

APRIL 28, 1977

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1. PRESIDENT:

2. The hour of twelve o'clock having arrived, the
3. Senate will please come to order. The prayer will be
4. by Father Ernest E. Pizzamiglio, St. Patrick's Church
5. in Elkhart. Will our guests in the galleries please
6. rise.

7. FATHER PIZZAMIGLIO:

8. (Prayer by Father Pizzamiglio)

9. PRESIDENT:

10. Reading of the Journal. Senator Johns.

11. SENATOR JOHNS:

12. Thank you Mr. President. I move that reading
13. and approval of the Journals of Tuesday, April the 26th,
14. 1977 and Wednesday, April the 27th, 1977 be postponed
15. pending arrival of the printed Journals.

16. PRESIDENT:

17. You heard the motion by Senator Johns. Is there
18. any discussion? If not, all those in favor of the
19. adoption of the motion signify by saying Aye. Opposed.
20. The Ayes have it. The motion carries. Committee Reports.

21. SECRETARY:

22. Senator Donnewald, Chairman of the Committee on
23. Assignment of Bills, assigns the following House Bills to
24. committee: Agriculture, Conservation and Energy - 785;
25. Appropriations - 417, 579 and 1040; Appropriations II -
26. House Bill 980; Elementary and Secondary Education - 683,
27. 687, 692 and 804; Higher Education - 112 and 679; Finance
28. and Credit Regulations - 1019; Insurance and Licensed
29. Activities - 590; Judiciary I - 593; Labor and Commerce -
30. 600; Local Government - 509, 708, 710; Pensions, Personnel
31. and Veterans Affairs - 419, 592, 632; Revenue - 744.

32. Senator Lane, Chairman of the Committee on Insurance
33. and Licensed Activities, reports out the following bills:

1. Senate Bill 473, 509, 626, 762, 766, 790 and 1041 with the
2. recommendation Do Pass; Senate Bills 235, 1040 and 1063 with
3. the recommendation Do Pass as Amended; Senate Bills 236 and
4. 840 with the recommendation Do Not Pass.

5. Senator Maragos, Vice Chairman of the Committee on
6. Revenue, reports out Senate Bills 243, 429, 596, 613, 788,
7. 982 and 983 with the recommendation Do Pass; Senate Bill
8. 39, 305 and 981 with the recommendation Do Pass as Amended;
9. Senate Bill 378 with the recommendation Do Not Pass.

10. Senator Wooten, Chairman of the Committee on Executive,
11. reports out Senate Bills 159, 310, 355, 724, 841, 869, 948
12. and 1202 with the recommendation Do Pass; Senate Bill 383,
13. 804, 805 and 1129 with the recommendation Do Pass as Amended;
14. Senate Bill 716 with the recommendation Do Not Pass; Senate
15. Joint Resolution Number 17 recommend adoption.

16. Senator Joyce, Chairman of the Committee on Local
17. Government, reports out Senate Bills 149, 169, 482, 565,
18. 566, 823, 906, 1036, 1087, 1137, 1168 and 1169 with the
19. recommendation Do Pass; Senate Bill 474 and 1033 with the
20. recommendation Do Pass as Amended; Senate Bills 150 and
21. 765 with the recommendation Do Not Pass.

22. Senator Smith, Chairman of the Committee on Public
23. Health, Welfare and Corrections, reports out Senate Bills
24. 427, 507, 519, 689, 692, 785, 928 and 1067 with the recom-
25. mendation Do Pass; Senate Bill 289, 401, 60...8...687, 690,
26. 881 and 1361 with the recommendation Do Pass as Amended.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senate Bills on 2nd reading. Senate Bill 9, Senate
29. Bill 30, 228, 233. Senator Joyce 312. Okay, 322, Senator,
30. 333, do you wish to move...on the Order of Senate Bills 2nd
31. reading. Senate Bill 333. Read the bill Mr. Secretary.

32. SECRETARY:

33. Senate Bill 333.

34. (Secretary reads title of bill)

1. 2nd reading of the bill. The Committee on Appropriations
2. offers one amendment.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator McMillan moves the adoption of Committee
5. Amendment No. 1 to Senate Bill 333. All those in
6. favor signify by saying Aye. All those opposed. The
7. Ayes have it. The amendment is adopted. Any further
8. amendments?

9. SECRETARY:

10. No further committee amendments.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Any amendments from the Floor? 3rd reading. Senator
13. Glass, 349. Okay. Senator Netsch has indicated she wishes
14. to proceed with Senate Bill 357 and an amendment is on the
15. way. We'll come back to that order of business. 370,
16. Senator Collins. 384, Senator Shapiro. Senate Bills
17. 2nd reading. Top of page 3, 384. On the Order of Senate
18. Bills 2nd reading, Senate Bill 384. Read the bill, Mr.
19. Secretary.

20. SECRETARY:

21. Senate Bill 384.

22. (Secretary reads title of bill)

23. 2nd reading of the bill. The Committee on Elementary
24. and Secondary Education offers one amendment.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Shapiro.

27. SENATOR SHAPIRO:

28. Mr. President and ladies and gentlemen of the Senate.
29. The Committee Amendment offered in committee makes a
30. technical change in the title to correct a drafting error
31. and I would urge its adoption.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Shapiro has moved the adoption of Committee

1. Amendment Number 1 to Senate Bill 384. All those in favor
2. signify by saying Aye. All those opposed. The Ayes have
3. it. The amendment is adopted. Any further amendments?
4. SECRETARY:
5. No further amendments.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. 3rd reading. 432, Senator Demuzio. Read the bill,
8. Mr. Secretary.
9. SECRETARY:
10. Senate Bill 432.
11. (Secretary reads title of bill)
12. 2nd reading of the bill. No committee amendments.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Any amendments from the Floor? 3rd reading. 459,
15. Senator Collins. 574, Senator Roe. 579, Senator Hall.
16. 614, Senator Demuzio. On the Order of Senate Bills 2nd
17. reading. Senate Bill 614. Read the bill, Mr. Secretary.
18. SECRETARY:
19. Senate Bill 614.
20. (Secretary reads title of bill)
21. 2nd reading of the bill. No committee amendments.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Any amendments from the Floor? 3rd reading. 624,
24. Senator Knuppel. 653. On the Order of Senate Bills
25. 2nd reading. Senate Bill 653. Read the bill, Mr. Secretary.
26. SECRETARY:
27. Senate Bill 653.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. No committee amendments.
30. PRESIDING OFFICER: (SENATOR ROCK)
31. Any amendments from the Floor? 3rd reading. 733,
32. Senator Joyce. On the Order of Senate Bills 2nd reading,
33. Senate Bill 733. Read the bill, Mr. Secretary.

DB 357
2nd Reading
4/28/77

1. SECRETARY:

2. Senate Bill 733.

3. (Secretary reads title of bill)

4. 2nd reading of the bill. No committee amendments.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any amendments from the Floor? 3rd reading. Senator

7. Buzbee on House...Senate Bill 835. Senator Carroll, 843.

8. On the Order of Senate Bills 2nd reading. Senate Bill 843.

9. Read the bill, Mr. Secretary.

10. SECRETARY:

11. Senate Bill 843.

12. (Secretary reads title of bill)

13. 2nd reading of the bill. No committee amendments.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Any amendments from the Floor? 3rd reading. If I

16. can have the attention of our guests in the gallery. You

17. are certainly most welcome, however the Senate rules do

18. prohibit the taking of pictures while the Senate is in

19. Session. We would hope that everyone would abide by that

20. rule. 896, Senator Buzbee. 963, Senator Kosinski. 1007,

21. Senator Knuppel. Senator Netsch has your amendment arrived?

22. All right. On the Order of Senate Bills 2nd reading, we

23. will go back to Senate Bill 357. Read the bill, Mr. Secretary.

24. SECRETARY:

25. Senate Bill 357.

26. (Secretary reads title of bill)

27. 2nd reading of the bill. The Committee on Judiciary II

28. offers one amendment.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Netsch.

31. SENATOR NETSCH:

32. Thank you, Mr. President. In this case what I will

33. purpose eventually is that we either do not adopt or

1. Table Amendment No. 1. We discovered subsequently that
2. it was incorrectly drawn and I have a substitute ready.
3. What is your...

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Netsch moves to Table Amendment No. 1 to
6. Senate Bill 357. All those in favor signify by saying
7. Aye. All those opposed. The Ayes have it. The amend-
8. ment is Tabled. Any further amendments?

9. SECRETARY:

10. Amendment No. 2 offered by Senator Netsch.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Netsch.

13. SENATOR NETSCH:

14. Thank you, Mr. President. This amendment does
15. what we had hoped the first amendment now Tabled did.
16. It is intended to pick up a provision in this bill
17. which deals with a...came out of the rights of miners
18. committee of the Commission on Children and deals
19. with the Juvenile Court Act that will give recognition
20. to the concerns of the Christian Science group. We had
21. I think quite inadvertently, left out the protective
22. language for them in one section of the bill that was
23. being amended. This will restore that language and is
24. satisfactory now to everyone involved. I would move
25. its adoption.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. All right. Senator Netsch has moved the adoption
28. of Amendment No. 2 to Senate Bill 357. Is there any
29. discussion? All those in favor signify by saying Aye.
30. All those opposed. The Ayes have it. The amendment
31. is adopted. Any further amendments?

32. SECRETARY:

33. No further amendments.

SB 228
2nd Reading
4-28-79

1. PRESIDING OFFICER: (SENATOR ROCK)
2. 3rd reading. All right. On the Order of Senate Bills
3. 2nd reading, Senate Bill 228, Mr. Secretary.
4. SECRETARY:
5. Senate Bill 228.
6. (Secretary reads title of bill)
7. 2nd reading of the bill. No committee amendments.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Any amendments from the Floor? 3rd reading. Senator
10. Ozinga for what purpose...Senator Soper for what purpose
11. do you arise sir?
12. SENATOR SOPER:
13. Thank you, Mr. President. On a point of personal
14. privilege.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. State your point.
17. SENATOR SOPER:
18. In the rear gallery right behind myself, there's
19. the Timothy Christian Junior High School with their
20. teacher, Mr. Hosinga. I'd like to have them rise and
21. be recognized by the Senate.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Will our guests in the gallery please rise and
24. be recognized. All right. On the Order of Senate
25. Bills 2nd reading. Senate Bill 297.
26. SECRETARY:
27. Senate Bill 297.
28. (Secretary reads title of bill)
29. 2nd reading of the bill. The Committee on Elementary and
30. Secondary Education offers one amendment.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Buzbee.
33. SENATOR BUZBEE:

1. Thank you Mr. President. I would now move to Table
2. the Amendment No. 1 to substitute another amendment which
3. tightens up the language that Amendment No. 1 intended.
4. And we tightened it up even more with Amendment No. 2 and
5. so I would amend...move to Table that amendment.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Buzbee has moved to Table Amendment No. 1
8. to Senate Bill 297. Is there any discussion? All those
9. in favor signify by saying Aye. All those opposed. The
10. Ayes have it. The amendment is Tabled. Any amend...any
11. further amendments?

12. SECRETARY:

13. Amendment No. 2 offered by Senator Buzbee.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Buzbee.

16. SENATOR BUZBEE:

17. This amendment tightens up the language by saying
18. any organization which conducts state-wide tournaments
19. in team sports or athletics or other state-wide competi-
20. tions for its member school and I would move the adoption
21. of Amendment No. 2.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Buzbee has moved the adoption of Amendment
24. No. 2 to Senate Bill 297. Is there any discussion? All
25. those in favor signify by saying Aye. All those opposed.
26. The Ayes have it. The amendment is adopted. Any further
27. amendments?

28. SECRETARY:

29. No further amendments.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. 3rd reading. On the Order of Senate Bills 2nd reading,
32. Senate Bill 284. Read the bill Mr. Secretary.

33. SECRETARY:

1. Senate Bill 284.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Labor and
4. Commerce offers one amendment.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Berman.

7. SENATOR BERMAN:

8. I move the adoption of Amendment No. 1 which was a
9. committee amendment that clarified the language to this
10. illegal alien bill.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. All right. Senator Berman has moved the adoption
13. of Amendment No. 1 to Senate Bill 284. Is there any
14. discussion? All those in favor signify by saying Aye.
15. All those opposed. The Ayes have it. The amendment is
16. adopted. Any further amendments?

17. SECRETARY:

18. Amendment No. 2 offered by Senator Berman.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Berman.

21. SENATOR BERMAN:

22. This amendment has been suggested by the...Chamber
23. of Commerce. It tightens up the language regarding the
24. requirements of the employer regarding proof of...of
25. proper residency or citizenship in the United States.
26. Also in recognition of the efforts...on the Federal
27. level regarding illegal aliens, we have delayed the
28. effective date of this bill till January 1, 1979. I,
29. move the adoption of Amendment No. 2.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berman has moved the adoption of Amendment
32. No. 2 to Senate Bill 284. Is there any discussion? All
33. those in favor signify by saying Aye. All those opposed.
34. The Ayes have it. The amendment is adopted. Any further

1. amendments?
2. SECRETARY:
3. No further amendments.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. 3rd reading. Senator Maragos, what was the number of
6. your...
7. SENATOR MARAGOS:
8. 856
9. PRESIDING OFFICER: (SENATOR ROCK)
10. All right. On the Order of Senate Bills 2nd reading,
11. Senate Bill 856. Read the bill Mr. Secretary.
12. SECRETARY:
13. Senate Bill 856.
14. (Secretary reads title of bill)
15. 2nd reading of the bill. No committee amendments.
16. PRESIDING OFFICER: (SENATOR ROCK)
17. Any amendments from the Floor? 3rd reading. All
18. right, we're down to 1056, Senator Berman, in the middle
19. of page 4. Do you wish that moved?
20. SENATOR BERMAN:
21. Yes.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. All right. On the Order of Senate Bills 2nd reading,
24. Senate Bill 1056. Read the bill Mr. Secretary.
25. SECRETARY:
26. Senate Bill 1056.
27. (Secretary reads title of bill)
28. 2nd reading of the bill. No committee amendments. ,
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any amendments from the Floor? 3rd reading. 1093, Senator
31. Harber Hall. On the Order of Senate Bills 2nd reading, Senate
32. Bill 1093. Read the bill Mr. Secretary. You don't wish...
33. okay, take it out of the record. 1115, Senator Glass.

1. SENATOR GLASS:
2. Yes.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. On the Order of Senate Bills 2nd reading. Senate
5. Bill 1115. Read the bill, Mr. Secretary.
6. SECRETARY:
7. Senate Bill 1115.
8. (Secretary reads title of bill)
9. 2nd reading of the bill. No committee amendments.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Any amendments from the Floor? 3rd reading. 1133,
12. Senator Berman. On the Order...Senator Berman there's
13. been a request for a fiscal note on this bill. Is the
14. fiscal...has the fiscal note been...I understand it has
15. not yet been filed. Okay we'll hold it then. 1136, do
16. you wish moved? All right. On the Order of Senate
17. Bills 2nd reading, Senate Bill 1136. Read the bill Mr.
18. Secretary.
19. SECRETARY:
20. Senate Bill 1136.
21. (Secretary reads title of bill)
22. 2nd reading of the bill. No committee amendments.
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Any amendments from the Floor? 3rd reading. 1138,
25. Senator Rhoads. On the Order of Senate Bills 2nd reading,
26. Senate Bill 1138. Read the bill Mr. Secretary.
27. SECRETARY:
28. Senate Bill 1138.
29. (Secretary reads title of bill)
30. 2nd reading of the bill. No committee amendments.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Any amendments from the Floor? 3rd reading. 1139,
33. on the Order of Senate Bills 2nd reading, Senate Bill 1139.

SB 1310
2nd Reading
4/28/77

1. Read the bill Mr. Secretary.
2. SECRETARY:
3. Senate Bill 1139.
4. (Secretary reads title of bill)
5. 2nd reading of the bill. No committee amendments.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Any amendments from the Floor? 3rd reading. 1188,
8. Senator Knuppel, it's a hold. 12...Senator...okay...
9. Senator Grotberg, 1209. On the Order of Senate Bills 2nd
10. reading, Senate Bill 1209. Read the bill Mr. Secretary.
11. SECRETARY:
12. Senate Bill 1209.
13. (Secretary reads title of bill)
14. 2nd reading of the bill. No committee amendments.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Any amendments from the Floor? 3rd reading. 1281,
17. 1310, Senator Maragos.
18. SENATOR MARAGOS:
19. Yes.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. On the Order of Senate Bills 2nd reading. Senate
22. Bill 1310. Read the bill Mr. Secretary.
23. SECRETARY:
24. Senate Bill 1310.
25. (Secretary reads title of bill)
26. 2nd reading of the bill. No committee amendments.
27. PRESIDING OFFICER: (SENATOR ROCK)
28. Any amendments from the Floor? 3rd reading. 1314,
29. Senator Bloom. 1340. 1366, Senator Harber Hall. All
30. right. On the Order of Senate Bills 2nd reading, Senate
31. Bill 1366. Read the bill Mr. Secretary.
32. SECRETARY:
33. Senate Bill 1366.

