

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

MAY 11, 1972

1. CHAPLAIN: Reverend Rudolph S. Shoultz. Pastor of the Union
2. Baptist Church of Springfield, in Springfield, Illinois.

3. PRESIDENT:

4. Reading of the Journal. Moved by Senator Dougherty that
5. the reading of the Journal be w...dispensed with. All in favor
6. signify by saying aye. Contrary minded. Motion prevails.
7. Committee reports.

8. SECRETARY:

9. Senator Donnewald, Chairman of Assignment of Bills, assigns
10. the following to committee: Education fi...ah...SB1561, Local
11. Government, SB1558, Appropriation Division of the Committee
12. on Public Finance, Senate bills 1559, 1560, an 1562. Senator
13. Hall v...ah...ViceChairman of Transportation reports out Senate
14. bills 1364 with the recommendation Do Pass, Senate bills 1388
15. an 1389 with the recommendation Do Pass, as Amended, SB1270
16. with the recommendation Do Not Pass. Senator Cherry, Chairman
17. of Executive Committee reports out the Governors message of
18. May the 2nd, 1972 an' recommend confirmation, Senate Joint Resolution
19. No. 67 with the recommendation Do Not Pass.

20. PRESIDENT:

21. Ah...Senator Donnewald...oh...Senator Bidwill.

22. SENATOR BIDWILL:

23. I was going to move Mr. President that we resolve ourselves
24. in the committee of the whole to accept the recommendation of
25. the Executive Committe an the Governor's appointments.

26. PRESIDENT:

27. Motion that the Senate resolve itself in Executive session.
28. All in favor signify by saying aye. Contrary minded.

29. SENATOR BIDWILL:

30. Now. Mr. President, I move the Senate do advise an' consent
31. in the Governor's appointments as recommended by Executive Com-
32. mittee.

33. PRESIDENT:

1. Motion that the Senate do advise an' consent an' on that
2. question the Secretary will call the roll.

3. SECRETARY:

4. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
5. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
6. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
7. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
8. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
9. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
10. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
11. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver,
12. PRESIDING OFFICER: (Senator Donnewald)

13. Carpentier aye, Dougherty aye, Egan, aye, Kosinski aye,
14. Rosander aye, Collins aye, Mitchler aye, Saperstein aye, The
15. yeas are 36. The nays are zero. The appointments are approved.
16. Mr...ah...Senator Bidwill.

17. SENATOR BIDWILL:

18. Now, Mr. President, I move the Executive session do now
19. arise.

20. PRESIDING OFFICER (Senator Donnewald)

21. All in favor say aye. The...ah...aye's have it. Now,
22. proceed to the order of...ah...Senate bills on 2nd reading

23. PRESIDENT:

24. 1344 Senator Fawell, 1344.

25. SECRETARY:

26. 2nd reading of the bill. No committee amendments. One
27. floor amendment offered by Senator Fawell.

28. PRESIDENT:

29. Senator Fawell, can you explain the amendment?

30. SENATOR FAWELL:

31. Yes, Mr. President, the amendment I promised in committee
32. to put on these bills...it merely clarifies what was the basic
33. intent

that there is a new tax involved here of 1/2 a one percent and thus I do move the adoption of the amendment.

PRESIDENT:

Is there any discussion? All in favor signify by saying aye. Contrary minded. Motion prevails. Any further amendments? 3rd reading. 1345.

SECRETARY:

2nd reading of the bill. No committee amendments. One floor amendment offered by Senator Fawell.

PRESIDENT:

Senator Fawell:

SENATOR FAWELL:

That is exactly the same type of amendment, Mr. President.

PRESIDENT:

Any discussion? All in favor signify by saying aye. Contrary minded. The amendment is adopted. Any further amendments? 3rd reading. Senator Clarke.

SENATOR CLARKE:

Mr. President, I want to...ah...inform the Body that Senator Horsley is out at Memorial Hospital. Ah...he has having some tests. He's had some trouble the last few days an' the end a last week. I don't know about this bill whether there're any amendments er...ah...but I'd like to have it moved if there's no objection with the...

PRESIDENT:

He...

SENATOR CLARKE:

I betcha it could be brought back...

PRESIDENT:

...he...ah...re...requested that it be held. He, both yesterday an...

SENATOR CLARKE:

Oh...alright...That's fine.

PRESIDENT:

...the day before. My guess is that he would want it held.

SENATOR CLARKE:

1. Well I did wanna announce that he is...that's the reason
2. for his absence.

3. PRESIDENT:

4. Alright. The Journal will so show. 1423 Senator...Hold.
5. 1445 Senator Sours. On 2nd reading. Do you wish to advance
6. that? 1445.

7. SECRETARY:

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

9. PRESIDENT:

10. Any amendments from the Floor? 3rd reading. 1485 Sena-
11. tor Groen.

12. SENATOR GROEN:

13. Mi...Mr. President, a point of inquiry an' I would ask...ah...
14. Senator Partee's attention if he would please. ah...I'm desperately
15. awaiting an amendment on this bill an' it has not been drafted
16. or completed an...an I'm not sure that I'm going to get it today.
17. Ah... I could advance the bill to 3rd reading with the understanding
18. that I'll pull it back not only for that amendment but for any
19. others, but I'm wondering about this timetable which means
20. that all Senate bills have to be out of here this week. Are
21. we going to adhere to that schedule?

22. PRESIDENT:

23. Senator Partee.

24. SENATOR PARTEE:

25. I'm sorry that I missed the first part of your remarks,
26. but let me say generally an' then maybe this will cover what
27. you're saying, that Senator Clarke an' I have discovered that
28. there are some bills which were in committee this week. In
29. one instance a committee met this morning to get some bills
30. out. Well obviously those bills cannot be passed before the
31. Friday deadline, so those bills would, of course, be accepted
32. to the Friday deadline period. A little later in the Session
33. when more of the members are here

1. Senator Clarke an' I propose to give you a list of those bills
2. which we find within the orbit of the acceptance an' we'll...
3. you'll have that list today, those bills that we're going to
4. consider which have already been Tabled. In the instance which
5. you've mention I didn't hear the first part but I'm assuming
6. that this is a bill that you cannot possibly go with before
7. Friday. Is that what your're saying?

8. SENATOR GROEN:

9. Well, the...the amendment is a very technical amendment
10. an' they have been working on it now for three days an the Reference
11. Bureau an' the people involved are...are...are...are still trying
12. to get language that would fit into the Illinois situation...ah...

13. SENATOR PARTEE:

14. Well I think under those circumstances we'll just have
15. to of course be reasonable an' say that that should be an exception...

16. SENATOR GROEN:

17. Well then Mr. President....

18. SENATOR PARTEE:

19. ...jus...just as another bill that was passed out of one
20. of our committees yesterday. There's a committee working on
21. an amendment that they say will take at least 8 or 10 days and
22. we gonna hold it an accept the bill to the time they bring in
23. the amendment. Cause we'll just have to use some judgment
24. and practicality here.

25. PRESIDENT:

26. Senator Groen:

27. SENATOR GROEN:

28. Well, I have not been dilatory ...I've been diligent, as
29. a matter of fact, in this matter an' would appreciate that considera-
30. tion. I would then, Mr. President, move that the bill be ad-
31. vanced to 3rd reading with the understanding that I will bring
32. it back to 2nd for that amendment an' any others which any...ah...mem-
33. ber has to offer.

PRESIDENT:

1. It will be advanced with that understanding. 1485
2. SECRETARY:
3. 2nd reading of the bill...n..no committee amendments.
4. PRESIDENT:
5. Any amendments from the Floor? 3rd reading. 1500, is
6. Senator Cherry on the Floor? Does...ah...Santor Partee. I as-
7. sume he want's that advanced.
8. SENATOR PARTEE:
9. Which one is that, Sir?
10. PRESIDENT:
11. 1500
12. SENATOR PARTEE:
13. Yes, he wanted it advanced.
14. PRESIDENT:
15. 1500
16. SECRETARY:
17. 2nd reading of the bill. No committee amendments.
18. PRESIDENT:
19. Any amen....Senator Clarke....Senator Gilbert.
20. SENATOR GILBERT:
21. I believe there is to be an amendment from the Floor on
22. this. Senator Hynes, I believe has it or someone...ah...when
23. we agreed yesterday to discharge the committee it was with
24. an understanding that there would be an amendment offered today...
25. ah... that makes...ah...this bill...ah...ah...effective only...ah...
26. through this year an then to...the...ah...
27. PRESIDENT:
28. I...I wonder, can...can we advance it with the understanding
29. that it will be brought back..
30. SENATOR GILBERT:
31. Yes
32. PRESIDENT:
33.for amendment. Senator Hynes? Alright it will be
ad -

1. vanced with that understanding. 1509 Senator Latherow. Sena-
2. tor Latherow.

3. SENATOR LATHEROW:

4. Mr. President, Senator Partee...on SB1509 we moved this
5. out a committee the first the week knowing that we've got some
6. more work that we have to do on this bill. This is in Senator
7. Knuppel's Agriculture Committee an...ah...we're in hopes that
8. we could have until next week on this to try to produce a...a
9. proper amendment to put this in..in prospective shape that we'd
10. like to have it in.

11. PRESIDENT:

12. Senator Partee.

13. SENATOR PARTEE:

14. Well, if Senator Clarke has no objection I would certainly
15. have no objection for the reasons stated by you.

16. SECRETARY:

17. 2nd reading of the bill. No com...ah...wait a minute...2nd
18. reading of the bill, one committee amendment offered by Agriculture
19. an' Conservation.

20. PRESIDENT:

21. An Senator Latherow, you wish to adopt the committee amend-
22. ment?

23. SENATOR LATHEROW:

24. Yes, I move the adoption of the amendment.

25. PRESIDENT:

26. Motion for the adoption the committee amendment. All in
27. favor signify by saying aye. Contrary minded. Amendment is
28. adopted. Any further amendments? 3rd reading. 1524 Senator
29. Sours. 1524.

30. SECRETARY:

31. 2nd reading of the bill. No committee amendments.

32. PRESIDENT:

33. Any amendments from the Floor? 3rd reading. 1525.

SECRETARY:

1. 2nd reading of the bill. No committee amendments.

2. PRESIDENT:

3. Any amendments on the Floor? 3rd reading. Senate bills
4. on 3rd reading. Senate bills on 3rd reading. Senator Clarke.

5. SENATOR CLARKE:

6. Ah...if I could have the attention of the Pro Tem, it just
7. seems to me that insofar as we are running short of time and
8. bills that are not in the exempt category of appropriations,
9. etc., that maybe we should go down the list an skip appropria-
10. tion bills or others that might be controversial an' will be
11. on the Calendar next week an' give it...gi...spend our time on
12. taking the bills that would meet you know the deadline or be killed.

13. PRESIDENT:

14. Senator Partee.

15. SENATOR PARTEE:

16. I agree wholeheartedly. I thought about that yesterday
17. when we were talking about Senator Knuepfer's bill on the electronic
18. roll call an' we only had four bills yesterday as a result of
19. that. Those that are appropriation bills I think we can skip
20. now an' g...get to the others...cause we...the others...they'll
21. be there anyway.

22. PRESIDENT:

23. I wonder if Senator Partee if you an your s...staff, Senator
24. Clarke's staff could provide the Chair with a list of bills
25. that we should skip as we go down here an we'll jus...

26. SENATOR PARTEE:

27. We'll be happy to.

28. PRESIDENT:

29. Alright. For example 1339 does thisappro...Senator
30. Soper.

31. SENATOR SOPER:

32. Mr. President, we went down this list an...now new bills
33. are

1. coming on here an' the old bills are on an' we get down to a cer-
2. tain place an' we quit. The fellows that are the end of this
3. list are...wh...when do we hear these? On July 1st?

4. PRESIDENT:

5. I'm advised this is where we quit yesterday. I...there
6. were...there were four bills an' the first four bills were taken
7. yesterday. Senator Soper.

8. SENATOR SOPER:

9. I apologize.

10. PRESIDENT:

11. 3rd...Senator Soper...you

12. SENATOR SOPER:

13. I

14. PRESIDENT:

15. ...re...you

16. SENATOR SOPER:

17. I

18. PRESIDENT:

19. re...tract your apology.

20. SENATOR SOPER:

21. No, I don't have to apologize very many times but when

22. I do I do apologize an this is one time I...I was wrong.

23. PRESIDENT:

24. Senator Bidwill.

25. SENATOR BIDWILL:

26. Are you sure that that's in the record? Put it in the
27. Journal.

28. PRESIDENT:

29. 1339 is...ah...exempt. 1347 Senator Horsley is not here.

30. 1363 is that one of the exempt bills...or...Senators Clarke

31. or Partee?

32. SENATOR CLARKE:

33. That.....measure...

1. PRESIDENT:

2. Pardon?

3. SENATOR CLARKE:

4. It's a revenue measure so I think it would be exempt.

5. PRESIDENT:

6. Alright. 1373 Senator Berning.

7. SENATOR BERNING:

8. Thank you, Mr..ah...President...if...ah...if this is one
9. that does qualify for deferral I have no objection on the other
10. hand it's a very simple measure.

11. PRESIDENT:

12. Let's go ahead on it.

13. SENATOR BERNING:

14. And...ah...ought to...ah...engender

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1. a little re...little dispute. It provides for sale at public
2. auction of a very small, approximately one-fifth acre, tip of
3. land jutting out into Nipersink Lake in Lake county. It's surround-
4. ed on three sides by water an abuts a pi...abuts private property
5. on the south side. There is no interest on the part of the
6. State as stated by John Guillou of the Division of Waterways is
7. retaining ownership of this. Provision is made for two independant
8. appraisals an' the bid must equal or exceed these independant
9. appraisals.

10. PRESIDENT:

11. Is there any discussion. Secretary will call the roll.

12. SECRETARY:

13. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
14. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
15. Donnewald, Dougherty, E..Egan, Fawell, Gilbert, Graham, Groen,
16. Hall, Harris, Hor...Horsley, Hynes, Johns, Knuepfer, Knuppel.

17. PRESIDENT:

18. Senator Knuppel.

19. SENATOR KNUPPEL:

20. I find this all very interesting in view of those. Save
21. Lake Michigan bill an...ah...al the fuss an' feathers that's
22. been raised about the State protecting land's that abutting
23. an' adjacent to Lake Michigan an' here the State has control of
24. the piece of land and...that would have control run off or anything
25. else an' here we are gettin ready to sell it. I gotta vote no
26. in view of the overwhelming...ah...fuss that's made about all
27. these things.

28. SECRETARY:

29. Kosinski, Kusibab, Latherow, Laughlin, Ly...Lyons, McBroom,
30. McCarthy, M....Merritt, Mitchler...

31. PRESIDENT:

32. Senator Mitchler.

33. SENATOR MITCHLER:

1. Ah...I'm gonna concur with ...ah...the remarks of Senator
2. Knuppel. This...ah...brings to point that there is lot of excitement
3. about what is going to be done or what should be done with lands
4. adjoining Lake Michigan an' here we have a c...case where we're
5. just moving ahead on it. Although...ah...we don't know the
6. outcome of the...ah...Lake Michigan adjoining lands bill so
7. until...ah...that goes into effect, if it ever does, why I'm gonna
8. support Senator Berning an vote aye.

9. SECRETARY:

10. Mohr, Nei...Neistein, Newhouse, Nihill, O'Brien, Ozinga,
11. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
12. Smith, Soper, Sour...Sours, Swin...Swinarski, Vadalabene, Walker
13. Weaver.

14. PRESIDENT:

15. Senator Latherow aye. On that question the yeas are 37.
16. The nays are 5. The bill having received a constitutional majority
17. is declared passed. 1380 Senator Fawell. 1380.

18. SENATOR FAWELL:

19. Mr. President, members of the Senate, this I...ah...bill...
20. the only that it makes...ah...is shown right on the Calendar.
21. Whereas formerly the designation was Wheaton it is changed
22. to DuPage County. That's all that the bill does. It is in
23. regard to voc ...ah... ah...High...ah...voc educational high
24. schools...an' the funding by the State. It was incorrectly described
25. as Wheaton whereas it should of been DuPage County in the last
26. Session.

27. PRESIDENT:

28. Senator Partee. Just a moment. Please. Gentlemen, Senator
29. Partee.

30. SENATOR PARTEE:

31. Now, I didn't really understand why it...the change is
32. being made here...ah...maybe I missed something.

33. PRESIDENT:

Senator Fawell.

1. SENATOR FAWELL:

2. Ah...Senator...the...ah...in...ah...in the last Session
3. when we passed the legislation pertaining to the funding by
4. the State through the Illinois Building Authority of a voc
5. ed high schools, the authority to...ah...give state matching
6. funds was based upon a description of the various joint agreement
7. voc ed programs in the State of Illinois one of which was described
8. as a voc ed high school to be constructed in Wheaton. Actually
9. the high school is to be constructed in DuPage County but not
10. within Wheaton that's all.

11. PRESIDENT:

12. Is there further discussion? The Secretary will call the
13. roll.

14. SECRETARY:

15. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
16. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
17. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
18. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosin-
19. ski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
20. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
21. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
22. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
23. Weaver.

24. PRESIDENT:

25. Groen aye, Bruce aye, Johns aye...ple aye... On that question
26. the yeas are 42. The nays are none. The bill having received
27. a constitutional majority is declared passed. 1381 Senator
28. Fawell.

29. SENATOR FAWELL:

30. Ah...Mr. President, the Legislative Reference Bureau in
31. regard to SB1381 has advised me that there's a nonsubstantive...ah...
32. corrective amendment that they have suggested be made here for
33. descriptive purposes of sanitary districts an' so I would ask
leave of the Body if I may return this to the order of second
reading tem-

porarily for affixing of an amendment and then perhaps after the passage of intervening business I could call the bill.

1. PRESIDENT:

2. 1381 is brought back to 2nd reading for purpose of an amend-
3. ment. Senator Fawell offers Amendment No. 1. Is there any
4. discussion? All in favor of the adoption of the amendment indicate
5. by saying aye. Just a moment...Senator Partee

6. SENATOR PARTEE:

7. Although it is nosubstance...stub...substative, I have
8. not seen it. Would he just tell us what it does...what it does.

9. SENATOR FAWELL:

10. The...ah...amendment sets forth in...ah...describing the
11. various sanitary districts, which are affected by this particular
12. bill, which is a bill that grants the power of quick take in-
13. sofar as sewage treatment works and easement for sewage treatment
14. lines are concerned. It sets forth the...ah...particular date
15. adding the words approved July 7th, 1970 as now or hereafter
16. amended...ah...i...in the wording. Tha...n...now that's the
17. best I can make of it Senator. I got a co..have a copy here
18. which I'll be glad to send to you. Ah...the...ah...they say
19. it w...this was suggested the Reference Bureau and...ah...ah...strict
20. ly on their own on the basis that they felt that...ah...the
21. bill was not clear insofar as the various sanitary districts,
22. which are covered by the bill.

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. Well, I have a copy of the amendment now...an...ah...if
27. you'll just hold it a minute until we get a chance to digest
28. it...probably we'd be able to...

29. PRESIDENT:

30. Why...why don't...why don't we ju...W'll come back to that
31. Senator Fawell an...1384 Senator McBroom.

32. SENATOR MCBROOM:

33. Ah...ye...yes, Mr. President, members of the Senate, I
think that...that most

1. of the members are conversant with this bill. They're...ah...this
2. means... simply takes the appointment away from members of the
3. General Assembly on drainage districts when a drainage district
4. encompasses...ah...more than one county and provides that the
5. appointment is...is made by the county board where the drai...in
6. the county where the drainage district was organized, and I'd
7. appreciate a favorable roll call. I don't believe it's controversial.

8. PRESIDENT:

9. Is there any discussion? Secretary will call the roll.

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
12. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
13. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
14. Hall, Ha...Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
15. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
16. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
17. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
18. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
19. Weaver,

20. PRESIDENT:

21. Bruce no. Lyons aye. Vadalabene aye. On that question,
22. the yeas are 37, the nays are 1. The bill have received a constitu-
23. tional majority is declared passed. Senator Partee.

24. SENATOR PARTEE:

25. I note that you passed 1382 probably because Senator Chew
26. isn't on the Floor.

27. PRESIDENT:

28. That is correct.

29. SENATOR PARTEE:

30. An if I might, I...ah...probably can't explain it as well
31. as he could but I'd like to try it.

32. PRESIDENT:

33.

1. We'll let you try Senator Partee. 1382.

2. SENATOR PARTEE:

3. Ah...this is a bill which ...ah... I take it to mean...ah.. that
4. under existing law a person with any kind of a criminal record
5. cannot be appointed to the sheriff's department. Ah... the
6. bill would seem to make a difference between those persons who
7. were appointed for general work, office or otherwise an' persons
8. who served as a deputy sheriff or peace officer. I would take
9. that to mean that if a person in the course of his duty working
10. for a county department of corrections, an' this bill applies
11. to only counties of over one million, person working under the
12. merit system in...ah...this type of job would be a person who
13. if he had to carry a gun would have to be a person without a
14. criminal record. If he works otherwise an...ah...no...in a...ah...
15. clerk or other position it would not necessarily mean that he
16. could not have a criminal record an' obtain employment, an' I
17. think that's the thru...thrust of the bill an' I don't see anything
18. really wrong with it an I'd...ah... ask your support.

19. PRESIDENT:

20. Is there any discussion? Senator Knuepfer.

21. SENATOR KNUEPFER:

22. It d...doesn't apply to my county, Senator Partee, as I
23. understand from your description, but I simply think you..you
24. might wanna raise the issue as to whether those with criminal
25. records...ah...may be entitled, under the provisions of this
26. bill, to get at the criminal records to utilize the criminal
27. records an' to have the files in the...ah... sheriff's office
28. open an' available to them. I don't know whether that's desirable
29. or not but I think someone oughta give it some consideration.
30. There may be..there may be some some sensitive areas in a sheriff's
31. office which are not those areas which o...only a deputy can...
32. ah...is entitled to get into an I...I'm just asking that you
33. consider that possibility.

PRESIDENT:

1. Well, I guess prospectively...ah...any person...ah...could
2. do an act which is improper. I suppose we have to give some
3. consideration to the judgement of the persons who are operating
4. the office in making selections of persons who are gonna be
5. employed there. Ah...like anything else I suppose if you hired
6. a person at at bank...ah...he could steal some money so it's
7. a question of the person operating the office making an utilizing
8. some selectiv ty among various competing persons who seek employment..
9. so I... I suppose it just finally rests there that...ah...the
10. sheriff or whoever the merit board who selects the people will
11. select em on the basis of believability in what they'll do in
12. the future. I think it's...ah...probably tied in with the new
13. corrections concept...ah...that people oughta be able t find
14. a job.

15. PRESIDENT:

16. Is there further discussion? Secretary will call the roll.

17. SECRETARY:

18. A...Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
19. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
20. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
21. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
22. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
23. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
24. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
25. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

26. PRESIDING OFFICER: (Senator Donnewald)

27. ...quest for the call a the absentees.

28. SECRETARY:

29. Arrington, Baltz, Berning, Bidwill, Carroll, Chew, Clarke
30. Collins, Coulson, Davidson, Gilbert, Harris, Horsley, Hynes,
31. Knuepfer, Kusibab, Latherow, Laughlin, McBroom, Mitchler, New-
32. house, O'Brien, Ozinga, Savickas, Swinarski, Walker, Weaver.

33. PRESIDING OFFICER (Senator Donnewald)

This bill h...having fail...ah...failing to receive the majority, is...ah...declared lost. 25 to 6. SB1385, Senator Mitchler.

SENATOR MITCHLER:

1. Ah...Mr. President, members of the Senate, I would like
2. ask leave to bring SB1385 an' 1387 back to 2nd reading for the
3. purposes of putting an amendment on each of those bills. The...ah
4. ... Secretary has the amendments.

5. PRESIDING OFFICER (Senator Donnewald)

6. Ah...Would you explain the amendment?

7. SENATOR MITCHLER:

8. Yes...ah...an I'd like to compliment...ah...Mayme Lawrence
9. of the Enrolling an Engrossing for detecting the necessity for
10. these two amendments, because the bills were prepared through
11. the Legislative Reference Bureau, but..ah...through an oversight
12. they overlooked the fact that last year we changed the date
13. for observing...ah... Lincoln's birthday in Illinois...ah...back
14. to November 12th, the first Monday in February and that's what
15. these two bills do. It puts in the language that was...ah...change
16. that we made last year into the...ah...ah...language of the
17. bill an' I would move that...ah... both amendments, amendment
18. to SB1385 an the amendment to 1387 be adopted.

