

77th GENERAL ASSEMBLY

SENATE FLOOR DEBATE

MAY 16, 1972

1. CHAPLAIN: Reverend Phillip A. Desenis, Trinity Church of
2. Deerfield, Deerfield, Illinois.

3. PRESIDENT:

4. Reading of the Journal moved by Senator Graham that the
5. reading of the Journal be dispensed with. All in favor signify
6. by saying aye. Contrary minded. Motion prevails. We have a
7. distinguished....if I may have the attention of the Body. We
8. have a distinguished visitor here, State Senator L. Edward Stone,
9. Junior, from our neighboring State of Missouri. We're very happy
10. to have you with us here, Senator Stone.

11. SENATOR STONE:

12. Governor, thank you very much, an' members of the Senate, it's
13. a pleasure to have this moment with you this morning, interesting
14. to see another Senate in operation. Greetings from the State of
15. Missouri to you an' thank you very much.

16. PRESIDENT:

17. Senator Partee.

18. SENATOR PARTEE:

19. Just wanted to officially say to Senator Stone, that we are
20. delighted to have him here today an' my good friend Senator Mc-
21. Neil in your State tells me that you are indeed a pillar of
22. stone.

23. PRESIDENT:

24. Committee reports.

25. SECRETARY:

26. Senator Donnewald, Chairman of assignment of bills assigns
27. the following to committee.: Agriculture, House bills 4152, 4315,
28. Executive, House bills 1797, 3650, 3786, 3787, 4282, Judiciary,
29. House bill 3802, Labor and Commerce, ...HB3645, ...Local...
30. Government, HB3783, Appropriation Division of the Committee of
31. Public Finance, Senate bills 1563, 64, 65 and 66, House bills
32. 4090, 4101, 4634, Revenue, Senate bills 1567 and 1568, HB4218,
33. Welfare, HB3602.

1. PRESIDENT:

2. Any Resolutions, motions? If you will take your Calendar...
3. if the members will be in their seats. If you'll take your Cal-
4. endar an' move to House bills on 1st reading. House bills on
5. 1st reading. We have a number of bills there and if we can have
6. your attention...we can get many of these disposed of. 1324,
7. Representative Conolly, Senator Berning or Coulson, either one.
8. 2346, P. W. Collins. 2443, Representative Burditt. 2683, Sena-
9. tor Graham. 84 and 85 also Senator Graham. 2733, Representative
10. Williams, Senator Gilbert is that? No. Alright...3018, Repre-
11. sentative Giorgi. 3061, R. D. Cunningham. 2061. 3557, Repre-
12. sentative Regner. Senator Graham. 3586, Representative Katz.
13. 3586. 3619...3619, Representative Glass. 3620, Senator Saper-
14. stein. 3...3663, Representative Nowlan. 3719...jes...gentle-
15. men ...please...3719, Representative Washburn. 3793, Represent-
16. ative Shea. Senator Partee, you want to assign 3793 to some-
17. one?

18. SENATOR PARTEE:

19. 3793...Yea, Dougherty.

20. PRESIDENT:

21. Senator Dougherty. 4098.

22. SENATOR PARTEE:

23. Smith.

24. PRESIDENT:

25. Smith, Senator Smith on 3793. 4098. Senator Clark, you
26. want to sign that to someone, 4098. Hold. 4104, Representa-
27. tive Pappas, Sen...Senator Carpentier. 4104, Pappas and Henss
28. are the sponsors...the41...what? Alright, 41094, Senator Bid-
29. will. Senator Clark. 0498, Senator Harris. 4105 through
30. 4108, Repre...Senator Graham. Senator Graham, apparently,
31. 4105 through 4108, those are yours. 4109, Representative
32. Kosinski, does Senator Kosinski want...4116, Senator Graham.
33.

1. 4117. Senator McBroom.

2. SENATOR MCBROOM:

3. Ah..Mr. President, I was off the Floor for a moment...ah...
4. what happened to Representative Washburn's bill?

5. PRESIDENT:

6. No one took it. You want that?

7. SENATOR MCBROOM:

8. Yes.

9. PRESIDENT:

10. Alright. 3719 to Senator McBroom. 4117...4117, Representative
11. Shea. 4118, Representative Shea. 4119, Representative Shea. 4122
12. that...4117 through 4122 appear to be just revisory bills. Sena-
13. tor Partee or Senator Clark you wish to assign those to that whole
14. series appears to be revise...you want...Senator...C...Clark?

