

79TH GENERAL ASSEMBLY

REGULAR SESSION

JUNE 4, 1976

1. PRESIDENT:

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

6. FATHER OSSOLA:

7. (Prayer given by Father Ossola)

8. PRESIDENT:

9. Reading of the Journal. Senator Johns.

10. SENATOR JOHNS:

11. Thank you, Mr. President. I move that reading and approval  
12. of the Journals of Tuesday, June the 1st, 1976, Wednesday, June  
13. the 2nd, 1976 and Thursday, June the 3rd, 1976, be postponed pending  
14. arrival of the printed Journals.

15. PRESIDENT:

16. Heard the motion. All in favor say Aye. Opposed Nay. The  
17. Ayes have it. The motion carries. Committee Reports. Are any  
18. available. Senate Bills on 2nd reading. Senate Bill 1601,  
19. Senator Netsch. Senate Bill 1691, Senator Glass. Senate Bill  
20. 1795, Senator Kosinski. Senate Bill 1867, Senator Bruce. 1878,  
21. Senator Demuzio. 1976, Senator Bloom. The Senate  
22. will come to order. Senate Bills on 2nd reading. Senate Bill  
23. 1601, Senator Netsch. Senate Bill 1691, Senator Glass. 1691,  
24. do you choose to call that? Read the bill.

25. SECRETARY:

26. Senate Bill 1691

27. (Secretary reads title of bill)

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

29. PRESIDENT:

30. Any amendments from the Floor? 3rd reading. Senate Bill  
31. 1784, Senator Glass. Senate Bill 1795, Senator Kosinski is ill...  
32. home with his wife. Senate Bill 1867, Senator Bruce. Senate Bill  
33. 1878, Senator Demuzio. House Bills on 2nd reading. House Bill 3062,

1. ...yes. Senator Bell, for what purpose do you arise?  
2. SENATOR BELL:  
3. I don't believe we, Mr. President, finished Senate Bills  
4. on 2nd reading. Weren't we on 2nd reading. Did we call...  
5. PRESIDENT:  
6. We called all bills on 2nd reading except 1976 and 1977.  
7. It's the...the Chair's understanding that those bills will be on for...  
8. for a week before they're called.  
9. SENATOR BELL:  
10. Where did you received that understanding in reference to  
11. 1977, Mr. President?  
12. PRESIDENT:  
13. I read an article in the newspapers.  
14. SENATOR BELL:  
15. Well...  
16. PRESIDENT:  
17. Yes, Senator.  
18. SENATOR BELL:  
19. Well, fortunately, the newspapers aren't running the Illinois  
20. Senate, Mr. President. I...I think...  
21. PRESIDENT:  
22. You can get a debate on that question.  
23. SENATOR BELL:  
24. I...I think you've been doing an excellent job, Mr. President,  
25. and certainly would be agreeable to me on 1977 to move it to  
26. 3rd reading, and agree to call it back for amendments at any time.  
27. PRESIDENT:  
28. I...I...I appreciate your endorsement, Senator, but you're  
29. not the sponsor of the bill, as a matter of fact.  
30. SENATOR BELL:  
31. Well, I'm...I'm one of the front sponsors of it...  
32. PRESIDENT:  
33. Front sponsors, that's a new one, but...

1. SENATOR BELL:  
2. Well, it's...it's a joint sponsorship between Senator Morris  
3. and myself.  
4. PRESIDENT:  
5. Well, Senator Morris has...has said that he's not calling the  
6. bill for a week, because they are...  
7. SENATOR BELL:  
8. All right....  
9. PRESIDENT:  
10. there well may be some amendments...  
11. SENATOR BELL:  
12. -Okay...  
13. PRESIDENT:  
14. ...to the bill.  
15. SENATOR BELL:  
16. ...All right. Thank you, Mr. President.  
17. PRESIDENT:  
18. Senator Bloom.  
19. SENATOR BLOOM:  
20. Thank you, Mr. President. Somehow in this 1976, appears  
21. to be caught in the slipstream of 1977. 1976 is indeed 1960.  
22. And I'd like to go with 1976, which is basically the authorizing  
23. and validating for inter-city rail service, so that the trains  
24. could get...  
25. PRESIDENT:  
26. This is the one on which there is a deadline for June 30th,  
27. is that right?  
28. SENATOR BLOOM:  
29. Yes, Sir.  
30. PRESIDENT:  
31. Read the bill. 1976.  
32. SECRETARY:  
33. Senate Bill 1976

1. (Secretary reads title of bill)  
2. 2nd reading of the bill. No committee amendments.  
3. PRESIDENT:  
4. Any amendments from the Floor? 3rd reading. House Bills  
5. on 1st...on 2nd reading. House Bill 3062, Senator Fawell. House  
6. Bill 3137, Senator Bruce. House Bill 3371, Senator Bruce. What  
7. is your pleasure, Senator Bruce? Page 4, ...3371. Read the bill.  
8. SECRETARY:  
9. House Bill 3371  
10. (Secretary reads title of bill)  
11. 3rd...2nd reading of the bill. The Committee on Appropriations  
12. offers one amendment.  
13. PRESIDENT:  
14. Senator Bruce.  
15. SENATOR BRUCE:  
16. Yes, this was the Partee Amendment, and I move its adoption.  
17. PRESIDENT:  
18. Any discussion? Senator Bruce moves the adoption of Amendment  
19. No. 1 to House Bill 3371. All in favor will say Aye. Opposed Nay. The  
20. Ayes have it. The amendment is adopted. Any further amendments?  
21. Any amendments from the Floor? 3rd reading. House Bill 3492,  
22. Senator Donnewald. Read the bill.  
23. SECRETARY:  
24. House Bill 3492  
25. (Secretary reads title of bill)  
26. 2nd reading of the bill. No committee amendments.  
27. PRESIDENT:  
28. Any amendments from the Floor? 3rd reading. House Bill 3626,  
29. Senator Vadalabene. Read the bill.  
30. SECRETARY:  
31. House Bill 3626  
32. (Secretary reads title of bill)  
33. 2nd reading of the bill. No committee amendments.

1. PRESIDENT:  
2. Any amendments from the Floor? 3rd reading. House Bill 3834,  
3. Senator Netsch. No. Committee Reports. Pardon me, Senator Bruce,  
4. for what purpose do you arise? Would you put Senator Bruce on the  
5. mike, please? Try Senator Donnewald's mike.  
6. SENATOR BRUCE:  
7. Yes, Mr. President, if we...before we leave 2nd reading, 3137.  
8. PRESIDENT:  
9. Oh, you desire to call that now? House Bills on 2nd reading,  
10. 3137.  
11. SECRETARY:  
12. House Bill 3137  
13. (Secretary reads title of bill)  
14. 2nd reading of the bill. No committee amendments.  
15. PRESIDENT:  
16. Any amendments from the Floor? 3rd reading. Committee  
17. Reports.  
18. SECRETARY:  
19. Senator Hynes, Chairman of Appropriation Committee, reports  
20. out the following bills: Senate Bill 1941 and House Bills numbered  
21. 3148, 3273, 3383, 3405 and 3427 with the recommendation Do Pass.  
22. PRESIDENT:  
23. For what purpose does Senator Vadalabene arise?  
24. SENATOR VADALABENE:  
25. Yes, in...on House Bill 3427, I would like leave to have that  
26. advanced to the order of 2nd reading...read a second time.  
27. PRESIDENT:  
28. Any discussion? Is leave granted? Leave is granted.  
29. SECRETARY:  
30. House Bills 3427  
31. (Secretary reads title of bill)  
32. 2nd reading of the bill. No committee amendments.  
33. PRESIDENT:

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

2. SECRETARY:

3. Also on the committee report, Senate Bills 1625, 1742, 1936,  
4. 1962 and House Bills 3343, 3344, 3346, 3369, 3378, 3389, 3392, 3414,  
5. 3815, 3818 and 3820 with the recommendation Do Pass as amended.  
6. Senator Savickas, Chairman of Labor and Commerce Committee,  
7. reports out Senate Bill 1967, with the recommendation Do Pass as  
8. amended.