19. PRESIDING OFFICER (Senator Donnewald)

20. Ah....Is there any question on the amendments? The amend-
21. ments are adopted.

22. PRESIDENT:

23. As I understand 1386 can be voted on as is. Is that correct
24. Senator Mitchler?

25. SENATOR MITCHLER:

26. I'd like to vote on em...ah...

27. PRESIDENT:

28. Alright.

29. SENATOR MITCHLER:

30. ...have to vote...interve...intervening business...

31. PRESIDENT:

32. The Journal will show 1386 as intervening business an' then
33. we'll vote on 1386, 85, an 87 as a unit, if there is no objection
by the Body. Secretary will call the roll on.....is

1. there any further discussion? Senator Partee.

2. SENATOR PARTEE:

3. I'm sorry I missed it...ah...it was a technical amendment
4. was it?

5. SENATOR MITCHLER:

6. Ye...yes, Senator, this was detected by Mayme Lawrence.
7. Last year we changed the observance of...ah...Lincoln's birthday
8. to February 12th and that should be in the language of the bill.
9. It has nothing to do with what we're doing today other than
10. the fact that it should be a change in the bill that the Leg-
11. islative Reference Bureau overlooked. We make these amendments
12. so fast at the annual Sessions that it's hard for em to keep
13. up with what we do when they prepare a new bill for us. That's
14. what it amounts to.

15. PRESIDENT:

16. Senator Partee:

17. SENATOR PARTEE:

18. So this now, changes November 11th, back to Veterans Day,
19. no, Veterans Day back to Nov...

20. PRESIDENT:

21. Sen...Senator Mitchler.

22. SENATOR MITCHLER:

23. The ...the amendment just makes an amendment t...to language
24. in the bill to show the action that we took last year with res-
25. pect to Lincoln's birthday, an' as soon as we adopt the amend-
26. ment, then, we can get into the three bills which will do what
27. you said, Senator, change the date for observing Veterans Day
28. Back to November 11th.

29. PRESIDENT:

30. Is there further discussion? Now, we will vote on 1386...an
31. then on 85 an 87, one roll call applying to all three bills...the
32. Sec..the amendments have been adopted. The Secretary will call
33. the roll

1. SECRETARY:

2. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
3. Car...Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
4. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
5. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
6. Kosinski, Kusibab, Latherow, Laughlin, Lyons, Mc...McBroom,
7. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
8. O'Brien, Ozinga, Palmer, Partee,

9. PRESIDING OFFICER: (Senator Donnewald)

10. Senator Partee.

11. SENATOR PARTEE:

12. When I first saw this bill when it came in I had some ra-
13. ther mixed emotions about it, because it occurred to me that
14. we were undoing a series of bills which had been handled by
15. Senator Groen a few years ago with reference to the three day
16. holiday weekend an' chipping away bit by bit are these bills
17. that moves us back to our former posture an' I'm frank to admit
18. to you that I had planned to vote against this bill when I went
19. to the committee hearing that day, but I was dissuaded from
20. that position by the presence of a large number of men from
21. throughout the State of Illinois, who have served in the armed
22. forces an' who have nothing really to cling to except November
23. 11th as being Veterans' Day. I looked at that Body of men an'
24. I considered that none of them went to Canada or other places
25. when the bell was sounded for able bodied Americans to defend
26. our rights. I recognize that there are some philosophical dif-
27. ferences between those wars in which they engaged themselves
28. an' the one which is currently becoming a crises situation, but
29. I thought out of respect for those men who served so ably
30. an' valiently an' there're just a handful of them left really
31. now, that November the 11th is a rather significant day to them,
32. an' to deprive them of it an' make it something other th n a day
33. that they cherish I think would do them a disservice. For that
reason

I'm voting aye.

SECRETARY:

Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
Sours, Swinarski, Vadalabene, Walker, Weaver.

1. PRESIDING OFFICER: (Senator Donnewald)

2. Hynes aye...Mr...Senator Partee.

3. SENATOR PARTEE:

4. While...ah...he's tallying the vote, I'd like to make an
5. inquiry of the person in the gallery with something in the nature
6. of a machine. I don't know what this is. What is happening?
7. Yes, I don't think the gentlemen knows that what he is doing
8. is a violation of our Rules...if he's recording. I don't know
9. what he's doing.

10. PRESIDING OFFICER (Senator Donnewald)

11. Senator Partee

12. SENATOR PARTEE:

13. Might I suggest that he take it off the rail if somebody
14. get hit with it...ah...he may be covered by Workman's Comp.

15. PRESIDING OFFICER: (Senator Donnewald)

16. Yes that's right. The vote on these bills...the series
17. of bills, yeas 44, nays 1. These bills having received the
18. constitutional ...ah...majority will be...ah...moved out Do
19. Pass. Senator Baltz, I think has the next bill.

20. SENATOR BALTZ:

21. Ah...Mr. President, members of the Senate, SB1392 ...ah..
22. simply provides the same language in the new transportation
23. bond act that is now contained in Section 3107 of the Illinois
24. Highway Code...ah...3-107 on the Interstate an Illinois Highway
25. Code provide that the Department of Transportation can reimburse
26. utilities when it's necessary for the utility to relocate their
27. facility because of construction of new roads, so this bill
28. provides that same language in the Transportation Bond Act..
29. The transper...the Department of Transportation approves this...ah
30. ...legislation. Ah... it was heard before the local government
31. committee an' was passed out with a vote of 15 ayes no nays an
32. I'd appreciate a favorable roll call.

33.

1. PRESIDING OFFICER: (Senator Donnewald)

2. Any discussion? Secretary will call the roll.

3. SECRETARY:

4. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
5. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
6. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
7. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
8. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
9. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
10. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
11. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

12. PRESIDING OFFICER: (Senator Donnewald)

13. Nihill aye, Palmer aye, Vadalabene aye, Johns aye. The
14. vote on this bill is 41 yeas, one nay. Having received the
15. constitutional...ah...majority will be recomm...will...Do Pass.
16. Ah...S...1408 Senator McCarthy. Senator Partee 1409.

17. SENATOR PARTEE:

18. Pardon me, sir. 1409?

19. PRESIDING OFFICER: (Senator Donnewald)

20. 1409 Senator.

21. SENATOR PARTEE:

22. Yes...ah...would you just pass if for a moment...I'll an...an
23. ...get back to us in just a moment sir?

24. PRESIDING OFFICER: (Senator Donnewald)

25. SB1411 Senator Fawell.

26. SENATOR FAWELL:

27. Mr. President, members of the Senate, this is a...ah...one
28. of a series of bills which refers to revenue bond issues an'
29. the interest rates an' extends for one year the increase in the
30. interest payable to 7%. As you well know the revenue bond issues
31. are impossible to sell in the present market, without going
32. over that 6%...ah...rate. I would ask for the favorable considera-
33. tion by the Senate.

1. PRESIDING OFFICER: (Senator Donnewald)

2. Any discussion? Roll call.

3. SECRETARY:

4. Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry,
5. Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
6. Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris,
7. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
8. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitch-
9. ler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer,
10. Partee, Rock, Roman...Romano...

11. PRESIDING OFFICER: (Senator Donnewald)

12. Dougherty aye. Kosinski aye. Latherow aye. Nihill aye.

13. SECRETARY:

14. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swin-
15. arski, Vadalabene, Walker, Weaver.

16. PRESIDING OFFICER: (Senator Donnewald)

17. Hall aye, Dougherty aye, Groen aye, On that bill the yeas
18. are 36, the nays are 2. Having received the constitutional
19. majority will be moved out with Do... Let's see...1417, Johns.
20. Sorry about that. I'll pass that. 1420 Senator Horsley. Al-
21. right. Four...Senator Fawell 1412, sir?

22. SENATOR FAWELL:

23. Mr. President, members of the Senate, SB1412 is a bill
24. which is designed to correct a...ah...mistake wish was made
25. in the last session as pointed out by Chapman an' Cutler. It
26. pertains to the issuance of bonds by joint agreement ^{voc ed} _{na}
27. programs. No new tax rates are involved an' the only joint agreement
28. participating high school districts ca...that can utilize the
29. borrowing power that is set forth here are those which have
30. passed a referendum or in a very few cases in instances where
31. no referendum has passed they must utilize the existing building
32. fund. So there is no new in... no increased taxes involved.
33. It merely sets up the ability of your joint agreement participating
high school districts in a joint a-

1. greement voc ed program, to be able to borrow the money, which
2. is necessary for some 16 voc ed high school...ah...programs
3. in the State of Illinois. I do want to make it clear, as I
4. construe the new ethics act of the State of Illinois, an inasmuch
5. as I am an attorney for one of the voc ed joint agreement programs
6. that I do not plan to vote for the bill, simply because I feel
7. that there is an indirect type of conflict of interest, which
8. at least could be construed that way. Thus, I myself do not
9. plan to vote for the bill inasmuch as I am attorney I repeat
10. for on of the joint... ah..joint voc ed high schools in the
11. State of Illinois, some 16 of them, do not have the power to
12. borrow then...ah...they cannot get the State an' Federal funds
13. an' thus...I...I...I know of no opposition. I've talked at length
14. with Senator Saperstein an' with Senator Hynes and with Senator
15. Gilbert and this is supported by the ...the voc ed division
16. of the Superintendent of Public Instruction. I know of no opposition
17. an' I hope that it would have your favorable roll call.

18. PRESIDING OFFICER: (Senator Donnewald)

19. ...discussions? S...Senator Laughlin.

20. SENATOR LAUGHLIN:

21. Yes, Mr. President, members of the Senate, would Senator
22. Fawell yield to a question, please?

23. PRESIDING OFFICER: (Senator Donnewald)

24. Senator Fawell, will you yield to a question, Sir?

25. SENATOR LAUGHLIN:

26. Ah...Senator, it seems to me that in the education committee...
27. ah... an' on the Floor of the Senate we've had bills an' I'm not
28. sure whether it applies to this situation where school districts
29. could accumulate ...ah...tax levies up to a certain number of
30. years. My memory tells me five and then we last year I think...ah...
31. ex-

32.

33.

1. tended th...the period...ah...where such funds could be accumulated.
2. Now, my question is, are the districts involved here, who haven't
3. had...which haven't had referendums, the ones who have been
4. permitted to accumulate funds under the other legislation?

5. PRESIDING OFFICER: (Senator Donnewald)

6. Senator Fawell.

7. SENATOR FAWELL:

8. Yes. Senator, the...ah...the 5 year accumulation bar pertains
9. only to those districts that have had a referendum. Actually
10. the law now reads that in order to go into a joint agreement
11. ^{was ed} voc ed program, first of all you must show that your building
12. fund is exhausted... that you cannot utilize taxes from the
13. building fund. If you can show that, you then are eligible
14. for a referendum. What this bill does is...ah...is to simply
15. say...an' then in those districts that have had the referendum
16. can accumulate for a five year period. The problem is that
17. all...99% of the districts are referendum districts by the way.
18. Several districts in the Danville area had enough in their building
19. fund that they didn't have to have the referendum but...ah...as
20. it stands right now none of the districts are able to come up
21. with the matching funds, which are conditions precedent to getting
22. the Federal an' the State funds because of the fact that they
23. do not have the ability to borrow against those taxes, an' that's
24. really what we're doing here.

25. PRESIDING OFFICER: (Senator Donnewald)

26. Senator Bruce, Senator Bruce.

27. SENATOR BRUCE:

28. Senator Fawell, will you yield to a question? I...on page
29. 2 there's some interesting language that I...I just hope you
30. can clarify. In lines 25 through...23 through 25 it mentions
31. the fact that once the buildings are out an' paid for that they
32. shall reduce annually the...ah...tax authorized by this section,
33. which I think we can all agree with. Then, it comes back on
lines 28 through 31 an' says just the opposite, that the failure
of the dis-

1. trict to abate this tax that was imposed by the section relating
2. to the construction of vocational buildings that they can continue
3. to levy that tax. As that the intent that...ah...if they can
4. continue to levy it for what purpose could it be expended?

5. SENATOR FAWELL:

6. No...that...that section Senator was...first of all it
7. refers to the tax authorize by this section, that is the tax
8. levy to support the bond issue. Other words what this language
9. is...the reason this language is there ...an' suggested again
10. by Chapman an' Cutler is that the bond buying public would not
11. pick up these bonds if they felt that the failure of a school
12. districts to abide with the mandatory provisions of this law
13. to abate their referendum tax that they...let's...let's assume
14. that they didn't do that, they would be breaking the law by
15. not doing it, but what we are saying is that...well alright
16. that's a wrong which can be righted but it does not others words
17. abrogate the bond issue. It doesn't put the bonds in jeopardy.
18. That's the reason for that. You...you see the...the essence
19. of the bill is that you must have a separate levy to support
20. the payment of the bond principle an' interest an' no...the bond
21. buyers aren't going to pick up any bonds if you don't have a
22. separate bond levy for that. Therefore, the language is set
23. forth that whenever you levy the separate levy to support the
24. bond interest an' the bond principle that you must proportionately
25. abate the referendum nickel tax. Now, it...it could theoretically
26. be that a district might fail to do that. Now, they can be
27. held accountable for that, but what we're saying here is well
28. that won't put the bonds in jeopardy, other words...a bond buying...
29. a bond buyer will not have to worry about the fact that his
30. bonds might be in jeopardy because of that failure.

31. PRESIDING OFFICER: (Senator Donnewald)

32. Senator Bruce.

33. SENATOR BRUCE:

1. Then, you're saying that the amount for the payment of
2. the principle or an interest on the bonds if the district did
3. not reduce that, that...I'm concerned that they can keep the
4. tax on even after the bonds are paid off an you're saying that
5. will not happen.

6. SENATOR FAWELL:

7. N...no...that...that's correct...it's made...it's mandatory
8. that they must abate. All we're saying is that if...if they
9. chose to violate the law in which event ..ah...they are subject
10. to suit...ah.. that it isn't going to...it isn't going t goop
11. up the bonds...that's all.

12. PRESIDING OFFICER: (Senator Donnewald)

13. Senator Soper.

14. SENATOR SOPER:

15. Would the...ah...Senator yield to another question? Ah...Sena-
16. tor Fawell, isn't it true that if...ah...if the...ah...if the
17. school board didn't abate that five cent tax that the...an they
18. passed a referendum for a bond issue that automatically the
19. county clerk won't make the spread?

20. SENATOR FAWELL:

21. I...I would say that that is correct...yes...they'd be...they'd
22. be...ah...violating the law not to abate it.

23. SENATOR SOPER:

24. In that case..then..then...this isn't necessary, is it?

25. PRESIDING OFFICER: (Senator Donnewald)

26. Was that a question Senator Soper for Fawell to....Senator
27. Fawell...do you...ques...you ready to answer Sena....

28. SENATOR FAWELL:

29. Ah...ah...I...I didn't quite follow Senator Soper's...ah...re-
30. ply. The sole reason for the bill is to give to the 16 joint
31. agreement voc ed programs now in the State of Illinois with
32. many, many participating high school districts in that program
33. the ability to borrow against their annual tax levies which
have been authorized by referendum or by a building rate if
they don't have the

referendum. They don't have the power to borrow at all right
1. now, an' unless this legislation passes they can't borrow the
2. money to get the matching funds which are needed in order to
3. get the Federal an' the State funds. That's all.

4. SENATOR SOPER:

5. But I thought that Senator Bruce's question was if the...o...on
6. the...ah... five cent referendum after you passed the bonds
7. then the five cent...ah... the five cent...ah...the...ah...the...
8. ah...five cent levy for the...ah...under the...under the law
9. for the building...under the building fund would automatically
10. be eliminated because the...once the bond issue is passed then
11. the five cent fund wouldn't be levied as a five cent fund the
12. building but the levy would be made for the bond issue under
13. the law cause the clerk wouldn't spread...ah...ah...spread the
14. five cent...ah...five cents allowable in the building fund an'
15. for this project.

16. SENATOR FAWELL:

17. I...I think you're right. I think...I don't think the
18. county clerk would spread the five cent levy...ah...under those
19. circumstances but i...it...I suppose it could be. Again, we
20. put this clause in here to make it very clear though to the
21. bond buyers that at least if they did try to...if they did try
22. to levy...the nickle levy...that it wouldn't effect the bonds.

23. PRESIDING OFFICER: (Senator Donnewald)

24. Senator Soper.

25. SENATOR SOPER:

26. Ah...we...well...I was try to help you by saying that even
27. though this wasn't taken ...ah...even though this...ah...would
28. be the case an' some people are fearful that there would be the
29. ability to levy the five cents...ah...five cent...ah...building
30. fund, special fund, plus the bond issue fund, but I was just
31. tryin' to help you, but I think you think I'm not trying to help
32. you.

33. PRESIDING OFFICER: (Senator Donnewald)

Senator Merritt.

1. SENATOR MERRITT:

2. Yes...ah...Mr. President, members of the Senate, I certainly
3. rise in support a this legislation. I have a very important
4. city, Daville, in...ah...Vermilion County in my district, who
5. have seven school districts who have already entered into a
6. joint agreement to construct such a vocational, education center.
7. Now, 60% of these funds are provided by the State an' they..they
8. will not be released until this vocational center comes up with
9. their 40% of matching funds. This cannot be construed as any
10. additional tax. The voters in those 7 districts in my county.
11. overwhelmingly, by a tremendous majority, approved of this at
12. a referendum an' construction will be held up until such legislation
13. is passed according to the opinion of Chapman an' Cutler, after
14. all they devised this particular...

15. PRESIDING OFFICER: (Senator Donnewald)

16. Pardon me Senator Merritt. Pardon me. Let's have a little
17. order, please.

18. SENATOR MERRITT:

19. ...they did help in the drafting of this legis...slation
20. in order that this could be accomplished. Now, I think all
21. of us should remember that these centers accomplish what you
22. cannot do simply back in you own...your own local district,
23. simply because of the tremendous amount of highly technical equipment
24. involved. I think that industries all over the State er...are
25. wanting this type of legislation so that we can turn out these
26. people as useful citizens that can be on payrolls instead
27. of relief rolls an...I...I personally feel that the bill adequately
28. protects the taxpayers from over extension by a district an'
29. that all necessary safeguards are built into the bill an' I would
30. certainly also add that there are other Senators here facing
31. the same problem in their district so I know it's akin to the
32. Pekin area, Senator Groen's; I know it's akin to Senator...Senator...
33. ah...ah...Gilbert's district...to Senator Va... Vadalabene's
district an' all a these construction projects are being held
up an' I certainly would support this legislation.

1. PRESIDING OFFICER: (Senator Donnewald)

2. Senator Baltz.

3. SENATOR BALTZ:

4. Will Senator Fawell yield to a question, please? Senator...
5. ah...a...a...a...is the syllabus on this correct when it says
6. that you can either authorize an imposition of a tax by a referen-
7. dum or by the simple passing of a resolution...ah... to authorize
8. this tax?

9. SENATOR FAWELL:

10. Well...not...not...ex...not completely. What...ah...a...a
11. as I explained...ah... earlier to Senator Laughlin you have
12. two ways for a participating high school district that wants
13. to go into a joint agreement program ...two ways for them to
14. raise the money which they have to contribute in order to come
15. up with the local matching funds. First of all, the law states
16. that they can have a special referendum, a nickel levy, which
17. most districts utilize in order to come up with the matching
18. funds, but the law further states, that if your building fund
19. is sufficient so that you don't even have to have a referendum
20. you must utilize your building fund. What we're saying here,
21. therefore, for those very few districts that didn't have to
22. have a referendum but would be...would be using their building
23. fund in order to finance their share of the matching funds,
24. that they must proportionately reduce the building fund authorized
25. statutory tax rate in proportion to the amount of money which
26. is levied to pay off the bonds, principal, an' interest. They
27. do this by...by passing a resolution setting forth that they
28. will utilize their building funds money from authorized tax
29. rate from the building fund in order to come up with the matching
30. funds. If they choose to borrow money, which this bill authorizes,
31. they must further reduce their building fund in proportion to
32. the amount of money needed to pay the interest an' the principal
33. on the bonds.

PRESIDENT:

Senator Baltz.

1. SENATOR BALTZ:

2. Ah...i...if I understand you correctly, then,...ah...if
3. the board chose to, by resolution, borrow money, that then that
4. money would have to be paid out of...out a the building fund...avail-
5. able monies in the building fund on the next levy for the building
6. fund an the...they would not be allowed to increase the levy
7. under any circumstances beyond the maximum unless they went
8. to the referendum.

9. PRESIDENT:

10. Senator Fawell.

11. SENATOR FAWELL:

12. That...that's absolutely right. They...they can only utilize
13. authorized building fund money toward coming up with these matching
14. funds. Now, if they decide they're going to borrow against
15. those funds, what we're saying is they must proportionately
16. abate that maximum authorized levy...building fund levy, so
17. that if they're going to use...ah...let us say...ah...20 thousand
18. dollars a year toward paying off interest an' principal on the
19. bonds then they must proportionately reduce their maximum authorized
20. building fund rate proprotionately, so their maximum rate is
21. reduced that much.

22. PRESIDENT:

23. Senator Baltz. Ju...Just a moment

24. SENATOR BALTZ:

25. If...

26. PRESIDENT:

27. ...let's...

28. SENATOR BALTZ:

29. If the bill...

30. PRESIDENT:

31. Ju...just a moment...

32. SENATOR BALTZ:

33. ...if the bill...

1. PRESIDENT:
2. ...let's...let's get some order...Senator Harris an' others...
3. please. Senator Baltz.
4. SENATOR BALTZ:
5. Well if the bill provides then that they have to abate
6. that portion of the levy which they borrowed on to get funds
7. to complete construction, the, how do they get the funds...ah...to
8. repay this interest an' principal It'ould seem to me that...ah...that
9. they would have to
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30.
31.
32.
33.

levy their maximum in the building f...ah...fund in order to repay this borrowed money. This is probably the thing that I...ah...that I don't have clear in my mind.

PRESIDENT:

1. Senator Fawell.

2. SENATOR FAWELL:

3. Ah...in order to ha...ever have an effective bond issue,
4. you must have a separate bond levy...separate tax levy to pay
5. off the principal an the interest. That...that's a...a necessity.
6. What we're saying, therefore, if they choose to have a separate
7. tax levy to pay off the principal an' interest on these bonds.
8. which will be issued to come up with their share. They then
9. must proportionately reduce their authorized building fund rate
10. in proportion to, annually, the amount a money necessary to
11. pay that principal an interest.

12. PRESIDENT:

13. Senator Baltz.

14. SENATOR BALTZ:

15. One more question, an' let me put it...ah...see if I have
16. it straightened out in my mind. If they had a levy of twenty
17. cents in their building fund... it took five cents of this to...ah
18. ...borrow money...ah...on the vocational bit, they could then
19. levy five cents on this bond issue but they would have to reduce
20. their building fund levy to fifteen cents, so that the only
21. possible way this could result in a tax increase

22. PRESIDENT:

23. Jus...just a moment.

24. SENATOR BALTZ:

25. ...would be if they went the referendum route.

26. PRESIDENT:

27. Senator Graham.

28. SENATOR GRAHAM:

29. Mr. President, I would like to suggest that those members
30. not interested in this dialogue might retire to room 212 so
31. we could hear what's going on.

32. PRESIDENT:

33. An excellent suggestion, Senator. We'll...let's maintain some

order. Is there further discussion? Senator Baltz.

1. SENATOR BALTZ:

2. I...I think that Senator Fawell has...ah...has...ah...satisfac-
3. torily answered ...ah...the questions that I had in my mind.
4. Number one I think is that under no circumstances does this
5. bill allow an increase in taxes unless the school board goes
6. the referendum route. If they go the resolution route their
7. building fund levy has to be reduced by an amount equal to what
8. they sold bonds an' have to pay the interest an' principal of
9. those bonds back I think it's an authorization that's provided
10. in this bill that's probably a desirable one. I didn't understand
11. it at the beginning. I was opposed to the bill an' it's concept
12. from my viewpoint, but after the explanation I think it's a good
13. bill.

14. PRESIDENT:

15. Is there further discussion? Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
18. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson,
19. Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
20. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
21. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
22. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
23. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
24. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

25. PRESIDENT:

26. Cherry aye, Hall aye, Johns aye, O'Brien aye, McBroom aye,
27. Donnewald aye. For what purpose Senator Donnewald arise?

28. SENATOR DONNEWALD:

29. Well, Mr. President, I wondered...ah...I'd like to have
30. the cler...ah... the...ah...Secretary...ah...s...research an'
31. see how I'm recorded an' while he's doing that I wanna introduce
32. the...ah...part of the junior class of Moder Day High School
33. of good old Breeze with Mr.

1. Bar....up there on the gallery, immediately behind me. Would
2. you please stand up.

3. PRESIDENT:

4. Senator Donnewald has just violated the rules of the Senate,
5. and...ah...behalf of Moder Day there. On that question, the
6. yeas are 45, the nays none, one present. The bill is declared
7. passed. 1417 Senator Johns.

