,  
3. but I believe we have enough legal tools within our government  
4. to correct "the ill," if there is an ill and certainly I can  
5. see the...the wrong in having to pay or to pay a member of this  
6. Body and he does nothing for it. And the other was a question  
7. of another Senator being elected to another legislative hall  
8. after having drawn a salary, a single annual salary, that  
9. Senator has asked the courts for an opinion and she has stated,  
10. "if the courts rule that I am to repay the State, I will gladly  
11. repay them." Now, we have all of these persons that are circulating  
12. around in this world with all new innovations this, that, and the  
13. other. Let me tell you something, there are three branches of  
14. government here and by the fact that we are elected by the  
15. people we actually become the scum of the earth of government,  
16. the members of the legislature. Everybody dictates as to what  
17. we should do for ourselves or not for ourselves. They are now  
18. pretty well telling you what color shoe you should wear.  
19. Your constituents aren't saying it, the press will take off  
20. on editorials, the do-gooders will say, "we don't want this,  
21. and we don't want that," only two incidents...

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Chew, your time has expired.

24. SENATOR CHEW:

25. ...I'll close, Mr. President. Only two incidents, and  
26. Senator Knuppel, Senator Nudelman, I'm not afraid to vote against  
27. the bill because I don't think it has the foundation in which it should  
28. have, and I'm not going to support it and I want everybody to know  
29. why, because I get very tired of having these people dictating  
30. to me what I am supposed to do about myself. I came here  
31. on the annual salary. I hope it will remain. I don't think we should bend  
32. under pressure, at least I'm not and whoever wants to pressurize me  
33. just go right ahead, but you will not "succeed."

AB 340  
June 21, 1970  
J. Harris

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Senator Harris.

3. SENATOR HARRIS:

4. Thank you, Mr. President. I'm not going to comment on the  
5. bill, but I do want to just clarify one of the comments made  
6. by the Senator who immediately preceded me and I know he would  
7. want me to do this. As a matter-of-fact, the question of the  
8. three members, there may have been some newspaper publicity  
9. about the State's effort to recover, but as a matter-of-fact,  
10. those three cases are being litigated. Lawsuits were filed  
11. by the Attorney General in each instance and a different point  
12. is being pursued because there were different facts involved  
13. in each of the three cases, and as a matter-of-fact, the State  
14. is pursuing its course of action for its remedy and I...I just  
15. know that it was a matter of not having been fully appraised of...of  
16. that activity. I don't want to mention any of the former  
17. members in any way and certainly I wouldn't want to prejudice  
18. the lawsuit in any way, but, the three cases of former members  
19. collecting salary in advance, the full amount, are being litigated  
20. by the people's representative.

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Have all Senators who wish to speak before I start recognizing  
23. Senators a second time? Senator Mitchler is on the list to speak  
24. twice. Senator Chew.

25. SENATOR CHEW:

26. Yes, Senator Harris, I'm aware that I...I did mention that  
27. one case is in litigation, but I haven't seen the State turning  
28. loose all of its dogs to...to recover it. And I'll stick by  
29. my statement.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Senator Mitchler.

32. SENATOR MITCHLER:

33. Mr. President and members of the Senate, I would like to

HB 3484  
June 2, 1976  
Bill Donnewald

1. clarify a statement that I made before, not talking pro or con  
2. on the bill, "the officers of the State to be paid at least  
3. once each month." The statute reads, "all officers of the State  
4. shall be paid at least once each month, but any officer may  
5. be paid at such more frequent intervals as may be agreed upon  
6. by the officer and the State Comptroller." So I guess if the  
7. two could get together you would be paid everyday. I just offer  
8. that to correct my previous statement that they were paid monthly,  
9. Senator Morris.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Further discussion? Senator Morris may close the debate.

12. SENATOR MORRIS:

13. I'd just like to, in closing debate, point out two things.  
14. One is, if this money is invested properly, and Alan Dixon  
15. has done a tremendous job as Illinois Treasurer in investing  
16. money, and if this is invested properly it could yield to the  
17. State four to five hundred thousand dollars a year. That would  
18. more than offset any of the additional costs of processing,  
19. which I understand would be about three people maximum necessary  
20. to process it. So, there would be a cost benefit to the taxpayers  
21. in approval of this bill. I think this is a good piece of legislation  
22. and I do think it responds to the basic public outcry and they're  
23. the people that send us here, and they've asked for this to be  
24. eliminated, the advanced pay, and with the twenty thousand  
25. dollar salary, I think that's more than the average salary in  
26. Illinois. I think this is a good bill and I would urge a  
27. favorable roll call.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. The question is, shall House Bill 3484 pass? Those in favor  
30. vote Aye. Those opposed vote Nay. The voting is open.  
31. Senator Donnewald. Thank you. Have all voted who wish? Have  
32. all voted who wish? Take the record. On that question the Ayes  
33. are 49, the Nays are 1, 2 Voting Present. House Bill 3484



HB 354  
passed, 1976  
Brd. Resolving

1. having received a constitutional majority, is declared passed.
2. For what...Senator Morris.
3. SENATOR MORRIS:
4. I would like leave...excuse me. I would like leave of the
5. Body for Senator Harber Hall to be shown as a co-sponsor of
6. that and any other members which...
7. PRESIDING OFFICER: (SENATOR BRUCE)
8. Is there leave? Leave is granted. House Bill 3562, Senator
9. Mohr. Howard Mohr. Senator Howard Mohr.
10. SENATOR MOHR:
11. Yes, Mr. President. I'd like to not call those two bills
12. on the Calendar today and go to the order of Motions which
13. I have filed with the Secretary.
14. PRESIDING OFFICER: (SENATOR BRUCE)
15. We are going to go to the order of Committee Reports.
16. Committee Reports. Get to you.
17. SECRETARY:
18. Senator Chew, Chairman of the Transportation Committee
19. reports out Senate Bills 1572, 1691, and 1756 and House Bills
20. 3137, 3492, and 3626 with the recommendation Do Pass.
21. Senator Chew, Chairman of the Committee on Transportation
22. reported that the committee, by record vote, sponsored a bill
23. with the following title for introduction in the Senate:
24. (Secretary reads title of bill)
25. Senator Morris, Vice-Chairman of the Committee on Transportation,
26. reported that the committee by a record vote, sponsored a bill
27. with the following title for introduction in the Senate:
28. (Secretary reads title of bill)
29. PRESIDING OFFICER: (SENATOR BRUCE)
30. Mr. Secretary, are...are the bills attached to the Committee
31. Report?
32. SECRETARY:
33. Yes, they are attached.