9. PRESIDENT:

10. Senator Berning, for what purpose do you arise?

11. SENATOR BERNING:

12. On a point of personal privilege, I would assume...

13. PRESIDENT:

14. State your point, Senator.

15. SENATOR BERNING:

16. ...Mr. President. We have just had a bill called and  
17. moved to 3rd reading and I don't find it on the Calendar. Now,  
18. I assume that there's a defensible argument on the part of the  
19. sponsor and on the part of the President that unanimous consent  
20. was granted. But I think, Mr. President, that this is a rather dis-  
21. tasteful sort of action. Regardless of the merits of any measure,  
22. we ought to all have the opportunity to know what is to be moved  
23. on this Calendar and when an item is not on the Calendar, we ought  
24. to be carefully advised that this is special action. What worries  
25. me, Mr. President, is that we probably have seen the first of what  
26. is going to be a whole series of this kind of action, and I regret  
27. it. I think it is indefensible and a transgression on the rights  
28. of all of us, even on the minority side.

29. PRESIDENT:

30. Senator...

31. SENATOR BERNING:

32. for the right to know what is occurring.

33. PRESIDENT:

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1. PRESIDENT:

2. ...Senator, the bill was...a committee report was being  
3. read. A motion was made to read it a second time and to advance it.  
4. No one prevented anyone at that time from registering an objection  
5. to that particular action. Now, I don't where the transgression  
6. comes in.

7. SENATOR BERNING:

8. As I said initially, Mr. President, when you weren't listening,  
9. I assume there is a good and plausible justification in the part of  
10. the sponsor and on the part of the President, because with a quick  
11. move without everyone being alerted, and we've, unfortunately, take  
12. a great deal of the action of this Body on faith, but a measure  
13. coming from committee and immediately being moved does not justify  
14. in my opinion not calling the attention to the Body of the action  
15. that's being taken, so that those who are not aware of committee  
16. action and aware of the fact that a movement is a foot to bypass  
17. the Calendar is being taken.

18. PRESIDENT:

19. Senator Donnewald. Senator Davidson. Oh, just...Senator  
20. Vadalabene.

21. SENATOR VADALABENE:

22. Yes, Mr. President, members of the Senate. In the absence  
23. of Senator Donnewald who is on other business in the...in...I moved  
24. that bill out of the Transportation...or the Appropriations Committee  
25. this morning. Now, the...I do want to commend Senator Berning for  
26. his actions, however, this was all cleared by all the members of the  
27. Appropriations Committee, the leadership on both sides of the aisle,  
28. for this movement. Now, in...in the seriousness of this legislation  
29. already, these thirty-one hundred people are going to lose one day's  
30. pay already, and any further delay is going to cause it to...them  
31. to lose extra days' pay, but it was nothing dilatory. It wasn't  
32. no action. It was cleared by everyone, including the members of the  
33. Appropriations Committee.

1. PRESIDENT:

2. Senator Davidson.

3. SENATOR DAVIDSON:

4. Well, Mr. President, I think most of the emergency... the urgency  
5. of this bill has been explained, but the part, not only the fact  
6. of loss of pay to the individuals who are legitimate hard-working  
7. employees, but you do have a little matter of safety. Those people  
8. who are the ones who do maintain the highways in the emergency  
9. situation. They can talk about the technical people that's going  
10. to cover this or not. You and I both know that's not really going  
11. to happen, If...we tried to get this bill moved yesterday, or we  
12. could have passed it today, and they would not have had to spend the  
13. extra money in notifying these people, as they are now, and then  
14. notify them to come back. If we get it...as it what was done here  
15. awhile ago and passed it on Monday, they'll lose only one day off  
16. work, but you're also going to have the additional cost of the  
17. paperwork of going through the notice of them today, because they  
18. have received the notice. If you haven't got one of those three  
19. hundred employees from your district calling you as I had this morning  
20. starting at five o'clock, then you'll understand the urgency of this.  
21. And I think it was in good taste and did correctly. Everybody knew  
22. about it. If you did not...were not informed about it, I'm sorry,  
23. but it...there is a critical emergency on this:

24. PRESIDENT:

25. Senator Johns.

26. SENATOR JOHNS:

27. Mr. President, I'd like to add to Senator Vadalabene and  
28. to Senator Davidson. Many of these jobs, too, are often for the  
29. college students who desire to work to save money to go back to school  
30. this fall, and with the cost of education rising as it has been, we  
31. need to get on with this bill and move it.

32. PRESIDENT:

33. Senator Berning.



1. SENATOR BERNING:

2. I'm unimpressed by the discussions on the part of the sponsors  
3. and supporters on both sides of the aisle, Mr. President. One of  
4. the things that does upset me, however, irrespective of the merits  
5. of this bill is that the justification is for the patching of holes  
6. and the mowing of grass. I submit that anyone that drives down  
7. I-55 is unable to avoid all the holes and they've been there for  
8. months and months, and the grass is two feet high in many instances,  
9. but equally disturbing to me, Mr. President, is quite contrary  
10. to your ruling a moment ago when Senator Bell requested to move  
11. 1977, you said - he was not the principal sponsor and it was just  
12. announced by both Senator Donnewald and Senator Vadalabene that  
13. Senator Donnewald is the principal sponsor, and yet Senator Vadalabene  
14. moved the bill.

15. PRESIDENT:

16. I was aware of that.

17. SENATOR BERNING:

18. This is a...

19. PRESIDENT:

20. Now, Senator...

21. SENATOR BERNING:

22. ...this is an inconsistency...

23. PRESIDENT:

24. ...now, just a moment...

25. SENATOR BERNING:

26. ...Mr. President.

27. PRESIDENT:

28. ...just a moment. It is not an inconsistency. Senator  
29. Donnewald was off the Floor, and he asked me to recognize Senator  
30. Vadalabene to handle the bill for him, so it's not an inconsistency.  
31. It appears to be only because you do not know the facts. Now, you  
32. know them. Is it an inconsistency?

33. SENATOR BERNING:

1. As I said earlier, Mr. President, it is most helpful if those  
2. of us, even on the minority side, know what is occurring.

3. PRESIDENT:

4. Senator, I have some sensitivity to minority positions, and I  
5. want you to know that when this bill was called, it actually surprised  
6. the Chair that no one questioned the procedure, but I can't go out  
7. and touch you and say - is this all right with you. I assumed  
8. you knew, because no one said anything. Please.

9. SENATOR BERNING:

10. Once more, Mr. President. As I said earlier, we in this  
11. Body, to a large degree, act in good faith, and depend on good faith  
12. when committee...committee reports are read, normally there is never  
13. any reason to challenge or to pay strict attention since normally  
14. a committee report brings bills out of committee onto 2nd reading,  
15. and it is unusual that we bypass then 2nd reading and go 3rd. That  
16. is the reason that this caught...at least caught me unprepared.

17. PRESIDENT:

18. Senate Bills on 3rd reading. Senate Bill 1511, Senator Knuppel.  
19. Senate Bill 1516, Senator Carroll. Senate Bill 1572, Senator  
20. McCarthy. Senate Bill 1603, Senator Bruce. Senate Bill 1608,  
21. Senator Knuppel. Senate Bill 1676, Senator Knuppel. Senate Bill  
22. 1707, Senator Knuppel. Senate Bill 1739, Senator Regner. Senate  
23. Bill 1750, Senator Knuppel. Senate Bill 1756, Senator Vadalabene.  
24. Read the bill.

25. SECRETARY:

26. Senate Bill 1756

27. (Secretary reads title of bill)

28. 3rd reading of the bill.

29. PRESIDENT:

30. Senator Vadalabene.

31. SENATOR VADALABENE:

32. Yes, thank you, Mr. President and...and members of the Senate.  
33. Senate Bill 1756 extends through fiscal '77 the provision in a Down-

1. state Public Transportation Act allocating two thirty seconds  
2. of the sales tax collected from the bi-state area of Madison,  
3. Monroe and St. Clair Counties to the Downstate Public Transporta-  
4. tion Fund for the payment of the bi-state transit system Illinois  
5. operating deficit. And I would appreciate a favorable vote.