8. SENATOR JOHNS:

9. Mr. President, lady an' gentlemen of the Senate, this par-
10. ticular bill is designed to increase the minimum salary for
11. teachers throughout the State of Illinois. In spite of teacher's
12. salary increases which have seemed substantial, a real gap between
13. teacher salaries an' other salaries in Illinois still exists.
14. Increasing resistance to salary adjustment for teachers may
15. be based on the assumption that teacher salaries are high enough.
16. I believe the evidence is completely contrary to this conclusion.
17. Lady an' gentlemen of the Senate, nearly 20 thousand teachers
18. in the State of Illinois depend upon the legislature for salary
19. mandates, as they have no bargaining rights. In spite of increases,
20. average classroom teacher salaries are 4 thousand dollars less
21. than the average household income in the State of Illinois.
22. Teachers when compared to other four year graduates rank 12th
23. out of the 12 in the classifications, because of low beginning
24. salaries ..may...Mr. President...may I have just a little bit
25. of order...

26. PRESIDENT:

27. Right...Senator John's has requested order. Gentelmen...
28. let's...Senator Soper, Senator Bidwill, an' others...I'm sure...
29. you...Senator Soper you wanna hear what Senator Johns has to
30. say? Senator Johns may proceed.

31. SENATOR JOHNS:

32. Thank you, Mr. President. Because of 1...the low beginning
33. salaries for teachers in many areas, the accumulative earnings are

1. drastically under the professional groups. This bill would
2. increase the minimum salary levels of fulltime teachers on the
3. basis of educational preparation. For me I don't feel that
4. classrooms an' buildings make good schools, I feel like the teachers
5. make the best schools. The following schedule shall be established
6. for the school year beginning July the 1st 1972, less than a
7. bachlor's degree, 72 hundred dollars, 120 or more semester hours
8. an' a bachlor's degree, 8 thousand dollars, 150 or more semester
9. hours an' a master's degree 8 thousand 8 hundred dollars. Now
10. this bill also provides for minimum salary increases. These
11. are no changes. Less than a bachlor's degree, 7 hundred an'
12. fifty dollars after 5 years, 120 hours or more semester hours
13. an' a bachlor's degree 1 thousand dollars after five years an'
14. 16 hundred dollars after 8 years, 150 or more semester hours
15. an' a master's degree, think of that a master's degree, 12 hundred
16. an' fifty dollars after 5 years, 2 thousand dollars after 8 years,
17. an' 27 fifty after 13 years, an' the teachers must submit a certificate
18. of completion prior to the first day of the school term. I
19. beg a favorable roll call.

20. PRESIDENT:

21. Senator Gilbert.

22. SENATOR GILBERT:

23. How many million dollars is this going to cost the school
24. districts out of the money that...ah...we're going to add to
25. the distributive fund this year?

26. PRESIDENT:

27. Senator Johns.

28. SENATOR JOHNS:

29. I figure by, thorough study, that it will cost the State
30. of Illinois school districts about 11 an' a half million dollars.

31. PRESIDENT:

32. Senator Gilbert.

33. SENATOR GILBERT:

In other words, about half of the money is going to be mandated

1. not counting the other salary increases that will go to people
2. that are not covered by this bill, so most of the money that
3. we're going to give to the common schools this year is going
4. to go by your bill then for salaries. Ah...Senator Johns would
5. you accept an amendment to this bill that would...ah.. ah...state
6. that in the future that the teachers negotiate with the legis-
7. lature for their salaries and that we be the ones that deal dir-
8. ectly with them instead of the school boards.

9. PRESIDENT:

10. Senator Johns.

11. SENATOR JOHNS:

12. No.

13. PRESIDENT:

14. Senator Gilbert.

15. SENATOR GILBERT:

16. Aren't we attempting to put ourselves in that position?

17. PRESIDENT:

18. Senator Johns.

19. SENATOR JOHNS:

20. I would say that with 20 thousand teachers they have not al-
21. ternative at this point, Senator Gilbert.

22. PRESIDENT:

23. Senator Gilbert.

24. SENATOR GILBERT:

25. I would differ with you as to alternative. Ah ..how many
26. school districts in the State are appointed?

27. PRESIDENT:

28. Senator Johns.

29. SENATOR JOHNS:

30. I can't answer that, Senator Gilbert.

31. PRESIDENT:

32. Sena...Senator Gilbert..

33. SENATOR GILBERT:

Chicago is the only major district. I believe there's
1. one other, but Chicago is the only one. What happens to the
2. local school districts when people run for office? Don't the
3. s...the teachers have an opportunity to elect people to the
4. school board that will distribute the money that's given to
5. them by the...ah...State of Illinois from local taxation to
6. meet the necessary salaries of those school districts? When
7. you say that they do not have anybody to...ah...bargain with
8. or negotiate with, they certainly do. They have the local school
9. board to deal with. Ah...they're elected. If they don't like
10. the school board that they have then why don't they get out
11. an' get someone else on the school board that will give them
12. every penny that comes in. You're not going to increase quality
13. education just by giving an increase in salary to school teachers.
14. The school teachers are reasonably well paid an' particularly
15. when you consider that this salary is a 9 month salary an' not
16. a 12 month salary as most other people an' even during the 9
17. months period they have more vacation time than the other people...
18. the workers of this State of Illinois have in the 12 y...months
19. that they work. Ah...you total up almost a month of the 9 months
20. that they have when you take your Thanksgiving, your Christmas
21. vacation, your Easter vacation. Ah...these people are well
22. paid per hour as a general rule an' it's a local matter that
23. should be determined by the school district. The school board
24. is elected an' they should be the people that decide whether
25. the...ah...school district can afford it. If your going to
26. have quality education you're not going to get it by just increasing
27. the salaries with every million dollars that we give from the
28. state. You're going to have to have some innovation programs,
29. you're going to have to have some additional things added to
30. your school besides just putting the money on the table because
31. in ...when the teachers get their increase, justly so then every-
32. body else should get an increase, the janitors, the m...the
33. maintenance employees an' other people as well. The people who
drive school buses an' all. They set the pattern an' everything
else goes up

1. so I think that they have a local situation where they can
2. deal directly in Marion with the Marion School Board an' Carbondale
3. with the Carbondale School Board. They don't need to come up
4. here. We give them the money. It's up to the school board,
5. from the local taxes an' the distributive fund that we have to
6. determine what that school district can afford to give.

7. PRESIDENT:

8. Senator Groen Is there further discussion? Senator Mitchler.

9. SENATOR MITCHLER:

10. I..I've a question to ask of the sponsor. In granting
11. this increase in base salary...ah...does this conform to the
12. Federal...ah...so called wage control...or would that be involved
13. in any way?

14. PRESIDENT:

15. Senator Johns.

16. SENATOR JOHNS:

17. I do not have the answer to that question, Senator Mitchler.
18. I beg y...your pardon.

19. PRESIDENT:

20. Is there further discussion? Senator Merritt.

21. SEANTOR MERRITT:

22. Mr. President, members of the Senate, just very briefly
23. this points up to me once again an I...I hate to oppose this
24. legislation...against the teachers, but I think it points up
25. once again what we really do to school districts without hardly
26. knowing that we're doing it. In other words, we come along
27. with this at this time of the year an...ah...when it would be
28. signed into law I'm for certain at a time after the contracts
29. have gone out to teachers. It...it seems to me as if it almost
30. places an undue an' unreasonable financial burden on our various
31. school boards throughout Illinois by the bad timing of it.

32. PRESIDENT:

33. Senator Sours.

1. SENATOR SOURS:

2. Mr. President, Senators, this is another situation of officious
3. intermeddling in the local affairs of a school district. School
4. districts have had a hard time lately with referenda. In my
5. city of Peoria there have been four of em which have failed
6. abysmally, which would tend to suggest that the people who pay
7. the freight are unwilling to pass a referendum. Now what we're
8. doing now is going into the back door of this situation an' as
9. Senator Gilbert has said if we are going to fix the minimum
10. we might just as well have a new committee of the legislature.
11. We'll call it the Labor an' Commerce sub-committee for negotiating
12. teacher's salaries. Now, we're getting into a miserable situation
13. if this bill were to pass an' it won't be the first time that
14. we will come again to see them come back next year an' next year
15. an' next year because once we put garlic in the soup it's there,
16. once we fix the minimum an' I know we did that two years ago
17. an' we're back again ...once we do that we'll be plagued continually.
18. Some of us had some observations a year ago, Mr. President,
19. about the Spanish speaking peoples' appropriation. Some of...the
20. Senators back here remarking they'll be back within year for
21. more money an' we had that fine example today. I think we should
22. quit officiously intermeddling in the local affairs of school
23. boards. This bill deserves defeat.

24. PRESIDENT:

25. Senator Latherow.

26. SENATOR LATHEROW:

27. Senator Johns, I wonder if you would accept an amendment
28. to this bill that would say in no case shall these increments
29. of raise be greater than what you've asked for in this bill.

30. PRESIDENT:

31. Senator Johns.

32. SENATOR JOHNS:

33. These are minimum salary adjustments, Senator. I would

1. hesitate at that amendment, yes.

2. PRESIDENT:

3. Senator Latherow.

4. SENATOR LATHEROW:

5. I didn't understand his answer.

6. PRESIDENT:

7. Senator Johns.

8. SENATOR JOHNS:

9. These are minimum salary adjustments and I certainly would...
10. ah...hesitate to accept that amendment.

11. PRESIDENT:

12. Senator Latherow.

13. SENATOR LATHEROW:

14. I...I'm not speaking about the minimum salary...I'm speaking
15. about the increment of raises that you're guaranteeing in these
16. ...in...ah...every few years. That you'll accept an amendment
17. that says that those raise increments can never be more than
18. this much in that points of time.

19. PRESIDENT:

20. Senator Johns.

21. SENATOR JOHNS:

22. If you give the raise...ya...if you give the raise to everybody
23. I..I ..believe I'd accept it, but I...I...don't believe I...I
24. want that amendment, no sir.

25. PRESIDENT:

26. Is there further dis...Senator Graham.

27. SENATOR GRAHAM:

28. Ah...Mr...ah...President an' members of the Senate, we're
29. just getting ready to indicate that the fountain of wisdom ...repre-
30. sents.. that's being represented in Springfield at all times
31. we're also indicating that we have a pipeline into Fort Knox,
32. neither of which is true. Now, if we're going to look at this
33. realistically we're going to have to admit that if we do what
Senator Johns pro-

1. poses that we're gonna have to raise the salaries of the custodians,
2. the administrators, an' everyone else connected with the school
3. system. Now with regard to the school teachers I think I can
4. say this without much fear of contradiction, only by those,
5. who care not too much about the quality of our school teachers.
6. If we would either fire or lay off about a third of the school
7. teachers in the State of Illinois, we would probably be as well
8. off or better off than we are today. An' when you start talking
9. about the school teachers they are probably one of the most
10. protected segments of our society by the virtue of the fact
11. that we have blanketed in mediocrity by the tenure system.
12. I think that we had oughta quit meddling with the school..local
13. school board's business an' let them take care of their own.

14. PRESIDENT:

15. Senator Groen.

16. SENATOR GROEN:

17. Well, Mr. President, members, I'm not going to repeat what
18. has been said, but I would just call your attention to the fact
19. that last year we passed a bill which mandates local school
20. districts to provide special education in four catagories for
21. handicapped students an' do it by July the 1st of this year.
22. Up to this point the implementation of that proposal...remember
23. that I said we mandated local school districts to do this....the
24. implementation of that proposal ...ah...has resulted in the
25. office of the superintendent publishing so called guidelines.
26. I defy any member of this Chamber to read those guidelines,
27. an' tell anyone, including me, what they say an' what they mean.
28. Now it is my understanding that at this point there are only
29. five school districts in the entire State of Illinois that have
30. been able to find the funds an' to move forward in compliance
31. with that law. I endeavored to get an extension of the time
32. for school districts to comply an' that extension was denied
33. in committee, but I say to you that you have imposed a tax burden
at the local level of uncounted, undetermined

1. millions an' millions an' millions of dollars by that bill an'
2. you provided no means to pay for it, except mere pittance out
3. of the general funds of the State of Illinois. It seems to
4. me that...an..I...I wanta say one thing further about that
5. when the appropriation bill for special education comes before
6. us for consideration I am having my staff determine their estimate
7. in conjunction with help from the office of the Superintendent
8. of what the total cost of the implementation of that program
9. is going to be statewide an'I intend to offer an amendment to
10. the special education appropriation bill to provide the funds
11. for local school districts to do this without raising real estate
12. taxes at the local level an' I hope you'll support that effort
13. when it comes before you. Now Senator Johns has testified,
14. as indicated in his presentation that this is going to cost
15. 11 an' a half million dollars. Is that correct Senator? Would
16. you accept an amendment that would appropriate 11 an a half
17. million dollars to the common school fund to provide the means
18. where local school districts can pay these increases in salaries
19. without increasing real estate taxes at the local level an' I
20. tell you when real estate taxes in suburban Cook county, in
21. the city of Chicago are approaching ten dollars a hundred you
22. have reached the confiscatory state an' they can't stand this
23. mandatory increase at the local level unless the state comes
24. up with the money. Now, if you'll accept an amendment to provide
25. the 11 an' a half million dollars that would certainly alleviate
26. the situation to which I have alluded of the increase in taxes
27. at the local level. Would you accept such an amendment?

28. PRESIDENT:

29. Senator Johns.

30. SENATOR JOHNS:

31. No.

32. PRESIDENT:

33. Senator Groen.

1. SENATOR GROEN:

2. Then it is your desire to put this increased tax burden
3. on real estate at the local level.

4. PRESIDENT:

5. Senator Johns.

6. SENATOR JOHNS:

7. No.

8. SENATOR GROEN:

9. Well, where do you provide that the money's coming from?

10. PRESIDENT:

11. Senator Johns.

12. SENATOR JOHNS:

13. A reallocation of priorities. We spend too much money
14. foolishly, on things that are really not necessary. To me the
15. whole core of education is through instruction. As I said previously
16. you can have ...ah...a...one room schoolhouse, but if you have
17. a teacher of brilliance an' of good personality an' of good training
18. an' background then the students that...that move away from that
19. building are blessed with a good sound education. All the fringe
20. benefits, all the frills that we place in educational institutions
21. are to me not as necessary as the attraction of good, well trained
22. sound teachers.

23. PRESIDENT:

24. Senator Groen.

25. SENATOR GROEN:

26. Senator, you're talking about school districts that have
27. been mandated by you as a member of this General Assembly...have
28. been mandated by state government to provide some of those things
29. that you think are foolish. Now, it just isn't that easy an'
30. we are talking here about school districts that Senate Sours
31. has pointed out where referendum...ah...referenda after one
32. upon another have been tried at the local level an' local gover...
33. people have simply said we don't want it, we can't afford it.
Now, it seems to me that

1. when you state that you want programs removed...I can tell you
2. an' if you're walking in an Alice in Wonderland situation here
3. where you think that's going to happen, you're just naive about
4. the realities of leg....education, as it reflects itself from
5. the State of Illinois office of the Superintendent an' this Gen-
6. eral Assembly down to the local level. These local school boards
7. don't adopt these programs because they particularly want them.
8. They adopt those programs because we say they have to an' because
9. the urgings of the office of the superintendent are such that
10. they can't do anything but comply an' adopt some a these programs.
11. You have reached the point in this State, in my judgment Mr.
12. President, where we had...simply must, we simply must let the
13. taxpayers at the local level decide an' I would agree with you
14. that a good teacher deserves a raise, but I say to you that
15. that oughta be on a basis where it is determined that the job
16. she is doing warrants that increase an' let local government,
17. let local school boards, the people that are elected at the
18. local level to operate our schools, make that determination
19. an' not set this General Assembly up...ah...as a super school
20. board over the State of Illinois to dictate to local school
21. boards what they should pay their employees.

22. PRESIDENT:

23. Senator Bruce. F...for what purpose Senator Neistein arise?

24. SENATOR NEISTEIN:

25. I arise to move the previous question, Mr. President.

26. PRESIDENT:

27. Well, your Motion is not at...the Chair recognized Senator
28. Bruce first an' then you will be recognized. Senator Neistein.

29. SENATOR NEISTEIN:

30. That Motion takes preference...ah...precedence an' we have
31. the parliamentarian sitting there an' I'd like to have a ruling
32. from the Chair.

33. PRESIDENT:

1. Well...the..the..Senator Neis...Senator Bruce was recognized
2. by the Chair first an I thought Senator Neistein was making
3. a point of order or a parliamentary inquiry an' since you're
4. making neither Senator Bruce has the Floor an' then you will
5. be recognized. Senator Bruce.

6. SENATOR BRUCE:

7. Mr. President, members of this Body, we have heard a great
8. deal of discussion today about intermeddling by this Senate
9. an' legislature in the affairs of local school districts an' I
10. with many, many others feel that we should not do that an' I
11. believe the consensus a this Body has been over the years not
12. to intermeddle, but I believe we face a different situation
13. here, in that this body has refused over the years to allow
14. collective bargaining, to allow equality...ah...of the two parties,
15. of teachers an' school board members, so that they can equally
16. sit down at a table, can discuss their salary, can say to one
17. another what is a equitable distribution of all our funds among
18. all the people in the district. So long as we do that, so long
19. as we prohibit equality between the two parties to where the
20. balance of power rests with school boards I find it hard to
21. say an' agree with the argument that we cannot intermeddle.
22. It's been discussed in here today that perhaps the legislature
23. should bargain with the teachers. You know I think the teachers
24. would like to take you up on that. I think the school boards
25. would be willing to take you up on that. They would love to
26. come here an' negotiate with you an' this Body, because in their
27. own estimation they would get a fairer treatment than they have
28. by the school districts throughout this State, many of them
29. in very small areas, many of them having the ability to coerce
30. teachers into receiving almost any salary. So what we discussed
31. here today is a minimum salary bill for teachers throughout
32. all the State of Illinois who at present are denied the right
33. to bargain collectively with school boards an' so long as that
happens this Body must face up to the problem that that creates
an' that is that

teachers must come here, they must seek a minimum wage, an' we
1. are responsible for that. If we wish to say that we no longer
2. intermeddle, then I say let the party decide at the local level,
3. that's what everyone has said today, SB1112 resides in committee,
4. we have not acted on that in fourteen months. I think it's
5. time we move on collective bargaining. Let's restore to those
6. local units of government, to the local school boards, the teachers,
7. let them fight it out, let's do away with the minimum salary
8. bill an' see where we go from there in an equal situation so
9. school boards an' teachers have equal amounts of power, have equal
10. access to resources. We pass, in this legislature, many bills
11. which affect what happens to teachers an their salaries. Last
12. year I spoke against a bill which changed the funding arrangement
13. that this legislature determined in 1969 that local school boards
14. could not transfer money between funds, thereby denying teachers
15. a salary raise. We have attempted legislature which said that
16. they could not make transfers out of building funds without
17. success. We passed that bill last Session. School boards through-
18. out this State now can transfer funds between the funds that
19. they have available to them not on a loan basis as we declared
20. in 1969, not that they have to repay, but money that they can
21. keep in that fund to deny teachers their raises, go to the people
22. an' say we don't have the money in that fund, that's true, but
23. they transferred the money out. Now, finally about school boards
24. that have a great deal of difficulty in making pay raises.
25. We have before this Body two proposals, which will change funding
26. in Illinois. One of those, I believe, would have no difficulty
27. in adequately funding the 11 an' a half million dollars. Secondly,
28. we had the problem of what is happening at the local level.
29. Many school districts in this State are not broke, do not have
30. difficulty in paying high...higher salaries. They seem to have
31. no difficulty in increasing administrative salaries year after
32. year. I would like to see a study done of how administrator's
33. salaries, who negotiate in a friendly union agreement with their

1. boards on their salary increases over the past ten years com-
2. pared to teachers. I think it's interesting in the City of
3. Decatur, which has had a strike over the last year, that the
4. number of administrators an' their salaries increased in proportion
5. to the number of students or the number of teachers in number
6. o...to students that ratio increased. I find that interesting
7. an' I think that's something this legislature has to look at
8. when we deny teachers a pay increase. Finally there are those
9. school districts that have adequate funds, one district in my..
10. one school district within my legislative district has more
11. than a million dollars of available revenue in bonds that they
12. invest through the banks, yet they have denied their teachers
13. a salary increase. My point is, gentlemen, that we all here
14. stand and say that we are in favor of local control, that we
15. are in favor of the local units determining salaries, that we
16. want the school boards in the school districts to do the right
17. thing yet we deny them the right to bargain collectively, we
18. deny them the right to sit down as equals around the table and
19. set their salaries in a just fashion an' until we do that then
20. we will have minimum salary bills an' I will support them.

21. PRESIDENT:

22. Senator Neistein.

23. SENATOR NEISTEIN:

24. I resume my Motion...move the previous question.

25. PRESIDENT:

26. Senator Neistein moves the previous question. All in favor
27. signify by saying aye. Contrary minded. Motion prevails.

28. Senator Johns may close the debate.

29. SENATOR JOHNS:

30. I've heard a lot of testimony this morning an' I must admit
31. that...some g...some very good arguments on both sides, but
32. I reiterate what I said always as a former teacher I can remember
33. living in a substandard, second class citizenry, attempting
to do the

1. job that professionals in other fields are so much better paid
2. for in consideration of the same time spent in preparation.
3. This bill is designed to alleviate an injustice for people who
4. have prepared themselves to take care of our most precious asset,
5. our youngsters, an' I conclude my testimony an' I ask for a favorable
6. roll call.

7. PRESIDENT:

8. Secretary'll call the roll.

9. SECRETARY:

10. Arrington, Baltz

11. PRESIDENT:

12. Senator Baltz.

13. SENATOR BALTZ:

14. Well...Mr. President an members of the Senate, I was attempting
15. to be recognized because I did have some questions that I wanted
16. to ask of Senator John. On roll call I know that this is not
17. possible. I still wanna pose the questions, however. One of
18. the questions that I was gonna ask Senator Johns was that if
19. there is a school district or are there any school districts
20. in his territory that might find themselves in financial difficulty
21. even with an attempt to pass a referendum or an attempt to pay
22. their bills from their present tax levies an their present increased
23. state aid that we been giving them. I would assume that the
24. answer to that would of had to have been...ah...yes there are.
25. Ah...I would further pose the question as to whether or not
26. this bill isn't the major step forward...ah.. in...ah...preempting
27. the powers of school...ah...boards an' school authorities which
28. we as a people back home duly elect. This bill frightens me
29. only a little because ...ah...Lydia Baltz, my wife an' I have
30. seven children. She's a teacher...ah...has a masters degree
31. in mathamatics...ah...you might say that the influence ...ah...lay
32. on the proper side a the...a the parenthood, because six of
33. our 7 children have degrees in education...ah...two of them
have masters one has a PHD. Ah...I have two son-in-laws that
are educators...

1. one has his masters in education...ah...they...ah...ah...I see
2. them all...on Sunday they come home for Sunday dinner...ah...I
3. think the food is good an' the price is right over there. Ah...pro-
4. bably I may be a little bit unpopular with the attitude that
5. I take about this bill, however, I think that it'd probably
6. be my family unpopularity might be offset by the popularity
7. that I mightah...regain from the school board members
8. an' the tax payers in general. We overworked the u...ah...use
9. of the word appalled here in the last Session, but I was reminded
10. of that word ever.... after having briefly forgotten about it...ah
11. ...for several months an...ah... I think it fits this thing
12. when I say that I was appalled to find out that this would mandate
13. that the taxpayers throughout the State of Illinois would have
14. to come up with another 11 an' a half million dollars. Now,
15. to rearrange priorities is pure folly, There is no such thing
16. as rearranging priorities unless you took John Graham's suggestion
17. an' laid off one-third of the teachers in the State of Illinois
18. Ah...the...ah...I wouldn't subscribe to that theory. I'd be
19. more unpopular with my own family than I...I will be now, however,
20. there is no such thing as rearrangement of priorities in the
21. education system in this modern day as I see it. There's got
22. to be some concern I'm sure. When you...ah...think that...ah...there
23. will be no more real reason to elect school board members to
24. represent you on this important body. I would...ah... thank
25. you Senator Neistein, I'm a little color...I a little color
26. blind on this subject, so I would conclude my remarks by ...ah...vo-
27. luntarily on this measure an' urging my colleagues to do the same.

28. SECRETARY:

29. Ref...Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry,
30. Chew, Clarke, Collins, Coulson, Course, Davidson, Donnewald,
31. Dougherty, Egan, Fawell, Gilbert...