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Can you number the bills?  
3. SECRETARY:  
4. I do have another Committee Report.  
5. Senator Lane, Vice-Chairman of the Insurance and Licensed  
6. Activities reports out Senate Bills 1739 and 1899 with the  
7. recommendation Do Pass.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. On the Committee on Transportation's report, the two bills,  
10. will you...will you assign those a number? Just read the title  
11. and the number.  
12. SECRETARY:  
13. Senate Bill 1976, introduced by the Transportation Committee,  
14. Senator Bloom and Chew as sponsors.  
15. PRESIDING OFFICER: (SENATOR BRUCE)  
16. Rules Committee.  
17. SECRETARY:  
18. Senate Bill 1977, introduced by Senators Morris, Bell,  
19. Howard Mohr and the Committee on Transportation.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. Rules Committee. Senator Chew.  
22. SENATOR CHEW:  
23. The last statement of the Secretary is grossly inaccurate.  
24. The last bill so mentioned was not introduced by the Committee  
25. on Transportation. The Committee on Transportation is Chaired by  
26. myself, prior to any legal action taken on a bill. As Chairman,  
27. I recessed the committee subject to call of the Chair. Mr.  
28. President, the purpose of recessing the committee is because  
29. some of my distinguished colleagues saw fit to, having been denied  
30. the right to introduce a certain piece of legislation "that  
31. dismantles the CTA" in the rules...the RTA...and the Rules Committee  
32. felt that they could sneak it through the Committee on Transportation  
33. and in turn make it a committee bill. I objected to that. I agreed

1. to the discussion which I had agreed to a previous discussion  
2. on another bill. Now, I contend that the action taken  
3. by the...the "Rump Session" held, let me say, by the remaining  
4. members, was a Session that was not legal and not official.  
5. I have talked to several men here that are eminently qualified,  
6. Roberts Rules' of Order, et cetera and et cetera and I have  
7. been told that that same bill, if the Senate deems that bill  
8. official, will have to be sent to the Rules Committee, where  
9. it should have gone in the beginning.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Chew, the bill has been referred to the Rules  
12. Committee.

13. SENATOR CHEW:

14. May...may I finish, Sir?

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Senator Chew.

17. SENATOR CHEW:

18. Just because you the President, don't mean that you interrupt  
19. me. Now, I am...I am a great believer of the committee system,  
20. Mr. President, and I am a great believer of the Floor debate,  
21. and the voting and as Chairman I recessed committee. The actions  
22. were taken subsequently to the recess, and I think there's  
23. enough Senators here on the Floor to ascertain whether my  
24. actions were correct or incorrect. And I would hope that  
25. the President would sort of put this to a test and I may want  
26. to speak on this later.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Senator Egan.

29. SENATOR EGAN:

30. Yes, thank you, Mr. President, members of the Senate. I was  
31. present at the time that the Chairman called a recess of the committee  
32. and there was no objection to that recessing the committee. We  
33. went to the men's room and then when we came back we find what had

1. happened with the...with the motion that was ruled out of  
2. order by the Chair. As a matter-of-fact the motion was not  
3. on the agenda. The bill was distributed that day to the  
4. members of the committee and while we were reading the bill  
5. in the men's room, apparently what happened was the Vice-  
6. Chairman took command of the Transportation Committee all by  
7. himself, and followed by those members of the minority passed out  
8. the bill on a motion Do Pass, which is the improper motion  
9. and also was not in order. I just add this for the record, Mr.  
10. President and members. I agree with the Chairman. It was...  
11. it was unobjected to when he called a recess. I...I...I considered,  
12. as a member of that committee, an illegal maneuver on the part  
13. of those members that were present.

14. PRESIDING OFFICER: (SENATOR BRUCE)

15. The Chair will amend its ruling. Under Rule 5, the bill is  
16. reassigned to the Committee on Assignment of Bills under...under  
17. Rule 5. Senator Harris.

18. SENATOR HARRIS:

19. I want to refer you, Mr. President, to Rule 11 which states  
20. unmistakably, "all Senate Bills favorably reported from committee  
21. or with respect to which a committee has been discharged, shall  
22. stand on the order of 2nd reading unless otherwise ordered by the  
23. Senate." Now, Mr. President, you are not the Senate. Thirty  
24. members of this Body order this Body and not you, Mr. President.  
25. Further, Mr. President, I cite to you on page 127 of our rules,  
26. the Joint Rule 1, subparagraph (b), "in even-numbered years all bills  
27. shall be referred to the Rules Committee of each House except those  
28. bills that implement the State budget or are introduced by a  
29. majority of the members of a standing committee of either House.  
30. Mr. President, those rules are explicit and unmistakable and two  
31. members of this Body, Senator Mohr, the minority spokesman  
32. of the Committee on Transportation and Senator Morris, the  
33. Vice-Chairman of the Committee on Transportation, requested  
34. a roll call at the point that the Chairman stated there was a recess.

1. Robert's Rule number 20 requires a roll call and such roll call  
2. was requested and was not responded to.

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Harris.

5. SENATOR HARRIS:

6. Now, clearly, Mr. President, you're playing games here  
7. just as you have been playing games with Senator Hall for some  
8. time this Session. If you want to ride roughshod with your  
9. thirty-four votes, so be it, but the responsibility for that kind  
10. of conduct will be yours. And it's outrageous. The fact is,  
11. our rules clearly provide where this bill should be. This bill  
12. should clearly be on the order of 2nd reading. The requirements  
13. of the rules have been met and it's as clear as the back of your  
14. hand.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, Senator Harris, your reading of the rules may be  
17. correct, but your statement of the facts may be somewhat in error.  
18. We have twice this Session entertained committee bills.  
19. One by Senator Savickas' Committee on Labor, that was read a first  
20. time and assigned to the Committee on Assignment of Bills.  
21. Senator Hickey, also from the Committee on Revenue, her bill was  
22. reported out as a committee bill. It was read a first time,  
23. referred to the Committee on Assignment of Bills and referred then to  
24. the Committee on Revenue at which time, under the rules as you read  
25. them, committee action was taken. The problem that presents itself  
26. here is that no committee action, either "Pass" or "Do Not Pass"  
27. is before us in the Committee Report. It is a committee bill and it  
28. will be read a first time by the Secretary and assigned to the  
29. Committee on Assignment of Bills. That is what we have done to  
30. committee bills since this Session has been here. And...and that  
31. is the ruling of the Chair and Mr. Secretary, if you will...if...  
32. Senator Carroll.