6. PRESIDENT:

7. Any further discussion? The question is, shall Senate Bill  
8. 1756 pass? Those in favor will vote Aye. Opposed Nay. The voting  
9. is open. Have all voted who wish? Have all voted who wish? Have  
10. all voted who wish? Take the record. Senator Vadalabene. Post-  
11. poned Consideration is requested. The bill will go on Postponed  
12. Consideration. Senate Bill 1801, Senator Bruce. Senate Bill 1802,  
13. Senator Bruce. Pardon. Senate Bill 1879, Senator Johns. Senate  
14. Bill 1881, Senator D'Arco. Senate Bill 1899 Senator Bell. Senator  
15. McCarthy, did you desire to call 1572, the easement bill? Please,  
16. read the bill.

17. SECRETARY:

18. Senate Bill 1572

19. (Secretary reads title of bill)

20. 3rd reading of the bill.

21. PRESIDENT:

22. Senator McCarthy is recognized.

23. SENATOR MCCARTHY:

24. Yes, Mr. President and members of the Body. This vacates an  
25. easement of six hundred and fifty square feet in Macon County to be  
26. sold for two hundred and fifty dollars. It's prepared by the  
27. Department of Transportation. Know of no controversy about this.  
28. Request a favorable roll call.

29. PRESIDENT:

30. Any further discussion? The question is, shall Senate Bill  
31. 1572 pass? Those in favor vote Aye. Opposed Nay. The voting is  
32. open. Have all voted who wish? Take the record. On this question,  
33. the Ayes are 43, the Nays are none, with none Voting Present.

1. Senate Bill 1572 having received a constitutional majority is  
2. declared passed. House Bills on 3rd reading. 3197, Senator  
3. Shapiro. 3202, Senator Hynes. House Bill 3301, Senator Hickey.  
4. Senator Hickey. Read the bill. Oh, pardon me, Senator Hickey  
5. is recognized.

6. SENATOR HICKEY:

7. Mr. President, I'd like to take this back to 2nd for purpose  
8. of an amendment.

9. PRESIDENT:

10. Is leave granted? Leave is granted. House Bill 3301 is  
11. now on the order of 2nd reading. Senator Hickey is recognized.

12. SENATOR HICKEY:

13. Mr. President and colleagues, this is an amendment which  
14. reads - "it is understood and agreed that any profit received by  
15. the County of Winnebago from the sale of any of the real property  
16. described in Section 1 of this Act to private buyers shall be  
17. paid to the State of Illinois." I think this meets the objections  
18. that were raised the other day, and I ask your support for the  
19. amendment.

20. PRESIDENT:

21. Any discussion on the amendment? Senator Hickey moves the  
22. adoption of Amendment No. 2 to House Bill 3301. All in favor will  
23. say Aye. Opposed Nay. The Ayes have it. The amendment is adopted.  
24. Any further amendments? 3rd reading. House Bill 3303, Senator  
25. Joyce. House Bill 3355, Senator Dougherty. House Bill 3360,  
26. Senator Kosinski. House Bill 3370, Senator Joyce. House Bill  
27. 3562, Senator Howard Mohr. House Bill 3563, Senator Howard Mohr.  
28. House Bill 3797, Senator Glass. Read the bill.

29. SECRETARY:

30. House Bill 3797

31. (Secretary reads title of bill)

32. 3rd reading of the bill.

33. PRESIDENT:

1. Senator Glass.

2. SENATOR GLASS:

3. Thank you, Mr. President and colleagues. House Bill 3797  
4. establishes the Illinois Historic Preservation Act. This bill is  
5. sponsored by Senator Hynes and myself would allow for a...an existing  
6. council to register places of historical interest and enter them  
7. in the State's historical...make...make them places of...of historical  
8. interest...enter them in the Illinois Register of Historic Places.  
9. Once a designation is made of such a building or place by the  
10. Director of the Department Conservation...what that means is that  
11. before that building can be demolished, a notice must be given  
12. and the...and the time period allowed of up to a hundred and  
13. twenty days within which the...the council and others interested  
14. can make an effort to preserve the historic site. If it is not  
15. preserved, then the Director must issue a certificate of compliance  
16. and the owner may proceed to demolish the building. What it does  
17. is essentially and very simply is give the public an opportunity  
18. and some notice to preserve some of our historic sites in the  
19. State of Illinois before they are arbitrarily torn down. I think  
20. it's a good bill. Many of our cities, including the City of  
21. Chicago, have ordinances to this effect, and we have obtained the  
22. concurrence of the City of Chicago by an amendment to the bill  
23. yesterday removing the Home Rule powers. I'd be glad to answer  
24. any questions, Mr. President, and...and would ask for a favorable  
25. roll call.

26. PRESIDENT:

27. Any further discussion? Senator Latherow.

28. SENATOR LATHEROW:

29. Thank you, Mr. President. I wonder if the sponsor would  
30. yield to a question.

31. PRESIDENT:

32. Indicates he will yield.

33. SENATOR LATHEROW:

1. One of the amendments that I have in my possession says -  
2. "In any case where the director determines that eminent threat  
3. to the public health or safety exists, he shall waive all requir-  
4. ments." I'd like your response on this.

5. PRESIDENT:

6. Senator Glass.

7. SENATOR GLASS:

8. Yes, Senator Latherow, that amendment was added for the  
9. reason that there may be situations where a building has deteriorated  
10. to the point where, in fact, it constitutes a threat to public  
11. safety. And in such a case, there would have to be no waiting  
12. period or time lag. The director could go ahead and immediately  
13. issue the certificate to allow its demolition.

14. PRESIDENT:

15. Senator Latherow.

16. SENATOR LATHEROW:

17. ...Could I say then, that this would be like a new type  
18. of eminent domain?

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. No. Senator Latherow, the...that would cover a situation  
23. where perhaps a city had condemned a building, not in a sense  
24. of eminent domain, but just had started proceedings because it  
25. was unsafe, and it ordered it either repaired or demolished, and...  
26. those powers exist now, and all we're saying by this amendment  
27. is that if such a situation does exist, the building can be torn  
28. down without...having to go through the waiting period.

29. PRESIDENT:

30. Senator Latherow.

31. SENATOR LATHEROW:

32. Well, I'd just like to...recognize the fact that in my own  
33. particular thinking, I think this a real position of eminent domain

1. where one person, the director that is referred to in this  
2. particular amendment, may have all powers of any eminent domain  
3. without any court procedures. He has the entire privilege to go  
4. in and...and condemn and destroy without any...any proceedings  
5. whatever. And I...I think this make this bill even a worst bill  
6. than what it originally started to be.

7. PRESIDENT:

8. Senator Bell...

9. SENATOR BELL:

10. Yeah, thank you, Mr. President. Question of the sponsor.

11. PRESIDENT:

12. He indicates he'll yield.

13. SENATOR BELL:

14. Senator Glass, comments that I have in reference to this  
15. bill indicate there are a possibility of some eighty thousand  
16. or so places that could be concerned in this type of legislation  
17. or...or be examined or be considered. Is that true? Is that...  
18. is that a reasonable statement?

19. PRESIDENT:

20. Senator Glass.

21. SENATOR GLASS:

22. Senator Bell, I honestly don't know how many places might  
23. be considered. There is a procedure for what I described as a  
24. council that is, in fact, in existence today composed of historians,  
25. architectural historians, archaeologists, and six from supporting  
26. fields who would, in fact, make nominations of historic places.  
27. There is no limit as to how many they might nominate. This  
28. is a...an organization which I...I doubt would have an opportunity to  
29. reach any where near the number of eighty thousand that you cite,  
30. so, or eight hundred. I...I simply don't know how many it might  
31. be involved.