32. PRESIDENT:

33. Senator Gilbert.

SENATOR GILBERT:

1. Just a moment to make two or three points. One, when these
2. referenda have been defeated at the local level it's because
3. the taxpayers did not want increased taxes. The only way that
4. we can have this bill enacted an' not have an increase in taxes
5. is to cut out...ah...some of the teachers to reduce these number
6. that are teaching an that increases the workload and is not
7. what we want in education an' you must remember that whenever
8. you raise the minimum salary you likewise raise the maximum.
9. Everybody up the line is going to get an increase so the ten
10. an a half or eleven million dollars involved in this bill is
11. only for those receiving the minimum an each of those school
12. districts where this takes effect the people that have been
13. there an are in the system who are above that salary are going
14. to also get an increase, because they're just like the judges
15. an everybody else, if the supreme court judges get an increase,
16. then the circuit an the appellate want it an the associates want
17. it, so everybody else in the system, as I stated a while ago,
18. is going ta want it, so the ten an a half or eleven million
19. dollars is just the beginning of what his bill is going to do
20. to the school system. I vote no.

21. SECRETARY:

22. Graham, Groen,

23. PRESIDENT:

24. Sen...Senator Graham.

25. SENATOR GRAHAM:

26. In still opposing this bill I don't know what number we
27. can logically suggest of school teachers in the State of Illinois
28. that I an many others consider as unqualified an undesirable
29. by the fact that they are blanketed in by the tenure system.
30. I wouldn't wanna try to sell you a sad ticket, but I wanna say
31. this to you that if we could rid ourselves of those teachers
32. our financial system in this...er...as far as education is concerned
33. would be different an when some ti...some time, somewhere, somehow,
we're going to either abolish the tenure system or we're going
to set up a review of

teachers on the merit of their abilities an we're not going
do it by encouraging salary increases with no merit involved
1. an when we fail to do that we have failed to do our duty an
2. I again say that when we adopt a policy that we're gonna tell
3. the school boards back home what to do there is really no reason
4. for our existence an I vote no.

5. SECRETARY:

6. Groen , Hall, Harris, Horsley, Hynes, Johns, Knuepfer,
7. Knuppel.

8. PRESIDENT:

9. Senator Knuppel.

10. SENATOR KNUPPTEL:

11. I vote aye. There's several reasons I vote aye. First
12. of all we're told today that a family of four the expense for
13. maintaining a cost of living is ten thousand dollars plus. We
14. have the problems alluded to by Senator Bruce about to the right
15. to bargain collectively. Certainly, we should put a floor then
16. under these minimum salaries in light of what it even costs
17. to live an these people are professionals, not just working
18. people. They've invested a lot in their education. I wanta
19. go ta something else, we are a constitutional form of government
20. an our constitution now says a fundamental goal of the people
21. of the state is the educational development of all persons to
22. the limits of their capacity an it further says that the State
23. has the prim...primary responsibility for financing the system
24. of public education. Now maybe we've gone overboard an maybe
25. we're spending too much money for higher education universities
26. an otherwise but we owe...constitutionally we owe the primary
27. an secondary schools the amount a money necessary to properly
28. staff them an adequately pay those people whom serve as teachers
29. therein. Now, I submit that this constituion mandates this
30. legislature to do that an if this bill as so drawn is throwing
31. a responsibility back on the local government, then I say it's
32. our responsibility as legislators to do just exactly what Senator
33. Groen said an that's to introduce a bill where we appropriate
the money necessary to meet this because it says...it says

1. in the constitution that this is our...our responsibility.
2. We have the prim...primary responsibility to do this an I say
3. that it's time we shaped up or shipped out. It's time we met
4. that mandate that the people voted on us in November er December
5. of 1970 an that we do this. Now the Governors budget apparently
6. is...we had a deficiency appropriation calling for a hundred
7. an sixty-five million dollars in...in Public Welfare. That
8. was cut to a hundred an thirty-five million. Apparently there's
9. thirty million ta balance the budget floaten around someplace.
10. Let's use eleven million dollars of that to meet the nec...necessary
11. increase in teacher salaries. I vote aye.

12. SECRETARY:

13. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,..

14. PRESIDENT:

15. Senator Lyons:

16. SENATOR LYONS:

17. Ah...Mr. President, I vote aye. With respect to...ah...
18. where the money can be obtained I wish to point out to the member-
19. ship that under the Ogilvie administration the State payroll
20. has risen twenty million dollars a month from what it was in
21. the last payroll...ah...of...ah...the state in the Shapiro adminis-
22. tration. I do believe that...ah...this sort of...ah...ah...spend-
23. thrift binge that the State has been on, an I'm talking only
24. about payroll,...ah...should be examined into an I think that
25. these monies can be found. The Governor need only exercise
26. minimal initive in finding out where many, many millions of
27. dollars can be saved an certainly this cause...the...the...the...the
28. cause sought to be advanced by this bill is certainly a worthy
29. one. I vote aye.

30. SECRETARY:

31. McBroom, McCarthy, Merritt,..

32. PRESIDENT:

33. Senator Merritt.

1. SENATOR MERRITT:

2. Mr. President, members of the Senate, arising to explain
3. my vote, I...I think this one of the very, very few times since
4. I've served in the legislature that I've had to oppose legis-
5. lation in certainly what they feel is be the interest of...ah...
6. many fine teachers throughout Illinois, but nevertheless, I
7. think Senator Gilbert pointed out so well you're not talking
8. about eleven an a half million here because those maximums have
9. ta go up all the way down the line. Now, I don't know how in
10. the world...this Senator at least an certainly some of the others
11. of you are going to have to face up to it to should this carry,
12. to go back home...have those school boards tell me well you
13. did it once again, didn't ya? Ya finally passed the legislation
14. after all of our contracts were out. There's no possible way
15. we can finance it. People in my district, it's the rural district
16. but they're the salt of the earth those farmers. They're already
17. backs being broken by real estate taxes. Jest don't forget,
18. this money's gonna come from, real estate taxes, an I'm not
19. gonna be a part... back home in putting that additional burden
20. on the backs of back home...in putting that additional burden
21. on the backs of my people, in fact I'd like to be a part of
22. helping ta relieve some of the burdens, I vote no.

23. SECRETARY:

24. Mitchler,...

25. PRESIDENT:

26. Senator Mitchler.

27. SENATOR MITCHLER:

28. Ah...Mr. President ta be very brief, because a gr...great
29. deal has been said about this ...ah...bill...SB1417...but the
30. main thing here ...I...I sense that...ah...certain organizations
31. feel that this is a main thrust an this would be a bill in which...
32. ah... they could gain support during an election year an I mean
33. this in all sincerity, because ta come in with increases of
20%, 18%

1. 11% as been pointed out ...ah...I don't think it..conform with
2. the Federal wage control, phase 2, 3 or whatever it's called.
3. Ah...I don't think it'd be in conformity with that with the
4. inflationary problems an it would be simple for we of the general
5. assembly to go along with these interested groups, for example
6. the Illinois Education Association an the Illinois Federation
7. of Teachers, I understand have endorsed SB1417 an we could give
8. a...an affirmative vote to this an sit back an say well we did
9. a good job, we supported your favored legislation. We could
10. join Sendor Johns in sponsorship of this legislation an then
11. sit back an say Governor, an whoever the Governor may be, it's
12. up to you, you have the amendatory power, veto, under the new
13. constitution. You can either amend it down or up or do what
14. you would like with it similiarly as you did the...ah...1971,
15. but that'd be the easy way out, an I appreciate all a the comments
16. of my colleagues that pointed out to me that eleven an a half
17. million dollars is necessary an Senator Groen I believe had
18. the best suggestion an request of the sponsor, if he would be
19. agreeable to have an amendment to have an appropriation of eleven
20. an a half million dollar for the sole purpose of increasing
21. teacher salaries throughout the State of Illinois, so the burden
22. of this will not fall upon a local school board an district
23. who are no confronted with a problem of increased local real
24. estate taxes an that's where the burden will go an this legislation,
25. if passed, would come after the school boards have prepared
26. an arranged their salary structures and all of their budgeting
27. for the coming fiscal year an it would be a great imposition
28. on them, so I think without a question a vote in the negative
29. on SB1417 at this time should no way be construed as being in
30. opposition to teachers of this state having a good salary structure
31. an when I look at these proposed salary basis, the teachers
32. in my district...school districts... in my district all receive
33. well above this minimum base an I therefore vote no.

SECRETARY:

Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Wright, Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

1. PRESIDENT:

2. Bruce aye. While the secretary is tallying this I'm...Senator
3. Fawell do you wish to introduce your special guests?

4. SENATOR FAWELL:

5. Ah...Mr. President, members of the Senate, seated behind
6. the Lieutenant Governor are three young people from various
7. parts of the world, who are exchange students, who have been
8. attending Naperville Community High School this past year an
9. during this week have been in Springfield observing the Legislative
10. process. To...ah... our left...ah...seated behind the Lieutenant
11. Governor, is Christiann Ray, from...ah...Belgium, and next is
12. John Marshall, from Salisbury, Rhodesa, and to our far right
13. is Martin Kraguer, from the Black Forest in Germany.

14. PRESIDENT:

15. We're happy to have you with us here. Ah...Senator Merritt
16. do you wish to explain your vote or...

17. SENATOR MERRITT:

18. No. I'm waiting...proceed on that other...

19. PRESIDENT:

20. Oh, jes..just a moment...

21. SENATOR MERRITT:

22. Alright.

23. PRESIDENT:

24. On that...on that question the yeas are 22. The nays are
25. 23. The bill having failed to receive the constitutional majority
26. is declared defeated. Senator Merritt.

27. SENATOR MERRITT:

28. Yes, Mr. President, members of the Senate, jest going back
29. there one bill beyond the last one...ah...SB1412, which carried
30. 45 ta nothing, having voted on the prevailing side I move that...ah
31. ...that...ah... the vote by which it passed be reconsidered.

32. PRESIDENT:

33.

1. On 1412 Senator Merritt moves to reconsider the vote by
2. which it was passed be reconsidered, Senator Fawell moves to
3. Table. All in favor of the Motion to Table signify by saying
4. aye. Contrary minded. Motion to Table prevails. Senator Johns.
5. SENATOR JOHNS:

6. I...I beg your pardon, Mr. President, I think you said
7. 1412. Is that what you was talking...

8. PRESIDENT:

9. That...1412...that was a different bill that he was making
10. a motion on. Motion was not made on your bill. 1421 Senator
11. Knuepfer.

12. SENATOR KNUEPFER:

13. Ah...that bill has already been passed in another form
14. by Senator Walker an therefore I move that it be Tabled.

15. PRESIDENT:

16. Motion to Table. All in fa...favor signify by saying aye.
17. The bill is Tabled. 1436 Senator Weaver.

18. SENATOR WEAVER:

19. Mr. President, an members of the Senate, SB1436 as amended
20. is intended to ban the sale of advertisement for sale of term
21. papers an other academic papers for submission as original work
22. by a student. Plagiarism in institutions of higher education
23. is declared to be against the public policy of this State.
24. The bill has been amended to take out the penalties...it is
25. in Section B an the chief executive officer of any accredited
26. instituion of higher education may seek civil proceedings in
27. circuit court to enjoin the sale. If there're any questions,
28. I'd be glad to try to answer em. If not...ah...I'd appreciate
29. a favorable roll call.

30. PRESIDENT:

31. Is there any discussion? Secretary will call the roll.

32. SECRETARY:

33. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-

1. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
2. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,
3. Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons, Mc-
4. Broom, McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse,
5. Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
6. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
7. Walker, Weaver.

8. PRESIDENT:

9. Request for call of the absentees. Absentees will be called.

10. SECRETARY:

11. Yea...Arrington, Bidwill, Bruce, Chew, C. Clarke, Coulson,
12. Course, Donnewald, Dougherty, Hall, Horsley, Hynes, Johns,
13. Knuepfer, Knuppel, Kusibab, Latherow, Lyons, McCarthy, Mohr,
14. Neistein, Newhouse, O'Brien, Ozinga, Palmer, Partee, Ro...,
15. Savickas, Smith, Sours, Swinarski, Walker, and Weaver.

16. PRESIDENT:

17. Savickas aye. Sours aye. On that question the yeas
18. are...on that...just a moment, Senator Ozinga votes aye.
19. On that question the yeas are 31, the nays are none. The bill
20. having received a constitutional majority is declared passed.
21. Motion by Senator Laughlin to reconsider. Motion by Senator Gil-
22. bert to Table. All in favor of the motion to Table signify by
23. aye. Contrary minded. Motion to Table prevails. 1449 Senator
24. Donnewald.

25. SENATOR DONNEWALD:

26. Yes, Mr. President, members the Senate...ah...SB1449...
27. ah...was in the committee on local government and passed unani-
28. mously and was advanced to 3rd reading yesterday and what it does,

29.
30.
31.
32.
33.

1. it...it has to do...

2. PRESIDENT:

3. Just a moment. We're gonna...let's get the correct number
4. up on the board and then we can we break up the ...caucus back
5. there, please?

6. SENATOR DONNEWALD:

7. I think the food's all gone so they'll break it up.

8. PRESIDENT:

9. Alright.

10. SENATOR DONNEWALD:

11. Now this has to do with the...a water authority and
12. it's peculiar only to the area of Effingham and Effingham county and a
13. township immediate surrounding it. The original law as passed
14. in 1935 provided that where a part of the water authority was
15. outside of a municipality, the trustees of that...ah...water
16. authority would be appointed by the...ah...town...auditor. Now
17. what this does...is a...where substantially all of the water author-
18. ity is within a municipality such as the City of Effingham and
19. Effingham County, the...ah...the work substantially is meant to
20. me...or deemed to me ...ah...85% or more. That's precisely what
21. this does and it would then give the authority to that municipality
22. wherein 85% or more of the population resides in the water authority
23. thus giving the city the right to appoint the trustees. I would appre-
24. iate your most favorable roll call if there be any.

25. PRESIDENT:

26. Is there any discussion? Secretary will call the roll.

27. PRESIDING SECRETARY (MR. FERNANDES)

28. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
29. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Davids-
30. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
31. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosin-
32. ski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
33. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,

1. Weaver.

2. PRESIDENT:

3. Weaver aye, Swinarski aye, McBroom aye, Carroll aye,
4. Knuepfer aye, Mitchler aye, Mohr aye, Groen aye. On that
5. question the yeas are 47, the nays are none. The bill hav-
6. ing received a constitutional majority is declared passed.
7. I might mention to the Senators because some questions have
8. come up, the reasons we're skipping some bills that they're
9. bills that are exempt from the deadline are being skipped. So
10. if we skip your bill it means as we go down the list of bills
11. it simply means that your bill is exempt from the deadline.
12. 1453 Senator Johns.

13. SENATOR JOHNS:

14. Thank you Mr. President...lady an gentlemen of the Senate,
15. SB1453 is a bill which I might call a probationary period bill
16. for teachers. If you're not aware of it and most of you are I'm
17. sure. Most teachers have to work under a two year probationary period
18. End of that period of time it...I just wanna make sure I'm heard,
19. Mr. President.

20. PRESIDENT:

21. Well, I can't guarantee anything Senator, but let's
22. try...there's a band going out there in the...

23. SENATOR JOHNS:

24. Shall we recess and join em?

25. PRESIDENT:

26. Well...Proceed, Senator...

27. SENATOR JOHNS:

28. Alright, tell you what this bill does, I feel it gives more
29. protection, it acts as a guideline for person who's at the whim
30. or at the will of school board superintendent an a request at
31. 60 days prior to the expiration of his two year term of pro-
32. bation, that the school board or his supervisor sit down with
33. him and discuss the problems that that particular teacher might

1. have that would remain as a question in his acceptance as a
2. teacher and the future of his career as a teacher. It would
3. request that these people that are in the supervisory capacity
4. give written guidelines as to what the teacher is or is not
5. doing properly and it would remove doubts about the future of that
6. teacher and his ability...

7. PRESIDENT:

8. Just a moment. Senator Neistein, Nihill, Saperstein,
9. and Lyons...

10. SENATOR JOHNS:

11. ...my colleagues...

12. PRESIDENT:

13. Proceed, Senator Johns.

14. SENATOR JOHNS:

15. Thank you again, Mr. President, lady and gentlemen of the
16. Senate...what this bill would do it prohibit the abuse
17. of a..of a year of dangling a teacher on his future. It
18. would tell him yes or no, you have a chance in becoming a mem-
19. ber in that current district, in that particular school. It
20. forces the supervisors to really take time and give due considera-
21. tion toward the evaluation of that teacher on probation and so
22. I beg a favorable roll call.

23. PRESIDENT:

24. Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Yes, Mr. President, members of the Senate, I rise in opposition
27. to this bill. The teachers now are consulted with and they're con-
28. sulted with orally and they do get a written notice if their
29. probationary period is to be extended, I think it was pointed out
30. quite clearly in committee that this could result in the filing
31. of lawsuits by teachers after they received a written notice that
32. said maybe they didn't comb their hair right or for any number of
33. reasons that were given ...ah...they shouldn't be entitled to
tenure status. I think we do it a service to the administration most
school districts an in the chain of command because I am sure that
they do

1. sit down with teachers, consult with them and then they make
2. their evaluation. I further say that it might not only be
3. possible that lawsuits would be promoted by this bill, but
4. I'd say this, that if I were a teacher I'd much rather have
5. my deficiencies discussed orally than to be made a permanent
6. part of a record and therein lies the reason why teachers
7. might file lawsuits. An I'm also interested by Senator John's
8. comments on the other bill which he had for the teachers this
9. morning on telling about how the teachers are at the mercy of the
10. board of education. Now, I want it made real clear here,
11. that...if...I've got a conflict of interest I'm voting against
12. ..ah...the position of my wife who is a teacher...ah...so far
13. as voting against teachers is concerned, but I wanta say this that
14. I think the school boards still run local school districts and the
15. teachers don't and I think their rights are eminently protected and
16. I think this is in very poor legislation and I'd ask that it be
17. defeated.

18. PRESIDENT:

19. Senator McBroom.

20. SENATOR MCBROOM:

21. Mr. President, members the Senate, just for the edification
22. of the Senate as near as I can tell we spent about 55 minutes on
23. the last teacher's bill and I hope Senator Johns we don't go that
24. long on this one.

25. PRESIDENT:

26. Senator Sours.

27. SENATOR SOURS:

28. Will Senator Johns, Mr. President, yield to a question?

29. PRESIDENT:

30. He indicates he will.

31. SENATOR SOURS:

32. Let us assume just for...in a supposititious case that a
33. teacher has committed...an immoral act...call it adultery...
anything you want. Would you want that specified

on the...on the complaint and if so would you want it proved beyond all reasonable doubt or just by a preponderance of the evidence in the lawsuit which would follow?

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PRESIDENT:

Senator Johns.

SENATOR JOHNS:

Senator Sours, you and I both know that it wouldn't be necessary that you spell that out. What's the difference between that and the civil service examination? I think you're looking over a regular, natural procedure that takes place in thousands of jobs where two people sit down and they discuss the merits of a person doing a job and they both initial it as being factual and being true and if one refuses then the whole thing's null and void.

PRESIDENT:

Senator Sours.

SENATOR SOURS:

Of course, I think we must all realize that in the event litigation would result the complainant principal would be limited to the charges he put on a piece of paper and therein lies the vice of that bill, which like the other one Senator in my honest opinion ought to go down in defeat.

PRESIDENT:

Is there further discussion? Senator Johns may close the debate.

SENATOR JOHNS:

No debate, Mr. President, just continue with the roll call.

PRESIDENT:

Secretary will call the roll.

SECRETARY:

Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson...

PRESIDING OFFICER: (SENATOR CHEW)

Senator Coulson.

SENATOR COULSON:

1. Ah...Mr. President, I...I've had a little experience with
2. this sort of thing. We had one school district in our area
3. which attempted this procedure. They found that the common-
4. est causes of extending tenure were either intoxication or in-
5. effective teaching. Rather than put it in writing they simply
6. failed to give the teacher tenure and discharged the tea-
7. cher. I think it's a rather brutal treatment. I think it's hard
8. on the teacher to do this sort of thing, and therefore I'll vote
9. no out of kindness to the teachers.

10. PRESIDING OFFICER: (SENATOR CHEW)

11. Secretary will continue with the roll.

12. SECRETARY:

13. Course, Davidson, Donnewald, Dougherty, Egan, Fawell,
14. Gilbert, Graham, Groen, Hall, Harris, Horsley, Hynes, Johns,
15. Knuepfer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin,
16. Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein,...

17. PRESIDING OFFICER: (SENATOR CHEW)

18. Dougherty aye,

19. SECRETARY:

20. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,
21. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
22. Swinarski, Vadalabene, Walker, Weaver.

23. PRESIDING OFFICER: (SENATOR CHEW)

24. Senator Carroll. How's Senator Carroll recorded? You're
25. not recorded. Nihill aye. Senator Johns. Request to poll the
26. absentees. The absentees will be polled.

27. SECRETARY:

28. Arrington, Baltz, Bidwill, Chew, Fawell, Harris, Ho..Horsley,
29. Kusibab, Mitchler, Neistein, Newhouse, O'Brien, Ozinga, Palmer
30. Partee, Rock, Savickas, Swinarski, Walker, and Weaver.

31. PRESIDENT:

32. On that question the yeas are 19...hold it....on that
33. question the yeas are 23. The nays are 18. The bill having failed

1. to receive a constitutional majority is declared defeated.
2. Senator Fawell earlier had 1381, took it back to 2nd
3. reading for purpose of amendment, there was a question raised.
4. Apparently that question has been resolved. 1381, the question
5. before the body is the amendment. Is there further discussion of
6. that amendment? On 1381. All in favor of the adoption of
7. the amendment indicate by saying aye. Amendment is adopted.
8. Return to 3rd reading. We'll get to it after intervening busin-
9. ess. 1454 Senator Ozinga. Senator Ozinga.

10. SENATOR OZINGA:

11. Mr. President, members of the Senate, SB1454 is a bill that
12. will authorize the department of Mental Health to sell by quit
13. claim deed a small tract of land on the grounds on the Chicago
14. Reed Mental Health Center. Pardon me. This will be sold to the
15. Commonwealth Edison Company for a sum of two hundred and twenty
16. thousand dollars. The reason for the bill is that the
17. Commonwealth Edison Company wishes to acquire the tract which
18. is about 250 feet square. About one point...one point six five
19. acres at the intersection of Irving Park and Oak Park Avenues,
20. for the installation of an electric transmission distribution
21. center. The property has been appraised and the price stated
22. in the bill is the appraised value. During the latter part
23. of the 71 Session, the General Assembly, we submitted the proposed
24. legislation to authorize the sale however because of the lateness
25. it was not introduced. The Commonwealth Edison has continued to
26. express a desire to buy this tract and the disposal of this small corner
27. of land on the grounds of Chicago Reed Center and the installation
28. of the electrical distribution center will in no way impair
29. the operations of that facility. The company has assured us
30. that the tract will be attractively landscaped as a benefit
31. to the territory there. The payment of the 220 thousand for
32. the tract of land is to be made by...to the State Treasurer.
33. There'll be no cost to the department as the result of the transac-
tion and the Commonwealth Edison has a-

1. greed to hold the State harmless against all claims arising out
2. of the consequence. This bill was amended as you know the other
3. day to read also subject to all easements, rights of way or any
4. encumbrances of record. I would accept a favorable roll call.

5. PRESIDENT:

6. Senator Egan.

7. SENATOR EGAN:

8. Yes, Mr. President, members of the Senate, ah...the inter-
9. section of Irving Park and Oak Park Avenues is right in the middle of
10. district No. 16, which is my district. Senator Ozinga, nobody
11. from the Department of Mental Health or anybody from state gov-
12. ernment has contacted me concerning this sale of land which is
13. in my district. I deeply resent that Senator Ozinga, and I'm
14. gonna urge the people on my side of the isle to vote against this
15. bill.

16. PRESIDENT:

17. Is there further discussion? Senator Ozinga may close the
18. debate.

19. SENATOR OZINGA:

20. Well, this comes as a surprise to me too because this is
21. the first time that I heard Egan even say anything about this
22. thing. This is on the grounds and within the confines of the
23. Department of Mental Health an they have assured me an others
24. that this...there was no objection to this bill. Now, this is a com-
25. plete surprise but again I would say, due to the lateness of the
26. time, I would urge a favorable roll call.

27. PRESIDENT:

28. Secretary will call the roll.

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
31. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
32. Davidson, Donnewald, Dougherty, Egan,

33. PRESIDENT:

1. Senator Dougherty.

2. SENATOR DOUGHERTY:

3. I..I would like to vote for this bill but in view of the
4. objection posed by Senator Egan and I'm quite in agreement with
5. him. I do think that they should consult with the members of the
6. legislature of the House and Senate, when something's con...contem-
7. plated and entirely within their district. I'm going to vote
8. no.

9. SECRETARY:

10. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris...