33. SENATOR CARROLL:

1. Thank you, Mr. President. I, too, rise on a point of  
2. Parliamentary Inquiry. If I could have...

3. PRESIDING OFFICER: (SENATOR BRUCE)

4. Senator Carroll, if you will wait one moment, we have gone  
5. out of order. Senator Mohr did rise before you did. Senator  
6. Howard Mohr.

7. SENATOR MOHR:

8. I was going to point out, Mr. President, that the normal  
9. procedure is when there are more than one...there is more  
10. than one person that want's to speak on a bill, we take them  
11. in the order in which they ask recognition of the Chair. Senator  
12. Carroll is down in the list of...of speakers. Senator Morris,  
13. I believe was ahead of me, and then I was next. If we can call them  
14. that way, I would appreciate it.

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Well, Senator...Secretary will read the bills a first time.

17. SECRETARY:

18. Senate Bill 1976 introduced by the Committee on Transportation,  
19. Senator Bloom and Chew as co-sponsors.

20. (Secretary reads title of bill)

21. The next...the next bill is 1977, which is introduced  
22. by the Committee on Transportation showing Senator Morris, Bell,  
23. and Howard Mohr as co-sponsors.

24. (Secretary reads title of bill)

25. 1st reading of the two bills.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Now, for the edification of the members, I now have  
28. on my list Senator Howard Mohr, Senator Carroll, Senator Morris,  
29. Senator Bell, Senator Latherow, Senator Knuppel, Senator Glass,  
30. Senator Welsh and I will call them in that order and if other  
31. Senators seek recognition I will add them to the list. For what  
32. purpose does Senator Chew arise?

33. SENATOR CHEW:

1. ...after a bill has been read, that the President will indicate  
2. what is happening to it immediately. The bill have...has...have...  
3. been read...have...

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. It would automatically go to the Committee on Assignment of  
6. Bills. Let me have the Committee Report. We are going to go  
7. on the order of Senator Howard Mohr, for what purpose do you arise,  
8. Senator Mohr? Senator Welsh, for what purpose do you arise? Senator...  
9. Senator Welsh.

10. SENATOR WELSH:

11. Mr. President, I move the Senate adjourn until 11:00 o'clock  
12. tomorrow morning.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. The...the motion is not debatable. Senator Davidson.

15. SENATOR DAVIDSON:

16. Mr. President, you had called...you had recognized Senator  
17. Mohr to speak. Then you recognized Mr. Welsh...Senator Welsh  
18. on a point, and you recognized Mr....Senator Welsh on a point.  
19. He did not state he was going to make a move to adjourn. I  
20. admit the motion to adjourn is in order any time, but it's  
21. also your prerogative as a ruling Chair to disregard that motion.  
22. You had given the man the Floor to speak and then recognized  
23. Senator Welsh on a point as some other point. He did not state  
24. his personal point or point of privilege. I therefore, move you,  
25. or ask you, Mr. Chairman, to rule this motion out of order.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. The motion to adjourn is always in order. Senator Welsh  
28. has made the motion. The Chair inadvertently stated that it is  
29. not debatable. I reluctantly reverse my ruling. It is a debatable  
30. motion. It will require some more time, perhaps, but the motion  
31. to adjourn is debatable. Roll call has been requested. Those  
32. in favor will vote Aye. Those opposed will vote Nay. The  
33. voting is open. Have all voted who wish? Take the record.  
34. On that question the Ayes are 23, the Nays are 30, the motion to

1. adjourn fails. We revert to the order...Senator Howard Mohr.

2. SENATOR MOHR:

3. Yes, Mr. President, I think we should set the record  
4. straight here this evening and first of all, I am deeply  
5. disappointed in my friend, Senator Egan's remarks about adjourning  
6. the meeting, his having to go to the washroom and the other  
7. members. I'm sorry, I didn't know he had a kidney condition,  
8. but,...but, I would point out for the record, Mr. President,  
9. exactly what happened yesterday in that meeting. The rules  
10. of the Senate and Roberts' Rules would indicate that the RTA  
11. bill considered by the Senate Committee on Transportation is  
12. certainly a valid committee bill. The meeting was a duly  
13. called and constituted meeting. The meeting was not adjourned.  
14. Senate Rule 44 and Robert's Rule Section 21 require roll call  
15. and such a roll call was requested. The meeting was not in recess.  
16. Robert's Rules 20 requires a roll call and such a roll call was also  
17. requested. Any adjournment or recess without a full roll call is  
18. only by leave of the Body. A quorum was called and upon a roll  
19. call the majority of the members of the committee were present.  
20. Robert's Rule Section 39, a majority is a quorum. Senator Morris  
21. as Vice-Chairman, presided over the continuing meeting in the  
22. absence of the Chairman. Robert's Rules, Section 46 and pursuant  
23. to Senate Rule 10, directed his secretary to record the minutes  
24. of that meeting. Then, the motion of Senator Mohr was seconded  
25. and called for a roll call. There was 7 Ayes, no Nays, no  
26. Present votes. Motion that the committee also recommend "Do Pass"  
27. was made and seconded and the roll call was 7 Ayes, no Nays, no  
28. Present. The remainder of the committee, a total of seven  
29. members, then, requested listing as co-sponsors. Total co-sponsors:  
30. seven. At that time a motion to adjourn was made and seconded.  
31. The roll call: 7 Ayes, no Nays, no Present votes. The bill is  
32. a valid committee bill since the only definition of a committee  
33. bill occurring in our Rules is in Temporary Joint Rule 1



1. "a bill introduced by a majority of the members of a standing  
2. committee." Mr. President, I would also point out that another  
3. bill was called and read here today, called a committee bill,  
4. by Senator Bloom. We acted on that. Another bill, House Bill  
5. 3626 was called, passed by the committee, not posted, no notice  
6. of that call had been given, but it was acted on in that  
7. committee. Now, if we're going to operate by the rules, I think  
8. we ought to start. I do have a second motion up there, Mr. President,  
9. and I would ask that that motion be read.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Senator Mohr, just so that everyone understands, the bills  
12. under our rules, as you read them, has...has now been introduced.  
13. We have...the bills have been assigned numbers, they are before this  
14. body for its...whatever consideration.