1. (Secretary reads title of bill)

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

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Any...

5. SECRETARY:

6. One Floor...No committee amendments.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Any amendments from the Floor?

9. SECRETARY:

10. One Floor amendment offered by Senator Harber Hall.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Hall.

13. SENATOR HALL:

14. Mr. President and fellow Senators. This amendment

15. is a technical amendment to this bill that has been

16. asked by Stan Johnston of the Reference Bureau because

17. there were some technical errors in this section. And

18. this amendment will bring the bill in alignment with

19. what is necessary in Enrolling and Engrossing to correctly

20. reflect the current text of the law. They used the pre-

21. viously changed portion of the school code and they should

22. have used the current. And this makes that technical

23. correction. I would move adoption of the amendment.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Harber Hall has moved the adoption of

26. Amendment No. 1 to Senate Bill 1366. Is there any

27. discussion? Senator Harber Hall.

28. SENATOR HALL:

29. Mr. President following adoption of this amendment,

30. if it's accepted, I'd like to keep this bill on 2nd reading.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. All right. Senator Harber Hall has moved the adoption

33. of Amendment No. 1 to Senate Bill 1366. All those in favor

1. signify by saying Aye. All those opposed? The Ayes have
2. it. The amendment is adopted. Any further amendments?
3. SECRETARY:
4. No further amendments?
5. PRESIDING OFFICER: (SENATOR ROCK)
6. All right. The bill will remain on 2nd reading pursuant
7. to the sponsors request. Senate Bill 1369. On the Order
8. of Senate Bills 2nd reading, Senate Bill 1369. Read the
9. bill, Mr. Secretary.
10. SECRETARY:
11. Senate Bill 1369.
12. (Secretary reads title of bill)
13. 2nd reading of the bill. The Committee on Judiciary II
14. offers one amendment.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Glass.
17. SENATOR GLASS:
18. Thank you Mr. President. Committee Amendment No. 1
19. changes the penalty for boot-legging cigarettes to a
20. Class 4 a felony and I would move its adoption.
21. PRESIDING OFFICER: (SENATOR ROCK)
22. Senator Glass has moved the adoption of Amendment
23. No. 1 to Senate Bill 1369. Is there any discussion?
24. All those in favor signify by saying Aye. All those
25. opposed. The Ayes have it, the amendment is adopted.
26. Any further amendments?
27. SECRETARY:
28. No further amendments.
29. PRESIDING OFFICER: (SENATOR ROCK)
30. Any amendments from the Floor? 3rd reading. On
31. the Order of Senate Bills 2nd reading, Senate Bill 1370.
32. Read the bill Mr. Secretary.
33. SECRETARY:

1. Senate Bill 1370.

2. (Secretary reads title of bill)

3. 2nd reading of the bill. The Committee on Judiciary II

4. offers two amendments.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Senator Glass there are two amendments? Okay, Senator

7. Glass.

8. SENATOR GLASS:

9. Thank you Mr. President. I believe the first one is

10. the technical amendment. Is that deleting language?

11. SECRETARY: ,

12. For a felony, yes.

13. SENATOR GLASS:

14. Yeah, we delete the language that would make this

15. boot-legging a continuing offense and I move that the

16. adoption of Amendment No. 1.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass has moved the adoption of Amendment

19. No. 1 to Senate Bill 1370. All those...any discussion?

20. All those in favor signify by saying Aye. All those

21. opposed. The Ayes have it. The amendment is adopted.

22. Any further amendments?

23. SECRETARY:

24. Amendment No...Committee Amendment No.2.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Glass.

27. SENATOR GLASS:

28. Thank you Mr. President. Committee Amendment No. 2

29. makes boot-legging a Class 4 felony and I'd move its

30. adoption.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Glass has moved the adoption of Amendment No. 2

33. to Senate Bill 1370. All those in favor signify by saying Aye.

1. All those opposed. The Ayes have it. The amendment is
2. adopted. Any further amendments?

3. SECRETARY:

4. No further committee amendments.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. 3rd reading. Senator Graham, for what purpose do
7. you arise?

8. SENATOR GRAHAM:

9. I rise for two purposes. First of all I can hardly
10. hear what you're talking about and second it's on a
11. point of personal privilege.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right, let's have a little order. Can we remove
14. the conferences. Will those persons not entitled to the
15. Floor please vacate. Will the members please be in
16. their seats so we can some semblance of order. Senator
17. Graham.

18. SENATOR GRAHAM:

19. Senator Nimrod didn't hear you. Mr. President and
20. members of the Senate. At this time I would like to rise
21. on a point of personal privilege and introduce young America
22. at its finest. The Girl Scouts from Palatine and Mt. Prospect
23. with their leader Miss Schirard. And would they stand and
24. be recognized by the Senate.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Will our guests in the gallery please stand and be
27. recognized. Senator Philip, for what purpose do you arise?

28. SENATOR PHILIP:

29. Thank you Mr. President. A point of personal privilege.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. State your point, sir.

32. SENATOR PHILIP:

33. The other half of Timothy Christian Junior High School

1. is in the back gallery. I have the great distinction of
2. of being the Senator for the district where the school is
3. located in Elmhurst, Illinois. But most of the students,
4. I understand, come from the Cicero-Berwyn area which is
5. represented by...by our good friend, Senator Soper. And
6. I'd like to have them rise and be recognized by the Senate.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Will our guests in the gallery please rise and be
9. recognized. All right; Senator Grotberg, what...for what
10. purpose do you arise?

11. SENATOR GROTEBERG:

12. Thank you Mr. President. I rise on the Order of
13. Senate Bill 1209 which we just moved to 3rd and I promised
14. to put an effective date amendment on it. I'd like to
15. return it to the Order...

16. PRESIDING OFFICER: (SENATOR ROCK)

17. All right. Senator Grotberg has asked leave to take
18. Senate Bill 1209 back to the Order of 2nd reading for the
19. purpose of an amendment. Is leave granted? So ordered.

20. SENATOR GROTEBERG:

21. I now...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. On the Order of Senate Bills 2nd reading, Senate Bill
24. 1209. Mr. Secretary.

25. SECRETARY:

26. Amendment No. 1 offered by Senator Grotberg.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Grotberg.

29. SENATOR GROTEBERG:

30. Thank you. Amendment No. 1 merely adds the effective
31. date to this bill and I would move for the adoption of
32. Amendment No. 1 and further consideration of the Chair
33. after this process.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Grotberg has moved the adoption of Amendment
3. No. 1 to Senate Bill 1209. Any discussion? All those in
4. favor signify by saying Aye. All those opposed. The Ayes
5. have it. The amendment is adopted. Any further amendments?
6. SECRETARY:
7. No further amendments.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Grotberg for what purpose do you arise?
10. SENATOR GROTBORG:
11. I believe I've heard the Chair state that amendment
12. to...motion to Table is always in order.
13. PRESIDING OFFICER: (SENATOR ROCK)
14. That is correct. Let's...let's...is it on this bill?
15. SENATOR GROTBORG:
16. Nope.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. All right. 3rd reading. All right. Senator Grotberg.
19. SENATOR GROTBORG:
20. Now, on the Order of House Bill 9...or Senate Bill 925.
21. Mr. Chairman or Mr. President I would move to a a relieve
22. the duty of the Committee on Insurance from that bill for
23. the purpose of Tabling it.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. I'm sorry, Senator Grotberg, what's the...
26. SENATOR GROTBORG:
27. Regarding Senate Bill 925.
28. PRESIDING OFFICER: (SENATOR ROCK)
29. What committee...
30. SENATOR GROTBORG:
31. I would like to discharge Committee on Insurance from
32. its further consideration so for the purpose of Tabling.
33. PRESIDENT:

1. All right. Senator Grotberg has moved to discharge
2. the Committee on Insurance from further consideration of
3. Senate Bill 925. All those in favor signify by saying Aye.
4. All those opposed. The Ayes have it. The bill is discharged.
5. Senator Grotberg now moves to Table Senate Bill 925. All
6. those in favor signify by saying Aye. All those opposed.
7. The Ayes have it. The bill is Tabled. Senator Vadalabene,
8. for what purpose do you arise?

9. SENATOR VADALABENE:

10. Yes, for the purpose of Tabling two bills. Is that
11. in order?

12. PRESIDING OFFICER: (SENATOR ROCK)

13. That certainly is. Senator Vadalabene state your
14. motion.

15. SENATOR VADALABENE:

16. Yes, Mr. President and members of the Senate. Senate
17. Bill 178 was an emergency legislation that passed out of
18. here which is presently in operation. The contracts
19. have been let and which is trying to take care or which
20. is taken care of the subsidized programs throughout the Madison
21. and St. Clair County districts. What I intend to do with
22. Senate Bill 64 which has been assigned to Insurance and
23. Licensed Activities to discharge that committee from any
24. further action on that bill because I think I'm taking
25. care of the cancer and this is a license...this is an
26. insurance bill and I would like to Table that bill.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. All right. Senator Vadalabene has moved to discharge
29. the Committee on Insurance from further consideration of
30. Senate Bill 64. All those in favor signify by saying Aye.
31. All those opposed. The Ayes have it. The bill is dis-
32. charged. Senator Vadalabene now moves to Table Senate
33. Bill 64. All those in favor signify by saying Aye. All

1. those opposed? The Ayes have it. The bill is Tabled. Senator
2. Vadalabene.

3. SENATOR VADALABENE:

4. Yes, in regard to the same related matter, Senate Bill
5. 65 has been referred to the Committee on Agriculture and
6. Conservation and Energy. I would like to make the motion
7. to discharge that committee from further action on Senate
8. Bill 65.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. All right. Senator Vadalabene has moved to discharge
11. the Committee on Agriculture from further consideration
12. of Senate Bill 65. All those in favor signify by saying
13. Aye. All those opposed. The Ayes have it. The bill is
14. discharged. Senator Vadalabene now moves to Table Senate
15. Bill 65. All those in favor signify by saying Aye. All
16. those opposed. The Ayes have it. The bill is Tabled. All right.
17. We're going to move now to the Order of Senate Bills...
18. Senator Carroll.

19. SENATOR CARROLL:

20. Before you move I have a motion to take a bill from
21. the Table, Mr. President. This bill, Senate Bill 1043,
22. had been in Judiciary II. We had not had a witness and
23. there had been some misunderstanding on the content of
24. the bill and with my full acceptance we moved Do Not Pass.
25. We have since found out what the bill is about and I've
26. talked to both sides of the aisle of that committee and
27. I would move to take that bill from the Table, Senate
28. Bill 1043, and place on the Order of 2nd reading.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. Is there any discussion? Senator
31. Carroll has moved to take Senate Bill 1043 from the
32. Table and have it placed on the Order of 2nd reading.
33. All those in favor signify by saying Aye. All those

1. opposed. The Ayes have it. So ordered. Senator Carroll.

2. SENATOR CARROLL:

3. Thank you Mr. President. I had also had a bill on 2nd
4. reading today that we had moved to 3rd without putting on
5. a technical amendment that had been requested. It was
6. Senate Bill 843. If it would be appropriate now, I'd ask
7. leave to bring that bill back from 3rd to 2nd for the
8. purposes of placing this amendment on there. Senate Bill
9. 843.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right. Senator Carroll has asked leave to
12. return to the Order of Senate Bills 2nd reading to
13. return Senate Bill 843 back to the Order of 2nd reading
14. for the purpose of an amendment. Is leave granted? On
15. the Order of Senate Bills 2nd reading is Senate Bill 843.

16. SECRETARY:

17. Amendment No. 1 offered by Senator Carroll.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Carroll.

20. SENATOR CARROLL:

21. Thank you Mr. President. This is a technical amendment
22. to use the word subsection in lieu of paragraph and clause
23. and uses subparagraph and subsection in lieu of paragraph.
24. This was the agreed to amendment in committee and I would
25. move adoption of Amendment No. 1 to Senate Bill 843.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Carroll has moved the adoption of Amendment
28. No. 1 to Senate Bill 843. All those in favor signify by
29. saying Aye. All those opposed. The Ayes have it. The
30. amendment is adopted. Any further amendments?

31. SECRETARY:

32. No further amendments.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. 3rd reading. All right. Senator Lemke, for what
2. purpose do you arise?

3. SENATOR LEMKE:

4. For the purpose of making a motion to take Senate Bill
5. 949 from the Committee on Public Health and Welfare and have
6. it re-referred to Licensing. This is a doctors licensing bill
7. and should be in Insurance and Registration.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Did we check with the...

10. SENATOR LEMKE:

11. I checked with Senator...

12. PRESIDING OFFICER: (SENATOR ROCK)

13. All right. Senator Lemke has moved to take Senate
14. Bill 949 from the Committee on Public Health and re-refer
15. it to the Committee on Insurance and Licensed Activities.
16. All those in favor signify by saying Aye. All those
17. opposed. The Ayes have it. So ordered. Senator Regner,
18. for what purpose do you arise?

19. SENATOR REGNER:

20. Mr. President and members of the Senate. I move to
21. discharge the Committee on Local Government Affairs from
22. further consideration of Senate Bill 151 for the purpose
23. of Tabling.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Regner has moved to discharge the Committee
26. on Local Government from further consideration of Senate
27. Bill 151. All those in favor signify by saying Aye.
28. All those opposed. The Ayes have it. The bill is dis-
29. charged. Senator Regner now moves to Table Senate Bill
30. 151. All those in favor signify by saying Aye. All
31. those opposed. The Ayes have it. The bill is Tabled.
32. Senator Regner.

33. SENATOR REGNER:

1. Yes, Mr. President and members of the Senate. I will
2. move to discharge the Judiciary I Committee from further
3. consideration of Senate Bill 412. I've discussed this
4. with the Chairmen of Judiciary and Executive and what I
5. want to do is re-refer it to Executive Committee. It
6. pertains to rules and regulations of the administration.
7. There's a whole series of other bills in Executive and
8. we put them in a subcommittee to hear it with the...others.
9. It's 412.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. And where is it now?

12. SENATOR REGNER:

13. It's in Judiciary I.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. All right. Senator Regner has moved to re-refer Senate
16. Bill 412 from Judiciary I to Senate Executive Committee.
17. All those in favor signify by saying Aye. All those opposed.
18. The Ayes have it. So ordered. Senator Kosinski.

19. SENATOR KOSINSKI:

20. Mr. President and members of the Senate. I'd like to
21. leave the Body to return Senate Bill 816 because it was
22. discovered by the Enrolling and Engrossing office that
23. there are several errors in the Committee Amendment No. 1.
24. And the simplest method is by correcting this by replacing
25. it with the Amendment No. 2 which achieves the same purpose
26. as Amendment No. 1.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. That...

29. SENATOR KOSINSKI:

30. Without the errors.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. We're...we're not yet on the Order of 3rd reading,
33. Senator, could you...would you hold that motion till we
34. get there. Senator Donnewald for what purpose do you arise?

1. SENATOR DONNEWALD:

2. Only that the the bill that Senator Regner referred
3. to...he didn't discuss it with me. I presume it is all
4. right in re-referring it, but I would appreciate if I were
5. contacted.

6. PRESIDING OFFICER: (SENATOR ROCK)

7. All right. Senator Hynes.

8. SENATOR HYNES:

9. On the same subject, Mr. President, as I indicated
10. yesterday, so that we can have some order in the Body.
11. If there are any of these motions they should be first
12. checked with the Chairman of the Committee on Assignment
13. of Bills.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Philip.

16. SENATOR PHILIP:

17. Thank you Mr. President. And I have checked with
18. Chairman Daley and with the with the President of the
19. Senate. I would like to move to discharge the Committee
20. on Judiciary I on Senate Bill 745 and 746 and have it
21. re-referred to the Senate Committee on Insurance.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Philip has moved to re-refer Senate Bill
24. 745 and 746 from the Committee on Judiciary I to the
25. Committee on Insurance and Licensed Activities. All
26. those in favor signify by saying Aye. All those opposed.
27. The Ayes have it. So ordered. Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. Chairman, I would like to move that to discharge
30. the committee from consideration, Judiciary II Committee,
31. from the consideration of Senate Bill 608 for the purpose
32. of Tabling.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Maragos has moved to discharge the Committee
2. on Judiciary II from further consideration of Senate Bill
3. 608. All those in favor signify by saying Aye. All those
4. opposed. The Ayes have it. The bill is discharged. Senator
5. Maragos now moves to Table Senate Bill 608. All those
6. in favor signify by saying Aye. All those opposed. The
7. Ayes have it. The bill is Tabled. Senator Vadalabene.
8. SENATOR VADALABENE:

9. Yes, thank you Mr. President and members of the
10. Senate. I have one more bill that I would like to consider
11. Table and that's Senate Bill 25. So at this time I'd like
12. to move to discharge the Committee on Labor and Commerce
13. from any further consideration of Senate Bill...25.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Vadalabene...Senator Vadalabene has moved
16. to discharge the Committee on Labor and Commerce from
17. further consideration of Senate Bill 25. All those in
18. favor signify by saying Aye. All those opposed. The
19. Ayes have it. The bill is discharged. Senator Vadalabene
20. now moves to Table Senate Bill 25. All those in favor
21. signify by saying Aye. All those opposed. The Ayes have
22. it. The bill is Tabled. Senator Rhoads.