32. PRESIDENT:

33. Senator Bell.

1. SENATOR BELL:

2. Well, Senator Glass, the indications that I have here  
3. is that there is currently being completed a survey that indicates  
4. that there may be as many as that...as that number. That's...  
5. to me that also sounds like a ... a...a...tremendous number. ...  
6. Anyway, the figure here is about eighty thousand. The point that  
7. I'm trying to arrive at here is that with a consideration of that  
8. number of surveys to be possibly completed, the statement that  
9. I understand exists by the department is that there existing  
10. staff can...can handle the matter and that there should be no  
11. necessity for an increase of...of funding. However, when  
12. you are dealing with the possibility of up to eighty thousand  
13. considerations and surveys, and so on, that might be necessitated,  
14. it would seem to me that we may well be implementing a...a  
15. program that could have a sizable cost to the State of Illinois,  
16. and while I think it's...it's laudatory, the bill and the need  
17. for it, is certainly I don't know that it's vital but it's one that  
18. is important to the history of the State of Illinois and to the  
19. preservation of that history. I wanted to bring this particular  
20. point out, and I'd like to get some of your thoughts in reference  
21. to possible cost aspects.

22. PRESIDENT:

23. Senator Glass.

24. SENATOR GLASS:

25. Senator Bell, in...in committee the testimony, as...as you  
26. know, from the Department of Conservation was that they favor  
27. the bill. They can administer it without any additional costs.  
28. All it really involves a review of the nominations made by the  
29. council of the historic sites to determine whether they are, in  
30. fact, appropriate, and I might mention that as I said earlier,  
31. this is a procedure that exists in many cities and other states,  
32. and, of course, at the national level. It just is a...an effort  
33. to preserve our historic sites if it's possible to do so without



1. having them arbitrarily torn down. There's no condemnation.  
2. There's no prohibition against them being torn down, but it does  
3. give the...public an opportunity to attempt to save our historic  
4. sites before that happens, so I...as I repeat, I don't believe  
5. there is any...any cost involved, and the department has so  
6. testified.

7. PRESIDENT:

8. ... Senator Regner.

9. SENATOR REGNER:

10. ... Senator Glass, yield to a question? Senator Glass, let's  
11. just take a case. I have a building or a site or whatever, and  
12. the department determines that it's a...a historic site and says  
13. I can't tear it down until I get their approval. They don't  
14. approve it. It needs maintenance. Who pays for the maintenance?

15. PRESIDENT:

16. ... Senator Glass.

17. SENATOR GLASS:

18. ... Well, Senator Regner, I'm glad you asked that question,  
19. because there is no way the department can prevent you from tearing  
20. it down. All they can do is ask you to wait the required period  
21. of not more than a hundred and twenty days, at which point if some-  
22. one does...if you do not reach an agreement with people who want  
23. to maintain it, then you're free to tear it down. I think that's the  
24. point should be emphasized. It isn't any prohibition against  
25. the owner from demolishing the building if he wants to. It just  
26. establishes a grace period.

27. PRESIDENT:

28. ... Senator Regner.

29. SENATOR REGNER:

30. ... But that grace period, the department still has control  
31. over my property, and I don't anymore, and I think that's absolutely  
32. wrong, and it's a bad bill.

33. PRESIDENT:

1. Senator Bloom. Senator Bloom.

2. SENATOR BLOOM:

3. Yeah, would the sponsor yield for a question?

4. PRESIDENT:

5. Indicates he will.

6. SENATOR BLOOM:

7. What happens if you've got a county, a downstate county,  
8. and they've got a courthouse, or you know, and it's getting over-  
9. crowded and it's about a hundred or two...two hundred years old  
10. or so, and they want to tear it down, and the director says -  
11. don't?

12. PRESIDENT:

13. Senator Glass.

14. SENATOR GLASS:

15. Well, Senator Bloom, I...I think I just covered that in  
16. answer to Senator Regner. The director cannot prevent you from  
17. tearing it down. That's the important point. There is no pro-  
18. hibition against the county or any owner from tearing down a  
19. building they want to tear down. The only requirement is a  
20. hundred and twenty day waiting period, and if during that period,  
21. the owner doesn't reach an agreement with the people who want  
22. to preserve the building, then it can be torn down.

23. PRESIDENT:

24. Senator Bloom.

25. SENATOR BLOOM:

26. Well, then, I don't really follow the point of the bill.  
27. Is...in other words, you got to...it's...you got to wait a hundred  
28. and twenty days, and you're going to tear it down anyway...I mean.

29. PRESIDENT:

30. Senator Glass.

31. SENATOR GLASS:

32. Well, I...I think you are getting at the heart of the...of the  
33. bill, Senator Bloom. There...there is no eminent domain power.

1. There's no power to prevent the owner from tearing it down, but  
2. what...what it does is give the public notice and an opportunity  
3. to raise money to buy the building, or to otherwise arrange for  
4. maintaining it and preserving it. Too often our historic buildings  
5. are torn down without any advance notice to anybody, and this  
6. merely says - let's preserve some of our history in Illinois  
7. by allowing people who are interested in preserving historic sites  
8. an opportunity to arrange to do that, and that's really all the  
9. bill does. I think it's a...an important opportunity to preserve  
10. historic sites, but it doesn't take away property rights.

11. PRESIDENT:

12. Senator Mitchler.

13. SENATOR MITCHLER:

14. I'd like to ask the sponsor several questions, also.

15. PRESIDENT:

16. Indicates he'll yield. Time is running.

17. SENATOR MITCHLER:

18. Senator Glass, on page 5 and page 6, as I hastily read this  
19. bill, on page 5, lines 11 and 12, and on page 6, on lines 24 and  
20. 25, you're requiring that at these public meetings that a tape  
21. recording of any such meeting shall be made. Now, if it's important  
22. that the...what goes on at these meetings be made, why do you go  
23. to the...the tape recording rather than go to a stenographic or  
24. a...court reporting type...

25. PRESIDENT:

26. Senator Glass.

27. SENATOR MITCHLER:

28. ...at the meeting?

29. SENATOR GLASS:

30. Well, Senator Mitchler, I have...have no breed for tapes  
31. over court reporters. I think probably it's a more economical  
32. way of preserving the record, and...and I assume that's why that  
33. procedure is in the bill.

1. PRESIDENT:

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Well, you know and I know, that when you get into a public  
5. meeting, and you attempt to use a tape recorder and you just  
6. get one of these little cassette things that we have, and you  
7. put it on the chairman's desk, you're not going to pick up the  
8. conversation that's said at the public meeting. They're very  
9. ineffective. It has no value in there at all. Now, if...if...I...  
10. I'm really for this historic preservation, but when you have  
11. language like is...is in the bill, that's what I'm looking at,  
12. because we're making a law here. We're not making a concept.  
13. I'm all for preservation of historic sites, but if you want to  
14. actually have what is recorded at that meeting, then do it in  
15. the proper fashion, and not by these cassette tape recordings.  
16. You're not going to get what's at the meeting, and it's very  
17. ineffective, and you're defeating one of the purposes...

18. PRESIDENT:

19. Senator Glass.

20. SENATOR GLASS:

21. Mr. President and Senator Mitchler, and others, I think in  
22. view of the number of questions that have been asked about this  
23. bill, I'd like an opportunity to consider some amendments and  
24. answer some of these questions, and ...would request that it be  
25. taken out of the record.

26. PRESIDENT:

27. Take it out of the record. The request is immediately  
28. granted. Senate Bill 3360, Senator Rock for Senator Kosinski.  
29. Pardon me, it's House Bill 3360. Read the bill.

30. SECRETARY:

31. House Bill 3360

32. (Secretary reads title of bill)

33. 3rd reading of the bill.

1. PRESIDENT:

2. Senator Rock.

3. SENATOR ROCK:

4. Thank you, Mr. President and Ladies and Gentlemen of the  
5. Senate, with leave of this Body, I will handle this bill in Senator  
6. Kosinski's absence, and I would like the Journal to reflect as  
7. you have already indicated that he is with his wife who has under-  
8. gone surgery and cannot be here today. House Bill 3360 makes  
9. a supplemental appropriation for the FY '76 to the Veterans  
10. Commission for scholarship payments due to veterans. As you know,  
11. we transferred this program from the Scholarship Commission to  
12. the Veterans Commission. This is a budgeted item, and I would  
13. solicit a favorable roll call.