15. SENATOR MOHR:

16. All right.

17. PRESIDING OFFICER: (SENATOR BRUCE)

18. So that everyone is clear, the bills are here. The bill  
19. is a committee bill. It has been introduced and assigned a number  
20. according to our rules.

21. SENATOR MOHR:

22. That's correct.

23. PRESIDING OFFICER: (SENATOR BRUCE)

24. I mean...no one...the question of when the committee met  
25. or whatever...

26. SENATOR MOHR:

27. All right. I...I just wanted to set the record...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. ...it is now moot. We have moved...

30. SENATOR MOHR:

31. ...straight.

32. PRESIDING OFFICER: (SENATOR BRUCE)

33. ...beyond that.

1. SENATOR MOHR:  
2.           There were some...  
3. PRESIDING OFFICER: (SENATOR BRUCE)  
4.           I'm sorry, then.  
5. SENATOR MOHR:  
6.           There were some comments made about the action of the committee.  
7. PRESIDING OFFICER: (SENATOR BRUCE)  
8.           But the bills are introduced and have been assigned a  
9. number.  
10. SENATOR MOHR:  
11.           Well, rule...rule eleven...  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13.           And read a first time.  
14. SENATOR MOHR:  
15.           Rule eleven, Mr. President, which I outlined in my motion,  
16. I think if we read my motion, I would like to have that read  
17. and then acted on.  
18. PRESIDING OFFICER: (SENATOR BRUCE)  
19.           All right. On the list, Senator Carroll is next.  
20. SENATOR CARROLL:  
21.           Thank you, Mr. President. Mine is also by way of a  
22. parliamentary inquiry and a request that we follow the rules.  
23. It was my understanding from prior discussion of Senator Harris  
24. and Senator Mohr, that the indication was that this bill should  
25. not go back to committee or go to the Committee on Assignment of  
26. Bills, but should be heard by the full Senate at this point in  
27. time. I would suggest to you, Mr. President, that that is in  
28. violation, clear violation, of Rule 10. Rule 10, which is intended  
29. to give the public notice and to give the public opportunity to  
30. be before the committee and to have six day notice, six day posting  
31. of the time, the date, the location and the bills by number, so that  
32. the public can be there and participate in the process. From what  
33. was read here today of what transpired at that committee, there

1. was no posting, there was no public hearing, the public did not  
2. have an opportunity, there was no movement ahead of time to  
3. waive that rule. It would seem to me it is now too late to  
4. waive that rule and the proper remedy is to have that bill heard  
5. by a committee with public participation, with public notice,  
6. so that the people of Illinois know what's going on and have a  
7. right to give their testimony. I would ask, therefore, that  
8. the Chair, if that is the request of Senator Harris, which  
9. I understood it to have been at his parliamentary inquiry, that  
10. the Chair look at Rule 10 and say that there must be posting and  
11. public notice with an opportunity to be heard. Thank you.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Senator Morris.

14. SENATOR MORRIS:

15. Mr. President, on...some...some comments were made today  
16. by Senator Egan and others about that meeting yesterday and I think  
17. that, you know, to set the record straight in this, the  
18. permanent record of the Senate, the...the meeting yesterday,  
19. as a matter-of-fact under the recess that Senator Mohr explained,  
20. we did request a roll call which wasn't given and as a matter-  
21. of-fact, Senator Lemke stayed at the meeting after some members  
22. left and questioned the quorum and I believe he had talked to  
23. Senator Egan about that when the question was made. And on the  
24. question of the quorum, seven of thirteen members answered the  
25. roll call so there was, in fact, a bonafide meeting still in  
26. progress. As for the motion on the bill, the...the reference you  
27. made was to the bill being made a committee bill, there was a roll  
28. call, that was seven to nothing, but there was a second roll call  
29. made in that committee yesterday, and that was a "Do Pass" motion  
30. on Senate Bill, which is now 1977, and that motion on the bill  
31. to "Do Pass" was approved seven to nothing. So, in fact, there has  
32. been committee action on the bill and not only just on creating it  
33. as a committee bill. I think, you know, that's...that's an important

1. factor and another thing I would like to do is I would, at this  
2. moment, like to make a motion to discharge the Committee on  
3. Assignments, if that is, in fact, where you say the bill is, and  
4. place this bill on the order of 2nd reading.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. The motion is in order to discharge the Committee on  
7. Assignment of Bills from further consideration of Senate Bills  
8. 1976 and 1977 and have them placed on the order of 2nd reading.  
9. That is the motion. It will require thirty votes and it is  
10. debatable. Now,...now, I will now make a second list of those  
11. who want to speak on this motion. Senator...Senator Rock,  
12. then Senator Chew. Senator Chew. State your point.

13. SENATOR CHEW:

14. Previous speaker, Senator Carroll, asked a question of the Chair  
15. which he did not get an answer. And the question was, Rule 10  
16. expresses the right to publish and this bill did not get  
17. authority from the Senate on a six day waiver. Now, there was  
18. no six day notice passed on this bill. It was not assigned  
19. to this committee. It was merely in a discussion stage.  
20. What happens to Rule 10, Mr. President?

21. PRESIDING OFFICER: (SENATOR BRUCE)

22. Rule 10 is operative, Senator Chew, and if the bill were to be  
23. heard in committee, it would require, unless Rule 10 is suspended,  
24. a posting requiring...a posting of six days prior notice to anyone  
25. who wished to testify on the two bills.

26. SENATOR CHEW:

27. You may have missed the question...

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. That's...that's...

30. SENATOR CHEW:

31. ...Mr. President. I asked you what happened to the six days  
32. prior to the discussion and the action taken on the bill on yester-  
33. day?