23. SENATOR RHOADS:

24. I have checked with the Chairman Minority Spokesman
25. yesterday. I move to discharge the Committee on Local
26. Government from further consideration of Senate Bill.469
27. for the purpose of Tabling.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Rhoads has moved to discharge the Committee
30. on...

31. SENATOR RHOADS:

32. Local Government.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Local Government from further consideration of
2. Senate Bill 469. All those in favor signify by saying
3. Aye. All those opposed. The Ayes have it. The bill is
4. discharged. Senator Rhoads now moves to Table Senate
5. Bill 469. All those in favor signify by saying Aye.
6. All those opposed. The Ayes have it. The bill is
7. Tabled. Senator Mitchler.

8. SENATOR MITCHLER:

9. Mr. President, I'd like to request permission and
10. make a motion to discharge the Senate Local Government
11. Committee from hearing Senate Bill 1221 for the
12. purpose of discharging the bill. .Tabling the bill.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. This is also Local Government.

15. SENATOR MITCHLER:

16. Local Government, 1221.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Yes, Senator...Senator Mitchler has moved to dis-
19. charge the Committee on Local Government from further
20. consideration of Senate Bill 1221. All those in favor
21. signify by saying Aye. All those opposed. The Ayes
22. have it. The bill is discharged. Senator Mitchler
23. now moves to Table Senate Bill 1221. All those in favor
24. signify by saying Aye. All those opposed. The Ayes
25. have it. The bill is Tabled. Senator Glass, for what
26. purpose do you arise?

27. SENATOR GLASS:

28. Mr. President, if it's appropriate at this time,
29. I would like to proceed on my motion in writing to take
30. Senate Bill 363 from the Table.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. You...you are in order. There is a motion in writing
33. filed with the Secretary. All right. On the last page

1. of your Calendar under the Order of Motions in Writing.
2. The motion to take Senate Bill 363 from the Table. Senator
3. Glass.

4. SENATOR GLASS:

5. Thank you Mr. President, ladies and gentlemen. This
6. is a motion to take from the Table Senate Bill 363. The
7. appropriation bill for the ordinary and contingent expenses
8. of the Illinois Commission on Human Relations. Now this
9. is a commission that has done a good job for the State
10. of Illinois and should be continued and it's appropria-
11. tion approved. The bill was defeated in committee, I'm
12. not sure if the members of the committee were serious
13. in their efforts. I hope not. I think that if they
14. intend to modify the activities of this commission, it
15. should be done in a separate bill and therefore Mr.
16. President and ladies and gentlemen I would urge you to
17. support this motion to take Senate Bill 363 from the
18. Table. And I have spoken with the...the President
19. about this and have indicated that if it is taken
20. from the Table, I would have no objection to the bill
21. being re-referred to the Appropriations Committee in
22. case that committee wishes to make any further amend-
23. ments or take further information on the bill.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Any discussion? Senator Carroll.

26. SENATOR CARROLL:

27. I just might say that Senator Glass did not talk
28. to me about this as the Chairman of the Committee. I
29. did know that the motion was filed in writing because
30. I read it on the Calendar. This was heard in Committee.
31. I happened to have voted for the bill. I voted against
32. the Do Not Pass motion. I was out voted as was...other...as
33. were other members of the committee by those who felt it

1. should not pass. I think the committee did have a hearing
2. and the committee has made its decision even though I per-
3. sonally disagreed with that decision. I cannot support
4. Senator Glass's motion, if we are to have committee
5. hearings on bills. I think it was incumbent upon those
6. who were present at the time to make sure that adequate
7. members were there who supported their position in
8. order to get a bill passed. I think it inappropriate
9. to take any other action, even though as I say, I was
10. in agreement with Senator Glass on what he was
11. attempting to do in the committee. I am disappointed
12. that he did not discuss this with me prior to calling
13. his motion and I think the committee has acted and
14. that should be the final determination on all bills
15. that appear before committee where there has been
16. a full and complete hearing. And for those reasons
17. I would have to oppose it.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Any further discussion? Senator Graham.

20. SENATOR GRAHAM:

21. Mr...Mr. President and members of the Senate. We're
22. getting down to the final months of the hectic session as
23. we normally do this time of the year. These kind of actions
24. are proposed by various members. I am completely amazed
25. that the Senator from the first district would make this
26. motion and pursue it. A gentleman who has been in the
27. General Assembly as long as Senator Glass, to actually
28. stand on the Floor and say that the committee did not
29. know or didn't want to know what the contents of the
30. bill were is an insult to the committee system of this
31. General Assembly. It's wrong. The committee did act.
32. Now I want you to know that the Senator from Barrington
33. will never vote to destroy the committee system in the

1. Illinois State Senate. And I think this is the time we
2. can stand up for that purpose and this is the time we
3. should not let this happen. We can't afford it. The
4. people don't need it and we don't want it.

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Further discussion. Senator Washington.

7. SENATOR WASHINGTON:

8. Yes, Mr. President and members of the Senate. I
9. too adhere to the rigidity more or less of the Senate
10. structure and committee system. Obviously we have to
11. have a system of screening and sifting bills or we cannot
12. perhaps proceed in an orderly fashion, it would be
13. chaos here. But the committee system is not cast in
14. stone and quite obviously they're not infallible. And
15. we have rules designed to get around situations in which
16. the committee goes astray, becomes myopic or for some
17. reason now known to me simply does not face up to its
18. responsibilities. This is a clear cut case of it. This
19. committee has not lived up to its responsibilities. Here
20. is an agency which is at least twenty years old in this
21. State, which has been a force for good for many years
22. throughout this State which has brought succor and...
23. from woe and minimize trials and tribulations of many
24. people throughout the state and for some reason willy-
25. nilly they kill the whole commission by refusing to pass
26. this appropriation. It seems to me when any such method
27. is taken, that a long, thorough and complete hearing should
28. be had before this Body. We just do not phase out needing...
29. needed and useful agencies by refusing to appropriate it.
30. I personally resent the way it was done. I'm amazed that
31. the chairman of the committee would say, well the committee
32. acted and therefore that's the end of it, it's not the
33. end of it. It's the beginning of it. It seems to me a

1. lot of explanation should be made about why this committee
2. was dumped..this commission was dumped. I this this full...
3. this Body needs to look at that appropriation. Frankly, I'm
4. of the opinion Senator Glass should not go back to the
5. committee but it should go on 2nd reading. I think the
6. committee has been irresponsible. Then to stand here
7. cavalierly and say well we've acted and therefore you have
8. to take it because the committee system is sacrosanct, that's
9. a lot of hog wash. This is a good bill. This is a good
10. bill for an appropriation for an agency which has done a
11. lot of good in this state and I for one would like to have
12. some detailed explanation as to why some members of the
13. committee, a minority of this Senate, saw fit to destroy
14. that agency. I'm going to vote for this motion.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Further discussion? Senator Netsch. There's about
17. five or six who have indicated they wish to speak on this
18. matter. Senator Netsch.

19. SENATOR NETSCH:

20. Yeah, thank you Mr. President. Much of it has now
21. been said by Senator Washington. One or two points may
22. bear repetition or a different articulation. Number one,
23. I find one of the most facinating spectacles in Spring-
24. field this business about the sanctity of the committee
25. system. When it's helpful we are for the sanctity of
26. the committee system and if it happens to get at a bill
27. that is ours some how that sanctity is not quite so
28. sanctimonious. And I have seen that happen here, all
29. of us have seen that happen. I would like to see the
30. reaction of Senator Graham or other members if all
31. of a sudden by some strange fluke or someones peak, the
32. appropriation for the Department of Mental Health
33. would happen to be defeated in committee. I strongly

1. suspect that the sanctity of the committee system would
2. loose some of its sanctity at that point and many
3. members would be perfectly willing to...to see that
4. the bill got out on the Floor. You do not kill biennial
5. appropriation, or I'm sorry annual appropriations for a
6. major agency of state government by a five to three
7. negative vote without giving...in committee, without
8. giving the entire Senate an opportunity to address itself
9. to that issue or at the very least, making sure that
10. the committee reconsiders that move before it destroys
11. that commission. I think many of us are familiar with
12. the circumstances of the five to three vote in that
13. committee. It was not one of our better moments, perhaps,
14. but in any event we ought to have an opportunity, all
15. of us, at some point to decide as a Body whether we
16. really want to destroy this commission, which has
17. performed some very useful functions for us over a long
18. period of time. At that point any argument about the
19. sanctity of the committee system is, if I may now
20. paraphrase Senator Washington, hog wash.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Fred Smith. Did you seek recognition, sir?
23. Senator Smith.

24. SENATOR SMITH:

25. Mr. President...and members of the Senate. I'm
26. going to repeat what Senator Graham said about ten minutes
27. ago and ask for quiet during the futherance of this dis-
28. cussion. I am not going to start off on one of those
29. long speeches that I sometimes make here. What I begin
30. by saying that I hope that the motion that was made
31. by Senator Glass pertaining to this particular bill
32. will receive a majority vote when we take the vote in
33. the next few minutes. I'm not going to call attention

1. to what happened in committee because it would be hearsay.
2. I was not there. I do recall that when I was told about
3. this bill that I might go and check and see what the
4. vote was and I now know what the vote was. I'm going
5. to cast an opinion and say that I'm of the opinion
6. that had the members, the full membership of that
7. committee been present as they should have been that
8. the outcome on that roll call would have been different.
9. I make bold to call the attention of the membership
10. of this Body to the fact that in very recent years
11. Illinois has made great strides along the field, if
12. I may use the word field, of human relations. So
13. much so that we have evinced from time to time an ignorance
14. in that word democracy. And many of our people have
15. gone beyond that and they have evidenced a belief in
16. the Fatherhood of God and the Brotherhood of Man. I
17. could wish that that feeling prevailed here in this Body
18. as of today. When Senator Graham further referred to
19. a group seated somewhere here in the galleries, he
20. referred to them Mr. President as the future Americans.
21. I would have the good Senator and the rest of you to
22. go back in your memory. There was a time when this
23. area that is now called the State of Illinois was
24. a part of what was then the Indiana Purchase. Now, the
25. Indiana Territory it was, it later became a separate
26. territory. And somewhere along about eighteen hundred
27. and eighteen, I think it was, and I'm speaking from...
28. from my memory, Illinois became a sovereign state. And
29. one year later the sovereign state of Illinois began
30. enacting what I am pleased to refer to as the infamous
31. black laws. Series of laws devined to...designed to
32. humiliate a considerable portion of the citizenry of
33. Illinois. Those black laws are now over here in the

1. museum where I sometimes think much of the legislation
2. that has been conceived recently ought to be over there
3. under the careful guardianship of those that are in
4. authority over that museum. Those laws Mr. President
5. were as damnable as heindish...fiendish as any laws
6. ever conceived in that section of the country from
7. which I come, the Southern part of the United States
8. of America. As late as eighteen hundred and fifty-
9. three here in the Illinois State Senate, they enacted
10. a law and passed it, making it a crime for any person
11. to bring into the State of Illinois or attempt to
12. bring into the State of Illinois a member of my
13. ethnic group. And now today on the very heels of
14. the year that we had our bicentennial, I believe you
15. called it, they're trying to open the door again in
16. this piece of legislation and another piece that we
17. are waiting for and we'll be ready for. We don't
18. want to start any sort of a filibuster here. We
19. realize the condition the Senate's in, but we want
20. the same kindly consideration as this Body has
21. shown with regards to all other legislation and all
22. other bill, I know you up when my time is up, I know
23. that. But, I hope you will bear with me long enough
24. to violate the rule just for one minute and I assure
25. you I'm going to sit down. The chairman of this
26. particular commission is a seasoned, well trained,
27. able, competent, conscientious, since you've changed
28. everything in preparation for ERA, I dare not say ,
29. lady, so I'll say person. She is as capable and as
30. competent as any of the others of another ethnic group.
31. Yes, she is a member of my ethnic group, but I make
32. bold and say to you ladies and gentlemen of this Senate,
33. if you have searched through every city in the State
34. of Illinois, every hamlet, every village, every town-

1. ship, I know it's time, I know, I've asked for one minute
2. and I've used thirty seconds of it. If you'd gone through
3. every village it would have been hard, Senator you didn't
4. have the chance to sit me down this time, did you, well
5. I'm ready, I'm going to sit down, it would have been
6. difficult for you to have found anyone fully fitted,
7. competent, capable and prepared in every sense of the
8. word to discharge the duties for which this commission
9. would have...was set up. You wouldn't have found a
10. better, abler, more competent person than the one that's
11. now in charge of it. I hope Senator Glass that the motion
12. that you made, I don't know just what it was, to take
13. from the Table, I thought, is that what your motion was?
14. Leave him alone, Senator Soper, because they'll sit me
15. down and I know it. Was your motion to take this bill from
16. the Table?

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Glass.

19. SENATOR SMITH:

20. And... on the Order of 2nd reading.

21. SENATOR GLASS:

22. That...that is the motion.

23. SENATOR SMITH:

24. I hope the motion prevails, Mr. Secretary, or...

25. SENATOR GLASS:

26. No, no, what I did say Senator Smith was that Senator
27. Hynes who I think will speak next asked if I had any
28. objection to having the bill be re-referred to the com-
29. mittee for further testimony. I have no objection to that.

30.

31. END OF REEL

32.

33.

1. SENATOR NEWHOUSE:

2. Thank you, Mr. President and Senators. I won't
3. be long, but I wish you would pay some attention to
4. what I'm about to say. As you all know, we're
5. in a terrific crunch on these bills and committee
6. attendance is very low. For example, the Chairman
7. of the Higher Education Committee this morning had
8. a bill in Judiciary and could not open up the
9. meeting. I was asked to open up that meeting.
10. The meeting was called to order at 9:00 o'clock
11. and at 9:00 o'clock, there were two legislators
12. present. They were not absent because they
13. wanted to be absent from that committee. They
14. were in a variety of committees doing the kinds
15. of things that legislators have to do. You all have
16. bills to get out. So, we're in a period right now
17. where we're passing out bills very short of anything
18. like the number of people who are on committees, and we all
19. understand that. It's quite possible that a bill could come out of
20. here to repeal the constitution on a two to one vote. Now,
21. some questions are extremely serious and this is
22. an extremely serious question. We're talking
23. about abolishing a commission. A commission that
24. this Legislature has created, the full Body, both
25. Houses have a function in doing that. It seems to
26. me that in those circumstances, it would be almost
27. irresponsible of this Body not to want to hear
28. all sides of this question, not to want to consider,
29. as a full Body, a step so serious as the one that
30. we're now being asked to take. I would ask you all
31. to very...give great consideration to what has been
32. asked, that a minority...I should not say a minority,
33. but a committee that certainly was not fully staffed.

1. It is my understanding that three members of that
2. committee were in other committees doing business
3. and a fourth who represented this Body, was
4. representing this Body at a funeral in another place.
5. There are circumstances I think we ought to give
6. second consideration to and this is one of
7. those circumstances. Thank you, Mr. President.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Soper.

10. SENATOR SOPER:

11. Thank you, Mr. President. Now, first I think
12. we're getting excited about something that can
13. be handled because the bill...the same bill is in
14. the House. It's going to come back over here.
15. It's going to be heard in the same committee.
16. Now, I would say this, that there have been some
17. repercussions on this and that I understand that
18. one of the members on our side has a bill in
19. some committee. There was some flack brought
20. about his bills, if he wouldn't do certain things.
21. That certain people who are very, very, very
22. definitely in favor of this concept on this bill
23. that Senator Glass wants to take away from
24. a committee is concerned. Now, if we're going
25. to run this Senate by threats of somebody's bill
26. isn't going to get out of a committee because you
27. don't vote for this bill or you don't do that,
28. and you don't help me, I won't help you, God
29. bless the people in the State of Illinois. If you're
30. going to run this State and this Senate by exchanging
31. votes, or threatening not to vote for something
32. by retribution well then, I'll say that's as bad
33. as selling your vote or buying a vote. I hope that

1. we all come to our senses here and quit monkeying
2. around with the committee system. Now, this bill
3. will be saved. It will come back. You have
4. your people in there and you'll take care of the
5. situation. That's why I always favored proxies.
6. You open up a committee and if you get the
7. proxies, you can handle the committee. If you've
8. got the strength to get it through and if you haven't
9. got the strength, you can't do it. It's at times
10. like this when you need the proxy system. The
11. fellows in another committee says, Senator so and so,
12. I won't be in that committee. I'll give you my
13. proxy to vote on these bills. He's looked at the
14. bills, he knows what he wants and that's the
15. way it's taken care of. And I hope we don't
16. lose our senses and say that the minority of any
17. ...of any Senate or the minority spokesman of any...any
18. Senatè committee shall have the..shall have the
19. right to run that committee instead of the majority.
20. The majority still rules in this country and I think
21. that when the majority looks at something, they're
22. the ones that either get the victory or are denied
23. that victory if they make a wrong decision.
24. I hope that this nonsense is set aside. We get through
25. with this, the House Bill is going to come over
26. and then you'll have your full hearing and all you
27. members of that committee, be present. Then
28. we'll see what happens. Thank you.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Philip.