15. SENATOR CLARK:

16. If these are...that nature would the president pro tempore
17. have any objection to advancing them to 2nd reading?

18. SENATOR PARTEE:

19. None, whatsoever. Move them to 2nd reading.

20. PRESIDENT:

21. Alright, who's going to be the sponsor? That's an im-
22. mediate question.

23. SENATOR CLARK:

24. Horsley.

25. PRESIDENT:

26. Senator Horsley will be shown as the sponsor and they will
27. be advanced tois there objection? Leave is granted. They're
28. advanced to 2nd reading without reference. Se...Senator Partee.

29. SENATOR PARTEE:

30. I think Senator Horsley should be the sponsor, but alterna-
31. tively if he is not back...is he back? alternatively, I think
32. we ought to alert Senator Course, who's the Secretary of that
33. commission to go with those bills. Okay?

1. PRESIDENT:

2. Alright. 4123, Representative Randolph...Senator Sours.
3. 4124, Representative Shapiro. Senator Laughlin, do you know
4. anything about that? Alright, alright. 4157, Representative
5. Von Boeckman. 4168, Representative H. W. Carroll. 4169, Re-
6. presentative Carroll, pardon, Senator Collins.

7. SENATOR COLLINS:

8. When you get through calling I have one there..that we
9. missed.

10. PRESIDENT:

11. Oh, why don't we take it right now, Senator?

12. SENATOR COLLINS:

13. Okay, 2443.

14. PRESIDENT:

15. 2443, Senator Collins, will take ..416...4171, Representative
16. Epton, Senator Clark and Senator Rock. 4176..oh..Senator Harris,
17. I see he has all three of those. 4188, Senator Latherow...
18. Senator Latherow, just a moment, please, gentlemen...just a
19. moment...will members be in their seats, we're gonna have to
20. have order if we're gonna ...gentlemen...will Senator Soper
21. and Senator Bidwill an' Senator Course and all others....
22. Representative Garmisa and Senator Course...please gentlemen,
23. if we can have some order we can expedite this matter. Senator
24. Latherow is recognized.

25. SENATOR LATHEROW:

26. Mr. President, did you assign 4178 and 79 to...ah...some-
27. body else? Has that already been assigned?

28. PRESIDENT:

29. Well, it...indicates on the Calendar, Harris. Now I don't
30. know...Senator Harris apparently called down and asked for 'em.
31. 4188, McMasters...Representative McMaster. 4189, R. J. Palmer.
32. 4190, Representative Neff...Senator Latherow. 4206, Representative
33. Schneider. 4206, 4209, Senator Harris...4209. 4203, Senator Sours

may 16, 1972
H B 4327

1. do you wanna advance that to 2nd reading without reference?

2. Senator Sours.

3. SENATOR SOURS:

4. It's simply a...ah...a sale of the property that isn't
5. needed. It was acquired some years ago for possible future
6. use. Nobody wants it now. There's a buyer. That's all it is.
7. I'd like to advance it.

8. PRESIDENT:

9. Is there objection? Leave is granted. 4243, Senator Hall
10. on the Floor? Senator Hall, 4243, I would assume that's yours.

11. SENATOR HALL:

12. Yes, I'll take that.

13. PRESIDENT

14. 4243, 4261, Senator Gilbert. 4269; Senator Rock. 4276
15. 4276...Senator Johns is not here. I think we can assign that
16. to him, however, 4276, Senator Johns. 4278, Senator Course,
17. 4278. 4283, Representative North, 4283. 4291, Representative
18. Glass. Senator Gilbert, is that yours by any chance? Alright.
19. 4301, Senator Weaver. 4307, Senator Knuepfer.

20. SENATOR KNUEPFER:

21. Ah ..I'm wondering we passed the similar bill in the Senate
22. whether there's any objection to advancing that to 2nd reading.
23. It just extends the 7% interest rate.