1. PRESIDING OFFICER: (SENATOR BRUCE)  
2. Senator Chew, the bill was not...it was only assigned a number  
3. today. It came into existence and is now before us...the two  
4. bills, as Senate Bill 1976 and 1977 today.  
5. SENATOR CHEW:  
6. In other...in other words, the Chair rules that the action  
7. taken on a bill yesterday is just moot.  
8. PRESIDING OFFICER: (SENATOR BRUCE)  
9. No, the Committee Report has been read into...  
10. SENATOR CHEW:  
11. Moot.  
12. PRESIDING OFFICER: (SENATOR BRUCE)  
13. ...the record and it...and it...  
14. SENATOR CHEW:  
15. Moot.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. ...and it...  
18. SENATOR CHEW:  
19. Who.  
20. PRESIDING OFFICER: (SENATOR BRUCE)  
21. ...and it...  
22. SENATOR CHEW:  
23. Moot. Now, do I understand that the Chair rules that the  
24. six day...  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Senator Chew...  
27. SENATOR CHEW:  
28. ...waiver period...  
29. PRESIDING OFFICER: (SENATOR BRUCE)  
30. ...the six day notice rule would only become applicable  
31. at such time when the bill was heard in committee and referred to  
32. the committee for consideration. I have no idea that it would be...  
33. SENATOR CHEW:  
34. And that...and that ruling you're making, that means that the

1. bill, in fact, was not heard yesterday.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. No. These bills were not heard. They are committee bills  
4. and were introduced today by the Committee on Transportation  
5. according to their report. They have been assigned to  
6. the Committee on Assignment of Bills and there is now pending  
7. a motion to discharge that committee from further consideration.

8. SENATOR CHEW:

9. You cleared it.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. Okay. Now, Senator Rock was the second Senator recognized  
12. by the Chair. Well, Senator Egan, if...if we keep going out  
13. of order, Senator Rock yields. Senator Egan.

14. SENATOR EGAN:

15. Mr. President and members of the Senate, I'm going to...  
16. I'm going to say it again so that you'll hear it. I was present  
17. there, Senator Harris, and I know exactly what happened. If the  
18. point is litigated, this is what I will testify to. The  
19. Chairman of the committee ruled that the motion to consider that  
20. bill was out of order. One. Two, he then recessed the committee  
21. without objection, thereby unanimously recessing the committee.  
22. It was less than five minutes that that committee took action  
23. on this bill. In my opinion, and I'm stating it for the record,  
24. the seven remaining members committed an illegal act. It is of  
25. no consequence, therefore. And I did not address my remarks to  
26. adjournment. I did address my remarks only to recess. And that's  
27. my position.

28. PRESIDING OFFICER: (SENATOR BRUCE)

29. Senator Rock. Now, Gentlemen we are on the motion to dis-  
30. charge the Committee on Assignment of Bills from further  
31. consideration of Senate Bills 1976 and 1977 and have them placed  
32. on the order of 2nd reading. Senator Rock.

33. SENATOR ROCK:

1. Thank you, Mr. President, Ladies and Gentlemen of the Senate.  
2. I stand in opposition to that motion to discharge with respect  
3. to Senate Bill 1977 as today introduced. Frankly, I'm a little  
4. ...I'm a little taken back that those who purport to travel  
5. under the guise and banner of common cause and opt for sunshine  
6. government would all of a sudden attempt to move like this, and  
7. I would point out to the Chair that the Chair has, in fact, ruled  
8. correctly. Our rules are to be read as a continuum and if you  
9. read Rule 5 with respect to Introduction of Bills and then read  
10. Rule 10 with respect to their handling prior to a committee  
11. action, and then read Rule 11, then I would agree with Senator  
12. Harris, that once a bill is favorably reported out of a committee,  
13. it does, in fact, stand on the order of 2nd reading. The fact  
14. of the matter is, however, that that bill was not, in fact,  
15. introduced. There was, in fact, no bill before the committee  
16. which would be subject to a "Do Pass" or a "Do Not Pass" motion.  
17. It was a proposal that a committee bill be introduced. It has,  
18. in fact, been now introduced and should, in fact, under our  
19. rules and under all rules of fair play and notice to the public  
20. who are interested in this legislation, be given an opportunity  
21. to be heard. And I think the Chair has ruled correctly. That they  
22. should properly go to the Assignment of Bills Committee to be  
23. assigned to the proper committee to be properly posted for  
24. hearing so that those who are, in fact, opposed to that bill  
25. as I am, can, in fact, arrange for some testimony and some  
26. witnesses to show you the deleterious effect that it will have.  
27. I rise in opposition to these motions and I am prepared to  
28. renew a motion to adjourn. I think we're wasting a lot of time.  
29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Senator Knuppel, then Senator Netsch.

31. SENATOR KNUPPEL:

32. On a matter of personal privilege, first, you know, they  
33. used to sing a song, "the old sow took the measles and she died in  
34. the Spring." Now, we're all acting like a bunch of festered sows

1. around here. Senator over on the other side has got a base-  
2. ball...softball practice scheduled and we end up losing  
3. to the House again, Pate, Senator "Pate" Philip and if we lose  
4. that game, well, we'll have nothing to blame ourselves for  
5. except that we missed this practice he says are essential.  
6. But, as a matter of personal privilege, at this time,  
7. I'm not talking on the...on the motion, because I certainly  
8. want to be heard on that and I think it will take all night,  
9. I'm going to move that we adjourn.

10. PRESIDING OFFICER: (SENATOR BRUCE)

11. The motion to adjourn is in order. It is debatable.  
12. The question is, "shall the Senate adjourn until 11:00 o'clock  
13. tomorrow morning?" and on that question, those in favor will  
14. vote Aye. Those opposed will vote Nay. The voting is open.  
15. Have all voted who wish? Take the record. On the motion  
16. to adjourn, the Ayes are 23, the Nays are 30, none Voting  
17. Present. The motion to adjourn fails. Senator Netsch.

18. SENATOR NETSCH:

19. Mr. President, I think the...the rulings that you have  
20. made are basically correct. The bill should be heard and I  
21. join with Senator Rock in saying that when it gets heard, I  
22. will oppose it also. But, it seems to me that one of the matters  
23. of concern is whether the committee will ever have a meeting at  
24. which the bill will be heard, and...and while I will continue to  
25. oppose the bill, it seems to me that basic fairness requires that  
26. there be a response to a question right now. Senator Chew, will  
27. you call a meeting of the committee so that that bill can be  
28. heard when it is assigned to your committee?