11. PRESIDENT:

12. Senator Harris.

13. SENATOR HARRIS:

14. I'm absolutely amazed at the childishness being expressed
15. here. Now, we've got a lot of work to be done, an I am just ab-
16. solutely disappointed that this kind of partisan response can
17. result when maturity ought to be applied here. My goodness sakes,
18. grow up. I vote aye.

19. SECRETARY:

20. Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab,
21. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
22. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee...

23. PRESIDENT:

24. Senator Partee.

25. SENATOR PARTEE:

26. I guess this is one of those days when we start counting
27. and evaluating in terms what happens on this side of the isle an
28. what happens on the other. It is not escaped my notice that to-
29. day has been a particularly bad day for the colleagues of mine
30. on this side of the isle in terms of getting legislation passed...
31. has been a good day for those on the other side. I would hope,
32. however, that we would not reek vengeance on this particular bill
33. on any basis other than an evaluation of the bill itself. Those

1. of you who were in the committee when the bill came in may
2. well of heard me state that this was a bill which the Depart-
3. ment had come to us an talked to us about an we feel that
4. what is being accomplished here is advantageous to the State
5. and to the department of the State which is involved. Perhaps, it's
6. my fault in not communicating to each of you individually that that
7. was the situation, but it came out of committee on that basis and
8. that is the reason that it came out of the committee. Now,
9. with reference to whether or not those of us as individuals
10. know what is transpiring in our district there is a bill pending
11. here which would, in my opinion, bring to the attention of each
12. representative and senator this type of development when it
13. transpires or is about to transpire in his district. The North-
14. east Planning Commission does this already, an recently they have
15. communicated with me and I assume with you to determine if we
16. still want an desire these notices. Now, this bill is one which
17. the department wants. We looked at it carefully in the committee.
18. It's a bill that in my opinion should be passed and if it is not pass-
19. ed, I would hope that it is not passed on the basis of any parti-
20. sanship...on the basis of any your thing, my thing concept. I hope we
21. would address ourselves to the question on the basis of it...there
22. being a need and there being this exchange of land between the
23. State an this facility which is in the best interest of the people.
24. If I didn't think this was a good bill I think certainly it would
25. not have gotten out of committee an I'm gonna vote aye.

26. SECRETARY:

27. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
28. Sours, Swinarski, Vadalabene, Walker, Weaver.

29. PRESIDENT:

30. Senator Ozinga.

31. SENATOR OZINGA:

32. I don't believe I've voted as yet. Mr. President, I assure
33. you that I had no idea that this objection would be raised. In
fact, I thought

1. that everybody was well apprised of all of the facts on this.
2. In fact, in our visitations up there at Chicago Reed I'm sure
3. you're acquainted with this corner and I'm sure your're ac-
4. quainted with the facility that was going to put in there with
5. this transmission station. It will benefit the...ah..entire
6. facility there and I will vote aye on this when we're asked to
7. have the absentees called.

8. PRESIDENT:

9. Request for a poll of the absentees. The absentees will
10. be called.

11. SECRETARY:

12. Arrington, Bruce, Cherry,...

13. PRESIDENT:

14. Senator Cherry.

15. SENATOR CHERRY:

16. This bill passed the Executive Committee, 22 to nothing, and
17. I appreciate the comments made and perhaps the people who
18. are interested in the conveyance of this land...ah...just didn't
19. take into consideration ...perhaps some of the members of this
20. legislature particularly those...ah...who represent the dis-
21. trict in which the facility is located. I don't think we ought to
22. be vindictive about that particular things that have occurred and
23. if it did occur I think it was probably a lack of good judgement
24. on the part of the people who are interested, but I think that
25. we...ah...must listen to the explanation and logic that was pre-
26. sented by Senator Ozinga and I think we ought to allow this con-
27. veyance and I would vote aye.

28. SECRETARY:

29. Chew, Clark,...

30. PRESIDENT:

31. Senator Clarke.

32. SENATOR CLARKE:

33. Mr. President, members of the Senate, I listened with some

1. care to what the president pro tempore said an I think that he
2. was voicing something that all of us at one time or another have
3. felt and that is the individual respect in our own district an
4. preknowledge of what is taking place whether it be an appointment
5. or some other matter such as this and I think that Senator Egan was ex-
6. pressing that opinion, but I certainly feel that that alone I
7. don't think Senator Egan or anyone else would want to be the
8. basis for defeating a measure that should be done and certainly
9. if the votes aren't forthcoming this bill should be postponed
10. until the department can clear with Senator Egan an get his ac-
11. ceptance. I would vote aye.

12. SECRETARY:

13. Course, Hall, Horsley, Hynes, Knuppel, Kosinski, Kusibab,
14. McCarthy, Newhouse, Nihill, O'Brien, Palmer, Rock, Romano,
15. Saperstein, Savickas, Smith, Soper,...oh, I'm sorry..., Swinarski,
16. Vadalabene, Walker...

17. PRESIDENT:

18. For what purpose Senator Neistein arise?

19. SENATOR NEISTEIN:

20. Well I don't think there's enough votes there, but I'd
21. like to urge the sponsor, Senator Ozinga, that the Senator who spoke
22. against the bill, Senator Egan, is not vindictive and if the de-
23. partment can come down and see Senator Egan I'm sure it could be
24. worked out if he'd hold the bill till say tomorrow...Monday or
25. Tuesday, whenever we meet.

26. PRESIDENT:

27. On that question the ...on that question the yeas are 30,
28. the nays are 5. The bill having received a constitutional
29. majority is declared passed. Senator Fawell, we're ready to
30. return ta 1381. I'm sorry he just put some food in his mouth
31. and then we return to it. 1381.

32. SENATOR FAWELL:

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

1. islation which is limited to sanitary districts an municipalities
2. in counties of over 200,000 and what it very simply does, is to
3. grant the power of quick take in condemnation proceedings for
4. sanitary districts an cities in those counties of over 200,000
5. and limit it only to the acquisition of land for sewage treatment
6. plants and easements for the sewage lines. The basic reason
7. for the bill is that in these fast growth areas the ability to
8. be able to obtain the Federal and the State funds...ah...is
9. greatly limited because the local cities and sanitary districts
10. are unable of course to obtain technically the title to the land which
11. is under condemnation until such time as the particular court
12. matter is completely concluded and that may be in the Supreme Court.
13. As a result, the EPA, in setting out its regulations, has had to
14. deny a lot of Federal money and State money to a number of munici-
15. palities and sanitary districts. The municipal league has endorsed
16. this. I think the DuCain Valley Association has endorsed it. I
17. believe a number of municipalities have talked to you about it.
18. I recognize that the legislature has seen fit not to extend
19. the quick take theory in a number of areas but I think here
20. that one can say it is an ecological necessity and without this
21. ability the...ah...sanitary districts and the municipalites and
22. fast growth areas where you have 150,000 people for instance
23. moving in in some of these communities in the suburban Chicagoland
24. area are simply unable to do the job. The only difference that
25. it makes insofar as the homeowner is concerned is...ah...that...
26. ah...the title is...to the land is taken after the court decides
27. that there is a basis for the condemnation suit and then as al-
28. ways in every condemnation case the issue is over how much money
29. will be paid. Those basic laws are not changed. I would hope
30. we would have the support of the Senate. It is vitally need-
31. ed, I repeat, as an ecological necessity in the suburban areas
32. especially and it's limited to those areas and limited specifi-
33. cally only to the sewerage treatment plants and sewerage treat-

1. ment lines. Thank you.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Sours.

4. SENATOR SOURS:

5. I have a question for the sponsor. Senator is that lim-
6. ited as in the syllabus to 200,000?

7. SENATOR FAWELL:

8. That's correct.

9. SENATOR SOURS:

10. Would you have any objection ta raising that to 500,000,
11. or 400,000 to take care of DuPage?

12. SENATOR FAWELL:

13. Well...ah...personally ...I..I..I would not..I..I'm not sure
14. of what counties that would leave out. It would leave...ah...
15. Kane County and Lake County out and I know those areas are ...are facing
16. the same dilemma...they're in the ...in the position of losing...
17. losing a great deal of money, because they simply cannot meet the
18. deadlines the EPA....has..has set. I personally, Senator, would
19. have no objection to that.I think the Senators from...
20. representing Kane County or portions thereof or Lake County or
21. portions thereof would have a problem there.

22. PRESIDING OFFICER: (SENATOR BRUCE)

23. Senator Sours.

24. SENATOR SOURS:

25. The property owners in my county, which is approximately
26. 200,000 do want this...an...an I don't wanta pick at your
27. bill, but they do not want it...ah...I can agree with them
28. because I tried to get the same bill through 6 or 7 years ago
29. and I found that they were opposed to it, not that our sewer
30. district is very much in favor of it, but the property owner
31. who...ah...has less of a break, I think that can be admitted
32. than otherwise he doesn't want it. Now, if there's someway that we
33. could elevate the population to take care of Kane, an DuPage

1. but exclude Peoria, I'd appreciate it.

2. PRESIDING OFFICER: (SENATOR BRUCE)

3. Senator Fawell.

4. SENATOR FAWELL:

5. I...I think it probably could be increased to say 250,000.

6. If that would solve your problem, Senator, I...I...I think I

7. could do that certainly in the House and would pledge to you

8. that I would. I don't think that would...that would in anyway

9. hinder the other counties that are vitally in concern here.

10. It would...be Will, Kane and Lake.

11. PRESIDING OFFICER: (SENATOR BRUCE)

12. Senator Graham.

13. SENATOR GRAHAM:

14. Mr. President and members of the Senate, I'm going to support

15. Senator Fawell's bill. I going in so doing break a 14 year tra-

16. dition with regard to this type of legislation. I in some areas

17. in my district and some that I have fallen heir to since reappor-

18. tionment last year now has me running me interstate have a serious

19. problem and I would urge you to consider this act that this deals with,

20. the subject matter that the Senator from Naperville has so elo-

21. quently discribed and in some of our sewerage treatment plant

22. enlargements we have a great possibility of the entire program

23. being held up for 12 inches of ground across the front of some-

24. ones lot.

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Any further comment? Senator Fawell may close the debate.

27. SENATOR FAWELL:

28. The only thing I wanted to say is the Chicago Sanitary District

29. this right last Session. I think it's understandable. I would

30. hope that we'd have a favorable roll call. Thank you.

31. PRESIDING OFFICER: (SENATOR BRUCE)

32. Roll call.

33. PRESIDING SECRETARY: (MR. FERNANDES)

1: Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
2: Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
3: Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
4: Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuep-
5: fer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons,
6: McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, New-
7: house, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
8: Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
9: Vadalbene, Walker, Weaver.

10: PRESIDING OFFICER: (SENATOR BRUCE)

11: Mohr aye. Senator Fawell.

12: SENATOR FAWELL:

13: I...I'm not sure what the count is...but gentlemen...let me
14: assure you that this is vitally needed in the fast growth areas.
15: I refer to..to..I am explaining my vote ...

16: PRESIDING OFFICER: (SENATOR ROCK)

17: Senator Fawell has...ah...voted.

18: SENATOR FAWELL:

19: ...in ...in one community in DuPage County we have presently
20: by pending subdivision plats alone, 150,000 people waiting
21: to come into a community which is now only 23,000. The Federal
22: regulations and the State regulations which must be met under strict
23: deadlines will mean the loss of millions of dollars to these
24: communities if they do not have the ability to be able to show
25: that they own technically hold title to the land which will be
26: utilized as the tracts upon which the sewage treatment plants or
27: the sewage lines actually will be constructed upon. There's
28: only one possible loss that the land owner can suffer and that is as
29: the practical matter the only difference between a condemnation
30: suit with quick take and one which does not have quick take powers
31: is that the jury may not be able to go out and actually view the
32: land as it was as of the date of the filing of the condemnation
33: complaint. That's the only difference that would result if you had

1. quick take. Otherwise the issues are completely the same and
2. as a practical matter even that wouldn't be involved here
3. because of the fact that the type of condemnation you probably
4. wouldn't by the time the matter got to suit, you wouldn't have
5. an alteration of the land anyway, but what we are saying to our
6. local taxpayers is that your going to have to take the burden of
7. millions of dollars more of obligations here because we will
8. not be able to make the time limits which the EPA and the Federal
9. regulations cast upon us. I have here a letter of support from
10. the EPA. It is gentlemen and lady, a very vital piece of legis-
11. lation which this Body saw fit to give to the Chicago Sanitary
12. District in the last Session. I concur that that is a vital
13. necessity for that entity and it is a vital necessity for those
14. fast growth areas which are under the gun and ecologically trying to
15. meet their obligations. I implore you to reconsider, those of you who
16. have not voted, and Mr. President...I...I would ask for a call of
17. the absentees and implore the absentees to reconsider and I vote
18. aye.

19. PRESIDING OFFICER: (SENATOR BRUCE)

20. Call of the absentees.

21. ACTING SECRETARY (Mr. Fernandes)

22. Arrington, Baltz, Bruce, Chew, Clarke, Course, Egan,
23. Groen, Horsley, Knuppel, Kusibab, Latherow, McCarthy, Neistein,
24. Newhouse, O'Brien...

25. PRESIDING OFFICER: (SENATOR BRUCE)

26. Senator Neistein did not vote.

27. ACTING SECRETARY (Mr. Fernandes)

28. O'Brien, Ozinga, Palmer, Romano, Saperstein, Savickas, Smith,
29. Sours, Swinarski, Walker, Weaver.

30. PRESIDING OFFICER: (SENATOR BRUCE)

31. Clark aye. Ozinga aye. Latherow aye. On that question the
32. yeas are 30, the nays are 5. This bill is declared passed.
33. Senator Fawell having voted on the prevailing side moves that the

1. vote be reconsidered, Senator Soper moves ta Table. All in
2. favor say aye. All opposed. Motion carries. SB1458 Senator
3. Hynes.

4. SENATOR HYNES:

5. Mr. President, members of the Senate, SB1458 is a simple
6. bill. It amends the Chicago Policemen's Fund Article of the
7. Illinois Pension Code. It permits a policeman, who is on leave
8. of absence, doing protective and security work with the depart-
9. ment port of Chicago to receive credit for that period of time
10. ...ah...as service in connection with his pension. He is ob-
11. ligated to make the payments to the pension fund. The
12. bill passed unanimously in Labor and Commerce and I know of no
13. objection to it and I'd ask your support.

14. PRESIDENT:

15. Is there any discussion? Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,
18. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donne-
19. wald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall...

20. PRESIDENT:

21. Senator Groen.

22. SENATOR GROEN:

23. Ah...Mr. President, Mr. President, members, this., this concept..
24. this bill was discussed by the...pension laws commission and
25. has its endorsement and I would urge you to vote aye. I vote
26. aye.

27. SECRETARY:

28. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, .
29. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
30. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
31. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Sap-
32. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
33. Walker, Weaver.

1. PRESIDENT:

2. Fawell aye, Lyons aye, Neistein aye, Smith aye, Laughlin
3. aye, Carpentier aye, Baltz aye. On that question the yeas are
4. 48. The nays are none. The bill having received a constitu-
5. tional majority is declared passed. Senator Partee is recogni-
6. zed.

7. SENATOR PARTEE:

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

9. PRESIDENT:

10. Just a moment. Can we ...break up the caucuses back
11. there in back of you.

12. SENATOR PARTEE:

13. Senator Clark and I have been discussing something for the
14. last 15 or 20 minutes which I think concerns us all. You have
15. perhaps noticed in the last day an evening and this morning that
16. there has been present in and about the State Capitol a large
17. number of students who have come here to be expressive of their
18. feelings about events which are taking place in this world which
19. vitally concerns them. I would compliment them on the orderliness
20. in which they have presented themselves. It stands out in stark
21. contradistinction to activities of young people similarly in various
22. parts of our nation. Some rather untoward and unhappy events took
23. place in Madison, Wisconsin, yesterday. Some events took place in Cham-
24. paign yesterday. Some events took place at SIU yesterday, which
25. do not do us proud and which do not bring happiness to us. This
26. group has been orderly. I am told that this morning they went
27. out and borrowed some garbage cans in order to pick up whatever
28. litter they may have accumulated. I do not desire to create a
29. precedent by seeking or asking that these persons be permitted
30. to come into a Senate session and speak for five minutes, although
31. that is their request, I would hope, remembering some of the
32. resentments which took place in our sister house across the ro-
33. tunda when a person was brought in to speak to the assembled

1. body during the course of a legislative session. So to avoid
2. that we have suggested and do now suggest to you that we re-
3. cess for 8 minutes and during that 8 minute period convene
4. ourselves into a committee of the whole for the purpose of
5. hearing one representative of this entire group. If this is
6. the pleasure of the Senate the persons name would be Mr. Richard
7. Chaffey, who is a student at Western Illinois University at Macomb, and
8. he would represent all of the state students who are assembled
9. here an I so move...that we...

10. PRESIDENT:

11. The Motion is that the Senate resolve itself into the com-
12. mittee of the whole for the purposes outlined by Senator
13. Partee. Is there any discussion? All in favor signify by saying aye.
14. Senator Cherry.

15. SENATOR CHERRY:

16. Think we...before we resume ourselves into a committee of
17. the whole, I would like ...these youngsters ...from our State
18. to stand and be recognized by the entire State Senate for the
19. purposes for which they came.

20. PRESIDENT:

21. All in favor of resolving the Senate into a Committee of the
22. Whole indicate by saying aye. Contrary minded. Motion prevails.
23. For what purpose Senator Dougherty arise?

24. SENATOR DOUGHERTY:

25. of introducing students from the State of Illinois, I
26. would like to introduce some students from my district. The Children
27. in the gallery back there are from St. Frances School in my district.

28. PRESIDENT:

29. The...for what purpose Senator Latherow arise?

30. SENATOR LATHEROW:

31. Mr. President and members of the Senate, I think possibly
32. no one owes these young people more of an introduction than I do.
33. I think when we start saying that they're from my area and so on

1. that almost each and everyone of these that I have talked to have
2. taken the privilege to inform me they are from Macomb, Illinois
3. and I accept that decision although many of them that I've
4. talked in confidence with have assured me that they have...ah..
5. parental homes otherwise. I have complimented many of them that
6. I have talked to ...on their actions and their ...willingness to
7. be truthful and use integrity in their speaking to these members
8. of the general assembly and I told them as long as they act like
9. respectable people, I'm sure their going to receive the same res-
10. pectable consent from this legislature. Thank you, Mr. Presi-
11. dent.

12. PRESIDENT:

13. Mr. Richard....for what purpose Senator Ozinga arise?

14. SENATOR OZINGA:

15. Mr....President, members of the Senate, if I can just im-
16. pose on you for just a minute while your meeting is set as a body
17. of the whole, I would like at this time to take the privilege of
18. introducing you to a young man also for just the purpose of an
19. introduction. Now, this young man is a young man from my dis-
20. trict, whose name is Stephen Marsh. He played in that band that
21. you just saw or heard down there and he has just been elected to the
22. Youth ..ah.. as Youth Governor for the Y M C A conference which will be
23. held here sometime in thenear future and I would like to introduce
24. you all to Stephen Marsh of Blue Island, Illinois.

25. STEPHEN MARSH:

26. Thank you very much...ah..I...jest like to say this...real
27. privilege to be here...ah...in front of all these...in front of
28. all these Senators and I'd just like to thank you for it....giv-
29. ing me the opportunity. Thank you.

30. SENATOR OZINGA:

31. I'd also like you to know that his young fellow is an honor
32. student and has received a scholarship thanks to our president
33. pro tempore, Cecil Partee.

1. PRESIDENT:

2. Mr. Richard...Senator Partee.

3. SENATOR PARTEE:

4. I'd like to point out..ah...since Dr. Bakalis's announce-
5. ments about appointments of scholarships that this young man
6. was given a scholarship to a private university...Northwest-
7. ern University.

8. PRESIDENT:

9. Mr. Richard Chaffey of Western Illinois University's re-
10. cognized at this time.

11. RICHARD CHAFFEY:

12. Thank you very much. I think that...thank you...it's im-
13. portant to realize what...ah...Senator said earlier about the
14. other States, the other schools in the State, at Madison, the
15. violence that has been happening. It's that their concerned too, and
16. it's important to try and understand the struggle that's going
17. on inside of these people, inside of all of us, in trying to
18. find viable ways to express our feelings about the killing,
19. about the war, and right now about Nixon's recent actions. we
20. really are concerned, and it's an honest concern and I think you
21. have to understand that, please. The people that have...that have
22. resorted to violence ...I don't agree with their actions. I'm non-
23. violent, most of us here are...very nonviolent. We have to understand
24. why they've resorted to what they resorted to. They resorted
25. to it because they weren't listened to, because, because this
26. war goes on an they resorted to it ..ah because things like this
27. haven't happened...ah...attempts become futile to do anything.
28. There's people being killed...and we have to understand that. It's
29. going on right now, right now this minute that we're in here there's
30. people being killed and what do you do...you know...if you're really
31. concerned about it,if you're a person that really believes in nonviolence
32. and not killing and you know that people are being killed and your mor-
33. ally concerned about it...morally not politically. Let's not talk

1. politically right now...talk morally. Then what do you do?
2. You try and understand their struggle. We've come here peacefully
3. in response to the crisis at hand, and the escalation of the Viet-
4. nam war and the threat of a nuclear confrontation. While
5. we've been here, we've gotten little response from you...the
6. human beings, who've chosen to represent us. We've had some. We're
7. very happy for that. I'd like to thank those people that have come
8. down and talked to us. It's has been very beautiful. We talked to
9. the police last night. They're very good people. We had peo-
10. ple bring us coffee and doughnuts. The Salvation Army brought us
11. coffee and doughnuts. A woman in here bought us some coffee and
12. doughnuts. She did a very beautiful thing. The people have been very
13. nice very to us. We have for years attempted to use the system in
14. order to make our convictions known. We have a proposal that's
15. supposed to be presented today. In doing this we found the system
16. functioning as an insensitive machine, rather than a group of sensitive
17. human beings and we ourself refuse to be merely cogs and gears
18. of this machine any longer and in order to humanize this system
19. it's necessary to relate on a one to one basis, not as a politician
20. to a voter, not as a politician to a student, but as a human be-
21. ing to another human being. In order to accomplish this we sin-
22. cerely invite you to join us in a humane discussion on the lawn
23. of the Capitol when the Senate is adjourned..as soon...this af-
24. ternoon. What your views are...no matter what your views are
25. we wanta talk as human beings, we wanna talk as people, wanna...
26. we wanta know if you're concerned. I hope that you'll recognize this
27. opportunity to let people know that you are concerned about the
28. mixed feelings surrounding the recent events in Vietnam. And your
29. response will determine to a large extent our future choice of
30. actions. We must know if you're...sincerely concerned..and please
31. show us that you are....not falsely...inn...but as a human being...
32. to understand what's going on in our minds, what's going on in our-
33. selves, not only us, the people through all this State and through

1. the whole country, who are deeply concerned about the killing,
2. deeply, truly concerned. The names ...of you, who do come will
3. be remember, believe me. So will the names of you that don't. We
4. want to know how you feel. We haven't had this chance...we haven't
5. given you a chance like this, you know. You haven't given us this
6. chance to talk like this before. Now let's use it...ah...I hope we'll
7. see you out there this afternoon. We'll be out there this after-
8. noon and tonight, I hope you come out there this afternoon after
9. it's adjourned an remember that your response to this will de-
10. termine how we...you know our actions, if we see that you're con-
11. cerned ...truly concerned...ah...it'll help us a little more.
12. We won't feel quite as futile. Thank you very much.

13. PRESIDENT:

14. Senator Lyons is recognized.

15. SENATOR LYONS:

16. Ah...Mr. President and members, while we're in a committee
17. of the whole on this subject, I would like to ask the Secretary to
18. read a resolution, which I have delivered up to the desk. This
19. resolution was given to me yesterday afternoon by the students
20. that are in the gallery today...ah...it sums up their attitudes,
21. I think, as they expressed them. They wanted someone to intro-
22. duce it. I did that because I think that this thing is a suf-
23. ficient moment as they had come all the way to Springfield to
24. have discussion on this matter. I'm going to ask the Secretary to
25. read the resolution while the students are ..are here so that they
26. will get a chance to know that the members of the Senate have
27. taken the trouble to listen to their...ah...opinions on the sub-
28. ject.

29. PRESIDENT:

30. Will Secretary read the resolution? This is not...so that there
31. is no...we're still in the committee of the whole...this is not
32. consideration of the resolution. It is...Senator Lyons, has asked that
33. that the resolution be read and the Chair takes perogative of asking
the Sec-

1. retary to read the resolution. For..for what purpose does Sena-
2. tor Cherry arise?