24. PRESIDENT:

25. 4307, is there objection? Leave is granted. 4309, Repre-
26. sentative Hart. That again is Senator John's district there. I
27. think we can assign that to Senator Johns. Senator Kosinski can
28. you make a note on both of those for Senator Johns 4309 and 4276.
29. 4318, Representative Glass. 4319, Representative Glass. 4326,
30. 4326, Senator Kosinski. 4327 Representative Glass. 4329, Re-
31. presentative McCormick. Senator Knuepfer. 4337, Representa-
32. tive Schneider. 4339, Representative Conolly. 4346, Represent-
33. tive McCormick. I wonder if we can show Senator Johns as
the...sponsor...on that and advance...it to...

1. 2nd reading without reference. Is there objection? Leave is
2. granted. Senator Clarke. 4339, Senator Coulson. Since he's
3. off the Floor we'll assign it to him. Senator Clarke.

4. SENATOR CLARKE:

5. I don't know whether there's any objection. This is a
6. merely bill in terms of taking the Governor off the board of
7. the Illinois Central. Is that one we could advance to 2nd
8. reading?

9. PRESIDENT:

10. Senator Partee.

11. SENATOR PARTEE:

12. Where's he going? On the Amtrack. It's alright with me,
13. yea.

14. PRESIDENT:

15. Is there objection? Leave's granted. 4359 H. H. Hall,
16. Senator McBroom.

17. SENATOR MCBROOM:

18. Representative Hall asked me to take 4359 and 4360,
19. both...ah... Mr. President.

20. PRESIDENT:

21. Alright. Senator McBroom on both of those. 4363, Repre-
22. sentative McCormick. 4364, Representative Capuzi. 4...pardon
23. ...4371...Senator Vadalabene...is...ah...request that it be
24. advanced to 2nd without reference. Is there objection? Leave
25. is granted. 4375 through 4382, Representative Duff. Senator
26. Graham, that wouldn't be yours by any chance? 4...that's re-
27. lated ta...is Senator Newhouse on the Floor? Senator Newhouse,
28. 4375 through 4382, that's ...ah...Representative Duff's bills..
29. ..an the corrections. Senator Newhouse. 4385, Representa-
30. tive Hyde....Senator Rock...4427...Representa-

31.

32.

33.

1. tive Hyde. Senator McCarthy. 4428, Representative Duff. 4431,
2. P. W. Collins. 4432, Representative Rose. 4432, can we put
3. Senator Horsley's name on as a...Senator Latherow.

4. SENATOR LATHEROW:

5. Mr. President, I had a call this morning to ask me to
6. pick that up in Senator Horsley's absence...ah...the way it
7. was explained to me, I think we could advance it to 2nd but
8. I have a little question in my own mind until I read the bill
9. whether or not we ought to advance it. This was given to me
10. as a bill that allows the State to convey land to the city of
11. Jacksonville to build a fire station ..ah...near the ...ah...
12. school there which would also give them protection that's in the
13. city but I don't quite understand the repeal act that's...ah...

14. PRESIDENT:

15. Well....

16. SENATOR LATHEROW:

17. I don't see. Could we just hold that on 1st and then...
18. I've got the bill coming to see it.

19. PRESIDENT:

20. We'll just hold it on 1st an' you can get in touch with Chair
21. an' we can advance it if it - 40 - pardon, 4428 you're taking?
22. 4428, Senator Rock. Senator Rock, 4428. 4434, Representative
23. Mohr. 4435, Representative Moore. 4436, Representative McCor-
24. mick. 4438, Representative Nowlan. 4439, Representative Nowlan.
25. 4450, Representative McCormick. 4458, Senator Latherow. 4459...
26. Senator Latherow also, 4450 is Gallatin County. I assume that
27. should be Senator Johns there. 4461, H. W. Carroll, 4461,
28. Senator Neistein. 4476, Kendall...Senator Mitchler. 4479,
29. Representative Hyde. 4480, Representative Hyde. What was that
30. number? 4169, Senator Neistein. 4450, Senator Gilbert moves
31. that 4450, Senator John's bill, be advanced to 2nd reading with-
32. out reference. Is there objection? Leave is granted. Senator
33. Clark.