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. Now, Senator Netsch, one moment. The bill is in the Assignment  
31. of Bills. As Presiding Officer, I have no idea where that bill  
32. will go, so your question of Senator Chew would not be in order  
33. since it is unclear as to what action that committee will take.



1. And Gentlemen, if I may remind you, we are on a motion to  
2. discharge the Committee on Assignments and our comments should be  
3. limited to that...to that particular point. I have on my list  
4. Senator Bell and...you are on the list, Senator Knuppel. Senator  
5. Chew, we will put you on the list. No. Senator Bell.

6. SENATOR BELL:

7. Yeah, thank you, Mr. President. I'd like to move the  
8. previous question.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. Senator Bell, it's always been the policy to recognize  
11. the Senators who wish to speak and I...I...I think we would  
12. save less time if we do not make that motion, perhaps.  
13. I have...Senator Harris.

14. SENATOR HARRIS:

15. Inquiry. In that courtesy that we've operated under here  
16. for some time now, you do not mean to imply, Mr. President, do  
17. you that new names will be added to your list? You mean that  
18. those whose names were on the list at the time Senator Bell  
19. made his motion will be afforded the courtesy to speak and then  
20. you will take up Senator Bell's motion. Is that not the  
21. procedure that we've been operating under?

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Well, Senator Harris, if you will bear with the Chair for  
24. one moment, we have two sets of lists of people who have sought  
25. recognition from the Chair. On this motion we have Senator Bell  
26. and Senator Knuppel who have...

27. SENATOR HARRIS:

28. Yes.

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. ...sought recognition. But you would deny, then,...

31. SENATOR HARRIS:

32. Well,...

33. PRESIDING OFFICER: (SENATOR BRUCE)

34. ...Senator Latherow, Senator Glass, Senator Welsh, Senator Egan,

1. and Senator Rock.

2. SENATOR HARRIS:

3. On...on what question? We...the question at hand is  
4. to...Senator Morris' motion. It seems to me that the list that  
5. you have with respect to Senator Morris' motion consistent with  
6. the practice of courtesy that we have afforded, should be responded  
7. to and none others and certainly not new names added to that  
8. list. That...that's the inquiry I'm making.

9. PRESIDING OFFICER: (SENATOR BRUCE)

10. On the motion to discharge, the only member's name  
11. that appears on the President's list is Senator Knuppel,  
12. after Senator Bell. So, if Senator Bell will hold his motion or  
13. wish to make comment. Senator Bell.

14. SENATOR BELL:

15. Yeah, thank you, Mr. President. I certainly would  
16. yield to Senator Knuppel and allow him to make his particular  
17. point.

18. PRESIDING OFFICER: (SENATOR BRUCE)

19. Senator Knuppel.

20. SENATOR KNUPPEL:

21. Well, of course the...as far as I'm concerned about this bill  
22. I feel that the thing ought to go the usual route. I think this  
23. is unusual and it's a surprise situation. I know nothing about  
24. the bill. It's going on 2nd reading. In committee I might  
25. have an opportunity to offer amendments through the routine  
26. process. I just got here and just started to read the paper here.  
27. There's an article here in the Chicago Daily News says "surprise  
28. legislation...surprise legislation radically changing the  
29. Regional Transit Authority and slicing into Chicago's influence  
30. in the agency, may or may not have cleared the Senate Transportation  
31. Committee." Well, I think the...I think the...the Presiding Officer  
32. has ruled on that, and then it goes on, "the only thing clear is  
33. that the legality of the committee meeting is likely to be

1. challenged before the full Senate Wednesday." Well, it  
2. certainly has been. And...and that's all well and good.  
3. But, now, the Presiding Officer has ruled, it seems to me,  
4. that...that we ought to follow the routine procedure. We  
5. all have bills and extend ordinary courtesies to the other people  
6. in this Body and, of course, we've been here a long time and  
7. my doctor says I'm supposed to eat at 6:00 o'clock. I've  
8. got diabetes, you know, you've all heard about my health  
9. problems before and so, you know, I just made the last motion  
10. to adjourn so I don't feel like I want to make that motion  
11. again, but, what will happen is we'll sit here and we'll  
12. argue and we'll chew and we'll fight like I say, like a bunch  
13. of old sows in a pen and those old sows are festered. We'll  
14. go on and then in the end...

15. PRESIDING OFFICER: (SENATOR BRUCE)

16. Gentlemen, could we have some order, please. Senator Knuppel.

17. SENATOR KNUPPEL:

18. Yes, Sir. And then we'll go on and ultimately, somebody  
19. will make a motion and...and this same thing will be back  
20. here to chew over tomorrow and the day after that, and we're  
21. going to spend a disproportionate amount of time with this  
22. legislation. We...we'd get it handled a lot quicker if we went  
23. ahead and followed the routine procedure. And everybody will  
24. be a whole lot happier. I...I just think it's injudicious  
25. and I think those people who want the bill passed will be a whole  
26. lot wiser, a lot more clairvoyant if they would follow the usual  
27. procedure to have the bill heard in committee. Nobody knows  
28. what committee, of course, it will be assigned to, but I would  
29. like to ask Senator Chew one question. If, in fact, it is  
30. assigned to Transportation, will you hold a full and complete hearing?  
31. I mean, will you call a meeting within the next...next week  
32. and hold a hearing on this bill so that we don't have to hear  
33. it on the Floor here?

1. PRESIDING OFFICER: (SENATOR BRUCE)

2. Question is on the motion. Senator Bell has moved  
3. the previous question. Senator Welsh.

4. SENATOR WELSH:

5. Mr. President, ...Mr. President, there will be a Democratic  
6. caucus immediately in the President's Office.

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. There has been a request for a Democratic caucus made by  
9. Senator Welsh. Now, Gentlemen, Senator Welsh has made a  
10. request for a Democratic caucus. I will...is there a denial of  
11. the request for a Democratic caucus? Senator Harris. Senator  
12. Harris.

13. SENATOR HARRIS:

14. Mr. President, Mr. President, I want...I would like for the  
15. Body to give some attention to my response.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Yes, could we have some attention, please? Would the members  
18. take their seats, please? Senator Harris.