3. SENATOR CHERRY:

4. Simply...ah...to be add..I want my name to be added as a co-
5. sponsor of this resolution...by Senator Lyons.

6. PRESIDENT:

7. Well...We can't...Now, we would ask our guests in the gallery...ah
8. an we appreciate their interest and concern and we...I think...the
9. Chairbelieves this has been a healthy exchange here and
10. that an exchange of Senators accepting invitation afterwards can be a
11. healthy one...ah...part of the Rules of this room are that we
12. refrain from...ah...applause and so forth...so if we can do
13. that I think it would be healthy...ah...the resolution is not introduced
14. yet and Senator Cherry or any other Senator who wishes to add his name
15. to the resolution...ah...to be introduced later in the Session to-
16. day by Senator Lyons may do so.

17. (Secretary reads Senate Resolution No. 326, at this point)

18. PRESIDENT:

19. Senator Lyons.

20. SENATOR LYONS:

21. Now, Mr. President an members, I ask...I asked leave of the
22. Body to have this Resolution read. I realize that it has not even
23. yet been introduced. When we revert to the regular order of reso-
24. lutions, and I want to thank the body by the way for allowing it to
25. be read while all of the students were here. When we revert to
26. the order of resolutions I will then have it formally intro-
27. duced and at that time I guess that anybody who wants ta join in the sup-
28. port of the resolution may do so, but I'm...sure that I personally
29. and the students that are here ...ah...want to thank the Body for
30.
31.
32.
33.

1. allowing this resolution to be read so that they know that the
2. due heed is being paid to the cause which caused them to go all..to
3. all the trouble of coming down here, and I might add that I too share
4. in the remarks that have been ex..expressed earlier...ah...in
5. support and in really praise of the excellent decorum that have been
6. exhibited by these students during their stay in the Capitol and
7. on the Capitol grounds.

8. PRESIDENT:

9. Senator Partee.

10. SENATOR PARTEE:

11. I do now move you...that the joint committee.....do now
12. arise.

13. PRESIDENT:

14. The motion is that the Committee as the whole do now arise. All
15. in favor signify by saying aye. Contrary minded. The Motion pre-
16. vails. The senate will come to Session. Next bill is 1462
17. Senator Groen. Hold. 1471 Senator Fawell. Incidentally in
18. the process of going along here, Senator Horsley's bills have
19. not been called, I'm sure ..it's the sense of Senator Partee
20. and Senator Clark that...if...we would make an exception, because
21. of his hospitalization...Senator Partee.

22. SENATOR PARTEE:

23. Yes....because of his hospitalization, I am sure that no mem-
24. ber would object to his calling this bill when he returns under the
25. normal circumstances.

26. PRESIDENT:

27. Senator Fawell, 1471.

28. SENATOR FAWELL:

29. Yes, Mr. President, an members of the Senate, this bill sim-
30. ply authorizes an exchange of real estate. It's quite a....quite
31. a high consideration and gain for the State of Illinois because they
32. are exchanging 13 acres of land presently used by the Department
33. of Corrections near Naperville and will receive 30 acres of land
and in addition the Standard Oil Company will build a one million

1. dollar facility for the Department of Corrections. I know of
2. no opposition. It appears to be a very sound transaction much
3. weighted in the favor of the State of Illinois as I view it
4. and everyone who has taken a close look at this views it. I would hope
5. that we could have the full approval of the Senate.

6. PRESIDENT:

7. Is there any discussion? Secretary will call the roll.

8. SECRETARY:

9. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
10. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
11. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
12. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
13. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
14. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
15. O'Brien, Ozinga, Palmer, Partee, Rock, Rock, Romano, Rosander,
16. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
17. Walker, Weaver.

18. PRESIDENT:

19. Groen aye. Weaver aye. Lyons aye. On that question the
20. yeas are 48. The nays are none. The bill having received a
21. constitutional majority is declared passed. For what purpose
22. Senator Hall arise.

23. SENATOR HALL:

24. Mr. President, I'd just like the record to show that Senator
25. Newhouse has been absent from this Body because of an emergency
26. yesterday and today.

27. PRESIDENT:

28. The rec...Journal will so show. 1475 Senator Rock. Hold.
29. 1486 Senator Soper.

30. SENATOR SOPER:

31. Mr. President...ah...members of the Senate...14...

32. (20 feet of tape lost at this point)

33. ...facility was there for parking and for paid parking, these
people don't use it...then they...then they globber up all the
streets around the...a-

1. round the entertainment...ah...where...there's ah...residen-
2. tial area within 16 hundred feet of the...of the ..of the
3. entertainment. That's what we're trying to do, just keep those
4. areas open so fire trucks and people who live in the resid-
5. ential area can get ambulances and...ah...people that aren't
6. ambulatory can get home and have a car come up
7. there and park with them. That's the only thing. This doesn't
8. effect communities that don't want it. It's only permissive.
9. PRESIDENT:

10. Senator McCarthy.

11. SENATOR MCCARTHY:

12. Yes, Senator Soper, ah..just a question...ah...do I under-
13. stand that your bill would apply only during certain specified
14. times? Well, my question is, you say that you want to keep these
15. streets open so that fire trucks and ambulances can get through.
16. What happens to the fire trucks and ambulances when the restrictions
17. on the parking don't apply an the normal people in the neighborhood
18. can park their cars?

19. PRESIDENT:

20. Senator Soper.

21. SENATOR SOPER:

22. At...at that time ...at that time the parking isn't so...ah...
23. isn't so constricted and it isn't so ...ah...prevalent.
24. It's only the local people and the people have garages and they
25. park their cars in the garages.

26. PRESIDENT:

27. The...Is there further discussion? Secretary will call the
28. roll.

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
31. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
32. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
33. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel...

1. PRESIDENT:

2. Senator Knuppel.

3. SENATOR KNUPPEL:

4. Have to vote no, because I don't think there's any question
5. that the city and local officials already have this power under
6. the police power the right to regulate for public health, safety,
7. and welfare and I just can't see putting a book on the...er...law
8. on the books of the State of Illinois when they already have
9. that power inherently under the common law. I vote no.

10. SECRETARY:

11. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,
12. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
13. O'Brien, Ozinga, Palmer, Partee...

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. Jes wan...just want to let Senator Soper know that we realize
18. that they're individual problems in individual areas and this
19. of course was the purpose of the Home Rule provisions and your
20. adamant against them places you in the position where you now find your
21. self. I vote no.

22. SECRETARY:

23. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
24. Swin...Swinarski, Vadalabene, Walker, Weaver.

25. PRESIDENT:

26. Request for call of the absentees. The absentees will be
27. called.

28. SECRETARY:

29. Arrington, Bruce, Cherry, Chew, Clarke, Collins, Davidson,
30. Donnewald, Egan, Graham, Hall, Horsley, Hynes, Johns, Knuepfer,
31. Kusibab, Lyons, McBroom, McCarthy, Merritt, Mitchler, Newhouse,
32. Nihill, Ozinga, Partee, Romano, Rock, Romano, Sap-

33.

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1. erstein, Savickas, Vadalabene, Walker.

2. PRESIDENT:

3. On...on that question the yeas are 28, the nays are 6.
4. The bill having failed to receive the constitutional majority
5. is declared defeated. 1487 Senator Soper.

6. SENATOR SOPER:

7. Now if I can get some attention...unless you want...

8. PRESIDENT:

9. Jest a second....gentlemen....jes...Senator Neistein who's
10. entertaining our guests...jes...we're happy to have the mem-
11. bers of the band here..but..we'd like to have Senator Neistein
12. listen to Senator Soper rather that to the band right now....
13. Senator Soper.

14. SENATOR SOPER:

15. Well this bill is a very simple bill. I have had little
16. conference with the Illinois Medical Association. This time
17. they would have me amend this bill. We,we don't have time to do it
18. so I promised them this bill would be amended so that...ah...
19. they'd be agreeable to the bill. All this bill does is allow a
20. graduate from a foreign medical school who's a resident of the
21. State of Illinois who hasn't been able to attend the medical
22. schools in the State of Illinois because of the fact that there
23. wasn't enough room to allow him to come to this medical school
24. allows him to be an intern in the State of Illinois the same as
25. a foreign student or ford...foreign medical student from the same
26. college of the foreign country to be accepted in our medical col-
27. leges here and to take his internship at our hospitals. Now it's
28. necessary so that our young people be...can become doctors in the State
29. of Illinois an have the ability that have the ability to practice
30. medicine in all forms in this state. I'd like your favorable vote.

31. PRESIDENT:

32. Is there any discussion? Secretary will call the roll.

33. SECRETARY:

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1. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
 2. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
 3. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
 4. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
 5. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
 6. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
 7. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
 8. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-
 9. bene, Walker, Weaver.

10. PRESIDENT:

11. On that question the yeas are 32, the nays are none. The
 12. bill having received a the constitutional majority is declared
 13. passed. 1504, Senator Ozinga.

14. SENATOR OZINGA:

15. Mr. President, this bill is a bill having to do with school
 16. discipline. Before I get into the disciplinary measures of the
 17. school, I would like to take just a minute of your time to intro-
 18. duce you to the people that were responsible for all of the music that
 19. you heard in the rotunda just a few minutes ago. Concert mas-
 20. ter Harlin Holmes, band master Mr. Bartuka, and former band mas-
 21. ter Sheldon Westman. I believe they with their entire band are
 22. sitting in the rear gallery. I'd like the Senate to acknowledge.
 23. These...these..these youngsters I would have you know have
 24. been the consistent winners of the high school band competition
 25. and I believe played at the 1971 state fair, is that right? Now,
 26. Mr...that's their leader. Now, Mr. President, SB1504 is a
 27. bill that has come to you to correct a few of the things that
 28. went wrong last Session. We have amended the...ah...measures
 29. of last Session by deleting a line in the bill that would call
 30. for the pending review by the

31.
 32.
 33.

1. school board or hearing officer an also a notice to the school
2. board immediately, however, we have added in at the request of
3. Senator Newhouse an Senator Saperstein the wording additional
4. wording that a necessary notice would have to be given to the
5. school board and to the parents when they in...a...putting in the
6. notice the right to review. The wording is this. And a notice
7. of their right to review a copy of which shall be given to the school
8. board. I believe that this meets now with the no objections from
9. either side or from anybody with reference to the school people.
10. I would ask for a favorable vote.

11. PRESIDENT:

12. Is there any discussion? Secretary will call the roll.

13. SECRETARY:

14. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
15. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
16. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
17. Hall, Harris, Hor...Horsley, Hynes, Johns, Knuepfer, Knuppel,
18. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
19. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
20. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Sap-
21. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
22. Walker, Weaver.

23. PRESIDENT:

24. Swinarski aye. Mitchler aye. Johns aye. Bruce aye. Knuepfer
25. aye. On that question the yeas are 42, the nays are none. The
26. bill having received a constitutional majority is declared
27. passed. 1512, Senator Harris.

28. SENATOR HARRIS:

29. Mr. President, members of the Senate, SB1512 was introduced
30. at the request of the Bloomington, Normel airport authority. This
31. power the ...ah...the power to annex territories wholly encir-
32. cled by municipality now obtains in the case of municipalites and
33. ...ah...ah...sanitary districts...ah...there are occasions when...

1. ah...when bodies such as that proceed under their annexation
2. power an...in those cases where there is this similar situation
3. applying to airport authorities they have to go through the for-
4. mal petitioning annexation route. What this would do would be
5. to apply this same annexation power applying only to territory
6. totally encircled ..ah..within...ah the area of...ah...airport
7. authority. It makes uniform provisions that presently..ah...
8. apply to ...ah...the cities and villeges and ...ah...sanitary
9. districts. I know of no oppostion ..ah..to the bill. The section
10. 9.4 was deleted by amendment. There were objections raised to that
11. and I struck it from the bill. Yes...Yes...

12. PRESIDENT:

13. Is there any discussion? Secretary will call the roll.

14. SECRETARY:

15. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
16. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
17. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
18. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
19. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
20. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
21. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Sap-
22. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
23. Walker, Weaver.

24. PRESIDENT:

25. Ozinga aye. Rosander aye. On that question the yeas are 39,
26. the nays are none. The bill having received a constitutional
27. majority is declared passed. 1530, Senator Ozinga.
28. For what purpose Senator Berning arise?

29. SENATOR BERNING:

30. Mr. President, before you pass over 1521, I might...I
31. wonder if I might have leave of the Body to recall it back to
32. 2nd reading for the purposes of an amendment and then advance
33. it back...

1. PRESIDENT:

2. Well..it is one of the exempt bills and..ah...the under-
3. standing is that we're not gonna deal with those today here, Senator.
4. You will have your opportunity to do that. I'm advised that
5. 1517 Senator Ozinga..ah...well...Senator Walker is not here,
6. Senator Weaver is handling it, so...ah...we'll take that before
7. your bill. 1517.

8. SENATOR WEAVER:

9. Mr. President, members of the Senate, we had a discussion
10. on 1517 day before or yesterday. It was asked by Senator Clark that
11. be held, this makes permanent the interest rate of 7% on
12. special assessments. The reason for this is to ...the reason
13. to stablize this interest rate is that special assessments of-
14. ten run for periods of 10 years and to revert back
15. to a different rate..every two years is inconsistent with the
16. selling of bonds for local improvements. I would ask for a fav-
17. orable roll call.

18. PRESIDENT:

19. Is there any discussion? Secretary will call the roll.

20. SECRETARY:

21. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
22. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
23. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
24. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
25. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
26. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
27. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander, Sap-
28. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
29. Walker, W..Weaver.

30. PRESIDENT:

31. Hall aye. On that question the yeas are 36, the nays are 2.
32. The bill having received a constitutional majority is declared
33. passed. 1530, Senator Ozinga.

1. SENATOR OZINGA:

2. Now, Mr. President, I don't know whether you want to take
3. this one up at this time. This is an administration bill, but
4. I'm willing to go ahead...

5. PRESIDENT:

6. Well, it's not on the list that's been provided the chair by...

7. SENATOR OZINGA:

8. That's alright...I'll check...this is one that Danny was on
9. but as far as I know there's no objection to it anyway. This
10. bill amends the medical practices act provides that the state
11. hospital permits may be renewed only twice for a period of one
12. year provides that all state hospital permit holders must pass
13. an examination given by the Department of Registration and Educa-
14. tion to obtain renewal of the permit. This is an administration
15. bill intended to improve the quality of care in state institutions
16. which have a large portion of their physician personnel practicing
17. under what is called a hospital permit. It does so by requiring
18. all hospital permit holders to pass an educational council for for-
19. eign medical school graduates examination. It eliminates the
20. indefinite renewal of the state hospital permits and thus re-
21. quiring passage of the Illinois Medical Exam within two years
22. of receipt of a hospital permit. The State hospital permit
23. allows the person to practice medicine in an approved state facility
24. under the supervision of an Illinois licensed physician.

25. PRESIDENT:

26. Senator Latherow.

27. SENATOR LATHEROW:

28. Mr. President, I'm right here rather close to him and I can't
29. even hear what he's saying here.

30. PRESIDENT:

31. Alright...Just a second ...let's hold down the buzz...Senators
32. Rosander and Davidson. Proceed Senator Ozinga. Senator Davidson
33. and Rosander wanta hear what you say...I know...Senator..Ozinga.

1. SENATOR OZINGA:

2. Thank you. Presently the foreign medical school graduates
3. who pass an internationally given examination called the Edu-
4. cational Council of Foreign Medical School Graduates Exam can
5. be considered for a one year internship in the United States.
6. All holders of the State ...hospital permit must have had one
7. year training in the United States prior to the application for
8. a permit, thus must have already passed the examination. However,
9. about 1/3 to 1/2 of the current state hospital permit holders have
10. not passed this examination because they received permits prior
11. to 1960 when the examination was not given. Now, by requiring
12. those grandfather practitioners mentioned above to pass this
13. examination the Department of Mental Health will lose about a
14. hundred of the 380 physicians practicing in the State Institu-
15. tions. This will be a rough blow, but the department is hoping
16. through an increase in pay scale to attract Illinois licensed
17. physicians to attract enough doctors to offset this. Also, for-
18. eign medical graduates who received hospital permits after 1966
19. have been required to already pass the examination as a condition of re-
20. ceipt to the permit. So, the bill will not effect the hiring of re-
21. cent foreign medical school graduates. The department believes
22. that it will be able to live with this bill. They are the ones
23. that have suggested it and this will eliminate cases as you have
24. recently heard and seen of. I would accept a favorable roll call.

25. PRESIDENT:

26. Is there any discussion? Secretary will call the roll.

27. SECRETARY:

28. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
29. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
30. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
31. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosin-
32. ski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
33. Merritt, Mitchler, Mohr, Neistein...

1. PRESIDENT:

2. For what purpose...Senator Neistein...

3. SENATOR NEISTEIN:

4. I wanna ask the sponsor, Senator Ozinga, there's a shortage
5. of doctors today an in reading the internal revenue report the
6. highest earners in America are the doctors. Now, how are you
7. gonna attract new doctors as you say to take the place of the
8. others when they can get five times as much in money by being
9. in private practice? Now how are you gonna replace the void?

10. PRESIDENT:

11. Senator Ozinga.

12. SENATOR OZINGA:

13. Senator, there are 2 or 3 answers to that question. Number
14. one, we're talking about the foreign doctor coming in. Now in
15. order for him to qualify he does have to pass this examination
16. now, which will put him into a position so that he will have a
17. better situation to qualify for immediately and his qualifications
18. will be of such a nature that he would then be entitled to a bet-
19. ter salary. Now, the...the pay raises that the doctors in these
20. medical institutions that have received recently and have been
21. promised recently will help and that is what the department is
22. hoping for.

23. SENATOR NEISTEIN:

24. One other Senator...

25. PRESIDENT:

26. Senator Neistein.

27. SENATOR NEISTEIN:

28. And there's a grandfather clause to this that allows those
29. that are in now to stay in?

30. PRESIDENT:

31. I can't hear it...

32. PRESIDENT:

33. Cut down the noise...caucus back there if we may break it up..

1. Proceed Senator.

2. SENATOR NEISTEIN:

3. I asked the Senator is there a grandfather clause in there
4. now that covers those that are working and have these permits?

5. SENATOR OZINGA:

6. The only thing that is in here now is that these doctors that
7. are working now will have a two year span to take this examination.
8. Now their big que and holler is that the State of Illinois examina-
9. tion is too tough, we are trying to keep them out. This is not
10. so and that is the real reason why we have used the standard as
11. set up under the educational council of foreign medical school
12. graduates exam, which is a standard examination over the entire
13. United States.

14. PRESIDENT:

15. Senator Neistein.

16. SENATOR NEISTEIN:

17. Well that really doesn't answer my question, but when you
18. say about the standards Senator in my 16 years here I must of
19. received a hundred inquiries from foreign doctors that say
20. it's impossible to get a license in the State of Illinois to be
21. a doctor under the exams that they give them ...as exist
22. in the Department of Registration.

23. PRESIDENT:

24. Senator Ozinga.

25. SENATOR OZINGA:

26. This...listen to this now...Educational council for foreign
27. medical school graduates exam this is not the State of Illinois
28. medical examination. This is a standard medical examination that
29. they would be having, which is...not the tough one that you're talking
30. about, but they've got to pass this within two years after they're
31. here. Now that will be their leniency that they have.

32. PRESIDENT:

33. Sen...Senator Neistein..you're gonna have to conclude your

...your...Red light.

1. SENATOR NEISTEIN:

2. Well Senator, that still doesn't give them their medical
3. license, does it?

4. PRESIDENT:

5. How does Senator Neistein vote?

6. SENATOR NEISTEIN:

7. My colleagues are correct. My time is up and I want to res-
8. pectfully apologize for my actions because they're 100% right.
9. I'm a firm believer when that red light goes on not to talk...
10. I vote present.

11. SECRETARY:

12. Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock,
13. Romano, Rosander, Saperstein, Savickas...

14. PRESIDENT:

15. Senator Saperstein.

16. SENATOR SAPERSTEIN:

17. I think this point, Mr. President if the sponsor would answer
18. a question. I think this point is well taken that it was...que..
19. asked by Senator Neistein because there's confusion on...ah...ah..
20. on the part of some of the legislators. Senator Ozinga, taking this
21. examination for foreign doctors is not equivalent for licensure.
22. It'll only permit them to come into the State...right...an...an..
23. as a permit doctor and then they do subsequently in order to be lic-
24. ensed have to take the state examination for licensing? Is that
25. correct?

26. PRESIDENT:

27. Senator Ozinga.

28. SENATOR OZINGA:

29. Gotta do it within two years.

30. PRESIDENT:

31. Senator Saperstein.

32. SENATOR SAPERSTEIN:

33.

1. Alright. Thank you. I vote aye.

2. SECRETARY:

3. Savickas, Smith, Soper, Sours, Swin..Swinarski, Vadalabene,
4. Walker, Weaver.

5. PRESIDENT:

6. Hall aye. Sours aye. Nihill aye. Bidwill aye. On that
7. question the yeas are 38, the nays are 1, one present. The
8. bill having received a constitutional majority is declared
9. passed. 1532, Senator Harris.

10. SENATOR HARRIS:

11. Mr. President, members of the Senate, SB1532 is an attempt
12. to extend to the prisoners of war of the Vietnamese conflict
13. the same sort of...ah...amendment to the conveyance act that
14. existed back during World War II an I understand also was op-
15. erative during World War I, I'm not too sure about that, but the
16. thrust of this bill is to amend the conveyance act and make it
17. possible through a delegated power of...attorney...authority to
18. attend to the interests of these prisoners of
19. war, while they are prisoners of war. I know of no opposition
20. to the bill...ah...my ..ah...friend, Senator Laughlin, is pre-
21. pared to ...ah..deal with questions that I can't handle in re-
22. gards...ah...to this bill and would...ah..urge a favorable roll
23. call.

24. PRESIDENT:

25. Is there any discussion? Senator Laughlin.

26. SENATOR LAUGHLIN:

27. Well no, I just wanta say...ah...Mr. President, members of
28. the Senate, this is a good bill and it's been amended and it' pro-
29. tects both the prisoner of war and his family.

30. PRESIDENT:

31. Secretary will call the roll.

32. SECRETARY:

33. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier, Carroll,

1. Cherry, Chew, Clarke, Collins, Coulson, Course, Davidson, Donne-
2. wald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen, Hall,
3. Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
4. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
5. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
6. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
7. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

8. PRESIDENT:

9. On that question the yeas are 44, the nays are none. The
10. bill ha...having received a constitutional majority is declared...
11. passed. 1537, Senator Carroll.

12. SENATOR CARROLL:

13. Mr..Mr. President and Senators, SB1537 has amended, amends the
14. Criminal Code, relative to persons renting motor vehicles. It
15. makes it a misdemeanor for persons who rents a car, returns
16. it, but fails to pay for it, makes it a felony for persons renting
17. a car, but not returning it. We've had many instances where
18. people have rented cars taking them out of State and...

19. PRESIDENT:

20. Jes...Just a moment...let'sproceed Senator.

21. SENATOR CARROLL:

22. I say we've had many instances where people have rented cars,
23. taken them out of State...the owners of the cars, the rental agency,
24. were unable to file suit against them because ah...or not ex-
25. pedite them to the state because it wasn't a felony. Ah...
26. this bill is a good...I don't know of any opposition and I'd
27. appreciate a favorable vote.