SENATOR CLARK:

1. Ah...4479 an 80...ah...I'll be the sponsor of those bills.

2. PRESIDENT:

3. 4479 an' 80, Senator Clark. 4484, Senator Weaver. 4490,
4. Representative O'Brien. 4503, Senator Groen...Senator Groen.

5. SENATOR GROEN:

6. To 2nd without reference. It's a sale of land in Logan
7. County.

8. PRESIDENT:

9. Is there objection? Leave is granted. 4506 or 8 I'm not
10. sure...6...Representative Jones. 4507, Representative Jones,
11. 4508, Representative Jones. 4509, Senator Graham has. 4511,
12. Senator Groen - 4511. 4533, Representative Tipword. 4536,
13. Representative Barry. 4541, Senator Groen you want that one?
14. 4541, Senator Groen. 4547, Representative Juckett. Senator
15. Carroll. 4551, Senator Dougherty or Saperstein want that one?
16. 4551 or Senator Cherry...you want...Senator Partee you want to
17. ...Senator Cherry, there?

18. SENATOR PARTEE:

19. Just leave it where it is.

20. PRESIDENT:

21. Leave it where it is, alright. 4552, Senator Romano.
22. Senator Romano.

23. SENATOR ROMANO:

24. ...ah...I'd like unanimous consent to advance this bill to
25. 2nd reading without reference. This is a bill that would au-
26. thorize an investment in double A corporate an' state..ah..bonds
27. from 35% to 50% and it's approved by the pension laws commission.

28. PRESIDENT:

29. Is there objection? Leave is granted. 4577, Representative
30. Barry. 4577, Senator Neistein. Senator McCarthy...4577. 4631,
31. Senator Vadala...Senator Vadalabene.

32. SENATOR VADALABENE:

33. Thank you, Mr. President, an' members of the Senate, I have...

1. ...ah...cleared this bill with the leadership of both sides
2. of the aisle, with Senator Groen, an with Sam..ah, Senator Sam
3. Romano the chairman of the Labor and Commerce Commission an'
4. they have no objections to advancing this to 2nd reading with-
5. out reference to committee.

6. PRESIDENT:

7. Is there objection? Leave is granted. 4637, Representa-
8. tive Flinn, Senator Hall, do you want to take that? 4637.

9. SENATOR HALL:

10. Alright...I'll...

11. PRESIDENT:

12. 4637, Senator Hall, Senator Bidwill.

13. SENATOR BIDWILL:

14. Mr. President, 4104 was assigned to me, Mr. President.

15. I would like to advance it I see all it does is extend the ef-
16. fective date of this bill to October of '72 an' I understand from
17. Representative Pappas the reason for this is that there is not
18. sufficient material necessary to fulfill this act an' I'd
19. like to have it advanced to 2nd reading. I think there should
20. be no objection.

21. PRESIDENT:

22. Is there objection? Leave is granted.

23. Senator Mitchler.

24. SENATOR MITCHLER:

25. Mr. President, I would like to point out an' recall the mem-
26. ories of the Senators to an objection by Senator Egan, believe
27. it was last week, to the bill that came through for the transfer
28. of certain land in his district by the Department of Mental Health
29. ...ah...to an outside group taking away from the state and, of
30. course, Senator Egan objected because he be the Senator of the
31. district was not informed. I want to call the attention of the
32. Senate to Hou...HB4509, which involves the sale of certain land
33. in Kane County to the Elgin school district. This is land that

1. is nor...formerly the farm colony at the Elgin State hospital.
2. Now, I want to point out that as the Senator representing this
3. district, the Department of Mental Health has not contacted me
4. about this...although we have had considerable correspondence
5. an' in addition to the school district you have the Beverly
6. Lake School for the mentally retarded interested, you have the
7. Easter Seal group interested in expanding their property at that
8. location, you have the Kane County Forest Preserve interested in
9. acquiring some of this land an' when I called the attention of the
10. Department of Mental Health to this bill several weeks ago, I
11. still have not had a reply from them, although I see a Senator
12. outside of the district from where this land is involved has
13. already been named as sponsor. I just want to call that to the
14. attention of the Senate.