31. SENATOR PHILIP:

32. Thank you, Mr. President. I'd like to ask the
33. sponsor a question.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Indicates he will yield. Senator Philip.

3. SENATOR PHILIP:

4. Thank you. I...I have been looking at the
5. synopsis of this bill and in looking through it,
6. I am led to believe that there are no secretaries
7. or no clerks employed for this commission at all.

8. Is that correct?

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Glass.

11. SENATOR GLASS:

12. Senator, it's my recollection of the testimony
13. in commission that that is correct, that whatever
14. clerical work is needed is done by the personnel
15. of the commission. But the other members who
16. were present at the hearing may wish to comment
17. on that. But, I believe that's correct.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Philip.

20. SENATOR PHILIP:

21. Senator, I also understand that they employ
22. some twenty people and that the average
23. salary for those twenty people is eighteen thousand
24. two hundred and forty-two dollars. Now, wouldn't
25. you think that just is just a bit extravagant
26. in these days and these times?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Glass.

29. SENATOR GLASS:

30. Senator Philip, Director Seals, Connie Seals,
31. who testified in the committee, I thought did
32. an admirable job under quite a long period of
33. questioning and explaining what the commission did and

1. ...and I was satisfied personally, that...that
2. they're doing a good job and they're not overpaid.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Philip.

5. SENATOR PHILIP:

6. Senator, I'd like to ask you exactly what
7. they've done in the last two years. You know,
8. I've yet to receive a telephone call or a letter
9. complimenting or asking any question about the
10. commission whatsoever. I'd like to know what
11. they've done in the past two years, or the
12. past ten years. At least to my knowledge,
13. in my district, in my community, I...I haven't
14. seen hide nor hair of them.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Hynes, for what purpose do you arise?

17. SENATOR HYNES:

18. Point of order, Mr. President.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. State your point.

21. SENATOR HYNES:

22. Unless we resolve into Committee of the Whole and
23. all of us become members of the Appropriations
24. Committee, I do not think this is the forum for a
25. debate of the bill on the merits and I think
26. the comments that have been made here and in
27. addition, the numerous private discussions that
28. I have had with many of the speakers in the last
29. couple of moments, indicate that this is not the
30. place nor the time to take this matter up. I
31. think that the resolution of the problem would
32. be to adopt Senator Glass' motion and re-refer the
33. bill to the Senate Appropriations Committee where it

1. can have a hearing and then can come before this Body for
2. final deliberation and I would ask that in view of the time,
3. that the members try to restrain themselves in terms of their
4. comments and let's see if we can't get such a motion adopted.
5. PRESIDING OFFICER: (SENATOR ROCK)

6. All right. Your point was well taken. Senator Philip,
7. are...have you concluded?

8. SENATOR PHILIP:

9. Yes.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Graham.

12. SENATOR GRAHAM:

13. Well, of course, I respect the President of this
14. Senate. I also respect the fact that our time is being imposed
15. upon by this sort of action, and we are setting a precedent if
16. we do this. I'm telling you, Ladies and Gentlemen of this
17. Senate, we are starting down the wrong road. If this is
18. what the majority of this Senate wants to do, we're going
19. to do it. But, there will be a day, you'll regret it, and
20. I'm going to warn you to that effect, right now.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Chew.

23. SENATOR CHEW:

24. Thank you, Mr. President. Just to answer a few state-
25. ments that were made. Speaking of the wrong road, Senator
26. Graham, I've seen this Senate on the wrong road ever
27. since I have been here and you've been a part of it.
28. As far as Pate Philip is concerned, yes, the agency works
29. in your area because you have a lot of problems and they've
30. been able to straighten them out. We are using every available
31. excuse to try to discredit the agency, which isn't fair. Senator, as

1. to why you have fairly well paid personnel on this
2. agency, because they aren't out there digging
3. ditches with shovels, picks and et cetera.
4. These people have enough brain on this commission
5. to run any university in the United States or
6. elsewhere. They didn't just happen to be there.
7. It's not a mistake nor an error. They're
8. totally qualified. If you would like to have
9. that further demonstrated, don't look for things
10. they have not done. Look for things that they
11. have and it's very obvious that many of the things
12. that we're operating with today, they're
13. responsible for it. They're not the CIA or the
14. FBI. They're not in question on integrity, nor
15. department. It's a very fine agency headed by a
16. very fine woman. And her staff, her staff, I might
17. add, is seldom equaled and never excelled. You
18. know they're there. It's being done simply because
19. when the time comes to be fair or unfair, if we
20. can find any reasonable excuse and base it on
21. something else attempting to stay in the
22. periphery of fairness, in areas of this kind we do.
23. As far as trading your vote or selling your vote...
24. oh, if I could recall the many times my colleagues
25. have come to me and asked me to support some special
26. legislation. I don't consider it selling a vote
27. or trading a vote. I think it's a vote cast for
28. the benefit of that colleague and his program.
29. We talk about selling a vote. I suppose that has
30. gone on too. Fortunately, I have not been a part
31. of it. I shall not be a part of it. But, if those
32. of you that are opposed to this motion were to come
33. to me on a program that would benefit you or your
34. people, I would support it. I would not consider that

1. selling a vote, or trading one because you don't
2. have anything to trade in return. This is a program
3. to help you make your program better and that's
4. what I'm all about. This agency is worthy of the
5. appropriations. We know it, you know it and this
6. is the time for you to be counted as worthy of
7. occupying the seat here in the Illinois Senate
8. and doing the job that you know you should do
9. instead of using the excuses that I will not
10. accept as excusable excuses. Thank you.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Vadalabene, for what purpose
13. do you arise?

14. SENATOR VADALABENE:

15. Yes, thank you, Mr. President and members of
16. the Senate. On a point of personal privilege.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. State...state your point, Sir.

19. SENATOR VADALABENE:

20. On a point of human resources, I have in the
21. southwest gallery my daughter, Pat and her and
22. my granddaughter and her daughter, Marina and all the
23. fourth grade classes of the LeClaire School in our
24. hometown of Edwardsville and I would like if they
25. would be recognized. The southeast gallery.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Would our guests in the gallery please stand and
28. be recognized. Did you wish to make a speech of
29. any kind, Senator Sam?

30. SENATOR VADALABENE:

31. Thank you, Mr. President.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Buzbee, for what purpose do you arise?

1. SENATOR BUZBEE:

2. Yes, Mr. President. I rise on a point of
3. personal privilege.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. State your point.

6. SENATOR BUZBEE:

7. Not to speak to the issue at hand as to
8. the intention of Senator Glass' motion. I know
9. how I am going to vote on that. But, to speak to
10. a point that was raised by the previous speaker,
11. I don't think anybody on this Floor has been
12. accused of selling a vote. I don't think anybody
13. on this Floor would ever consider selling a vote.
14. I don't like that kind of language. I think it
15. puts us in very bad light just the very fact that
16. anybody would mention it on the Floor, I think,
17. puts us in a very bad light and I know there's...
18. we trade some votes once in a while and a little
19. log rolling. A little log rolling probably never
20. hurt anybody. But, there's nobody on this Floor
21. that's ever sold a vote nor will they, I don't
22. believe and I would like for it to be clear to the
23. public of this State that we are not in the business
24. of selling votes.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Senator Chew, there are a number of others
27. who have...all right. State your...Senator Chew.

28. SENATOR CHEW:

29. Two things, Senator Buzbee, my statement on
30. selling a vote was in direct answer to Senator Soper,
31. who mentioned the subject. That was the reason as
32. to why it was mentioned, I merely answered that.
33. The other thing, and I know it was not done intentionally,

1. and we all have the privilege of personal privilege.
2. But, I just think it's in bad taste to be debating
3. an issue as important as we have been and somebody
4. comes up, not intentionally, but it ought to be
5. watched, with a point of privilege, which will,
6. in fact, take the minds away from what we're
7. doing and I know Senator Vadalabene means absolutely
8. no harm, but I've seen it done here before and I
9. really think it's a bad practice.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Your objection will be noted. Senator Soper.

12. SENATOR SOPER:

13. Thank you, Mr. President. See, the trouble
14. is people are...we don't listen around here, most
15. of-the time and what I said was, and I want it
16. clear and if you read the tape, is that in my
17. mind, saying you vote for this and I'll vote for
18. that or saying if you don't vote for this, I'm
19. not going to vote for whatever you've got or if
20. there's a committee hearing and I control the
21. committee and have the members of that committee
22. say, now unless you do so and so Senator, we're not
23. going to take your bill out of committee.
24. I said that's as bad as selling a vote. That's
25. what I said. I didn't say that anybody on this
26. Floor sold a vote. So, if you...sit in your seats
27. once in a while and you don't wander around, you don't
28. have to listen, you'll know what Jim Soper said.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Well, I've sat here and listened. I don't know
33. anything about what happened, I don't know anything

1. about this commission. I believe in the committee
2. system but I heard some questions asked and I didn't
3. hear them answered and one of them is what in the hell
4. has this commission been doing the last ten years?
5. I haven't heard of it. I've never seen any of the
6. people and it ought to be simple to answer. If a
7. commission is on the board, if it's doing something,
8. it will get it out. And all I can say is, this
9. committee gave them a half hour hearing and if they
10. got abused, it's probably because they deserved it.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Newhouse.

13. SENATOR NEWHOUSE:

14. Mr. President, I think I'm rising to a point
15. of personal privilege. I didn't...I didn't hear
16. what Senator Soper said, but I understood my
17. name was used and I understand...no...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. No, I didn't...I didn't...

20. SENATOR NEWHOUSE:

21. If...I just want to say that I've not threatened
22. anybody that I know anything about, in which case I
23. have no...

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Thank you. Senator D'Arco. Were you seeking recognition?
26. Your speaker light is on.

27. SENATOR D'ARCO:

28. I'll move the previous question.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. All right. Senator D'Arco has moved the previous
31. question. All those in favor signify by saying Aye.
32. All those opposed. The Ayes have it. Senator Glass
33. to close the debate.

1. SENATOR GLASS:
2. Thank you, Mr. President. I would like to
3. first of all apologize to Senator Carroll for not
4. having discussed this motion with him. However,
5. I did make it in writing. It was postponed until
6. today and therefore, I did not feel it was necessary.
7. But, I do apologize for not speaking to the Chairman.
8. Secondly, I want to assure Senator Hynes and others
9. that if the motion is successful, I will forthwith
10. move to re-refer this to the Appropriations
11. Committee. I think the debate has covered the
12. subject. I urge a favorable roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Glass has moved to take Senate Bill
15. 363 from the Table and place it on the Calendar
16. on the Order of 2nd reading. All those in favor
17. signify by saying Aye. All those opposed. In the
18. opinion of the Chair...a roll call has been requested.
19. Those in favor of the motion to take Senate Bill
20. 363 from the Table will vote Aye. Those opposed
21. will vote Nay. The voting is open. Thirty votes
22. are required. Have all voted who wish? Have
23. all voted who wish? Take the record. On
24. that question, the Ayes are 34, the Nays are 4,
25. 3 Voting Present. The motion carries. Senate Bill
26. 363 is taken from the Table and will be placed on
27. the Calendar on the Order of 2nd reading. Senator
28. Glass.

29. SENATOR GLASS:

30. Mr. President, I now move that Senate Bill
31. 363 be re-referred to the Appropriations I
32. Committee.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Glass has moved to re-refer Senate
2. Bill 363 from the Calendar back to the Committee
3. on Appropriations I. All those in favor signify by
4. saying Aye. All those opposed. The Ayes have it.
5. So ordered. All right. The Chair has been advised
6. that Senator Netsch would move to postpone
7. her Motion in Writing until May 3. All those in
8. favor signify by saying Aye. All those opposed.
9. The Ayes have it. So ordered. All right. The
10. Chair has been advised that we will move to the
11. Order of Senate Bills 3rd reading...all right.
12. Let's do those resolutions. Resolutions.
13. SECRETARY:

14. Senate Resolution 108, offered by Senators
15. Mitchler and Bowers, congratulatory.

16. Senate Resolution 109, offered by Senators
17. Kenneth Hall, Hynes, Donnewald, Rock and Bruce,
18. congratulatory.

19. Senate Resolution 110, offered by Senator
20. Bloom and all Senators, congratulatory.

21. Senate Resolution 111, offered by Senator
22. Mitchler and all Senators, congratulatory.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Consent Calendar. All right. Ring the bell,
25. Mr. Sergeant-at-Arms. On the Order of Senate
26. Bills, 3rd reading, the Chair has been requested to
27. begin where we left off the other day. We will begin
28. with Senate Bill 492. Senator Mitchler, do you wish
29. to pursue that? We're on the Calendar on page eight,
30. Senate Bills, 3rd reading. Senate Bill 492, if you
31. wish to call that. All right. Read the bill, Mr.
32. Secretary.

33. SECRETARY:

SB 492
April 28, 1977
Recall

1. Senate Bill 492.

2. (Secretary reads title of bill)

3. 3rd reading of the bill.

4. PRESIDING OFFICER: (SENATOR ROCK)

5. Senator Mitchler.

6. SENATOR MITCHLER:

7. Mr. President and members of the Senate,

8. Senate Bill 492 amends the Viet Nam Veterans

9. Compensation Act and it removes the deadline

10. for applying for the compensation which currently

11. is July 1, 1977. It conforms to the World War

12. II and Korean Veterans Compensation Acts. I move

13. for a favorable roll call.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Is there any discussion? The question is shall

16. Senate Bill 492 pass. Those in favor will vote

17. Aye. Those opposed will vote Nay. The voting is open.

18. Have all voted who wish? Have all voted who wish?

19. Take the record. On that question the Ayes are

20. 52, the Nays are none, none Voting Present.

21. Senate Bill 492 having received a constitutional

22. majority is declared passed. On the Order

23. of Senate Bills 3rd reading, Senate Bill 493.

24. Senator Joyce. Do I understand there is an amendment

25. on this? Senator Joyce.

26. SENATOR JOYCE:

27. Yes, Mr. President. Thank you. I would like

28. leave of the Body to bring Senate Bill 493 back to

29. the Order of 2nd reading.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. You've heard the request. Is leave granted?

32. Leave is granted. On the Order of Senate Bills 2nd

33. reading, is Senate Bill 493.

1. SECRETARY:

2. Amendment No. 4 offered by Senator Joyce.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Senator Joyce.

5. SENATOR JOYCE:

6. Yes, this amendment...what I would like to do
7. first, is to move to reconsider the vote by which
8. Amendment No. 1 was adopted and then Table that
9. amendment.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. All right. Senator Joyce has moved to reconsider
12. the vote by which Amendment No. 1 to Senate Bill
13. 493 was adopted. All those in favor signify by
14. saying Aye. All those opposed. The Ayes have it.
15. The vote is reconsidered. Senator Joyce now moves
16. to Table Amendment No. 1 to Senate Bill 493.
17. All those in favor signify by saying Aye.
18. All those opposed. The Ayes have it. Amendment
19. No. 1 is Tabled. Amendment No. 4 is now under
20. consideration, offered by Senator Joyce. Senator
21. Joyce.

22. SENATOR JOYCE:

23. Yes, Amendment No. 4 clarifies what the...the intent
24. of the bill...it states the the Department of Local
25. Government Affairs, here using the word Department,
26. will use the formula as stated in the bill to arrive
27. at the best grade of farm land.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. All right. Any discussion? Senator Joyce
30. has moved the...Senator Walsh.

31. SENATOR WALSH:

32. Mr. President and members of the Senate, I have
33. no objection to the gentleman putting the bill in the

1. form in which he...he wants to proceed with it. However,
2. I wonder if maybe it would be a good idea to leave the
3. bill on 2nd reading until we can consider the
4. amendments and then move...move the bill either
5. tomorrow or sometime next week. I...I would object
6. to trying to consider the bill today on 3rd reading,
7. certainly and because these amendments have just
8. been distributed. I would just suggest to the gentleman
9. that we hold it.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Joyce.