19. SENATOR HARRIS:

20. All right. Mr. President, I have served here a good long  
21. while and I want to make it clear that I think the request for  
22. a caucus should be honored. Now, let me make an explanation.  
23. In the years 1961 and 1963 the Republicans had a somewhat tenuous  
24. majority. We were faced with an adversary administration  
25. and we were extended considerable courtesy by the minority. In  
26. those years we used to caucus in what is now the office space  
27. occupied by the Minority Leader. It was the Judiciary Committee  
28. Room at that time. I can only point out that I think under the  
29. courtesy that we have afforded each other over the years, we  
30. should acknowledge a request for a caucus. And I would point out  
31. that I treat that request as bonafide, and not a means to thwart  
32. the will of a majority of this Body on any occasion, and I know  
33. ...I know that you will not be dilatory, that you will take up

1. the pertinent matters of your caucus and the twenty-five of  
2. us will be here. Might I inquire...might I inquire of the  
3. Chairman of the caucus, what length of time that he anticipates  
4. the majority to need for this important matter.

5. PRESIDING OFFICER: (SENATOR BRUCE)

6. Senator Welsh, can you...Gentlemen, if we could have some  
7. order, we'll conclude the business today. Senator Welsh.

8. SENATOR WELSH:

9. Mr. President, all I...respond this way, but, I am  
10. requesting on behalf of the Democratic side of this aisle a  
11. short recess for the purposes of a Democratic caucus.

12. Immediately.

13. PRESIDING OFFICER: (SENATOR BRUCE)

14. Senator...Senator Howard Mohr.

15. SENATOR MOHR:

16. Mr. President, it's seldom that I take issue with my  
17. leader, but I think being...sharing an apartment with him  
18. I know he hasn't been getting too much rest lately. And he  
19. has more faith in some of the things that were said here than  
20. I. I know there's several dinners this evening and I would  
21. just, you know, if we're going to play games, if we're  
22. going to have a caucus, that's fine. But if you're going to  
23. leave here and say you're going into a caucus then go to a  
24. dinner, why that's something else. I think that the members  
25. are entitled to know that.

26. PRESIDING OFFICER: (SENATOR BRUCE)

27. Senator Harris.

28. SENATOR HARRIS:

29. Well, I...I wanted to make it clear that I take the Chairman  
30. of the caucus at his word and I take the honorable members of  
31. this Body at their word, that they have requested on a bonafide  
32. basis, a caucus. And...at your pleasure.

33. PRESIDING OFFICER: (SENATOR BRUCE)

1. Any further discussion on the request by Senator Welsh.  
2. to...to recess for the purpose of a Democratic caucus?  
3. Point of order has been made by Senator Davidson.  
4. SENATOR DAVIDSON:  
5. Normally in previous times when we've asked for a caucus  
6. be it Democrat or be it Republican, we have asked for a caucus.  
7. There hasn't been anything in the motion about a short  
8. recess. And...  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Well, Senator, we...we would automatically have to recess...  
11. SENATOR DAVIDSON:  
12. That's true, but Mr. President,...  
13. PRESIDING OFFICER: (SENATOR BRUCE)  
14. ...to caucus we would have to recess.  
15. SENATOR DAVIDSON:  
16. Mr. President, there is...  
17. PRESIDING OFFICER: (SENATOR BRUCE)  
18. Senator Davidson.  
19. SENATOR DAVIDSON:  
20. There is a little more than Parliamentary maneuvering  
21. going on, and we've asked for a caucus in the past and the  
22. short recess or any other words haven't been added. We've just  
23. acknowledged the caucus and went on. Now, he's asking for  
24. an added word that could throw us into a tizzy. I...  
25. PRESIDING OFFICER: (SENATOR BRUCE)  
26. Now, Gentlemen, so that we're all clear...one minute, please.  
27. Now, there has been a request for a caucus. This Body always  
28. stands in recess during caucuses. I don't know ever when we  
29. have been in Session when either party was in caucus. So, that  
30. is no new rule. Now, we are going...just one moment, please.  
31. The Parliamentary is going to tell me who is next on the list.  
32. Senator "Pate" Philip.  
33. SENATOR PHILIP:  
34. Thank you, Mr. President. I know what's going to happen

1. here and you know what's going to happen here. We're not  
2. going to come back here tonight to vote on it. So, Mr....Mr.  
3. President, I want to make a motion we adjourn, until tomorrow  
4. morning at 11:00 o'clock on the same order of business.  
5. The same order of business.

6. PRESIDING OFFICER: (SENATOR BRUCE)

7. The motion by Senator Philip is to adjourn until 11:00  
8. o'clock tomorrow and return to the same order of business,  
9. which is, Gentlemen, the motion to discharge the committee.  
10. The...the...now, one moment, please. If we will just  
11. take time, we can get through these matters more quickly.  
12. Now, the question...the motion to adjourn is debatable and I  
13. will make a list. Senator Harris. Senator Harris is recognized.

14. SENATOR HARRIS:

15. Mr. President, Rule 44 on 117 provides that on the motion  
16. to adjourn that a previous motion to adjourn having been  
17. defeated and no intervening business has been transacted  
18. is not in order, and we have not completed intervening  
19. business. We have already dealt with the motion to adjourn  
20. and at the time that we dealt with that motion, Senator Morris'  
21. motion was before us. It is still before us. The only point  
22. that has been raised in the meantime, is Senator Welsh's request  
23. for a Democrat caucus. Now, I would respectfully point out,  
24. Mr. President, that I think validly, no intervening business  
25. has occurred since the last motion to adjourn was put. Now,  
26. I would suggest that there may be a way out of our dilemma  
27. right now and that is that men of good will and men of confidence  
28. in each other who will respect each other, we perhaps, should  
29. agree to take up the matter before us tomorrow morning, permit  
30. the majority to schedule its caucus before we reconvene tomorrow  
31. and not thwart what are the aspirations of a good many of us  
32. in the meantime, with respect to the remaining effective time  
33. available to us in this day. Now, if that is a satisfactory

1. substitute then we can put something together here. I would  
2. suggest that Senator Philip's motion is not in order under  
3. the provisions of Rule 44. But, that is does bring to our  
4. attention the matter in Rule 4...in Rule 4, on page 102,  
5. and that language is "that whenever the Senate is engaged in the  
6. consideration of a bill, resolution, amendment," and here is  
7. the important language of this paragraph, "or other item  
8. of business, at the time of the adjournment of the daily  
9. Session, that item of business shall have preference in the  
10. daily order of business at the opening of the next daily  
11. Session if so requested by the sponsor," and that item of business  
12. in this case is a motion. The sponsor of the motion is Senator...  
13. Morris. Now, it seems to me that if we were to just give our  
14. alternatives some thought here that we should effectively be able  
15. to resolve our problem.