28. PRESIDENT:

29. Senator Laughlin.

30. SENATOR LAUGHLIN:

31. Well Mr. President, members of the Senate, there is some op-
32. position. It...I understand that...and I've been told that the
33. votes are here to pass the bill and it may be that that is so,
but nonethe-

1. less the opposition will take a couple of minutes to state
2. its position. In 1971, we came with this bill the first
3. time and it made theft applicable here when someone after
4. renting or leasing a motor vehicle under an agreement in
5. writing, which provides for the return of the vehicle to a par-
6. ticular place, at a particular time and he fails to do it, and sub-
7. sequently he is served with a written demand for, believe it
8. or not, even an oral demand and how this proof would ever
9. apply in a criminal prosecution I don't know. Would make it
10. a misdemeanor. Frankly I thought that was poor law, because we
11. have a section in chapter 38 of the criminal code, entitled theft,
12. which applies exactly to situations where someone and I read
13. from section A obtains or exerts unauthorized control over property
14. of the owner and that's exactly what it is when someone doesn't
15. bring it back, it's unauthorized control over the property of the
16. owner and if the property is worth more than 150 dollars it's
17. theft and it's a felony and the next...it is subject to extradition.
18. So what we did two years ago we gave the rental car companies an
19. additional tool to collect their money. Now many years ago, I
20. was a States Attorney and I'd like to recite what used to happen
21. from time to time, when a merchant would come in say with a check
22. that was bad and he wanted to sign a complaint and I always
23. advised them after ascertaining the facts that of course
24. he could sign a complaint, but after he'd signed the complaint,
25. if the person who had given him the check came in and gave him
26. the money he would be subpoenaed if he didn't come in voluntarily
27. to prosecute and punish the person for the
28. criminal offense involved. Nine times out of ten the merchant
29. picked up his check and walked out, because he wasn't interested
30. in punishing anyone...he was interested in using the states attorney's
31. office as a collection agency. Now I understand the amendment
32. an Senator Partee can correct me if I'm wrong that was placed on
33. this bill the other day, is to make this one of the so called hy-

1. brid crimes. In other words, you have a choice, the prosecutor
2. does. He can either go the misdemeanor route, but if it's a long
3. way away and he wants to extradite and he doesn't want to wait as
4. long as it might take under the regular grand theft statute, then
5. he can decide to charge somebody with a felony. Now I know
6. there are some hybrids, wreckless...wreckless homicide is a hybrid
7. for example, but it's an entirely different situation where the
8. ...ah...manner in which the person who has committed the homicide
9. has committed it, and maybe there's some justification for a hybrid
10. situation there, but I say to you, that if ever there was spec-
11. ial interest legislation, this is it. There's adequate protection
12. under the law for these people now and your're giving them a gun
13. to point out...the fellow who rents the car and I'd like to have
14. some assurance that the situation wouldn't arise where they say,
15. well, why doncha pay us for it and we'll forget it and we won't ex-
16. tradite you an I don't think I can count on that and I think there's
17. adequate remedy under the criminal laws of the State of Illinois
18. at the present time, so Senator Carroll, I'm sorry, I do oppose
19. it.

20. PRESIDENT:

21. Senator Partee:

22. SENATOR PARTEE:

23. In the coming sessions of the legislature, one voice of wis-
24. dom that I am going to miss will be that voice that comes from
25. Freeport, my dear friend Senator Laughlin. He is normally very
26. right about most of the things to which he addresses himself.
27. He is like most human beings, wrong on some occasions and this
28. happens to be one of them. This does not give any special kind
29. of privilege or license to persons who rent automobiles. It is
30. a strange situation Senator, and you and I both worked on the
31. Criminal Code and we know that that paragraph 16 which relates
32. to theft was calculated to be a cover all, kind of situation.
33. Prior to that time, as you all well know, there were probably 20

1. various sections under the theft aspect of the Criminal Code,
2. larceny by bailie, larceny by slight, larceny by trick, con-
3. fidence game and all of these had a large body of law, which
4. set forth which was which under those circumstances. Now
5. you mentioned the check and when I was a states' attorney, I shared
6. that too in common with you, we did not issue a warrant or a
7. complaint on a check on...for some services rendered it was but some
8. evidence of course of an indebtedness an if the payment was stopped
9. or if the check was NSF that did not give rise to a complaint. I
10. happen to have a little faith and confidence in the integrity
11. and the competence of the states attorney's in this state. All
12. we do...ator Carroll's bill...is to say that in the first in-
13. stance, you must remember, the automobile was given in an au-
14. thoratative way, in other words, a man signed a contract for it
15. and his first possession of it was lawful, not unlawful. It at a
16. subsequent time, commences to be lawful depending on conditions or
17. circumstances. When it ceased to be lawful, then the owner of the
18. vehicle has available to him the office of the state's attorney
19. to punish the theft which occurs, not in the first instance but at
20. a subsequent time. All the bill does and says is that the state's
21. attorney being apprived....deprived of the circustances and con-
22. ditions existing as of that moment may determine on his judge-
23. ment whether it should be a misdemeanor or whether it should be a
24. felony. In those instances where it is determined only to be a
25. misdemeanor under existing law, if it happens that the person
26. sought or if the materials or goods are outside of the state they
27. cannot extradite. It would not be a pure theft case under Section
28. 16. We must necessarily dichotomize the factual situation between
29. a pure theft where a person received goods or materials in an un-
30. authorized manner initially and when it comes unauthorized later
31. and this is the only purpose of this bill so that a state's attorney
32. has a viable choice, depending on the circumstances, as to whether
33. it is a misdemeanor or a felony, and if it is a felony, then of
course he has

1. the right to extradite under those circumstances. It's a good
2. bill and I would certainly support it and would ask your approval.
3. If I thought for one moment that we were placing those persons
4. who pay license in this state even in a position where they would
5. be able to take advantage of people, I certainly wouldn't sup-
6. port it. I think, however, we owe some ora of protection to
7. legitimate business men who are in a legitimate business
8. and I certainly will support this bill.

9. PRESIDENT:

10. Senator Rock.

11. SENATOR ROCK:

12. Yes, Mr. President, members of the Senate, I rise in support
13. of this legislation, I think that the state's attorneys ..ah...
14. should have this option, when confronted with ..ah...an otherwise
15. unworkable situation and while I'm on my feet I might ask leave
16. of the Body, if they will to recognize a group from the Nass School,
17. who are here with Mr. Bill Morehead an old high school chum of
18. mine. They're seated right behind me.

19. PRESIDENT:

20. Senator Berning.

21. SENATOR BERNING:

22. Thank you, Mr. President. Mr. President, and members of the Body,
23. I want to emphasize that I am sympathetic to the objectives of SB1537
24. but I find myself in a very paradoxical position here, partly because
25. of the...ah...core...ah...the conversation that occurs among the
26. legal members...ah...those representing the legal profession here on
27. our Body. On the one hand I recall distinctly when I had a bill
28. that would have mandated a sentence for a drug pusher an I was
29. told in no uncertain terms that by no stretch of the imagination
30. should the legislature ever tie the hands of the judiciary. Now
31. this bill says, shall be imprisoned for one or two years. Now it
32. seems to me that's very explicit. That's one thing. We are mandating
33. the courts and I don't know whether that's good or bad. I'm inclined

1. to think it's good, but what disturbs me is that the self same
2. people that told me it was bad here awhile ago are now endor-
3. sing this today, but what really distresses me about this bill
4. Mr. President, and members of the Body, is the fact day after day
5. after day we read about serious transgressors, up to and including
6. murderers, who are freed for a pittance, really. A bond to go out
7. and carry on their nefarious trade. If we are going to be impos-
8. ing sanctions of this strict a category on someone who has absconded
9. with a piece of physical property we certainly ought to do the
10. same with the person who absconds with the bank's money, savings
11. and loan's money, sums far exceeding the value of an automobile and
12. certainly those individuals who are guilty of more serious crimes
13. in my opinion violating the person of a fellow citizen be it a-
14. buse, physical or complete taking of the life, we ought not to al-
15. low those persons to be free on some technicality and until we get
16. to the point where we reflect this I don't see how we can in all
17. conscience support this kind of punitive legislation.

18. PRESIDENT:

19. Senator Soper.

20. SENATOR SOPER:

21. Is....

22. PRESIDENT:

23. Senator Hall.

24. SENATOR HALL:

25. Will the sponsor yield for a question? Senator Carroll,
26. does this apply for cars that are taken out of state only?

27. PRESIDENT:

28. Senator Carroll.

29. SENATOR CARROLL:

30.is the penalty part...I think the penalty part...provides
31. ...or applies to cars that are...ah...taken out of states so...
32. that...ah...they can't be returned under the present law.

33. PRESIDENT:

Senator Hall.

1. SENATOR HALL:

2. If my son takes a car and goes into Iowa and he's stranded
3. for some reason and out of a job an can't return that car, because
4. of no money, is he gonna be convicted of a felony?

5. PRESIDENT:

6. Senator Par...Senator Partee.

7. SENATOR PARTEE:

8. Just to amend Senator Carroll's ready answer, no, Senator,
9. the bill only applies to cases of theft. Your son who goes out of
10. state and becomes stranded would not under any possible, con-
11. ceivable circumstances be adjudged a felon or be adjudged a crim-
12. inal in any context.

13. PRESIDENT:

14. Senator Hall.

15. SENATOR HALL:

16. Ah...Senator, he has rented with good intentions and hasn't been
17. able to return it, now...ah...how are you gonna determine...where
18. does where the theft come in...what part...if I keep it over...ah
19. ...certain amount of time...then it's ...it's determined that
20. I'm stealin the car...is that correct?

21. PRESIDENT:

22. Senator Partee.

23. SENATOR PARTEE:

24. Senator, I don't know if you've ever had occasion to rent an
25. automobile, but when you rent an automobile you sign a contract.
26. That contract has on it, among other things, some rather essential
27. information, the name of the company from which you are renting it,
28. its location, by street address and it's telephone number. I am
29. sure that your son, the apple not falling very far from the tree,
30. would put a dime in the phone and call them and tell them he's
31. stranded.

32. PRESIDENT:

33. Senator Hall.

SENATOR HALL:

1. Ah...maybe I'm dense, but I just can't get the point that where
2. the proof comes in, that...that's my point, Senator.

3. PRESIDENT:

4. Senator Laughlin.

5. SENATOR LAUGHLIN:

6. Mr. President, how many times, I don't even know ...am I en-
7. titled to speak again, or not?

8. PRESIDENT:

9. You're entitled to speak again.

10. SENATOR LAUGHLIN:

11. Well, I just wanted to...

12. PRESIDENT:

13. Just...

14. SENATOR LAUGHLIN:

15. very briefly, then, I don't wanta abuse the rules...

16. PRESIDENT:

17. No, you're not....

18. SENATOR LAUGHLIN:

19. Now the statute and read it, says a person com-
20. mits theft when after renting or leasing a motor vehicle under an
21. agreement in writing which provides for the return of the vehicle
22. to a particular chh...place...a particular time and he fails to
23. return the vehicle to said place within the time specified and is
24. thereafter served with a written demand or upon whom oral demand is
25. made thereafter personally made to return said vehicle within
26. 72 hours from the time of the service or personal communication
27. of such demand and who fails to return said vehicle to any place of
28. business of the lessor within the said period shall be punishable ac-
29. cordingly. Then, comes the penalty section and Senator Hall, it
30. could happen. It depends on who wants to make what complaint
31. and what states attorney is involved and let me tell you that the
32. question arises with a rental car agency in determining whether
33. they want to go to the states attorney to make the complaint and

1. they may well not do that in the first place. They may first
2. try to collect their money, a very understandable human thing,
3. but they may also couple that with a suggestion that if the
4. money is not paid there is recourse to the states attorney's
5. office. Now look, section 16-11, which has been in the law
6. since 1967, says prima facie evidence theft by lessee, only
7. this wasn't good enough, you see, it shall be prima facie ev-
8. idence that a person quote "knowingly obtains or exerts un...un-
9. authorized control of property of the owner, when a lessee
10. of the personal property of another fails to return it to the
11. owner within 30 days after written demand from the owner for
12. its return. A notice in writing given after the expiration
13. of the leasing agreement addressed an mailed by registered
14. mail to the lessee at the address given by him an shown on the
15. leasing agreement shall constitute proper demand. Now that
16. was an adequate law. That was a reasonable law. This one is
17. completely unreasonable.

18. PRESIDENT:

19. Senator Sours.

20. SENATOR SOURS:

21. I have a comment, Mr. President, Senators, about good inten-
22. tions. I don't think we should ever rest the matter of freedom
23. of any human being upon the good intentions of any states at-
24. torney or any judge or anybody else. Let me just quote a little
25. line from an old friend of mine who said in the United State's
26. Senate, from Massachusettes, by the name of Daniel Webster..talking
27. about good intentions, which always leave me cold because I see
28. bestial intentions, even around Springfield, not too far away.
29. Good intentions will always be pleaded for every assumption of
30. power. It is hardly too strong to say that the constitution was
31. made to guard the people against the dangers of good intentions.
32. There are men in all ages who mean to govern well, but they mean
33. to a govern. They promise to be good masters, but they thoroughly in-

1. tend to be masters. The good intention idea leaves me cold.
2. That's what's wrong with this bill.

3. PRESIDENT:

4. Senator Carroll may close the debate.

5. SENATOR CARROLL:

6. Well, Mr. President, members of the Senate, after hearing
7. the legal gentlemen on both sides of the isle, some that are for
8. it, some that are against it, all I can do is cite a couple
9. of cases from some people that are in my district. You know,
10. my district is close to O'Hara Airport an there is some people
11. in my district that are in the car rental business and the pro-
12. blems that they are having for example here is one, that he leased
13. this car, that a man travelled from Chicago to Atlanta, Georgia
14. and he was apprehended in Atlanta. He...the bill on the car
15. had cost the man a thousand and eighty-six dollars, because he
16. could not extradite this person back to Chicago and recover his
17. car. I think this bill has merit, I think it is needed then I'd
18. ask your favorable vote.

19. PRESIDENT:

20. Secretary will call the roll.

21. SECRETARY:

22. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
23. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
24. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
25. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
26. Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt,
27. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
28. Palmer, Partee, Rock,

29. PRESIDENT:

30. Senator Partee.

31. SENATOR Partee:

32. I just wanted Senator Sours ta know that I appreciate hearing
33. from the sages of our heritage like Daniel Webster, but nobody

1. mentioned good intentions. I said the states attorneys have
2. integrity and competence. I didn't say anything about good in-
3. tentions. I vote aye.

4. SECRETARY:

5. Romano, Rosander, Saperstein, Savickas, Smith, Soper,
6. Sours, Swinarski, Vadalabene, Walker, Weaver.

7. PRESIDENT:

8. Senator Carroll will be recorded aye. ...quest for call
9. of the absentees. The absentees will be called.

10. SECRETARY:

11. Arrington, Baltz, Berning, Cherry, Chew, Collins, David-
12. son, Donnewald, Egan, Fawell, Gilbert, Graham, Horsley, Hynes,
13. Kosinski, Kusibab, Latherow, Lyons, Mitchler, Mohr, Neistein,
14. Newhouse, Nihill, O'Brien, Ozinga, Saperstein, Savickas, Smith,
15. Walker, Weaver.

16. PRESIDENT:

17. On that question the yeas are 24, The nays are 11. The
18. bill having failed to receive the constitutional majority is
19. declared defeated. 1557, Senator Harris.

20. SENATOR HARRIS:

21. Mr. President, members of the Senate, SB1557 is a bill
22. that enacts into law what the utilities have been doing as a
23. matter of just as un--authorized statutory directive is con-
24. cerned practice in relation to extending services to their em-
25. ployees, directors or pensioners. Specifically what is involved
26. here are more than the application to utilities other than tele-
27. phone communications utilities is that the employee needs to
28. be in immediate contact in case of emergency, in case of extreme
29. employment circumstances where they want to maintain a...ah...
30. means of communication with the employees so that they can call
31. them back to work ..ah...on a shortage basis or during emer-
32. gencies and that sort of thing...ah...this practice is in the
33. law in several other states ...ah...the provision of this bill

1. is only to make certain that this is a lawful practice an I know
2. of no opposition to the bill, would be happy to respond to any
3. questions, otherwise would ask for a favorable roll call.

4. PRESIDENT:

5. Senator Rock.

6. SENATOR ROCK:

7. Yes, Mr. President, members of the Senate, I rise in support
8. of SB1557. It seems to me to be merely a matter of managerial
9. prerogative...ah...something...about...about which labor and manage-
10. ment never seem to agree, but I'm told in this case that everybody a-
11. grees. This is a right that this company has and I think all we're
12. doing is making it explicit in the statutes of Illinois, and I
13. would urge it's support on this side.

14. PRESIDENT:

15. Senator Bruce.

16. SENATOR BRUCE:

17. Senator Harris yield to a question? Senator Harris, I've
18. been told that there's a lawsuit on this matter presently pend-
19. ing in the courts. Is that true?

20. PRESIDENT:

21. Senator Harris.

22. SENATOR HARRIS:

23. I am aware that a plas action has been filed. I don't know
24. how far along it is.

25. PRESIDENT:

26. Senator Bruce.

27. SENATOR BRUCE:

28. Well could you elaborate on the reasons and who has brought
29. that law suit? I...all I know is there's a pending law suit.

30. PRESIDENT:

31. Senator Harris.

32. SENATOR HARRIS:

33. I do not know who has brought the law suit at all. I only have
had reference made to the fact that it has been filed. I very
frankly think that to deny companies this right...ah...would be..

1. ...ah...un..unfortunate result..ah..in the..in the case in-
2. volved and..ah..I know there is a great deal of concern about
3. being required to segregate ...ah...ah...an eskrow..ah....ah..
4. accounts and that sort of thing. I just say to you that
5. ...ah...this demonstrates my position on the jury. I think we
6. ought to clearly define that this is a legal practice ...that
7. is done. I think in all states and in some states it is a
8. matter of law in the...ah...respective utilities acts.

9. PRESIDENT:

10. Senator Bruce.

11. SENATOR BRUCE:

12. Ah...to address myself to the bill for one short moment.
13. First of all I have not generally voted for legislation which
14. makes some parties to a law suit winners and some parties to a
15. lawsuit losers. I'm afraid that's what we're going to be in-
16. volving ourselves with here today. Secondly, I believe that
17. the utility companys are a regulated industry and the reason for
18. that regulation is to prohibit them from raising rates precip-
19. itously. Now, if we allow them to give away or provide free
20. service for people actually in need of it, I don't think anyone on
21. this floor would have any objection and I know Senator Harris,
22. there are those in call for telephone companies that need to be
23. immediately apprised of a down line, however, I..I don't think
24. that argument holds when you discuss pensioners and members of the
25. board of directors. I think that board of directors don't need
26. a free phone, or free water service, or free gas service...ah..
27. so that they can be immediately involved. This does relate to
28. all utilities if I'm not mistaken and because of the problems with
29. allowing all pensioners with the Bell Telephone Company to re-
30. ceive a free phone that would raise the rates on all the other
31. citizens in this State and makes a mockery of regulated utilities
32. for the two reasons, first of all the pending lawsuit is now
33. on this very matter and secondly because I don't believe that

1. either the board of directors or pensioners need to have free
2. service, I would oppose this legislation.

3. PRESIDENT:

4. Senator Knuepfer. Senator Merritt.

5. SENATOR MERRITT:

6. Yes, Mr. President, members of the Senate, I happen to
7. support this legislation. I can think of a situation with a
8. State or National Bank, either one State Bank in this instance,
9. where they're regulated by a state agency, were regulated by laws to t
10. interest rates we can charge and the usury and yet I'm sure in
11. practically very high percentage of those banking institutions
12. public institutions throughout the State of Illinois, they do
13. make a difference in the rates extended on loans to their em-
14. ployees, personnel, members of their board of directors and so I
15. cannot see that this would be violating what has been said on
16. the Floor already in that instance. I...I would be very happy
17. to support this legislation.

18. PRESIDENT:

19. Is there further discussion? Senator Harris may close the
20. debate.

21. SENATOR HARRIS:

22. Well...I would...just...want to wrap it up by saying that
23. always there is the question of subjective evaluation of the
24. performance on the part of the regulated utility by the Com-
25. merce Commission...ah...that is not being impaired by the provisions
26. of this bill in any way in my judgement. It is an important piece
27. of legislation. There is this deep concern on the part of the
28. communications utilities...ah...who pursue this employee benefit
29. procedure ..ah...ah...significantly and for very valid public
30. service reasons. I would hope that...ah...significant
31. majority of the body would support this legislation an urge a fav-
32. orable roll call.

33. PRESIDENT:

Secretary will call the roll.

1. SECRETARY:

2. Arrington, Baltz, Berning, Bidwill, Bruce...

3. SECRETARY:

4. Senator Bruce.

5. SENATOR BRUCE:

6. Briefly in explaining my vote, there appeared in the
7. Chicago Daily News, an I would call the attention of the Body
8. to their answer. Briefly the question was, Ma Bell has a lot
9. of gall asking the Illinois Commerce Commission for
10. a hefty telephone rate increase. How many employees get free tele-
11. phone service in Illinois? The answer, all Bell system employees
12. get free phone service or reduced rates. The 24 thousand nine hundred
13. and seventy-one employees with less than 30 years service get a 50%
14. reduction on all local calls. The 17 thousand one hundred an
15. sixty-eight employees with 30 years or more with the company,
16. management personnel, and the ten thousand five hundred re-
17. tired employees get all their local calls and a limited number
18. of low...local long distance calls free. Ma Bell does not tell
19. us how much it costs. However, Saul. I. DeVorken, an attorney
20. who filed....last...filed suit last week on behalf of Illinois
21. Bell's 3 million customers demanded that Bell stop giving free
22. phone service to employees and estimated that the company has
23. lost at least 3 million dollars over the years because of the
24. practice. I vote no.

25. SECRETARY:

26. Carpentier, Carroll, Cherry, Chew, Clarke, Collins, Coulson,
27. Course, Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
28. Graham, Groen...

29. PRESIDENT:

30. Senator Groen.

31. SENATOR GROEN:

32. Mr. President, members, has anybody seen a state paycheck
33. recently? You'll find more checkoffs, more deductions, every-

1. one of which have been authorized by this General Assembly,
2. Senator Bruce, at great expense to the tax paying public.
3. I don't know that we should say to any business in Illinois,
4. whether it be a state regulated business or whether it be a
5. private business in the true sense of the term, that this is
6. not a proper decision of management if they want to do it.
7. I think it's probably better that we say yes you may if you
8. want to do this than have them doing it and not have it known.
9. I think this is a management decision and if the management deems
10. this to be in the best interest of its employees I don't know
11. why they can't include this as a fringe benefit to their em-
12. ployees if they desire to do it anymore than we in the General
13. Assembly have said yes we'll pick up the tab as taxpayers for
14. your checkoffs and your writeoffs and the contributions you want
15. to make to your savings and loan, to your bank, to your credit
16. union, and every other thing that has come along where we make
17. deductions at great expense to the taxpayer. I vote aye.

18. SECRETARY:

19. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
20. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
21. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
22. O'Brien, Ozinga, Palmer, Partee, Rock...

23. PRESIDENT:

24. Senator Rock.

25. SENATOR ROCK:

26. Yes, Mr. President, members of the Senate, in casting my
27. vote, which is aye, I want to reaffirm and reecho what Senator
28. Groen said, he and I agree so seldom I want to relish it for a
29. moment or two. This is a management prerogative and if Marshall
30. Field and Company or Sears Roebuck want to allow their employees
31. to shop in their store at a 20% or a 50% discount that oughta be
32. a company decision and if the Chicago Transit Authority wants ta
33. have people riding free on their buses, which they do allow the

1. Chicago policemen to ride free, that's a management decision.
2. It's exactly the same in this case, if this company, this util-
3. ity wants to.... allow it's people to benefit...to have the bene-
4. fit of it's services at a reduced rate or at no rate at all that's
5. a company decision and I vote aye.

6. SECRETARY:

7. Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
8. Swinarski, Vadalabene, Walker, Weaver.

9. PRESIDENT:

10. Hall aye. Laughlin aye. Gilbert aye. McBroom Aye.
11. Saperstein aye. Palmer aye. Johns aye. On that question the
12. yeas are 42, the nays are one. The bill having received a con-
13. stitutional majority is declared passed. Senator Mohr.

14. SENATOR MOHR:

15. Yes Mr. President, members of the Senate, I'd like...ah..
16. leave of the Body to waive the rules to waive the six day ruling
17. for committee hearing on HB2472 to be heard in committee on Tues-
18. day in the Labor Committee. I had talked to Senator Romano an he okay
19. ed that.

20. PRESIDENT:

21. Is there objection? Leave is granted. Senator Groen.

22. SENATOR GROEN:

23. Mr. President, I would like to recall, if I may, an proceed
24. out of the order of business perhaps to recall SB1485 to the
25. order of 2nd reading for the purpose of an amendment which is
26. on the Secretary's desk.

27. PRESIDENT:

28. SB1485.

29. SENATOR GROEN:

30. And I might say that this is the amendment, which was given
31. to me by the department...

32. PRESIDENT:

33. Just a moment, I can'twhere is 1485?

1. SENATOR GROEN:

2. It's on...it was moved to 3rd reading today. It's on
3. the order of 2nd reading.

4. PRESIDENT:

5. Alright, alright. I'm with you. Okay 1485 is called
6. back to 2nd reading for purpose of an amendment. Can you ex-
7. plain the amendment, Senator?

8. SENATOR GROEN:

9. Yes, this is the amendment which was given to me by Mr.
10. Blanco, Tom Blanco, in the department of general services.
11. Ah...they are in favor of the bill, but they wanted an
12. amendment covering two points. One, where federal law does
13. not permit this to be done they wanted to be sure that the
14. exclusion was permitted so they would not have to apply this
15. in the case where law ..ah...where federal situations..where federal
16. funds might be involved. Secondly, they wanted a definition
17. of resident bidder, which this amendment...ah...would accomplish.
18. I would move the adoption of the amendment.

19. PRESIDENT:

20. Is there discussion? All in favor signify by saying aye.
21. Contrary minded. The amendment is adopted. Any further amend-
22. ments? 3rd reading. Senator Cherry, has a similar situation in SB1500
23. was advanced? Like to call it back to 2nd reading for purpose of
24. amendment. Senator Cherry.