14. PRESIDENT:

15. Any further discussion? The question is, shall House Bill  
16. 3360 pass? Those in favor will vote Aye. Opposed will vote  
17. Nay. The voting is open. Have all voted who wish? Take the  
18. record. On this question, the Ayes are 46, the Nays are none,  
19. with none Voting Present. House Bill 3360 having received a consti-  
20. tutional majority is declared passed. Will the members be in  
21. their seats. We have a very distinguished vistor this morning,  
22. Sister Ann Ida Gannon, who's been President of Mundelein College  
23. since 1957, who is also the first woman chairperson of North...  
24. of the North Central Association which is an accreditation organization  
25. for colleges in twenty states. She was the first woman chair-  
26. person of religious education association, consisting of both  
27. Protestants, Jews and Catholics, and on the commercial side, she  
28. was the first woman director of the Northern Illinois Gas Company.  
29. Sister Anna...Ann Ida Gannon.

30. SISTER GANNON:

31. Thank you, Senator. I...this is a very unexpected privilege  
32. that I never dreamed that I would have. I simply would like to  
33. say as a visitor that I am impressed, and I would like to express

1. in the name of my fellow citizens, deep admiration for what you  
2. are doing for the needs of the people of Illinois, particularly  
3. in the light of the shortage of money. And I wouldn't be a college  
4. ...ex-college president if I didn't say that I think that the  
5. Illinois State Scholarship Program which I benefited from during  
6. my years as president is the very best in the country, so for  
7. all my fellow presidents, and particularly for our fellow citizens  
8. in Illinois, thank you for what you're doing. I appreciate it.

9. PRESIDENT:

10. House Bills on 3rd reading. House Bill 3301, Senator Hickey.

11. SECRETARY:

12. House Bill 3301

13. (Secretary reads title of bill)

14. 3rd reading of the bill.

15. SENATOR HICKEY:

16. Mr. President and...

17. PRESIDENT:

18. Senator Hickey.

19. SENATOR HICKEY:

20. ...and colleagues, this is the bill which was up yesterday and  
21. which we just amended to meet some questions which were brought  
22. up on the Floor. It transfers less than an acre and a half of  
23. property from the State to Winnebago County, and I ask for your  
24. favorable roll call.

25. PRESIDENT:

26. Any further discussion? Question is, shall House Bill  
27. 3301 pass? Those in favor will vote Aye. Opposed Nay. The voting  
28. is open. Have all voted who wish? Take the record. On that  
29. question, the Ayes are 38, the Nays are none, with 2 Voting Present.  
30. House Bill 3301 having received a constitutional majority is  
31. declared passed. Is there leave for Senator Hynes to handle and  
32. call House Bill 3355 in Senator Dougherty's absence, who's ill.  
33. Leave is granted. Read the bill. House Bill 3355.

1. SECRETARY:

2. House Bill 3355

3. (Secretary reads title of bill)

4. 3rd reading of the bill.

5. PRESIDENT:

6. Senator Hynes.

7. SENATOR HYNES:

8. Mr. President, members of the Senate, this is a supplemental  
9. appropriation of 8.7 million dollars to the Department of Local  
10. Government Affairs, for the Local Government Distributive Fund.  
11. It is to be distributed to local governments, one...one-twelfths  
12. share of the income tax. It is in the Governor's budget. The  
13. appropriation last year was this amount short of what actually was  
14. received. And I would appreciate a favorable roll call.

15. PRESIDENT:

16. Any further discussion? The question is, shall House Bill  
17. 3355 pass? Those in favor vote Aye. Those opposed will vote Nay.  
18. The voting is open. Have all voted who wish? Take the record.  
19. On that question, the Ayes are 47, the Nays are none, with 1  
20. Voting Present. House Bill 3355 having received a constitutional  
21. majority is declared passed. Messages from the House.

22. SECRETARY:

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

24. Mr. President - I am directed to inform the Senate  
25. that the House of Representatives has concurred with the Senate  
26. in the passage of a bill with the following title: Senate Bill  
27. 1881 and together with the following amendment, Amendment No. 1  
28. to Senate Bill 1881.

29. PRESIDENT:

30. Secretary's Desk.

31. SECRETARY:

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

33. Mr. President - I am directed to inform the Senate

1. that the House of Representatives has concurred with the Senate  
2. in the passage of the following bill: Senate Bill 1933 along  
3. with House Bill...House Amendment No. 1.

4. PRESIDENT:

5. Secretary's Desk.

6. SECRETARY:

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

8. Mr. President - I am directed to inform the Senate  
9. that the House of Representatives has passed bills with the  
10. following titles in the passage of which I am instructed to  
11. ask the concurrence of the Senate, to-wit: House Bill 3801,  
12. and 37...3800 and 3799.

13. PRESIDENT:

14. Secretary's Desk. Rules Committee on that one, yes.  
15. Senate Bills on 3rd reading. We've been to this. Is there...  
16. are there any bills on Senate Bills 3rd reading that any member  
17. desires now to call? Are there any bills...may I have the  
18. member's attention. Have you any bills on the Secretary's Desk,  
19. either on the Order of Concurrence or Nonconcurrence that you  
20. desire to call? Senator McCarthy.

21. SENATOR MCCARTHY:

22. Where at?

23. PRESIDENT:

24. Secretary's Desk, Nonconcurrence, page 6. Senator McCarthy  
25. seeks 3116. 15...3115. Senator McCarthy is recognized.

26. SENATOR MCCARTHY:

27. Yes, Senator Glass is on the Floor. This bill, I think,  
28. probably ultimately will have to go to a Conference Committee,  
29. but I'd like to make the motion that the Senate recede from  
30. Senate Amendments 3, 4, 5 and 6.

31. PRESIDENT:

32. Senator Glass.

33. SENATOR GLASS:



1. Well, thank you, Mr. President, I would rise to oppose that  
2. motion and...and hope that the House will...will...that the Senate  
3. will refuse to recede. I think the Body will remember that this  
4. is the bill involving a...a grace period on mortgage foreclosures  
5. for the residential mortgages. We approved the four amendments  
6. that Senator McCarthy mentioned, and then when the bill went back  
7. to the House, the House refused to concur in our Senate amendments,  
8. so, I would hope that we would not recede from our amendments,  
9. but that we would refuse to recede so that this bill can go to  
10. a Conference Committee, and therefore, I would urge a No vote  
11. on this motion.

12. PRESIDENT:

13. Senator McCarthy.

14. SENATOR MCCARTHY:

15. Well, Mr. Chairman, I...I...I think that really, in view  
16. of the House, that the Calendar is correct. That they...that  
17. they refuse to concur in any of the Senate amendments. We're  
18. going to have a Conference Committee, because the first two  
19. amendments are necessary amendments from both sides, so, Senator  
20. Glass' motion probably...I'll withdraw my motion, but if Senator  
21. Glass would make his.

22. PRESIDENT:

23. Senator Glass.

24. SENATOR GLASS:

25. Thank you, Mr. President. I move that the Senate refuse  
26. to recede from Amendments 1, 2, 3, 4, 5 and 6.

27. PRESIDENT:

28. Senator Glass moves that the Senate refuse to recede from  
29. the adoption of Amendments Numbered 1, 2, 3, 4, 5 and 6 to House  
30. Bill 3115, and further moves that a Conference Committee be appointed.  
31. All in favor will say Aye. Opposed Nay. The Ayes have it. The  
32. motion carries, and the Secretary shall so inform the House.  
33. Senator McCarthy.

1. SENATOR MCCARTHY:

2. On 3116, I'd like to make the motion that we refuse to  
3. recede from Senate Amendments Number 1 and 2 and request that  
4. a Conference Committee be...appointed.