16. PRESIDING OFFICER: (SENATOR BRUCE)

17. Senator Harris, I would point out that that is exactly  
18. under the rules, the motion that has been made by Senator Philip  
19. and that is that we adjourn and return to this order of business  
20. tomorrow at 11:00 o'clock and that is provided for in our  
21. rules and that is the motion and...and rule under which  
22. Senator Philip would be moving. And...and on the question of in-  
23. tervening business, Senator Welsh asked for a recess for the  
24. purpose of a Democratic caucus, so that would be intervening  
25. business. I've talked to the minute clerk and that motion came  
26. between Senator Knuppel's motion and a motion by Senator Philip.  
27. So intervening business has occurred. The question is on the  
28. motion to adjourn. It is debatable. If...Senator Wooten.

29. SENATOR WOOTEN:

30. Mr. President, I was merely going to move that we suspend  
31. the rules if necessary, to renew a motion for adjournment. I  
32. think that we would like to come back...

33. PRESIDING OFFICER: (SENATOR BRUCE)



1. Well, the Chair...

2. SENATOR WOOTEN:

3. I think we would like to come back to this order of  
4. business tomorrow and if...if it appears difficult, I think  
5. we would...we could have a motion to go to that order  
6. of business at that time...

7. PRESIDING OFFICER: (SENATOR BRUCE)

8. Senator...

9. SENATOR WOOTEN:

10. ...but, I believe we reached the point where an  
11. adjournment is in order.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. So that we are clear, Senator Philip has moved under  
14. our rules to adjourn. The rules provide that that motion  
15. can include the statement that we return to the order  
16. of business at which we adjourned and we return and start  
17. at that point. That is the motion made by Senator Philip  
18. that we adjourn until 11:00 and return to the order of business  
19. before the Senate right now which is a motion to discharge  
20. the Committee on Assignment of Bills from further consideration  
21. of Senate Bills 1976 and 1977. Now, the motion before the Body  
22. is that motion to adjourn. It is debatable. The Chair will  
23. recognize people as...as they stand and I think Senator Chew.  
24. then Senator Graham.

25. SENATOR CHEW:

26. Mr. President, if this motion carries to adjourn I would  
27. ask the sponsor of this motion to amend his motion and we not  
28. start at the beginning of the Session tomorrow with this order  
29. of business, and my purpose and the reason to ask that, Mr.  
30. President, the reason for asking that we do not start immediately  
31. on this order of business is because I have been requested by  
32. the President of the Senate that I will not be here until 1:00  
33. o'clock tomorrow. I don't know what time you plan to start, but I

1. would like the courtesy of this Body to be here on the  
2. discussion of the...the order of business at which we are on  
3. now.

4. PRESIDING OFFICER: (SENATOR BRUCE)

5. Senator Rock.

6. SENATOR ROCK:

7. Point of order. I can sympathize with Senator Chew's  
8. desire, but under Rule 44 as cited by Senator Harris, the  
9. other provision is that the...a motion to adjourn shall be  
10. decided without debate. I do not think it's a debatable  
11. motion.

12. PRESIDING OFFICER: (SENATOR BRUCE)

13. Parliamentarian has corrected me. It is not debatable.

14. We...so...it is not debatable. Senator Graham. Senator Graham.

15. SENATOR GRAHAM:

16. I don't want to debate the doggone motion. I would like  
17. to have some indication from the Chair as to what the reaction  
18. will be with...with motions on the Table that we were going to  
19. discuss today. Will they carry over till tomorrow?

20. PRESIDING OFFICER: (SENATOR BRUCE)

21. Is there leave to continue the motions in writing on the  
22. Table until tomorrow? Leave is granted. Now, on the motion to  
23. adjourn which is not debatable, those in favor will vote Aye.  
24. For what purpose does Senator Soper rise at Senator Philip's desk?

25. SENATOR SOPER:

26. Now, if we can accommodate everybody, I know this is not  
27. debatable, why not adjourn until 1:00 o'clock and then everybody  
28. come down here. We don't have to monkey around and...

29. PRESIDING OFFICER: (SENATOR BRUCE)

30. There are committee...the motion is to adjourn until  
31. 11:00 o'clock tomorrow and return to the specific order of business.  
32. It is not debatable. The question is on the motion to adjourn,  
33. those in favor will vote Aye. Those opposed will vote Nay. The

1. voting is open. All right. Have all voted who wish?  
2. Take the record. On that question the Ayes are 44, the Nays  
3. are 5, none Voting Present. The Senate...the Senate stands  
4. adjourned until 11:00 o'clock tomorrow morning. Announcements  
5. by Senator Welsh. Senator Welsh.  
6. SENATOR WELSH:  
7. Mr. President, there will be a Democratic caucus tomorrow  
8. morning at 10:30 in the President's Office.  
9. PRESIDING OFFICER: (SENATOR BRUCE)  
10. Democratic caucus, 10:30. Senator Philip.  
11. SENATOR PHILIP:  
12. Thank you, Mr. President. Remind the Senate Softball  
13. players, we have practice tonight right after Session. Lincoln  
14. Park, diamond five. Our game is next week so let's have  
15. everybody show up.  
16. PRESIDING OFFICER: (SENATOR BRUCE)  
17. Now, Gentlemen, we have the Special Sessions. Announcements.  
18. Senator Carroll.  
19. SENATOR CARROLL:  
20. Thank you, Mr. President. We have discussed with the various  
21. sponsors and minority spokesmen. There will not be a meeting of  
22. Revenue, it will be rescheduled...tomorrow there will be  
23. rescheduled at a further time.  
24. PRESIDING OFFICER: (SENATOR BRUCE)  
25. Senate Committee on Revenue will be rescheduled for tomorrow.  
26. Further announcements? Will not meet tomorrow? Will not  
27. meet tomorrow and will be rescheduled.  
28.  
29.  
30.  
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32.  
33.