12. SENATOR JOYCE:

13. Well, I would not like to do that, Senator.
14. I'm sorry. This bill has been around and been to
15. committee several times and I think that with the
16. crunch that we are in now, it is a bill that is
17. essential to the farmers of Illinois and that is
18. Illinois' leading industry is farms and I would just
19. urge that we could hear the bill today.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right. Senator Joyce has moved the
22. adoption of Amendment No. 4 to Senate Bill 493.

23. On the amendment, Senator Walsh.

24. SENATOR WALSH:

25. Well, once again, I'd like it understood. The rules
26. provide and we're not at that point...

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Harber Hall, for what purpose do you arise?

29. SENATOR HALL:

30. On a point of order. We're considering a motion
31. by Senator Joyce...on a...on a...an amendment...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. That is correct.

1. SENATOR HALL:

2. ...and not consideration of 3rd reading.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. That is correct. The point is well taken. We are
5. on the Order of the...the motion to adopt Amendment
6. No. 4 to Senate Bill 493. Question on the amendment?
7. Senator Soper.

8. SENATOR SOPER:

9. Well, if we're going to consider this amendment,
10. shouldn't this be presented to us beforehand, not just
11. at the time...I just got this amendment.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Bruce.

14. SENATOR BRUCE:

15. I...I think everyone ought to realize that this
16. amendment does exactly what the committee thought it
17. did when it was adopted. In checking last night
18. we found there was a technical error. It just corrects
19. that error so anyone that says they haven't seen it
20. or don't know about it is just an error. It corrects
21. and makes clear that the Department is not going to
22. assess all farm land in the State of Illinois. It sets
23. forth the formula and so it does exactly what we all
24. thought it did and puts it in that shape.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. All right. We have people popping up all over
27. here now. Senator Soper.

28. SENATOR SOPER:

29. Well now, if you had an amendment that came out of
30. a committee, you didn't take time to look at that
31. amendment when it was presented then you tell us now
32. that it's a technical error, then we have a right
33. to look at this amendment to see whether your technical

1. error isn't technical in our minds. That's what I'm
2. talking about.

3. PRESIDING OFFICER: (SENATOR ROCK)

4. Further discussion? Senator Nimrod.

5. SENATOR NIMROD:

6. Yeah, Mr. President, on a point of personal
7. privilege. When this amendment is adopted, whatever
8. action is taken, before you move it to 3rd
9. reading, can I have the Chair, because we move it
10. real fast, I just want to call your attention to
11. it ahead of time. Before...before you move the
12. bill to 3rd reading after whatever action is taken on
13. the amendment, may I...may I have the...

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Yes. Yes. Senator McMillan.

16. SENATOR McMILLAN:

17. Mr. President, I rise to support this amendment.
18. It is a technical amendment. There was an error
19. made and this clarifies it in order that the bill
20. might do as it was intended.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. All right. Senator Joyce has moved the adoption
23. of Amendment No. 4 to Senate Bill 493. Any discussion?
24. All those in favor signify by saying Aye. All those...
25. all those opposed. The Ayes have it. The amendment
26. is adopted. Any further amendments?

27. SECRETARY:

28. No further amendments.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Nimrod.

31. SENATOR NIMROD:

32. Yes, Mr. President, I would like to pursue
33. Senator Walsh's comments pertaining to the rules and that

1. was that after an amendment is made on a bill,
2. I think the rule was that we stay for one day
3. and we might ask Senator Walsh that question?

4. PRESIDING OFFICER: (SENATOR ROCK)

5. If you're asking for a ruling by the Chair,
6. there is...there is to my knowledge, no rule
7. that says that. Senator Walsh.

8. SENATOR WALSH:

9. Well, Mr. President, I would just call the Chair's
10. attention to the 1975 rules which I think are the
11. temporary rules of this Body which provide that
12. a bill remain on 2nd reading...or that the
13. written amendments must be on the desk for one
14. day before the bill is considered on 3rd reading.

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Well, that...that is a procedure and unfortunately,
17. given the crunch, our printer has been working seven
18. days a week and nights and everything else trying
19. to print bills. We have been, unfortunately,
20. unable to have amendments printed as that rule calls
21. for and the procedure around here, has been for the
22. past couple of years, that Xerox copies placed
23. upon the desks, were, in fact, sufficient as opposed
24. to printed printed amendments.

25. SENATOR WALSH:

26. Just got it today, Mr. President.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. I understand that.

29. SENATOR WALSH:

30. Well,...well, may I ask the Chair's...for a ruling
31. under Rule 15, temporary Rule 15, it would seem that
32. this bill would have to be held for one day because
33. we just got the amendment today.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. No, the Chair is not in accord with that theory.
3. SENATOR WALSH:
4. Well, Mr....
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Senator Walsh.
7. SENATOR WALSH:
8. Mr. President, if I can just...if I can just read
9. the rule, it shall be filed immediately following
10. the printed copy of the bill and it says, one day before
11. such amended bill shall be read a 3rd time.
12. I mean it's right there in black and white, Mr.
13. President. The...the bill cannot be read a 3rd
14. time until one day has elapsed.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. That...that is your interpretation.
17. SENATOR WALSH:
18. Isn't that what the rule says?
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Further discussion? Senator Nimrod. All right.
21. Any further amendments? 3rd reading. Senator Regner,
22. 537? Senate Bills 3rd, reading, page eight.
23. Okay. Senator Netsch, 557. Senator Bruce, 639.
24. Bottom of page eight. On the Order of Senate Bills,
25. 3rd reading, Senate Bill 639. Read the bill, Mr.
26. Secretary.
27. SECRETARY:
28. Senate Bill 639.
29. (Secretary reads title of bill)
30. 3rd reading of the bill.
31. PRESIDING OFFICER: (SENATOR ROCK)
32. Senator Bruce.
33. SENATOR BRUCE:

1. Thank you, Mr. President and members of
2. the Senate. This bill deals with a...the allowing
3. the Department of Transportation to enter into
4. contracts with various municipalities to sell
5. the water supply component of a project built by the...
6. by the Corps of Engineers. Under Federal law,
7. the Corps of Engineers can only build projects for
8. flood control. Any additional expenditure of funds
9. for water supply must be borne by the State of
10. Illinois, or another governmental agency. At
11. Lewisville Lake, four cities have agreed to pay
12. the additional amount necessary for the water
13. supply component. This bill does two things. It
14. allows the Department to enter into a contract
15. with those four cities and it also protects the four
16. cities from other people who have not spent the
17. money from...from using the water thus stored.
18. The...the local communities will be putting up
19. about six million dollars. The Federal government
20. will be putting up the remaining cost of the
21. project. The Department of Conservation will be
22. spending one million, five hundred thousand dollars
23. for non-water related recreational facilities
24. at the project. Ask for a favorable roll call.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Is there any discussion? Senator Soper.

27. SENATOR SOPER:

28. Thank you, Mr. President. Senator Bruce,

29. ...Senator Bruce. Senator Bruce.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Sponsor indicates he will yield.

32. SENATOR SOPER:

33. All right.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Soper.

3. SENATOR SOPER:

4. I didn't know if he was listening. From what
5. you said, the Federal government, or...or the people
6. of the United States are going to put up a certain
7. amount of money. The local four cities are going
8. to put a certain amount of money and then
9. the people of the State of Illinois are going to
10. put up the rest of the money to do this.

11. You said something about one million something from
12. DOT. That's not related to the water project.
13. Yeah. Well, that's...that's going to be money
14. that we wouldn't ordinarily spend by the people
15. of the State of Illinois, right?

16. PRESIDING OFFICER: (SENATOR ROCK)

17. Senator Bruce.

18. SENATOR BRUCE:

19. Well, the total project cost is fifty-five
20. million dollars. Six million will be paid by
21. the four communities. A million and a half will
22. be paid by Department of Conservation for the three
23. r's, roads, restrooms, and recreational areas around
24. the lake, primitive sights, they are called. That
25. is the total expenditure. If the State of Illinois
26. never participates, if they decide not to spend the one
27. million five, it won't make any difference. The
28. Governor...the former Governor indicated that he would
29. expend the money of one million dollars. Governor
30. Thompson is reviewing the project. This does not
31. commit him to that at all. I want to make that very
32. clear. All this says is the Department can enter
33. into a contract with the four communities on water

1. supply. But, I thought some of the members might
2. like to know the total cost of the project.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Soper.
5. SENATOR SOPER:
6. Now, in other words, if anybody wanted to join
7. this project, any other community, they would be
8. precluded from joining this project, or is they...
9. is there a clause in there that would allow somebody
10. to come in if they contributed a certain
11. amount of money or does this close the lake to the
12. four communities?
13. PRESIDING OFFICER: (SENATOR ROCK)
14. Senator Bruce.
15. SENATOR BRUCE:
16. No, it does not. Any community that wishes to
17. participate, may.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Soper.
20. SENATOR SOPER:
21. Where does that say so in the bill and what would
22. it cost them...where do they go?
23. PRESIDING OFFICER: (SENATOR ROCK)
24. Senator Bruce.
25. SENATOR BRUCE:
26. Well, it is a very complicated procedure,
27. but I will go through it with you. Obviously,
28. they cannot ever sell more than one hundred
29. percent of the water supply component. I think
30. the State would be dishonest if they entered into
31. a contract with a city to supply water and could not
32. deliver. This bill would allow them to enter into
33. contracts. Four cities have already signed contracts

1. with the State of Illinois. They need the water.
2. The State of Illinois said, look, we don't have any
3. money to build any additional water supply component
4. in this project, but if you'll guarantee to pay
5. the costs, we'll authorize it with the Federal
6. government and you contract with us. Now, we do
7. that over a twenty-five year period. The city
8. pays back at so much...so many pennies per gallon
9. for twenty-five years. The Federal government
10. is happy with the arrangement. It's an...it's
11. an innovative way for everyone to be satisfied.
12. The cities get the water supply. The State is not
13. out a dime. In the past, the State has supplied...
14. or made water supply available to communities.
15. It's the decision of many that that's not an
16. appropriate task for the State of Illinois, but
17. the other thing the bill does, Senator Soper, is
18. that the water is released downstream and
19. it protects those cities that actually have
20. paid for it from another city that has not contracted
21. from siphoning off the water out of the Little
22. Wabash River.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Senator Soper.

25. SENATOR SOPER:

26. Now, tell me without reciting this whole
27. thing again, how does another community get into the
28. project if they need the water? Or have you closed
29. off the lake to four communities?

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Bruce.

32. SENATOR BRUCE:

33. No, it is...I'm not the technical engineer

1. on the project. I understand there is some available
2. water left, but the four communities involved
3. are the four surrounding ones and they are the
4. largest. If any other community were to come in,
5. I think one of the communities about eighteen miles
6. away, so they're already looking at a pretty
7. sizable cost to build a water channel to there, but
8. there is some available. Senator Soper, I don't
9. know exactly how much would be available.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. Senator Soper.

12. SENATOR SOPER:

13. Now, that's what troubles me about this bill.
14. We have Lake Michigan and Chicago and outlying
15. districts are connected up to Lake Michigan
16. and we buy water from the City of Chicago.
17. But, other communities are...are not able to get
18. Chicago water. Their wells are running dry and
19. we're sending a certain amount of water down the...
20. down the canal, down the Illinois River and down
21. the Mississippi River back in the ocean. And I'm
22. just wondering. I don't know where your lake is.
23. I don't know whose...where the communities are.
24. But, things are going to go out there and if there's
25. some available water, I think your bill should take
26. into consideration the fact that other communities
27. may want this water. And if you're going to preclude
28. them from coming into the water just like the...the
29. outlying communities around Chicago have precluded
30. from coming in for the water. I think you ought to
31. make some reservations from the future. I think
32. the Senate and...we know there is a future and I...
33. I hope that we can surmise that maybe somebody else

1. might want that water. Now, if you've got some
2. extra water there, how about leaving a little loop
3. hole there for a few guys out there that might want
4. it when the wells go dry?

5. PRESIDING OFFICER: (SENATOR ROCK)

6. Any further discussion? Senator Bruce, you
7. wish to close the debate?

8. SENATOR BRUCE:

9. I would just like to say that this is an
10. administration proposal that the Governor has asked
11. that I handle since it is in my district. I would
12. ask for a favorable roll call.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. All right. The question is shall Senate Bill
15. 639 pass. Those in favor will vote Aye. Those
16. opposed will vote Nay. The voting is open. Have
17. all voted who wish? Take the record. On that
18. question, the Ayes are 41, the Nays are 1, 2 Voting
19. Present. Senate Bill 639, having received a
20. constitutional majority is declared passed. Senator
21. Chew, for what purpose do you arise? Well, we're not
22. at that order of business. We're on the Order of
23. 3rd reading. There having been intervening business,
24. Senator Joyce, do you wish to pursue 493?
25. Read the bill, Mr. Secretary.

26. SECRETARY:

27. Senate Bill 493.

28. (Secretary reads title of bill)

29. 3rd reading of the bill.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Walsh, for what purpose do you arise?

32. SENATOR WALSH:

33. Mr. President, to raise a point of order.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. State your point, Sir.

3. SENATOR WALSH:

4. Mr. President, I call the Chair's attention
5. to Temporary Rule 15 of this Body wherein it is
6. provided as follows: Amendments to bills except
7. amendments striking out emergency provision may
8. be offered at the conclusion of the 2nd reading
9. and shall be printed when adopted and shall be
10. filed in their proper order immediately following
11. a printed copy of the bill on each Senators desk
12. and then this provision, Mr. President, one day
13. before such amended bill shall be read a third
14. time. Mr. President, I contend that this bill
15. cannot be read a third time in the light of rule
16. number 15.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. And you are requesting a ruling of the Chair,
19. I take it.

20. SENATOR WALSH:

21. Yes, Sir.

22. PRESIDING OFFICER: (SENATOR ROCK)

23. The Chair would rule that you are in error
24. and that the bill having been properly read
25. a third time is properly before the Body. The bill
26. was on 2nd reading and has been on 3rd reading for
27. a number of days and was, in accordance with the
28. long standing procedure of this Senate, properly
29. with leave of this Body, brought back to the Order of
30. 2nd reading for the purpose of an amendment. After
31. which, it was returned to the Order of 3rd reading
32. and there having been intervening business, the bill
33. is properly before us. Senator Glass.

1. SENATOR GLASS:

2. Mr. President, aside from that ruling, this is
3. a bill of great importance and makes major changes
4. and it seems to me in view of that and in view of
5. the fact that the President has indicated in a memo
6. that we would not be hearing major legislation
7. that was controversial, that we should, at least
8. take another day on this, if enough members
9. request it and certainly several on our side of the
10. aisle would like a little more time.

11. PRESIDING OFFICER: (SENATOR ROCK)

12. Senator Walsh.

13. SENATOR WALSH:

14. Well, if...if we're going to hold it, fine. If not,
15. Mr. President, I am a new kid in town, but where I come
16. from we didn't work this way. I would respectfully...
17. I would respectfully appeal...move to appeal the
18. ruling of the Chair unless it's going to be held
19. for one day.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Well, my...again, in the long standing tradition
22. of this Body and any other Body, the sponsor has a right
23. to determine the flow of, if any, of his legislation.
24. The sponsor, as I understand it, has indicated his
25. wish to proceed. Senator Walsh.

26. SENATOR WALSH:

27. Well, that's fine, Mr. President, and I would
28. assume the gentleman, if he's willing to proceed,
29. would have enough votes to...to suspend the rule.
30. But, the rule is there. The bill is in different
31. form from what it was in when we got here this
32. morning and we've got an amendment in front of us
33. that's to be considered and the rule is plain.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Mitchler.
3. SENATOR MITCHLER:
4. Mr. President, just an inquiry of the Chair.
5. How long are we going to proceed with the Session
6. today? Are you just about ready to adjourn?
7. PRESIDING OFFICER: (SENATOR ROCK)
8. Well, my understanding was that sometime between
9. 1:30 and 2:00 o'clock. But, that's given altogether
10. conversation...
11. SENATOR MITCHLER:
12. 1:30 and 2:00 o'clock. The only thing I thought
13. it was 1:30 and if that was the case, I was just
14. going to suggest if the Senator would hold it, we
15. could have leave to have that the first bill on the
16. opening of our Session tomorrow, if one day...one day
17. wouldn't matter that much, I don't think Senator Joyce. And you
18. could resolve it. I'm a cosponsor...I'm going to vote
19. for the thing, so...but I mean to keep peace in the
20. family, you could just hold it off one day and
21. have it the first order of business. Not so you're
22. bypassed and have to wait until we go through the
23. entire Calendar before you're heard again. That's
24. what I'm trying to protect you.
25. PRESIDING OFFICER: (SENATOR ROCK)
26. All right. Senator Walsh, what's your pleasure
27. with respect to your appeal from my ruling, do you
28. wish to pursue that?
29. SENATOR WALSH:
30. Well, I'd just as soon not do it, Mr. President,
31. but I feel impelled to proceed. I'm afraid your
32. ruling is erroneous so, I guess we'll have to have a
33. roll call.