5. PRESIDENT: ...

6. ... Senator McCarthy moves that the Senate refuse to recede  
7. from the adoption of Amendments Number 1 and 2 to House Bill  
8. 3116, and further that a Conference Committee be appointed.  
9. All in favor will say Aye. Opposed Nay. The Ayes have it, and  
10. the Secretary will so inform the House. Are there any other  
11. bills on the Secretary's Desk on the order of Nonconcurrency  
12. that the members desire to deal with? Matters on the Secretary's  
13. Desk on the order of Concurrence that the members desire to call?  
14. Is Senator Netsch on the Floor? She gave us a note with reference  
15. to one bill. I...Senator Netsch, on the Order of Nonconcurrency  
16. House Bill 3068, is recognized.

17. SENATOR NETSCH:

18. Thank you, Mr. President. On House Bill 3068, I would move  
19. that the Senate refuse to recede from the...let's see, it was  
20. Senate Amendment No. 2, and request the appointment of a Conference  
21. Committee. I'd be happy to explain it, but...it's all going to  
22. come out...

23. PRESIDENT:

24. Senator...

25. SENATOR NETSCH:

26. ...in Conference anyway.

27. PRESIDENT:

28. ...Netsch moves that the Senate refuse to recede from the  
29. adoption of Amendment No. 2 to House Bill 3068, and that a Conference  
30. Committee be appointed. All in favor will say Aye. Opposed Nay.  
31. The Ayes have it, and the Secretary shall so inform the House.  
32. On the Secretary's Desk on the order of Concurrences. Senator  
33. Harris...Hynes on the Floor. 1498, there is a concurrence possibility

1. ...opportunity, if you desire to take it. House Bill...Senate  
2. Bill 1500, Senator Lane. 1609, Senator Knuppel. On the order  
3. of Consideration Postponed, there's a request by Senator Bloom  
4. for House Bill 3844. Senator Bloom.

5. SENATOR BLOOM:

6. Thank you, Mr. President. This is the bill to cover the  
7. situation where an office is...county office is vacated in such  
8. a way that there's not time to have a primary, and it would  
9. obviate the need for calling a special primary over the summer  
10. for the general election in the fall...

11. PRESIDENT:

12. Donnewald...Senator Donnewald. Go ahead, Sir.

13. SENATOR BLOOM:

14. Thank you. The bill has been amended. We discussed those the  
15. week before last. There are approximately...it's up to sixteen  
16. counties now that have vacancies and have problems. I'd appreciate  
17. a favorable roll call, and I'll try and answer any questions  
18. you may have.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Is there further discussion? Senator Schaffer.

21. SENATOR SCHAFFER:

22. Senator Bloom, I have no problems with the bill, but that  
23. amendment bothers me a little. The last amendment which I believe  
24. deletes the language upon which the county clerks depend...to  
25. justify their not splitting precincts at eight hundred but waiting  
26. until one thousand. Do I correctly intrepret that amendment?

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Bloom.

29. SENATOR BLOOM:

30. I don't know, really. I don't know what...what they're...  
31. hanging their hat on. The other parts of the Act say that when  
32. it reaches eight hundred, you split them. So, I...I...I can't  
33. answer that. I...

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Senator...

3. SENATOR BLOOM:  
4. ...know that second amendment was put on to mandate or to  
5. prohibit splitting precincts in county board districts. That's  
6. not your problem. Your problem is that the language on which  
7. county clerks hang their hat, you feel is deleted. I...I can't  
8. comment on that. I...

9. PRESIDING OFFICER: (SENATOR DONNEWALD)  
10. Senator...Senator Schaffer.

11. SENATOR SCHAFFER:  
12. Then let me phrase the question this way. As the bill now  
13. reads, would it require county clerks in all counties to split  
14. every precinct over eight hundred before the general election  
15. prior to the November election? By...by split, I mean reduced  
16. below the level of eight hundred.

17. PRESIDING OFFICER: (SENATOR DONNEWALD)  
18. Senator Joyce.

19. SENATOR JOYCE:  
20. Yes, Senator, if I may answer that, it would not. It would  
21. be the next June.

22. PRESIDING OFFICER: (SENATOR DONNEWALD)  
23. Senator Schaffer.

24. SENATOR SCHAFFER:  
25. Well, I'm going to vote for this bill, but probably in  
26. January, we're going to be in trying to raise that eight hundred  
27. to a thousand. With the advent of the votomatic and automatic  
28. voting machinery, there's no need for the precincts to be limited  
29. to eight hundred in all these counties, because everytime you  
30. create a new precinct, you create a...continuous ongoing expense  
31. that the county bears solely, and I think it's a good bill, but  
32. I think we should all be alerted that there should be some steps  
33. taken next year.

1. PRESIDING OFFICER: (SENATOR DONNEWALD)  
2. Is there...Senator Kenneth Hall.  
3. SENATOR KENNETH HALL:  
4. Would the sponsor yield to a question.  
5. PRESIDING OFFICER: (SENATOR DONNEWALD)  
6. Indicates he will with a round head shake.  
7. SENATOR KENNETH HALL:  
8. We're talking about the same bill that...that Senator  
9. Lane put this amendment on, correctly? I mean Senator Joyce...  
10. Joyce.  
11. PRESIDING OFFICER: (SENATOR DONNEWALD)  
12. Senator Joyce.  
13. SENATOR KENNETH HALL:  
14. Yes, and I just want to get this straight. Now, they've  
15. been hanging their hats on that was so many for every voting  
16. machine, and now, you are going to make a minimum of eight hundred  
17. in every precinct. Is that correct?  
18. PRESIDING OFFICER: (SENATOR DONNEWALD)  
19. Senator Joyce.  
20. SENATOR JOYCE:  
21. ...Well, it already is supposed to be split when...when they reach  
22. eight hundred, but, in fact, ...let's see, they have to where it's  
23. over six hundred now, they have to appoint an extra five election judges,  
24. and the voting machines, I think have to be every five hundred  
25. voters, they have to have a voting machines anyway, so it doesn't  
26. really make them buy...have any more voting machines, because  
27. they have to go at a certain number.  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Senator Kenneth Hall.  
30. SENATOR KENNETH HALL:  
31. Yes, but you do have to add more judges. Am I correct?  
32. PRESIDING:  
33. Senator Joyce.

1. SENATOR KENNETH HALL:

2. Are we able to pay what...you know, the reason I'm saying  
3. that, my county right now is not able to pay their election costs now.

4. PRESIDING OFFICER: (SENATOR DONNEWALD)

5. Senator Joyce.

6. SENATOR JOYCE:

7. Senator, you have to hire the judges now when your precinct  
8. is over six hundred registered voters. You have to hire five extra  
9. judges...at the...you know, for the end of the day. ...You just  
10. have to do it now, if they're over six hundred.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator Kenneth Hall.

13. SENATOR KENNETH HALL:

14. I...I just wanted to check on the added expense on how  
15. it was going to be distributed.

16. PRESIDING OFFICER: (SENATOR DONNEWALD)

17. Is there further discussion? The question is, shall...  
18. just a moment, Senator Demuzio.

19. SENATOR DEMUZIO:

20. Mr. President, not Jimmy, I just want to say again that  
21. which I said last week, and I have the feeling that this bill,  
22. in fact, is going to pass today, but I just want to state that  
23. I was back in the district over the Memorial Day weekend. My  
24. county is affected by this special primary and I didn't have anyone  
25. who came up to me and said, that they didn't want to bear the  
26. cost of a special primary. You know we're celebrating the 200th  
27. birthday of our country. Our government has survived for over  
28. two hundred years by the election process, and I certainly  
29. believe that using the argument that this special primary bill  
30. is going to cut the cost of those counties that are involved is...  
31. is an argument that is...is a responsible one, but I certainly  
32. feel that our public officials ought to be chosen by the ballot  
33. box. I won my election in 1974 with the primary on the street,

1. and I don't see why anyone else, be he Democrat or be he Republican,  
2. cannot go through that same process. And I just want to say in  
3. reading the Constitution of the State that every and quoting:  
4. "Every United States citizen who has attained the age of twenty-one  
5. or any voting age required by the United States for voting in  
6. state elections, and who has been a permanent resident of the  
7. state for at least six months preceding any election, shall have  
8. the right to vote at such election", and I'm not going to sit  
9. in the Illinois Senate and deny people that opportunity and that  
10. right to participate in an election. I oppose this bill.