25. SENATOR CHERRY:

26. Mr. President and members of the Senate, this amendment was
27. prepared by Martin Garrity, who's a staff consultant in the
28. Education Committee for the republican side. I have no objection to
29. the amendment because it does what we wanted to do. It makes this
30. bill for supplemental budget for the city colleges just a one shot
31. situation and that's all it's anticipated doing so we accept the
32. amendment. I move the adoption.

33. PRESIDENT:

1. Any discussion? All in favor signify by saying aye. Con-
2. trary minded. The amendment is adopted. Any further amend-
3. ments? 3rd reading. House bills on 3rd reading. Senator
4. Laughlin.

5. SENATOR LAUGHLIN:

6. Well Mr. President, I'd like to make a motion to reconsider
7. the vote by which ..ah...SB1537 was defeated. I voted on the pre-
8. vailing side.

9. PRESIDENT:

10. Senator Laughlin did vote on the prevailing side. Motion to
11. reconsider the vote by which SB1537 was defeated. Motion by
12. Senator Gilbert to Table that motion. All in favor
13. signify by saying aye. Contrary minded. Motion to Table
14. prevails. House bills on 3rd reading. 493 Senator Dougherty.
15. Hold. 1555, Hold. 2390...ss....not here. 2460, is Senator
16. Latherow on the Floor? Senator Harris, that whole series that
17. you have there, 2780. Alright. 3030 Senator Coulson. Senator
18. Coulson's recognized.

19. SENATOR COULSON:

20. Mr. President, I think this is not a great bill...we're a
21. little short on bodies so if I run into any difficulty I'll ask
22. to take in the Calendar, but it now has been amended to ...ah..
23. detail...ah...the expenditures ...ah...the appropriations, I
24. don't think it calls for any great great controversy and would
25. simply ask for a roll call.

26. PRESIDENT:

27. Is there any discussion? Secretary will call the roll.
28. HB3030...on 3rd reading.

29. SECRETARY:

30. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
31.
32.
33.

1. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
2. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
3. Graham, Groen, Hall, Harris, Horsley, Hynes...

4. PRESIDENT:

5. Senator Hynes.

6. SENATOR HYNES:

7. Very briefly in explaining my vote which is aye, let me say
8. that this is the appropriation as you know for the judicial inquiry
9. board. It has been...the bill has been amended to add the first three
10. recommendations of the special subcommittee on this matter...ah...which
11. has been met over the past several months. Three other recommendations
12. ...these recommendations I should say are unanimous, three other
13. recommendations in the majority report of the subcommittee are offered
14. as an amendment to HB3047, which will be coming up later an at
15. that time we'll discuss those, but these amendments are part of
16. the unanimous agreement of the committee. I vote aye.

17. SECRETARY:

18. Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
19. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
20. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
21. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
22. Sours, Swinarski, Vadalabene, Walker, Weaver.

23. PRESIDING OFFICER: (SENATOR ROCK)

24. Latherow aye. Ozinga aye. Mitchler aye. Laughlin aye.
25. On that question the yeas are 38, The nays are none. The bill
26. is declared passed. Senator Mitchler.

27. SENATOR MITCHLER:

28. I voted on the prevailing side, I move to reconsider the vote.

29. PRESIDING OFFICER: (SENATOR ROCK)

30. Senator Mitchler moves to reconsider Senator Weaver moves to
31. Table. All in favor say aye. The Motion prevails...you can
32. hold it...HB3077, Senator Hynes. No...best...hold. HB3080 Sena-
33. tor Davidson. Hold. HB3544 Senator Bruce. Senator Bruce HB3544.

1. SENATOR BRUCE:

2. HB3544 is an easementno it's a conveyance from the Uni-
3. versity of Illinois to the Crawford County School district. This
4. is a plot of 20 acres. It adjoins the school district. At one
5. time the school district owned it and without compensation conveyed
6. it to University of Illinois. Roll call then if there's no
7. objection.

8. PRESIDING OFFICER: (SENATOR ROCK)

9. Secretary will call the roll.

10. SECRETARY:

11. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
12. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
13. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
14. Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,
15. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom, Mc-
16. Carthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
17. O'Brien, Ozinga, Palmer, Partee, Rock, Romano, Rosander,
18. Saperstein, Savickas, Smith, Soper, Sours, Swinarski, Vadala-
19. abene, Walker, Weaver.

20. PRESIDING OFFICER: (SENATOR ROCK)

21. Latherow aye. Hynes aye. Harris aye. Knuepfer aye. O'Brien
22. aye. Palmer aye. Senator Neistein how do you vote? Neistein
23. aye. On that question the yeas are 38, the nays are none. The
24. bill is declared passed. HB3633, Senator Course. Senator Course,
25. HB3633.

26. SENATOR COURSE:

27. Thank you. Yes, Mr. President, members of the Senate,
28. HB3633 amends the Treasurer's Act. It simplifies the law with
29. respect to when the treasurer made disburse funds by allowing dis-
30. bursements when warrants are in proper form and when sufficient
31. funds are available. This is a recommendation of the auditing
32. firm of Arthur, Young and Company. It has the approval of the various
33. departments and the Auditor of Public Accounts or the Comptroller.

1. I would appreciate a favorable vote.

2. PRESIDENT:

3. Is there any discussion? Secretary will call the roll.

4. SECRETARY:

5. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
6. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
7. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert,
8. Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuepfer,
9. Kn..Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons,
10. McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, New-
11. house, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock, Romano,
12. Rosander, Saperstein, Savickas, Smith, Soper, Sours, Swinarski,
13. Vadalabene, Walker, Weaver.

14. PRESIDENT:

15. On that question the yeas are 36, the nays are none. The
16. bill having received a constitutional majority is declared
17. passed. 3634, Senator Course.

18. SENATOR COURSE:

19. Yes, Mr. President, HB3634 amends the Civil Administrative
20. code and changes the procedure for disbursement from the right-
21. of-way trust fund, by substituting issuing of vouchers by the
22. secretary of transportation for payment of...by the treasurer when
23. notification by the county collector. This is another recommendation
24. of the Arthur Young Company...ah..who is the auditor for the State Treas-
25. urer.

26. PRESIDENT:

27. I wonder if you could explain 3635 at the same time and then
28. have the same roll call on both? Is there any objection to that?
29. Can you go ahead then Senator?

30. SENATOR COURSE:

31. Thank you Mr. President, House Bill 3635 amends the state treas-
32. urer's act to change the procedure for disbursement to counties
33. of federal funds allocated to the State in proportion to the State

1. acreage within the national forest...substitutes issuance
2. of vouchers by the department of conservation and certification
3. by the State Treasurer. This is no...this is also recommendation
4. of the Arthur Young Company and the Department of Conservation is
5. in agreement with this.

6. PRESIDENT:

7. ...The roll call then will be on the two bills, 3634 and 3635
8. and Secretary'll call the roll.

9. SECRETARY:

10. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
11. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
12. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,
13. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kosinski,
14. Kusibab, Latherow, Laughtlin, Lyons, McBroom, McCarthy, Merritt,
15. Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga,
16. Palmer, Partee, Rock, Romano, Rosander, Saperstein, Savickas,
17. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.

18. PRESIDENT:

19. S...Sours will...no. Carpentier aye. Request for call of the
20. absentees. The absentees will be called.

21. SECRETARY:

22. Arrington, Baltz, Bidwill, Carroll, Chew, Clarke, Davidson,
23. Donnewald, Egan, Fawell, Groen, Harris, Horsley, Kusibab, Lath-
24. erow, Laughlin, Lyons, McBroom, Merritt, Mohr, Newhouse, O'Brien,
25. Romano, Savickas, Soper, Walker, and Weaver.

26. PRESIDENT:

27. ...you wanta...postpone consideration. Gr..Groen aye. Sena-
28. tor Laughlin.

29. PRESIDENT:

30. Senator Laughlin.

31. SENATOR LAUGHLIN:

32. Well, I'm a little bit lost. Would you do me the favor of
33. going back and explain...explaining once more these bills, because

1. right now, I'm confused. You say one thing. I hear some-
2. thing else and I...I'm sorta lost.

3. PRESIDENT:

4. Senator Course.

5. SENATOR COURSE:

6. Senator, all this does is change the procedure for issuing
7. the vouchers. It takes responsibility from the State Treasurer
8. and places one with the Department of Conservation and the other
9. one with the ...ah...Department of Transportation...the Sec-
10. retary of Transportation and the reason it does this because they
11. have knowledge of the acreage in the...ah...national forest.
12. That's...ah...and the secretary of transportation has knowledge
13. of the monies that are paid into the railroad...right-of-way
14. trust fund or the right-of-way trust fund...I'm sorry...ah...
15. the right-of-way trust fund.

16. PRESIDENT:

17. Senator Laughlin.

18. SENATOR LAUGHLIN:

19. I...I think I still have the Floor. You say these are the
20. recommendations of the off...some auditing firm?

21. SENATOR COURSE:

22. The Young Company, yes sir.

23. SENATOR LAUGHLIN:

24. What if any political impact is involved in these bills.

25. PRESIDENT:

26. Senator Course.

27. SENATOR COURSE:

28. None whatsoever, Senator. Right now the...the ...the State
29. Treasurer is issuing one million seven hundred thousand vouchers
30. a year and this will relieve them of some of that responsibility
31. and place the res...responsibility with the people who know how
32. the money is to be disbursed: They will verify the voucher and
33. see that it's properly signed.

1. PRESIDENT:

2. Senator Laughlin.

3. SENATOR LAUGHLIN:

4. No, I vote aye.

5. PRESIDENT:

6. Fawell aye. On those bills the yeas are 30, the nays are
7. 3. The bills having received a constitutional majority are
8. declared passed. Sen...Harris aye. How's Senator Merritt...
9. Sen...Senator Merritt is not recorded. Merritt aye. Senator
10. Dougherty. Motion to reconsider. Motion by Senator Neistein
11. to Table. All in favor of the motion to Table signify by saying
12. aye. Contrary minded. The motion to Table prevailed. Ah...very
13. obviously we're getting short on votes here. Any members who
14. have bills that may be controversial it may be wise to hold
15. off here. 3639, Senator Dougherty. Hold. 3647, Senator
16. Sours. Hold. 3648, Senator...Hold...368. House bills on 2nd reading
17. 2033, Senator Mohr...is Senator Mohr on the Floor? Well let's hold
18. here. 2622, Senator...2622.

19. SECRETARY:

20. 2nd reading of the bill. One amendment from local
21. government.

22. PRESIDENT:

23. Senator Gilbert moves the adoption of the committee amendment.
24. All in favor signify by saying aye. Contrary minded. Mo..Motion
25. prevails. Any further amendments? 3rd reading. 3047...is Sena-
26. tor Coulson on the Floor? 3060, Senator Berning...3060.

27. SECRETARY:

28. 2nd reading of the bill. One committee amendment from local
29. government.

30.

31.

32.

33.

1. PRESIDENT:

2. Any amendments from the Floor? Committee...amendment...
3. Senator Berning moves the adoption of the committee amendment.
4. All in favor signify by saying aye. Contrary minded. The mo..
5. the amendment is adopted. Any further amendments? 3rd reading.
6. 3559, is Senator Hall on the Floor? House bills on 1st reading.
7. 1797, Representatives Stedelin and Hart. Senator Johns, you wanna
8. take that? Senator Johns. 2346, P. W. Collins. 3018, Representen-
9. tative Giorgi. 3061, R.D. Cunningham. 3602, Senator Fawell.
10. 3602. 3645, Senator Johns. 3650, Representative Gardner. 3663,
11. Senators...3650, Senator Savickas. 3663, Representative Nowlan.
12. 3783, Representative Randolph. 3786, Senator Davidson. 3787, Sena-
13. tor Davidson. 3790, Senator Donnewald is not here. I wonder
14. if we can assign it to Senator Donnewald and advance it to 2nd read-
15. ing without reference. Is there objection to that? Leave is
16. granted. 3790...3802....3802....3152....4152, I'm sorry...4152,
17. Senator Davidson. 4200, Senator Harris.

18. SENATOR HARRIS:

19. ...ah...Senator Soper...ah..will be the Senate sponsor of
20. HB4200. He discussed with both Senator Partee and Senator Clark...
21. ah..the need for having this bill read a 1st time and
22. advanced to 2nd reading without reference. There is a real
23. emergency involved in the industrial commission...ah...actually
24. running out of encumberable funds this coming week. Might we have
25. leave of the body to...ah...pr....

26. PRESIDENT:

27. Is there objection? Leave is granted. 4315, Senator Johns you
28. ...Senator Johns. 4634....Senator Partee. Want to take that
29. one? Senator Partee is recognized.

30. SENATOR PARTEE:

31. Let the record show I'm the sponsor by request.

32. PRESIDENT:

33. The re...record will so show. The...Senator Sours did you want.

1. ...you indicated the Chair you wanted to take up a bill on con-
2. sideration po...? You do not want to do that now. Alright. Senator
3. Partee.

4. SENATOR PARTEE:

5. Ah...just during this momentary lull and I...let me just
6. say that I think we have worked so well today that it would not...
7. it's not gonna be...ah...the rule tomorrow that we work. I think
8. we have done a good job today and I don't think we have to be here
9. tomorrow. I would like to call though a list of bills which are
10. in what we call the exemption list which have been agreed on by
11. Senator Clark and myself, so that you would have them and you'd know
12. what's coming up and incidentally although this Calendar shows
13. our schedule that we would start at 10:00 o'clock on Monday
14. morning, we have changed that hour till 2:00 o'clock on Monday,
15. so we will come back at 2 P.M. Monday. Now there is a subcom-
16. mittee of the Agricultural Committee which is...will be meeting in
17. Chicago on Monday commencing at 12 or 1:00 o'clock I'm not sure which,
18. but in any event...ah..the record ought to show that those mem-
19. bers would be excused so that they could attend that meeting in
20. Chicago, the subcommittee of Agriculture. Now the bills under con-
21. sideration...ah...in this list are the following: SB889, Senator
22. Laughlin, SB82 Senator Harris, Senate..HB2707 Senator Carroll,
23. ✓HB1949 Senator Laughlin, HB1209 Senator Mohr, HB2267 Senator
24. Latherow, HB2472 Senator Mohr, SB632 Senator Fawell. HB3031
25. Senator Knuepfer, HB2555 Senator Knuepfer, SB1126 and
26. 7 Senator Groen, HB1318 Senator Carpentier, HB2019 Senator Kos-
27. inski, HB3047 Senator Coulson, SB841 Senator Palmer, SB1062
28. Senator O'Brien, HB2444 Senator Bruce, HB1903 Senator Hynes HB
29. 493 Senator Dougherty, HB1555 Senator Rock, House bills 1769, 70,
30. and 71 Senator savickas, HB1954 Senator Dougherty, HB1742 Senator
31. Bruce, HB2118 Senator...Cherry, HB1154 Senator Kosinski, SB1509
32. Senator Latherow, I am not sure if this House or Senate...must be
33. SB1485 Senator Groen...and SB1364 Senator Mohr, SB1388

1. and 89 Senator Harris and we will exempt in that same rule these
2. bills for Senator Horsley...ah...Senate bills...who is ill...
3. SB1347, 1408, 09, 1420, 1462, 1475...for Senator
4. Chew who had a second death in his family SB1391...SB147...
5. is Senator who? Wait a minute I don't know if I've talked to
6. him about that yet. Hold it. I haven't ..I've...Senator Clark,
7. I think, if you're listening...SB147 is Senator Saperstein we've
8. talked about...the other one I want to talk to you about in a moment,
9. I don't think I have yet is SB635.

10. PRESIDENT:

11. You'll provide the Secretary with that...bill

12. SENATOR PARTEE:

13. With this list?

14. PRESIDENT:

15. Yea.

16. SENATOR PARTEE:

17. Oh, I...I...did I talk too slowly for him?

18. PRESIDENT:

19. You talked too rapidly.

20. SENATOR PARTEE:

21. Fine..alright... now let, let me just say this Mr. President and
22. the membership so that we'll have this understanding.

23. In light of the fact that we're not going to work tomorrow
24. I think it only is a better part of judgment for us to make a
25. decision that those bills which we've exempted, no matter what
26. their posture that we'll deal with them on...ta take...when we
27. return on Monday. I think that's the only logical approach to
28. take.

29. PRESIDENT:

30. Senator Dougherty.

31.

32.

33.

1. SENATOR DOUGHERTY:

2. SB811 was in committee last week and at the close of the
3. meeting there were not enough bodies to vote on the bill. Sena-
4. tor Knuepfer was quite anxious that this bill be heard.
5. I would..wonder if there'd be any objection to holding this Sen-
6. ate bill 811 on the...on the perferred list.

7. PRESIDENT:

8. Senator Partee.

9. SENATOR PARTEE:

10. Under those circumstances I certainly wouldn't object to it
11. and I assume Senator Clark would not. Was that SB811? Alright,
12. let's add it to our list unless there's some objection. I don't
13. think there will be.

14. PRESIDENT:

15. On the consent Calendar there's a congratulatory Resolution
16. by Senator Hynes.

17. SENATOR LAUGHLIN:

18. Aye.

19. PRESIDENT:

20. Senator Laughlin's vote carried it. The...there are 2 motions
21. Senator Laughlin has a Motion....

22. ✓ SENATOR LAUGHLIN:

23. Yes, Mr. President, I'd like to have ...ah...the records show
24. that I move to waive the six day rule with the with respect to...
25. ah...HB1505 which is to be heard in the Financial Institutions
26. Committee hearing next Thursday at 8:30 in the morning and while
27. ✓I'm on my feet I think I should make the same Motion with respect
28. to HB1949 so that can be heard in judiciary. It's one of the
29. bills that was just read as being exempt so I'd like to move on...
30. with respect to those two bills that they be heard next week in com-
31. mittee and the six day rule be waived.

32. PRESIDENT:

33. Is there objection? Leave is granted. Senator Rock.

1. SENATOR ROCK:

2. Yes Mr. President, members of the Senate, in that vein there
3. are two other bills that are also scheduled for that same com-
4. mittee, ah...along with SB1505 that would be SB1528 and SB1459
5. and I would make the same Motion concerning those two bills.

6. PRESIDENT:

7. Is there objection? Leave is granted. Are there further
8. announcements? Senator Partee.

9. SENATOR PARTEE:

10. I think you have some resolutions, do we?

11. PRESIDENT:

12. We have some Resolutions an we have few messages also from
13. the ...House and some bills for introduction here. Messages from
14. the House.

15. SECRETARY:

16. Message from the House by Mr. Selcke, Clerk:

17. Mr. President---I am directed to inform the Senate that the
18. House of Representatives have passed a bill of the following ti-
19. tle, in the passage of which I am instructed to ask concurrence
20. of the Senate, to wit: HB4...4218.

21. PRESIDENT:

22. Senator Partee moves that this be referred to the Rules Com-
23. mittee. All in favor signify by saying aye. Contrary minded.
24. Motion prevails. We have some...Resolutions.

25. SECRETARY:

26. Senate Joint Resolution number 323, introduced by Senators
27. Mohr and Sours. It's congratulatory.

28. PRESIDENT:

29. Consent calendar.

30. SECRETARY:

31. Senate Resolution number 324 introduced by Senator Partee...
32. is relative to..is one about the ..ah...state officials...legislative

33. PRESIDENT:

Senator Partee.

1. SENATOR PARTEE:

2. This is a short resolution. I'd like to read it, if I
3. may. (Senate Resolution No. 324 read by Senator Partee)
4. I would move the adoption of the Resolution and its immediate...
5. suspension of the Rules and the immediate adoption of the Reso-
6. lution.

7. PRESIDENT:

8. Is that a Joint Resolution, Senator?

9. SENATOR PARTEE:

10. No...this comes in the unicameral spirit.

11. PRESIDENT:

12. Alright. The Motion...Senator Clark.

13. SENATOR CLARK:

14. I wanna join as a cosponsor to the President pro tempore
15. and there's no way that could be a Joint Resolution because
16. the House wasn't represented.

17. PRESIDENT:

18. Senator Clarks joins as a co...cosponsor. All in favor
19. signify by saying aye. Contrary minded. Resolution is adopted.
20. Further resolutions.

21. SECRETARY:

22. Senate Resolution No. 325, introduced by Senator Partee
23. It's relative to private clubs.

24. PRESIDENT:

25. Senator Partee.

26. SENATOR PARTEE:

27. Ah...Mr. President an members of the Senate, this resolution
28. comes in response to a series of problems that have manifested
29. themselves an...many of which the newspapers have addressed them-
30. selves to and in essence it says that certain private clubs and
31. associations in the State of Illinois have historically discrimin-
32. ated against persons because of either race, religion, creed, or
33. otherwise and that by this Resolution the Senate ...ah..would

1. state as a matter of public policy that the Senate would not
2. endorse or condone any system of taxation which gives tax exempt
3. ...exempt status or special tax benefits to any private club or
4. organization which discriminates that the Senate would not en-
5. dorse or condone any system of licensing or regulation by any
6. state or local regulatory agency including liquor licensing to
7. any organize...organization which discriminates and that the Sen-
8. ate would not endorse or condone any sale or purchases of land
9. by the State or purchased from any club or organization that dis-
10. criminate an that the Senate would not endorse or condone any
11. official participation by State officials in conferences or
12. speeches or things of that sort before any audience where it is
13. in a meeting hall which practices discrimination and we ask that
14. copies be sent to all state elected officials, chairman of the
15. Illinois Liquor Control Commission, and the head of each major
16. state department and agency. This is the law of the land and
17. we just want to declare it as public policy by the State and I'd
18. move for the immediate suspension of the Rules and the adoption
19. of this Resolution.

20. PRESIDENT:

21. There is objection. Senator Partee.

22. SENATOR PARTEE:

23. Well Senator Laughlin objects...fine. Well, we'll...committee
24. then. We won't

25. PRESIDENT:

26. Executive Committee. Further Resolutions.

27. SECRETARY:

28. Senate Resolution No. 326, introduced by Senator Lyons, Cherry,
29. and Neistein...and this is the one that was read earlier.

30. PRESIDENT:

31. Executive Committee. Senator Saperstein, you wish to go on
32. as a cosponsor. Senator Saperstein will go on as a cosponsor.
33. Further Resolutions.

1. SECRETARY:

2. Senate...Senate Resolution No. 327 introduced by Senator
3. Neistein an it's a death Resolution.

4. PRESIDENT:

5. Senator Neistein.

6. SENATOR NEISTEIN:

7. I move for the suspension of the Rules an the immediate con-
8. sideration of the Resolution. It's a death Resolution for Dave
9. Chesrow, who was an active member in the community ...ah...char-
10. itable man, active in charities, and, whose untimely passing
11. took place a few days ago and I think the whole City is ...ah..
12. feels his loss and I wonder if we could have all Senators....

13. PRESIDENT:

14. All Senators will be shown as cosponsors.

15. SENATOR NEISTEIN:

16. And I move for the adoption....

17. PRESIDENT:

18. All in favor of the adoption of the death Resolution please rise.
19. Resolution is adopted. We have.... Senator Par...Senator Dougherty.

20. SENATOR DOUGHERTY:

21. Mr. President, we had called for a meeting of the subcommittee
22. of the Revenue Committee to pass on certain bills for immediately
23. after the Session. In view of the fact that we have an opportunity
24. to go home, we'll sit this over until some day next week.

25. PRESIDENT:

26. Senator Rock.

27. SENATOR ROCK:

28. Yes, Mr. President, and members of the Senate, I..I just wanted
29. to advise the membership that the House and Senate softball game
30. has been scheduled for the 31st day of this month. The House has
31. already had a practice. They practiced last, last night. We're
32. gonna attempt have a practice. Senator Carpentier and I guess are...a
33. co...captains again this year. We're gonna attempt to have a prac-

1. tice next Tuesday, so I'd ask all the athletic members to bring...
2. bring their necessary equipment next week.

3. PRESIDENT:

4. Senator Partee.

5. SENATOR PARTEE:

6. Well, I hope we don't have too many practices. Somebody got
7. a finger broken last night over there. There's be a meeting a very
8. brief meeting of the Rules Committee in...in my office immediately
9. after adjournment.

10. PRESIDENT:

11. Motion by Senator Partee to...that the Senate adjourn until
12. Monday at 2 P.M. Is that correct?

13. SENATOR PARTEE:

14. With a perfunct for tomorrow.

15. PRESIDENT:

16. And a perfunct tomorrow.

17. SENATOR PARTEE:

18. Perfunctory Session tomorrow.

19. PRESIDENT:

20. All in favor signify by saying aye. Contrary minded.

21. Senate stands adjourned.

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