3/28/77
S.B. 493
4/28/77
3rd Reading

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Your impulsion is my desire. The question is shall
3. the ruling of the Chair be sustained. Those in
4. favor of sustaining the rule of the Chair will vote
5. Aye. Those opposed to the ruling will vote Nay.
6. The voting is open. The question was put that those
7. in favor of sustaining the ruling of Chair will vote
8. Aye. Have all voted who wish? Take the record.
9. On that question, the Ayes are 33, the Noes are
10. 21, none Voting Present. The ruling of the Chair
11. is sustained. On the Order of Senate Bills, 3rd
12. reading...on the Order of Senate Bills, 3rd reading,
13. is Senate Bill 493. Read the bill, Mr. Secretary.
14. Read it again.

15. SECRETARY:

16. Senate Bill 493.

17. (Secretary reads title of bill)

18. 3rd reading of the bill.

19. PRESIDING OFFICER: (SENATOR ROCK)

20. Senator Joyce.

21. SENATOR JOYCE:

22. Yes, Mr. President. Thank you. I am sorry to be
23. ...seeming to be pushing this bill forward today, but
24. I think that it requires that. I would hate to
25. see this bill be kicked around and become maybe a
26. political football. It is too important and with the
27. time crunch we're in, we've got to get on with our
28. business. And this bill is trying to rectify
29. the biggest problem facing Illinois agriculture
30. today and that's the skyrocketing price of farm land.
31. Farmers want to find an equitable way of financing
32. school and local governments, but are concerned with
33. the growing burden of local property tax which soon

1. could be intolerable. If the local tax assessors
2. would tax the land at thirty-three and a third percent
3. of the market value, or three to four thousand dollars
4. and acre, the farmers would...taxes would shoot up
5. fifty to sixty dollars per acre. Thus, placing an
6. intolerable burden on the farmer. A tax that amount
7. would put many farmers just right out of business.
8. It would put Illinois farmers at a competitive
9. disadvantage with farmers in other states because
10. like other businesses, farmers cannot pass these
11. increased tax costs onto the consumer. Unrealistic
12. high property taxes are counter-productive to
13. long range environmental and conservation practices.
14. With unrealistic high property taxes per acre,
15. the farmer has no choice but to crop his land
16. as extensively as possible without regard to sound
17. conservation practices. There's no way that
18. the average farmer can pay the high cost of machinery,
19. fertilizer, herbicides and general expense on top
20. of these high taxes. It's counter-productive to the
21. efforts to increase the food supply, also. This bill
22. is not asking for a roll back or a decrease in
23. farm land tax. It is simply trying to moderate
24. the escalation of cost. As farm land and commodities
25. go up, so will the taxes on farm land. All the leading
26. farm groups support this bill as does the Taxpayers
27. Federation. Now, I had a...a sheet passed out to all
28. of you that explains the formula and maybe rather
29. than my taking up all your time reading it, if there
30. are any questions, I might...I would be glad to try
31. and answer them.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. All right. A number of members, there are seven

1. members who have indicated they wish to be heard, so
2. I'll put you down on the list. Senator Knuppel.
3. Senator Knuppel, I think our million dollar system
4. is malfunctioning again. Would you mind moving
5. over? Senator Knuppel on Senator Demuzio's mike.

6. SENATOR KNUPPEL:

7. Mr. President and members of this Body. I think
8. the Legislative Ethics Act requires that I state
9. that I have a conflict of interest and I think
10. there's a lot of other members in this Body that have
11. a conflict of interest. I want to declare that
12. conflict, but I want to tell you I'm going to vote
13. for this bill. I've got some five hundred acres
14. of land and if...and if the taxes in the manner
15. they're going at the present time continue to rise,
16. I anticipate in five or six years, I'll be paying
17. at least ten dollars an acre more tax than I'm
18. paying today. Now, if you people want to give
19. me that kind of a bonanza, I'm going to accept
20. it. That's about five thousand dollars a year.
21. I personally have a lot of...of constraint about
22. this bill. First of all, the farmer does have a
23. problem. He has a tremendous problem because in
24. many instances, real estate has gone up five and
25. six times in the space of five or ten years. Part
26. of this has been due to the farmer himself. I've
27. sold land and I haven't had anybody buy and if
28. the farmers say it's the doctors and the lawyers,
29. but I'll tell you, it's the farmers that's buying
30. this high priced land. And this bill has this one
31. problem. It's not going to restrict the price
32. of land because it's going to make available to that
33. farmer who doesn't have to pay tax, pay twenty, ten,

1. fifteen, or forty dollars more tax. It's going to give
2. him that much more to buy that land with. I wish
3. that this bill was courageous enough to say where
4. they're going to raise the taxes that goes to
5. the local government to operate local units of
6. government. Now, they can say that...that this is
7. not going to take any money away and that's true.
8. But, I'm asking you when you look to the future
9. increasing tax, we're going to be back here,
10. gentlemen, in three or four years and I don't say
11. that it's wrong. Maybe that's what we should be
12. doing and maybe on this bill, there should have
13. been an amendment that said we had an income tax
14. for education purposes. That's the fairest way
15. to pay for educational taxes. But unfortunately,
16. the farmer's confronted with a problem. I disagree
17. with the statement that the farmer can't pay for his
18. fertilizer, his machinery and so forth and so on.
19. That is not an accurate statement. These farmers
20. are paying for it. They're not that badly in
21. debt and they're paying thirty-five hundred
22. and four thousand dollars an acre for land. But,
23. they are bearing because of the rapid increase in
24. price, an unfair proportionate share of that tax.
25. The tax goes locally. And someday, we're going to
26. be back here and I want those people who are voting
27. for this bill to remember that and to be courageous
28. enough when that time comes, not to gut out on the
29. thing. I want them to vote for that income tax
30. that's going to be necessary to support schools,
31. and local institutions of government. This is a
32. piece of legislation that's needed, but I don't
33. know that it rearranges the equities the way they

1. should be. I have very serious questions and I've
2. expressed this to the people that are sponsoring this
3. bill of the constitutionality of this legislation
4. because in the Constitution, it says "except as
5. otherwise provided in this section, taxes upon
6. real property" and it makes no distinction,
7. "shall be levied uniformly by valuation ascertained
8. as the General Assembly shall provide by law."
9. I don't know that this is uniformly applied and
10. furthermore than that, there is no provision for
11. classification on...on land in counties of less than
12. two hundred thousand. I just felt that I had to
13. say those things. I think the farmer has a problem.
14. It has to be solved. But, I think it would be less
15. than fair with all the people of the State of Illinois
16. and this Body if we weren't candid about what the
17. problem is, how we're solving it and that we're
18. not totally solving it. That we're going to have
19. to come back here and...and...and do something
20. about how we raise our money to finance local
21. government. None of that local taxation comes into
22. the State Treasury. And all I can say is thank you
23. if you vote for this because it will...I'll be one
24. of the greatest beneficiaries, but I did want you to
25. know about my conflict and...and I think everybody
26. should...should be at least that honest. I'm still
27. going to vote for the bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Glass.

30. SENATOR GLASS:

31. Thank you, Mr. President. I have a question of the
32. sponsor if he will yield.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. The sponsor indicates he will yeild. Senator Glass.

2. SENATOR GLASS:

3. Senator Joyce, one of the other concerns
4. as you recall, was expressed in committee, is simply
5. that by allowing farm land to be taxed at this
6. lower level, it could mean that other taxpayers
7. will have to pay more. Senator Knuppel alluded to
8. that. I asked the Farm Bureau and others for some
9. statistics which would develop a projection of
10. what they thought these taxes would produce
11. as corrected. I...I know, you yourself,
12. in committee testified that it was almost impossible
13. to...to determine that. But, can you give
14. this Body any assurance that if this bill passes,
15. there will not be a greater burden on the other
16. real estate taxpayers in the county affected to
17. operate local government.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Senator Joyce.

20. SENATOR JOYCE:

21. Yes, well, it is very, very difficult to project
22. the future, but in the formula, the three parts
23. one is the value of products sold per acre, figured
24. by the U.S. Census Report, and the other one...
25. another part of the formula is the gross value
26. production per acre and that's figured by the
27. Cooperative Crop Reporting Service and that is the
28. Department of Agriculture in Illinois and the U.S.
29. Department of Agriculture. These two things show
30. the amount of dollars per acre that the...an acre
31. brings in. Now, the third part of the formula is
32. the sale price and that is ten percent of the...of a
33. three year average of farm land sold in the county.

1. Now, as the prices go up of the commodities and
2. as farm land price goes up, so will the amount of
3. tax. Now, we have projected as best we can on a
4. ten percent increase a year, nineteen...five percent, I'm
5. sorry, five percent, the best grade of land as this
6. would be taxed now with the formula on a four hundred
7. acre farm, this was taken in McLean County. It would
8. ...the present tax bill...okay, the present tax
9. bill per acre is twenty-three dollars and forty-
10. nine cents. The...with this best grade, it would
11. nineteen forty-two. Now, that is down somewhat.
12. But, as we go seventy-seven, it is twenty-two
13. fifty in comparison to twenty-nine seventy-
14. two. Twenty-four ninety and seventy-eight, that is
15. up again. And then it's...as compared with the
16. escalating cost of farm land and so forth, the cost
17. would be thirty-five forty if we did not use this
18. formula. And it goes from 1976 at nineteen dollars
19. and forty-two cents an acre to 1988 scaled down
20. with this formula, to forty dollars and fifty-
21. six cents an acre. If we did not use this formula,
22. it goes from twenty-three, forty-nine and seventy-
23. six to seventy-nine ninety-eight in 1988.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Glass.

26. SENATOR GLASS:

27. Thank you, Senator Joyce. I have seen those
28. figures. I appreciate your expressing that projection.
29. I just think the Body should be aware that that
30. is the top farm land in the county and the local
31. assessor has total authority to scale down from there
32. without the land being subject to the State multiplier.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator McMillan.

2. SENATOR McMILLAN:

3. Mr. President, I rise in support of the bill.

4. I have no conflict of interest to declare even though
5. my district is primarily agriculture. I also
6. claim not to have a lot of backround on the procedural
7. questions that have been raised today. There is
8. great need for a bill of this kind for a couple
9. of reasons. The current procedure of assessing
10. farm land is based on data related to sales. The
11. sales are few. The data is scant. Many of the sales
12. no longer are sales for agricultural purposes, but
13. for business, for mining, for highways, et cetera.
14. The number of sales is scarce enough that the resulting
15. figure is highly inflated and because the market
16. is so imperfect, it has very little relation
17. to fair cash value. This bill was designed to begin
18. with, not for a roll back, but to prevent
19. the kind of huge increases that would result
20. in the future. There is precedent for going to some
21. procedure like this for assessment, for business
22. and rental land where there is not a record of...
23. of sales, procedures like this are used. The
24. problem that can arise in...on farm land if this
25. procedure is...is not changed, is not one where
26. farmers need to have it any easier. The fact of
27. the matter is if...if taxes get to the forty, fifty,
28. sixty dollar area, when you're talking about many
29. small farmers and many tenant farmers, who will end
30. up needing to pay the bill, the realities are that
31. those tax rates and tax levels are those that
32. ...that cannot realistically be paid. I urge
33. support of the bill.

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Sommer.
3. SENATOR SOMMER:
4. Mr. President, if the sponsor would answer a
5. couple of questions.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Sponsor indicates he will yield. Senator Sommer.
8. SENATOR SOMMER:
9. Senator Joyce, as a person who is familiar
10. with this as a land owner and a farmer, I noted
11. in the sheet that's been passed out that...than
12. an average value of principal crops per acre
13. would be two hundred and twenty-seven dollars, is
14. that correct?
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Joyce. Senator Joyce.
17. SENATOR JOYCE:
18. Yes.
19. PRESIDING OFFICER: (SENATOR ROCK)
20. Senator Sommer.
21. SENATOR SOMMER:
22. How does that break out in the cost, let's
23. say you have an average farm and it's two twenty-
24. seven. What are your costs involved and how
25. does the taxes the potential tax bill of forty
26. or fifty dollars an acre fit into that cost
27. structure?
28. PRESIDING OFFICER: (SENATOR ROCK)
29. Senator Joyce.
30. SENATOR JOYCE:
31. Well, Senator, are you asking me the cost of
32. producing? Well, there again, it varies, but
33. with the fertilizer running thirty to forty dollars

1. an acre, you know, you're talking probably a hundred
2. and sixty to seventy-five dollars an acre.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. Senator Sommer.
5. SENATOR SOMMER:
6. And that...at that point in time, then that
7. leaves what, eighty dollars right now?
8. SENATOR JOYCE:
9. Well, the average cost is two sixteen, Senator.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Sommer.
12. SENATOR SOMMER:
13. Is that the cost including taxes of all functions?
14. PRESIDING OFFICER: (SENATOR ROCK)
15. Senator Joyce.
16. SENATOR JOYCE:
17. That's gross.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Sommer.
20. SENATOR SOMMER:
21. What...what sort of costs are included in that,
22. payment for the land, for example?
23. SENATOR JOYCE:
24. No, that's total cost, Senator.
25. SENATOR SOMMER:
26. Does that include mortgage costs?
27. SENATOR JOYCE:
28. No, no, no, no.
29. SENATOR SOMMER:
30. Does that include labor costs?
31. SENATOR JOYCE:
32. No.
33. SENATOR SOMMER:

1. Well, then you're saying then that if the
2. tax bills rise to forty or fifty dollars an acre,
3. you'll be in a loss situation in the average
4. farm situation.

5. SENATOR JOYCE:

6. That's correct, Senator.

7. SENATOR SOMMER:

8. Then why to farmers go out and pay three or
9. four thousand dollars an acre to take a loss,
10. don't they discount the value of potential taxes?

11. SENATOR JOYCE:

12. Well, there are not that many farms that are for
13. sale...you know, there...when a farm comes up for
14. sale, it's a rarity any more. Just because we drive
15. down the road and see many, many acres of farm
16. land doesn't mean that those are all you could just
17. pull in someones yard and say, will you sell this?
18. Farms are held in families and in estates and
19. it's just...it's a rare thing when a piece of
20. farm land comes up for sale.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Sommer.

23. SENATOR SOMMER:

24. Well, why would they buy attractive land for such
25. a price knowing they're going to take a loss?

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Joyce.

28. SENATOR JOYCE:

29. Because they don't make any more of it, Senator.

30. PRESIDING OFFICER: (SENATOR ROCK)

31.

32.

33.

End of reel.

Page 3
4/1/6

1. Senator Sommer.

2. SENATOR SOMMER:

3. Well you're telling me that the farmer's losing money.

4. SENATOR JOYCE:

5. No, I'm not telling you that at all Senator, you've just
6. drawn that conclusion for yourself.

7. SENATOR SOMMER:

8. Well, you say they will lose money under a forty or fifty
9. tax rate...

10. SENATOR JOYCE:

11. Yes.

12. SENATOR SOMMER:

13. ...by the figures you gave. Wouldn't the price of land
14. discount that tax rate and therefore reduce? Why do we have
15. to do it this way, that's all I'm after?

16. SENATOR JOYCE:

17. Well, if we don't...what happens if the local assessors
18. were ever forced and they may be to assess the price of farm
19. land at what the sale price is for now, you know, thirty-three
20. and a third of three thousand would be a thousand dollars an
21. acre of assessed valuation and at a tax rate of five to six dollars
22. would be fifty to sixty dollars an acre. The assessors that
23. I've talked to don't want to do that, not at all, We have
24. for years kind of, I think, blinked our eyes at the...at farm land
25. and the way of valuating it, and I think to ease everyone's
26. mind is one of the main reasons we're trying to pass this
27. bill.

28. PRESIDING OFFICER: (SENATOR ROCK)

29. Senator Sommer.

30. SENATOR SOMMER:

31. Well let's say I had a factory, now that's a productive
32. asset, as is farm land, why couldn't I come in here if I owned
33. a factory, come in here with a bill like this to protect my

1. factory and say it's based on the productive value of what I
2. put out in the factory and not what the thing is worth if I
3. sell it.

4. SENATOR JOYCE:

5. Senator, factories in most counties are assessed on an
6. income basis.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Sommer.