11. PRESIDING OFFICER: (SENATOR DONNEWALD)

12. Senator McCarthy.

13. SENATOR MCCARTHY:

14. Yes, Mr. President and members of the Body, I spoke on this  
15. bill a week or two ago much in the same line as Senator Demuzio  
16. did, because this bill does affect Macon County. In Macon County,  
17. we have a vacancy in the office of sheriff. The sheriff that  
18. was elected in 1974 died in January or February of this year,  
19. his exact date of death escapes me, with two and a half years  
20. remaining on this term. Now, anybody that knows anything about  
21. downstate politics knows that the office that brings out the voters,  
22. the office that brings out the voters to participate in party  
23. politics is the office of sheriff. We've got thirteen candidates,  
24. if my recollection is correct, running on the Democratic ticket  
25. for the nomination for sheriff of Macon County. There's three  
26. Republicans that have filed nominations for the office of sheriff,  
27. and that's the one that the people get excited about is sheriff.  
28. Used to be sheriff in the off year, and states's attorney in the  
29. even year, and anybody that...I...I don't think that any of you  
30. gentlemen will dispute that fact, that that's the thing that  
31. gets people interested in party politics. I know in Macon County  
32. recently we had a special election on county board, because they  
33. didn't want to have the county board election at the same time that

1. we had a general election, and there were some partisan considerations,  
2. and I merely recite that by way of history, and like Senator  
3. Demuzio who's interested in this bill, I too was, back in the  
4. district and looked around and I saw all sorts of names on the  
5. backs of cars, and on the tops of cars, bumper strips of Adams,  
6. and Scott, a lot of other names. I don't know right now whether or not  
7. they were the Democrats or Republicans. These candidates have  
8. been circulating around and have got signs bought, because they  
9. want to participate in the primary in the Republican Party and  
10. the Democratic Party and the people want to participate in the  
11. selection of this office within the party structure. I said two  
12. weeks ago, and I ask you gentlemen now, it's pretty difficult to  
13. try to do something by yourself. People in this country at every  
14. level have distrust of government where they would like to react  
15. against the...the outgrowth of some governmental decisions, but  
16. yet they throw up their hands...

17. PRESIDING OFFICER: (SENATOR DONNEWALD)

18. Senator, your time has almost expired. It has expired.

19. SENATOR MCCARTHY:

20. ...they...they say they can't...they don't know what to  
21. do. We have available for them two strong historic political  
22. parties, Democrat and Republican, which gives them an orbit with-  
23. in which to accomplish their political expressions, and to abolish  
24. that I think is...is taking away something that is not a fair  
25. exchange on the amount of money involved, so I urge a negative  
26. vote.

27. PRESIDING OFFICER: (SENATOR DONNEWALD)

28. Senator Buzbee.

29. SENATOR BUZBEE:

30. Well, Mr. President, as...it...it seems strange that those  
31. of us who have very similiar or identical problems in our district  
32. come up with different solutions, but that's why there are fifty-nine  
33. of us here, and that's why they have a legislative Body, and that's



1. why I hope that the people in their good wisdom decide to always keep  
2. a legislative Body. But I see the same problem that Senator  
3. Demuzio and Senator McCarthy see, and I see it just exactly the  
4. opposite. Now, I come from an area where we have had...we have  
5. county boards made up of three members, county commissioner form  
6. of government in several of my counties, and at one time until  
7. we changed this law last year, we had county commissioners elected  
8. for three year terms, and they would come up for election, we would  
9. hold an election, and in my county at a cost of approximately  
10. thirty-six thousand dollars, hold an election, and if we could  
11. get one-tenth or one-fifteenth of the registered voters to come  
12. out and vote for a county commisssioner race, we were fortunate.  
13. And we happened to have a primary, we got no where even close to  
14. that, and what made it especially ludicrous was if you had a  
15. primary in...in...in one party and not in the other, we go ahead  
16. and hold the primary election. It...it...it just doesn't make  
17. any sense to me. Now, we all know in these kind of...of special  
18. elections, we're talking about a special primary now, a special  
19. primary, who is going to be the nominee in the primary election  
20. when there is only one office to be filled? The nominee is going  
21. to be that person that the party organization is supporting,  
22. most likely, because people just are not interested enough to  
23. come out and vote in that sort of an election. Now, I've...I  
24. subscribe thoroughly to the theory. I believe that the State  
25. Superintendent of Public Instruction ought to still be elected.  
26. I...I supported that...that concept when...when we had it before  
27. us, and I've just the yellow light on, and I'll quit about five  
28. minutes after the red light like everybody else does, and it  
29. just seems to me that to ask the taxpayers to spend thirty-six  
30. thousand dollars in my county to have about five or six hundred  
31. people come out and decide who's going to be the nominee for  
32. treasurer in my county, as it turns out, that we might as well  
33. allow those same five or six hundred people through the party

1. caucus process to make that determination. And so with exactly  
2. the same problems that Senator Demuzio and Senator McCarthy have,  
3. I end up by saying as I started, I see it just exactly the opposite.  
4. I think it's a waste of taxpayer dollars.

5. PRESIDING OFFICER: (SENATOR DONNEWALD)

6. Senator Partee.

7. SENATOR PARTEE:

8. Well, I find myself in disagreement with some of my dear  
9. friends and colleagues. I'd just like to tell you a little bit  
10. of the history of this entire concept. Really there are two  
11. components to the problem, one is economics and one is politics,  
12. and when this first surfaced in the Senate, it came about when  
13. Senator Bill Lyons, whose district Senator Demuzio now represents,  
14. died, and we had a bill here to replace him, to have him replaced  
15. or...that vacancy replaced, and we kept calling it, and kept it  
16. calling it, and we could never get any votes on that side particularly  
17. for the bill, and we tried and tried, and finally the concept  
18. came into law. Now, as a result of that, several things happened.  
19. When Senator Swinarski left the Senate, immediately because of  
20. the presence of the law, Senator Lenke could be appointed. When  
21. Senator Romano died, immediately Senator D'Arco could be appointed.  
22. Now, the thing is, it...it makes for continuity in government  
23. and it gives the county or the area involved the option of either  
24. spending the money or not spending the money. I recall very  
25. vividly that Knox County, for example, under some bills would  
26. have had to spend seventy thousand dollars for a special election  
27. in a particular instance. Now, we're all talking about how little  
28. money there is in the coffers at the state and county level, and  
29. anything that can be done, in my judgement, that gives the county the  
30. opportunity to obviate the spending unnecessary dollars is a good and  
31. salutary thing. Now, this bill is in the alternative. If a county  
32. or if the entity involved feels that they do, in fact, have  
33. the money, and if they do, in fact, want to have the election, they

1. may do so. On the other hand, if they do not desire to do that,  
2. they may then take the other provision of the bill and go ahead  
3. and make the appointment until the next election. It just makes  
4. sense to me and I think the county chairmen are quite correct in their  
5. assessment that this is a good bill. It saves taxpayer's money  
6. but they still have the choice of deciding whether or not there  
7. should or should not be a special election. I think it is a good  
8. bill.

9. PRESIDING OFFICER: (SENATOR DONNEWALD)

10. Is there further discussion? Oh...Senator Philip.

11. SENATOR PHILIP:

12. Thank you, Mr. President and Ladies and Gentlemen of the  
13. Senate. As you're probably aware, I am a county chairman and  
14. have been a county chairman for some eight years and very proud  
15. of that fact, very honestly, and I have gone through special  
16. elections in DuPage County. And I want to tell you a special  
17. election in DuPage County today costs about two hundred and  
18. seventy-five thousand dollars, and you know what happens after  
19. you have that special election? You get anywhere from eight  
20. to ten percent of the people will turn out the vote. It just  
21. doesn't turn anybody on, and I'll tell you who nominates that  
22. candidate in that special election, The organization does, the  
23. organization does. Now, this is a limited bill. It leaves the  
24. option up to the county board. They can either call a special  
25. election or allow the Republican and Democratic Parties to hold  
26. a convention and nominate. I think if we could use a little  
27. common sense, save the county board or the county about two  
28. hundred and seventy-five thousand dollars in my county, and also  
29. save those candidates and those organizations some money, because  
30. anytime you go through a special election, it's going to cost  
31. money. Let's use a little common sense and pass this needed bill.