9. SENATOR SOMMER:

10. They are?

11. SENATOR JOYCE:

12. On a capitalized income basis, yes.

13. SENATOR SOMMER:

14. They are?

15. SENATOR JOYCE:

16. I believe so. A lot of them are sir...

17. SENATOR SOMMER:

18. You mean if I own a twenty-five million dollar plant and
19. I'm not making any money, it's not taxed.

20. SENATOR JOYCE:

21. Well I think...

22. PRESIDING OFFICER: (SENATOR ROCK)

23. Senator Joyce.

24. SENATOR JOYCE:

25. ...that may be the case. Or else it would go out of
26. business, I guess and I guess you could say that about farmers,
27. too, but they are at a...at a disadvantage that they cannot
28. raise the price of the commodities to meet a cost such as tax
29. or this type of thing.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Sommer.

32. SENATOR SOMMER:

33. Well you're talking about a productive asset and so also

1. are factories and stores and all of those sorts of things and
2. the fellow at the grocery store can't raise his prices either.
3. SENATOR JOYCE:
4. --- No that's true. Well he can...he can, he is free to do
5. that. We have to...we have a...a board of trade that sets our
6. farm prices and that is the farmer is at the mercy of that price.
7. He cannot increase the price on a product or he just can't
8. sell it, there's just no market.
9. PRESIDING OFFICER: (SENATOR ROCK)
10. Senator Sommer.
11. SENATOR SOMMER:
12. Well you can increase your farm mix that is how you
13. mix it, you know. In some parts of the state, this state,
14. there is a great deal of livestock and in other parts there
15. is none and there is a reason for that. You know livestock
16. can be more intensively cultivated and you can...
17. SENATOR JOYCE:
18. No Senator, actually the places where the farmland is the
19. highest is where they don't have the livestock anymore because
20. they cannot afford to kepp it there. They have to farm that
21. land as intensely as possible to try and make a profit on it.
22. That's where our conservation methods are going by the wayside
23. because we just can't afford to practice conservation.
24. PRESIDING OFFICER: (SENATOR ROCK)
25. Senator Sommer.
26. SENATOR SOMMER:
27. Senator I am somewhat mystified. I have represented
28. people as an attorney who have attempted to buy farm land
29. and we've been outbid and people have bid four thousand dollars
30. an acre. And if they're losing money, I can't see how they
31. can do that, and I don't think my clients would lose money
32. if they bid a particular price because they are not going to
33. bid it to lose money.

1. SENATOR JOYCE:

2. Yes, there's less than one percent of the land that is
3. ever available for sale at one time, you see, that's the problem.
4. It just isn't for sale. If all of the land in the State of
5. Illinois were to go up for sale right now, you can bet it
6. wouldn't bring three to four thousand dollars an acre.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right. We've...we've had a request from Mr. Tom
9. Hecht, of WICS Channel 20 in Springfield to request that he
10. shoot some silent film. Is leave granted? Leave is granted.
11. Senator Vadalabene.

12. SENATOR VADALABENE:

13. Yes thank you Mr. President and members of the Senate.
14. I rise in support of Senate Bill 493. I'm one of the prime
15. sponsors of the legislation, and my district is composed of
16. education, industry, and one of the largest agriculture
17. counties in the State of Illinois. And we realize the
18. importance of agriculture to other persons in this State.
19. Now what I believe is that any problem that threatens to drive
20. out one of our most important industries out of business is a
21. threat to all of us. And property taxes at their present
22. rate of escalation are just such a threat. We need a healthy
23. viable agriculture climate, one which allows a farmer to make
24. a living from the land. We must take steps now to insure that
25. we maintain that climate. And Mr. Chairman ...Mr. President
26. and members of the Senate, Senate Bill 493 deserves the support
27. of everyone in this room for the sake of the future of agriculture.
28. Thank you.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Soper.

31. SENATOR SOPER:

32. Thank you Mr. President. Now we're talking about...could I
33. have the floor, please. Thank you. We're talking about revaluation

1. and lowering the valuation and lowering the valuation for a
2. certain group of people in a certain area. Nobody said
3. anything about what the appropriations are from the various
4. municipalities that...or the governments that need the money
5. in that district. Nobody said anything about if you
6. increase the value...the valuations...the assessed valuations
7. and you get the same amount of money if your appropriations
8. then your rate is lower and the farmer doesn't pay any more
9. money. Doesn't even pay any more money than he paid before.
10. If you keep the rate at the same...allow the rate to be the
11. same then it means that your appropriations went up... you
12. get...if you increased your valuations and you keep the rate
13. the same and you increase your valuations three times, and the
14. rate is the same, you collect three times the amount of the
15. taxes. Now if you got a full farm community and you say
16. that that valuation is going to go down or won't be increased
17. and you don't increase your rate and your appropriation is
18. the same, there's no difference in the taxes. Now I don't
19. think Senator Joyce knows much about valuation of industry.
20. If there's industry in the district, and there are homes in
21. the district, you decrease the valuation on one segment then
22. and you appropriate the same amount of money then you've got
23. to increase the rate. Or increase the valuation on the other
24. people whose valuations hasn't been increased. If you had a
25. full farm community, as I said before, and you got the same
26. appropriation and you spread that over a three times the
27. valuation then your rate would go down to one third of what it
28. was before and your taxes wouldn't be any higher. Now this
29. sounds like a motherhood and free milk bill. You're going to
30. do something for somebody which you're actually going to hurt
31. the farmer. If it's a total farm community and you say that
32. the land is worth three thousand dollars and not a thousand dollars
33. and you don't increase your appropriation, he's not going to

1. be charged anymore taxes. His rate is going to go down. But
2. he's going to show that his land is worth more money and when
3. he goes to sell it, he'll be able to sell it for more money.
4. Now if you want to hurt them and you want him to believe
5. that you're doing him a great favor, then pass this bill.
6. I own some farm land too, I don't own it in Illinois, so
7. I'm not in conflict but they did the same thing in Michigan.
8. My taxes went down on the farm. They raised my valuation
9. but we talked to the boys that spend the money. We talked
10. to all the various divisions and we said now just don't get
11. a little crazy and don't spread the same millage. You're going
12. to get a lot more money if you do and if you do it the right
13. way then you lower the taxes for the farmer. You won't
14. increase them because then it will take in a lot of bodies
15. there where the land is more valuable. Now another thing,
16. when you talk about the land is going to be valued by
17. its productivity then you say that the least productive
18. land is going to be taxed the same as the greater productive
19. land. And if you can tell me where...where you're going to
20. have all farmers that run a farm the same way, just like
21. all manufacturers...they can...a fellow can manufacture an
22. article another fellow manufactured and he doesn't know
23. from giddyap that...that article is going to cost a lot
24. more money and you take a farmer that's efficient and he
25. knows how to run his land, he'll...he'll be more productive
26. on the same kind of land than the farmer that's not productive.
27. So I don't think you're doing the farmer a favor. If I were
28. a farmer and any...any guy that...any member of the Senate
29. or the House voted for this bill, I wouldn't vote for him
30. next time.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. Senator Harber Hall. Senator Joyce, for what purpose
33. do you arise?

1. SENATOR JOYCE:
2. I would like to answer that if I may.
3. PRESIDING OFFICER: (SENATOR ROCK)
4. You'll have an opportunity...
5. SENATOR JOYCE:
6. All right. All right.
7. PRESIDING OFFICER: (SENATOR ROCK)
8. ...to close the debate. Senator Harber Hall.
9. SENATOR HARBER HALL:
10. Mr. President, I strongly support this bill, however,
11. I was a little disturbed that we didn't have...we didn't
12. give proper recognition to those who had some questions
13. to make and wanted to hold it over for a day. I asked
14. Senator Joyce if he wouldn't be agreeable since I'm one of
15. his cosponsors and others perhaps that we could have one
16. more day on this. It's a very important piece of legislation.
17. It is also very complicated. I have a...he doesn't wish to
18. do that and that's his prerogative. I had a amendment, I worked
19. on this last night. I didn't have it ready until just now. I
20. showed it to him and I think it would improve the bill but
21. that's neither here nor there. I do think that it should be
22. passed irrespective of that. I think some other people have
23. some questions and they probably ought to be answered. But on...
24. on the question of 3rd reading I have a question of the sponsor,
25. for example, if he would care to respond to it.
26. PRESIDING OFFICER: (SENATOR ROCK)
27. The sponsor indicates he will yield. Senator Hall.
28. SENATOR HARBER HALL:
29. Senator Joyce, under this bill, you provide that the Depart-
30. ment of Local Government...Government Affairs for sales price
31. information in those counties that would not show sufficient
32. sales of land to go to other counties. Now I don't know what
33. sufficient numbers of sales would be involved here, do you know that?

1. PRESIDING OFFICER: (SENATOR ROCK)
2. Senator Joyce.
3. SENATOR JOYCE:
4. Yes, Senator, they would be allowed to go to two comparable
5. counties.
6. PRESIDING OFFICER: (SENATOR ROCK)
7. Senator Hall.
8. SENATOR HARBER HALL:
9. Before I ask...my question is, what is sufficient number
10. of sales. We've had experience with the Department of Local
11. Government Affairs coming up with their formulas and sometimes
12. we haven't always agreed with what they thought were comparable
13. sales. We didn't think that five acres of farm ground should
14. constitute a comparable sale to determine average farm land prices
15. in counties before and I think we were right in objecting to
16. that but since this seems to be vague do you know what they would
17. consider a proper number of comparable sales.
18. PRESIDING OFFICER: (SENATOR ROCK)
19. Senator Joyce.
20. SENATOR JOYCE:
21. Yes, it's twenty-five sales in a county in a year.
22. PRESIDING OFFICER: (SENATOR ROCK)
23. Senator Hall.
24. SENATOR HARBER HALL:
25. Of what? Twenty-five sales of what?
26. PRESIDING OFFICER: (SENATOR ROCK)
27. Senator Joyce.
28. SENATOR JOYCE:
29. Of any class farm land, Senator.
30. SENATOR HARBER HALL:
31. Any number of acres or are they going to start using five
32. acres again?
33. SENATOR JOYCE:

1. No, it's strictly number of sales. It's not five...

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Hall.

4. SENATOR HARBER HALL:

5. Then they would be including a piece of farm ground that

6. was three acres or four acres or five acres, thank you for

7. that. Now, since they probably wouldn't be having twenty...

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Joyce.

10. SENATOR JOYCE:

11. I think you misunderstood me, Senator. That...it's

12. spelled out in the bill. It will not be three acres and...

13. PRESIDING OFFICER: (SENATOR ROCK)

14. Senator Hall.

15. SENATOR HARBER HALL:

16. How many acres then would be the minimum number of

17. acres to be considered a fair...

18. SENATOR JOYCE:

19. It...it...there's not an acre but its strictly an agricultural

20. sale as by...determined by the local assessing officer.

21. SENATOR HARBER HALL:

22. OK. Now let's assume that there weren't twenty-five

23. sales and we went...then the Department went into your

24. procedure for using sales in...in comparable counties, does

25. the Department determine what a comparable county is? For

26. example, if they would move over and use Tazewell County where

27. my good friend, Senator Sommer comes from and who represents

28. that county very well. When they were trying to determine

29. land prices in our McLean County, they would find themselves

30. using farm land sales in a county that had very thin dirt

31. compared to our rich McLean County farm land and if they used

32. that then our McLean County taxpayers wouldn't be able to pay

33. enough...their sufficient amount of taxes and I know they all

1. want to pay enough taxes.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. Senator Joyce.

4. SENATOR JOYCE:

5. Yes, it is not the Department of Local Government Affairs

6. that selects this. It is the Supervisor of Assessments

7. or the county assessors in the county that is choosing the

8. other county, Senator.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Have you concluded, Senator? Senator Davidson. Oh, I

11. beg your pardon. Senator Harber Hall.

12. SENATOR HARBER HALL:

13. The hour is late, could we continue this discussion

14. tomorrow or are you still going to proceed?

15. PRESIDING OFFICER: (SENATOR ROCK)

16. Senator Davidson.

17. SENATOR DAVIDSON:

18. Mr. Chairman, I mean, Mr. President and members of

19. the Senate as Senator Knuppel earlier stated as provided

20. in the statute that there is a possibility of conflict

21. since I am the conservator of my daughter who does own

22. farm land that I state my possibility of a conflict before

23. I cast a vote for this when it comes time to vote.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Walsh.

26. SENATOR WALSH:

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

28. comment on this noncontroversial bill that we're considering

29. and point out to the members that we are taking a very large

30. step, which I think to many of us was not apparent when this

31. bill was introduced. The amendments to this bill and specifically

32. Amendment No. 4, which is on our desks now, clearly provide that

33. the assessing function is, if this bill is enacted into law,

1. henceforth, it's going to be performed by the Department of
2. Local Government Affairs and not by the local assessing officials.
3. Now maybe that's the reason for the hustle to get this bill
4. rolling in another direction but I don't understand why it can't
5. be considered further but I think we should recognize clearly
6. and I'll read the language to you. "Farm value formula for
7. arriving at the value, et cetera, shall be determined by that
8. department." Now I think that we should stop and think and
9. consider for a while whether we want to take these assessing
10. functions which since 1818 have been performed by our township
11. assessors and give them to the Department of Local Government
12. Affairs and if in fact we do want to do that, how far do we want to
13. go. Do we want to abolish local assessing officials and let the
14. Department do the entire job and those of use who have been around
15. here for awhile know that the Department just can't wait to get into
16. that act and I would urge a No vote.

17. PRESIDING OFFICER: (SENATOR ROCK)

18. Senator Rhoads.

19. SENATOR RHOADS:

20. Mr. President and fellow members. Like others, I have
21. a conflict to declare and therefore will have to vote Present.
22. The only humorous note I can inject into this discussion is that
23. Senator Joyce said there was only one percent farm land
24. available, I must have all of the one percent 'cause I...we've
25. got a thousand acres, Senator, so send your customers to me.

26. PRESIDING OFFICER: (SENATOR ROCK)

27. Senator Donnewald.

28. SENATOR DONNEWALD:

29. Yes, Mr. President and members of the Body. I would like
30. to declare that I might have a possible conflict of interest
31. that I do have an interest in farm land prior to my voting.

32. PRESIDING OFFICER: (SENATOR ROCK)

33. Senator Hickey.

1. SENATOR HICKEY:

2. Thank you, Mr. President. I would like to ask a
3. question but I want to give a lengthy introduction to the
4. question. First of all, I want to say I only have a hundred
5. farms in my area. I haven't had a single request from those
6. few farms to support or not to support this bill. I haven't heard
7. from anybody but I do have a concern and that is the eroding
8. tax base for schools and other tax districts. I know however
9. that farmers have a problem and I do understand why people
10. are paying four thousand an acre. They're holding it for the
11. future. It isn't because they expect to come out on it in that
12. first year but even so they've got a problem in being able to
13. pay taxes. If we are now going to begin to assess property
14. the way we are supposed to assess it. The reason we've been
15. getting along in the past is that we haven't really been assessing
16. properly and we're all advocating proper assessment procedures
17. be adopted. But if we do do this, farmers are...have to have
18. some kind of relief. I've got one solution in a bill that's
19. coming up next week, Senate Bill 1034, which would allow local
20. school districts totally to replace the property tax by a
21. local income tax piggybacked onto the state income tax but
22. that's one...that's one way that they can be helped. However,
23. as I look at this formula, it seems to me the way it's worked
24. out, it...it looks as if the present assessed valuation, present
25. equalized assessed valuation whether done equitably or not
26. and most places, it is not, probably would go down and that
27. immediately school districts and other tax districts would suffer.
28. Now the school districts, okay, will get it back from the state
29. in state aid but the park districts won't and the counties
30. won't, and the cities won't and the rest of them won't. Now,
31. my question. I would like to know if in the committee hearing
32. the people who should be very much concerned about this if that
33. is true, what I just said, and I don't know that it is, but I

1. want some evidence whether it is or not, if there was testimony
2. by all of these strong lobby groups in Springfield representing
3. all those tax districts particularly schools. What did they
4. say about the business of the present tax base being eroded
5. by this?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Joyce.

8. SENATOR JOYCE:

9. Yes, well, first of all, Mr. Maurice Scott was there and
10. testified from the Illinois Taxpayers' Federation and he is in
11. support of the bill. Secondly, one of the things we have been
12. talking about here is lowering the value or valuation. That's
13. simply not true. What this bill does is set the equalized
14. assessed valuation and it is not lower so none of your taxing
15. bodies would have a lower assessed valuation. That part of it
16. is erroneous. So when we do this our equalized assessed
17. valuation is not going to drop and yes, the Taxpayers' Federation
18. were for it. What were some of the other questions. Well, go
19. ahead anymore questions.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Senator Berning.

22. SENATOR BERNING:

23. Thank you Mr. President. I'd just like to make one
24. observation and then pose one question to the sponsor. It
25. appears that according to the statement of the sponsor with
26. one percent of farms being available for sale, that its
27. going to be awfully difficult to make comparisons with two
28. closest comparable counties. It almost appears as though
29. you're asking for something that can't be done. But then
30. I would merely like to point that as far as it appears to me
31. you are establishing another resource equalizer sort of
32. compounding problem in an effort to get at an answer. Nobody
33. understands the school formula and I'm afraid that too few
34. people will be able to understand this. Be that as it may

1. my question simply is this, in light of the legislation we
2. passed some two or three or four years ago providing for
3. a lowered assessed valuation for farm land why is that, and it's
4. a very simple process, easily understood, why is that not
5. utilized or not desirable?

6. PRESIDING OFFICER: (SENATOR ROCK)

7. Senator Joyce.

8. SENATOR JOYCE:

9. Yes, Senator, but the first part of your question about
10. the difficulty with the one percent of the sales, it is difficult now, it
11. is very difficult now to set a value and that is one of the reasons
12. for the bill. You know, there is so few sales and that is
13. why the price is so high that it is...that's our big...biggest
14. reason for the bill. Secondly, the dual assessment laws
15. which you were talking about that was passed a few years
16. ago, now that is before the Supreme Court right now and for
17. some reason assessors just have not used that.

18. PRESIDING OFFICER: (SENATOR ROCK)

19. Sneator Berning.

20. SENATOR BERNING:

21. Well, this apparently emphasizes again the differences
22. between sections in my area and Lake County. I know of
23. at least two cases where this particular tool has been
24. used advantageously for the farm owner and operator.
25. Why it has to be difficult in one area and utilized in
26. another and of course I can't understand and I don't
27. suppose you can either.

28. SENATOR JOYCE:

29. That's true. Yet, Iroquois County I believe, they
30. use...there haven't been any sales and I think they're
31. using sales, comparable sales in Iroquois County, in fact
32. Senator, that's in my district.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Berning.

2. SENATOR BERNING:

3. Correct me if I'm wrong. Is not the provision that
4. now exists on the statutes that the valuation utilized
5. for tax purposes shall be what the farm owner would...
6. would be able to pay to operate it as a profitable farm?
7. Now that hadn't ought to be too difficult to establish.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Senator Joyce.

10. SENATOR JOYCE:

11. Senator, I'm sorry. I...I'm not sure that I understood
12. that.

13. SENATOR BERNING:

14. My question was, if my memory serves me, what we
15. now have on the books in the way of assistance to farmers
16. is that the valuation shall be predicated...valuation for
17. tax purposes shall be predicated upon the valuation which
18. the farmer would be...which the farm would be considered
19. as a reasonable valuation so as to make it a profit making
20. operation.

21. PRESIDING OFFICER: (SENATOR ROCK)

22. Senator Joyce.

23. SENATOR JOYCE:

24. Yes Senator, well, I'm not sure that I can answer that
25. but I...this bill uses two census reports. One from the
26. department here in Illinois and the Federal one. This gives
27. us a concrete,...you know, fixed dollar amount of production.
28. It is...this bill, I think, would clarify that...would make
29. that much easier to implement.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berning.

32. SENATOR BERNING:

33. Thank you very much, Senator. I am in no position to

1. argue with you truthfully but I...when you get into such
2. things as ten percent of three year average sale price, and so on,
3. you come up with a formula here that I can't comprehend
4. and I just hope you aren't burdening assessors, Supervisor
5. of Assessments, farmers with something that is going to
6. be more of a burden than a benefit.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. All right, Senator...Senator Chew, for what purpose
9. do you arise?

10. SENATOR CHEW:

11. Mr. President, I rise to question the time element...
12. the time that in being spent on a bill that might be
13. necessary, but it certainly isn't an emergency and I've
14. been led to believe by the President of the Senate that
15. insomuch as we do have a deadline for committee hearings
16. and we're now an hour late for scheduled committees as
17. if this bill were going to keep the state alive so...

18. PRESIDING OFFICER: (SENATOR ROCK)

19. What is your point of order?

20. SENATOR CHEW:

21. ...I am merely here to move the previous question
22. without debate.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Well that...that motion is not in order.

25. SENATOR CHEW:

26. Why isn't it in order?

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Six...six members have indicated yet that they wish
29. to speak and we have honored their...

30. SENATOR CHEW:

31. Mr. President...the motion...

32. PRESIDING OFFICER: (SENATOR ROCK)

33. ...our members right to speak. You are now...

1. SENATOR CHEW:
2. ...for the previous question is not debatable and it
3. is due for a vote if I insist and on this occasion, I do
4. insist...
5. PRESIDING OFFICER: (SENATOR ROCK)
6. Well...
7. SENATOR CHEW:
8. Regardless to what promise the Chair has made, the
9. motion for the previous question takes precedent over that.
10. PRESIDING OFFICER: (SENATOR ROCK)
11. Senator Grotberg.
12. SENATOR GROTBORG:
13. Thank you, Mr. President.
14. PRESIDING OFFICER: (SENATOR ROCK)
15. The Chair has ruled that that motion is not in order.
16. Senator Grotberg.
17. SENATOR GROTBORG:
18. I rise in support of this fine bill...do I...yes, I
19. have the floor, thank you.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Yes, you do, Senator Grotberg.
22. SENATOR GROTBORG:
23. One of the unspoken things...a lot of words have said
24. on this bill but I think of these one hundred and two counties
25. in Illinois I have the good fortune of representing three
26. of them and they're always referred to as the "bread basket"
27. of the nation, Livingston, LaSalle, and DeKalb Counties.
28. In my five years...in my five years in the General Assembly
29. this issue has been the toughest issue in the agricultural
30. community. It is devised by that community. I think that
31. it deserves a chance to be placed upon the books of the State of
32. Illinois that yes, farm land can be resolved as having several
33. values. We now have three methods of determining that value.

1. Further, Mr. President, I would remind this Body that we
2. are in the United States, not on the gold standard or the
3. silver standard anymore, but the land standard and that
4. is our gold. And we saw the two hundred an ounce gold
5. thing change, maybe the land thing will change but by
6. all means farmers are on county boards, farmers have kids
7. in school, farmers vote and pay taxes. They are willing...
8. the same group that is sponsoring this are sponsoring
9. the local income tax bill for schools, it was referred
10. to earlier. And I sincerely hope that this Body will
11. find a way to get this bill passed and I urge and I vote.

12. PRESIDING OFFICER: (SENATOR ROCK)

13. Senator Maragos. Senator Chew, for what purpose do
14. you arise?

15. SENATOR CHEW:

16. Well, don't get you eyes all together there, Mr. President,
17. I rise for an answer of the motion that I made, you don't
18. have the right to rule on that motion. That right is left
19. in...invested in the members...

20. PRESIDING OFFICER: (SENATOR ROCK)

21. All right, Senator...

22. SENATOR CHEW:

23. ...of the Senate here.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. Senator Chew has moved the previous question. Those
26. in favor signify by saying Aye. Those opposed. The motion
27. carries. Fine. Senator Maragos.

28. SENATOR MARAGOS:

29. Mr. President, I would like to ask the sponsor of the
30. bill two questions.

31. PRESIDING OFFICER: (SENATOR ROCK)

32. The sponsor indicates he will yield. Senator Maragos.

33. SENATOR MARAGOS:

1. What is the most recent census figure that you would use
2. if the...what is the most recent census figure you would
3. use if the act became effective of this year?
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Joyce.
6. SENATOR JOYCE:
7. 1974, Senator.
8. PRESIDING OFFICER: (SENATOR ROCK)
9. Senator Maragos.
10. SENATOR MARAGOS:
11. Couldn't this have all been prevented if the other
12. counties beside ... Cook had allowed a classification of
13. property and therefore had it used. This is a better
14. formula, a more equal formula than this approach.
15. PRESIDING OFFICER: (SENATOR ROCK)
16. Senator Joyce.
17. SENATOR JOYCE:
18. Senator, the problem would be that most rural counties
19. don't have enough classes to classify.
20. PRESIDING OFFICER: (SENATOR ROCK)
21. Senator Maragos.
22. SENATOR MARAGOS:
23. Mr. Speaker, I'm not going to take the time of the
24. Body to debate this any further except to state that if they
25. one state they could classify and that's farm land. And
26. as the state is a residential, commercial, or industrial
27. but be it as it may this thing may also have as Senator
28. Knuppel stated and I have some constitutional questions
29. is the novel approach. We voted it out of the committee
30. excepting that I should state further that it has many
31. questions and it...it may go to Supreme Court finally to
32. make its determination if this is a good approach or not
33. but I'm going to vote for it.

1. PRESIDING OFFICER: (SENATOR ROCK)

2. Senator Berman. Senator Schaffer.

3. SENATOR SCHAFFER:

4. Mr. President, I rise in support of this bill and I
5. think one aspect of the problem has not been discussed
6. and perhaps it isn't a problem in the sponsor's district
7. but I live in the fastest growing county in Illinois,
8. and one of the fastest growing sections, of perhaps, the
9. whole world. It isn't the farmers that are buying land
10. in McHenry County and Kane County, it's speculators
11. and developers. The farmers are being taxed off the land
12. and when they go, the developers and the speculators are
13. right there on the scene. Some of the best farm land in
14. the world is being covered with asphalt and cement and
15. sod. If we let that happen...if we continue to let that
16. happen, the day will come when we're not only going to
17. worry about high food prices, we're going to have to
18. worry about food shortages. Not for India or China, but
19. for Illinois. I think this bill is a good bill. I
20. have a feeling that the courts of this state will hammer
21. it around for many years to come but it is a solution
22. and I hope that we will allow this solution to go forward
23. because without it, step by step we are going to destroy
24. Illinois' major asset and that is the valuable farm belt
25. in my area of the state and other areas of the state as we increase
26. our population.

27. PRESIDING OFFICER: (SENATOR ROCK)

28. Senator Nimrod.

29. SENATOR NIMROD:

30. Yes, Mr. President and fellow Senators. This idea of
31. an alternate assessment has been discussed for several years
32. but this particular idea was never brought up for any study
33. in any of the tax study commissions and I'm curious as to

1. wonder why this kind of an idea has not had a chance to
2. have the discussion of input of either the Revenue Committees
3. and the discussion of the tax study commission for some time
4. and suddenly is proposed here and it's certainly inconsistent
5. with some of the things that...some of the conclusions that
6. were arrived at over a number of years and I just want
7. to ask Senator Joyce if there was any kind of consideration
8. anytime that was given to this particular idea.

9. PRESIDING OFFICER: (SENATOR ROCK)

10. Senator Joyce.

11. SENATOR JOYCE:

12. Not to my knowledge, Senator. I have been working on
13. this for some time as the IAA has and no, we haven't.

14. PRESIDING OFFICER: (SENATOR ROCK)

15. Senator Nimrod.

16. SENATOR NIMROD:

17. Well then that kind of bothers me...I think the idea
18. is good and the question is very important but it certainly
19. is very disturbing that we have legislative committees
20. which involve the Senators and the Representatives on
21. committees that we assign to discuss this particular
22. subject and these associations would not bring these
23. ideas to them to be able to have a chance to expose their
24. discussion rather than not bring it to the floor. It
25. seems to me that either there is some reason that this is
26. being done or...we're evidently aware of but I do know that
27. it takes away an...existing function it does make an
28. exception. And I think that exception ought to be
29. discussed and considered at least rationally before we jump
30. into it without having a little bit of time to look at
31. the effect of the ramifications of this important step that
32. we're taking.

33. PRESIDING OFFICER: (SENATOR ROCK)

1. Senator Coffey.

2. SENATOR COFFEY:

3. Mr. President, I would just like to declare to this
4. Body that I have agriculture interest in some farm ground
5. and would like to just inform this Body of a possible
6. conflict. Thank you.

7. PRESIDING OFFICER: (SENATOR ROCK)

8. Senator Don Moore.

9. SENATOR MOORE:

10. Thank you, Mr. President. Mr. President, I move that
11. the Senate stand adjourned until Friday April 29th, 1977
12. at eleven a.m.

13. PRESIDING OFFICER: (SENATOR ROCK)

14. You've heard the motion, all those in favor signify by
15. saying Aye. All those opposed. The opinion of the Chair,
16. the nos have it. The motion fails. Senator Bruce.
17. Senator Bruce. Senator Bruce.

18. SENATOR BRUCE:

19. Am I supposed to call the roll?

20. PRESIDING OFFICER: (SENATOR ROCK)

21. You indicated you wished recognition on 493.

22. SENATOR BRUCE:

23. Oh, I'm...thank you Mr. President, I just want to
24. disclose a potential conflict with this piece of
25. legislation in that I own land that would be affected by
26. it.

27. PRESIDING OFFICER: (SENATOR BRUCE)

28. Any further discussion. Senator Buzbee.

29. SENATOR BUZBEE:

30. Mr. President, I may possibly have a conflict. I have
31. two and a half acres to crop this year as weeds and I'm not sure...
32. the market is down a little bit so I'm not sure which way
33. would be to my best economic advantage but I'm supportive

1. of the bill. Thank you.

2. PRESIDING OFFICER: (SENATOR ROCK)

3. All right. Senator Joyce may close the debate.

4. SENATOR JOYCE:

5. Thank you Mr. President. I want to disclose that I
6. may have a conflict too. I do have a conflict, I own
7. some farm land. But...I...I think it is better that I do
8. this than Senator Soper...handle this bill, so I would
9. ask for the question.

10. PRESIDING OFFICER: (SENATOR ROCK)

11. The question is shall Senate Bill 493 pass. Those in
12. favor will vote Aye. Those opposed will vote Nay. The voting
13. is open. Have all voted who wish? Have all voted who wish?
14. Take the record. On that question the Ayes are 43,
15. the Nays are 1 , 9 Voting Present. Senate Bill 493 having
16. received a constitutional majority is declared passed.
17. Senator Donnewald moves to reconsider the vote by which
18. Senate Bill 493 was passed. Senator Carroll moves to Table
19. all those in favor. So ordered. Tabled. Senator Harber
20. Hall.

21. SENATOR HARBER HALL:

22. Mr. President, I would like to declare that I have a
23. conflict of interest on that bill and voted Present.

24. PRESIDING OFFICER: (SENATOR ROCK)

25. That is in order. Senator Hynes.

26. SENATOR HYNES:

27. Mr. President and members of the Senate. If there are
28. any further noncontroversial bills we might go to them. But
29. just on the chance that there would not be noncontroversial,
30. I would suggest that we wrap up the business here today.
31. I have a couple of announcements to make. First of all the
32. Consent Calendar for Resolutions has been distributed.
33. Would the members please review it and if there are any ob-

1. jections file them by tomorrow. Secondly, I'd ask that the
2. record show that Senators Egan and Sangmeister are absent
3. due to illness. Thirdly, I would like to remind the member-
4. ship that we will again on Monday of next week, waive the
5. Six Day Notice Requirement with respect to any bills that
6. members wish to have heard, so if you have a bill that
7. has not been sent out on a committee notice, contact the
8. chairman of the committee involved, and the chairman will
9. then give us the numbers of the bills then we will waive
10. the notice on...with one motion and we will then
11. follow up by sending out written notice so that there will
12. be under the circumstances the best possible notice that
13. we can give. And finally we have distributed the schedule
14. for the next two weeks and you will notice that it calls
15. for five days next week and the following week we will be
16. off on Monday, come in on Tuesday. So it will be a four
17. day week. You'll have Monday back in your home districts.
18. There will be no session on Saturday because we feel...
19. of this week because the committees are moving along so
20. that tomorrow will conclude the week's business. And
21. finally I'm reminded that we had scheduled a Democratic
22. caucus at 12:45 but because of the delay on the last
23. noncontroversial bill, that caucus will be cancelled and
24. we will attempt to reschedule it on Monday.

25. PRESIDING OFFICER: (SENATOR ROCK)

26. Any announcements? Senator Chew.

27. SENATOR CHEW:

28. The Committee on Transportation will meet at 3:00 in
29. A-1.

30. PRESIDING OFFICER: (SENATOR ROCK)

31. Senator Berman.

32. SENATOR BERMAN:

33. The Calendar doesn't have it listed but we have posted
34. and there will be a meeting of the Committee on Elementary

1. and Secondary Education at 9 a.m. tomorrow morning. Sub-
2. committee on Special Ed. at 10:30 a.m. tomorrow morning.
3. Both in Room 400.
4. PRESIDING OFFICER: (SENATOR ROCK)
5. Senator Buzbee.
6. SENATOR BUZBEE:
7. Thank you, Mr. President. The Committee on Appropriations
8. II will meet immediately following our dismissal and the
9. gavel will bang within five minutes and we will start
10. whether you are there or not.
11. PRESIDING OFFICER: (SENATOR ROCK)
12. Any further announcements or further business to come
13. before the Senate. All right, if not, Senator Hynes moves
14. that the Senate now stand adjourned until...Senator Hynes.
15. SENATOR HYNES:
16. Twelve o'clock noon.
17. PRESIDING OFFICER: (SENATOR ROCK)
18. Twelve o'clock noon on Friday April 29th. The Senate
19. stands adjourned.
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