32. PRESIDING OFFICER: (SENATOR DONNEWALD)

33. Is there further discussion? Senator Bloom you may close

1. the debate. The question is, shall House Bill 3844 pass? Those  
2. in favor vote Aye. Those opposed Nay. The voting is open. Have  
3. all voted who wish? Take the record. On that question, the  
4. Ayes are 38, the Nays are 3, 2 Present. House Bill 3844 having  
5. received a constitutional majority is declared passed. Is  
6. there further business to come before the Senate? Senator ParTEE.

7. SENATOR PARTEE:

8. I have an announcement, Mr. President, as to next week's  
9. schedule. Would you pass those out, please? We will come in  
10. Tuesday, pardon me, Monday, at noon, and the schedule shows the  
11. committees that are set for next week, with one exception,  
12. which we have added, and if you'll just pencil in on your calendar,  
13. June 11th, Friday, at 9:30 a.m., Revenue Committee at 4...in  
14. Room 400, then your schedule will be complete. We might have  
15. run it again, but it would have been an expense, and we saved  
16. at least fifty cents by having you write that in rather than to  
17. rerun it with that addition, but that is the schedule for next  
18. week, Monday at noon.

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Senator Philip.

21. SENATOR PHILIP:

22. Thank you, Mr. President. As long as we're on the...the  
23. order of...of announcements, I would like to remember...remind  
24. the Senate and the softball players, we have our House-Senate  
25. Softball Game next week on Tuesday, and I hope that all the ball-  
26. players will bring their jerseys and their equipments and in  
27. be in shape for that game. As you know, the Senate has never  
28. won the House-Senate Softball Game in over...I don't know how many  
29. years, and we came very...close last year as you know. It went  
30. into extra innings, and hopefully, this year we may come out a  
31. winner, so don't forget to bring your...your equipment and shoes  
32. for Tuesday, June 8th, the House-Senate Softball Game.

33. PRESIDING OFFICER: (SENATOR DONNEWALD)

1. Senator Partee.

2. SENATOR PARTEE:

3. Senator Philip, I should have asked you this, I suppose,

4. personally, but inasmuch as there is a barbecue out at the

5. fairgrounds sponsored by Pud Williams and the Department of

6. Agriculture, did you give any thought to perhaps having the

7. ballgame also out at the fairgrounds?

8. PRESIDING OFFICER: (SENATOR DONNEWALD)

9. Senator Philip.

10. SENATOR PHILIP:

11. Thank you, Mr. President. I think the problem with that

12. the tickets have already been printed up and they state Iles Park.

13. Now, we have had somebody contact the Department of Agriculture

14. and asked them to hold some food for the baseball players, because

15. I'm assuming that after the ball game...and you know, normally the game

16. only lasts until about 8:00 or 8:30, and if my memory serves me

17. correctly, that barbecue goes on till one, two, three, four, five,

18. six in the morning...

19. PRESIDING OFFICER: (SENATOR DONNEWALD)

20. Oh, never.

21. SENATOR PHILIP:

22. ...and I assure you the ball team will be after there after

23. we win.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Kenneth Hall.

26. SENATOR KENNETH HALL:

27. I wonder if Senator Philip would yield to a question.

28. PRESIDING OFFICER: (SENATOR DONNEWALD)

29. Senator Philip.

30. SENATOR KENNETH HALL:

31. Senator ...Philip...

32. SENATOR PHILIP:

33. No, no.

1. SENATOR KENNETH HALL:  
2. ...Senator Philip, am I fired because of that broken  
3. finger I got last year?  
4. PRESIDING OFFICER: (SENATOR DONNEWALD)  
5. Senator Philip.  
6. SENATOR PHILIP:  
7. You...you are not fired, you are permanently retired.  
8. PRESIDING OFFICER: (SENATOR DONNEWALD)  
9. Senator Glass.  
10. SENATOR GLASS:  
11. Mr. President, Ladies and Gentlemen, let me make a brief  
12. announcement unrelated to the ball game. I have given to the  
13. leadership on both sides of the aisles...of the aisle copies of  
14. ...of a package of bills that have come out of the Medical  
15. Malpractice Commission that Director Wilcox has chaired. For  
16. anyone that is interested, I would urge you to get a copy and  
17. look over those bills to see if you care to be co- sponsors of  
18. any of them. It's my plan to introduce them Monday of next  
19. week. Thank you.  
20. PRESIDING OFFICER: (SENATOR DONNEWALD)  
21. Senator Partee.  
22. SENATOR PARTEE:  
23. There will be a Rules Committee meeting at 10:45 and I  
24. wanted Senator Hall to know that he was not fired because his  
25. finger was broken. We're sensitive to those things, but I'm  
26. given to understand he was fired because even with a broken  
27. finger, he should have held on to the ball.  
28. PRESIDING OFFICER: (SENATOR DONNEWALD)  
29. Senator Partee moves that the Senate...just a moment,  
30. Senator Rock.  
31. SENATOR ROCK:  
32. Thank you, Mr. President, I just wish the Journal to  
33. reflect, I have, in fact, this morning filed a Motion in Writing

1. with respect to Senate Bill 1977. The motion was filed under  
2. Rule 16. It...it relates, however, and is only operative when  
3. the sponsors wishes to call that bill, so I would just like leave  
4. of the committee to let the motion run from day to day until  
5. the bill is, in fact, called.

6. PRESIDING OFFICER: (SENATOR DONNEWALD)

7. Is there leave? Leave is granted. Senator Harber Hall.

8. SENATOR HARBER HALL:

9. Senator Philip once said to me that he...when he was growing  
10. up, he thought that only sissies played tennis. Well, there's  
11. quite some names here that next week I want to remind the member-  
12. ship there is a annual legislative tennis tournament, and it's  
13. the third annual one, and it'll be held Wednesday evening starting  
14. 8:00 p.m. at the Racquet Club. I responded to Senator Philip  
15. that anyone who hates baseball can't be all bad. Anyway, there's  
16. quite a number of us going to play out there and with my luck,  
17. they...they paired me with Bob Mitchler as my partner, and there  
18. some other interesting pairings, John Nimrod...Senator Nimrod is with  
19. Representative Douglas Kane, and Senator McCarthy is playing  
20. with somebody named S. Vadalabene. That ought to be a good one.  
21. And let's see, ...Senator Clarke is going to play next week, so  
22. any of you that want to get out there and watch Brad Glass win it, why  
23. you're free to do so, and I'll think you'll enjoy it.

24. PRESIDING OFFICER: (SENATOR DONNEWALD)

25. Senator Partee.

26. SENATOR PARTEE:

27. Well, just on that note, Senator, I think you should be  
28. very happy that you are paired with Senator Mitchler. I under-  
29. stand that there will be three hundred cheerleaders from the  
30. VFW there to spur you on.

31. PRESIDING OFFICER: (SENATOR DONNEWALD)

32. Senator Partee...

33. SENATOR PARTEE:

1. SENATOR PARTEE:

2.           Now...now...no, one other thing. We announced that the  
3. meeting of the Rules Committee would be at 10:45. Out of con-  
4. session to some of the members who have some intervening business,  
5. the meeting will now commence at 11:00 o'clock instead. The  
6. Rules Committee at 11:00.

7. PRESIDING OFFICER: (SENATOR DONNEWALD)

8.           Senator Partee moves that the Senate stand adjourned until  
9. noon Monday, June 7th. Senate stands adjourned.

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