15. PRESIDENT:

16. Senator Partee.

17. SENATOR PARTEE:

18. This is becoming an increasingly bothersome an' troublesome
19. subject an' I am fearful that we are going to fail to pass leg-
20. islation which in the long run is meaningful for the reason that
21. the Senator in that particular district was not notified...ah...
22. I'm sure that it annoys and piques Senators when they aren't
23. told. There are so many branches of government though that are
24. involved in sales or transfers of land that it's a very difficult
25. thing, I think, to fashion a bill that would accommodate the de-
26. sire to know, but I'm just suggesting to our membership on..that
27. some of us come up with a bill that will make it mandatory for
28. notification...ah...now it's gonna be a burdensome kind of mail
29. cause you're gonna be getting mail when they're even in the con-
30. templative stages of it, but if this is what the membership wants
31. an' that's just the desire of the membership, I think we oughta sit
32. down an' address ourselves to the problem because I do not want to
33. see legislation defeated on the sole basis that the Senator wasn't

1. informed about it an' in many instances it's a good thing for
2. the State, so I think we have to do something about it an' I'm
3. just throwing it out to you, so that you can give it some
4. thought and consideration.

5. PRESIDENT:

6. Senator Graham.

7. SENATOR GRAHAM:

8. Mr. President an' members, the Senator that Senator Mitchler
9. was talking about happens to be Senator Graham. Some of the area
10. in question here is in a school district that Senator Graham has
11. represented since 1959. It's in an area that's thirteen miles
12. from Barrington...closer than Oswego. I'm sorry that the Senator
13. got so offended. I didn't know his skin...was...so thin. I had
14. nothing to do with this I was asked to handle the bill until...
15. the administration of the sponsor asked me not to handle it an'
16. I'm gonna handle it, I think the reason they want me to handle
17. it is they wanta pass it.

18. PRESIDENT:

19. Senator Groen.

20. SENATOR GROEN:

21. Well...Mr. President..to get off that unpleasant subject which
22. is so juvenile...ah...I'd like to ask on inquiry to whom was 4157
23. assigned.

24. PRESIDENT:

25. 4157 was not assigned to anyone.

26. SENATOR GROEN:

27. Well, I would like to take that bill. It was my bill origin-
28. nally an' I gave it to Representative VonBoeckman from my district
29. when it was doubtful whether we could introduce bills of this type
30. over here and in the event that we subsequently could I simply
31. wanted it available. The bill on it...the syllabus on its face
32. tells what it does. It corrects an obvious inconsistency..ah..
33. in the existing law an' I would...if there be no objection would

1. ask that it be moved to 2nd without reference.

2. PRESIDENT:

3. Is there...4157...is there objection? Sen...Leave is
4. granted. 4168 is assigned to Senator Palmer. 3061 to Sena-
5. tor Newhouse. Senator Latherow.

6. SENATOR LATHEROW:

7. Mr. President, I have HB4432 now an..ah..this merely a trans-
8. fer of property and I'd like to move that to 2nd without refer-
9. ence and I'd also suggest that I've been told that Senator Horsley
10. is aware of it, but I'll check with him even if he's in the
11. hospital before I advance it any further.

12. PRESIDENT:

13. Shou...should we show Senator Horsley as the..the Senate
14. sponsor?

15. SENATOR LATHEROW:

16. That's alright, but I'd like to move the bill to 2nd...

17. PRESIDENT:

18. Alright.

19. SENATOR LATHEROW:

20. I've been asked to sponsor it in his absence, but put him
21. on and I'll move the bill.

22. PRESIDENT:

23. Alright, alright, 4432 is advanced to 2nd without reference.
24. We have a message from the House.

25. SECRETARY:

26. Message from the House, Mr. Selcke, Clerk:

27. Mr. President---I am directed to inform the Senate that the
28. House of Representatives have passed bills of the following titles
29. in the passage of which I am instructed to ask the concurrence of
30. the Senate, to wit: an' they're...they're numbered...there's a-
31. bout...there's over 200 of them...from 179 through 4592.

32. PRESIDENT:

33. Senator Partee moves that the bills be referred to the Rules

Committee. All...what...Senator Partee, what...

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.
21.
22.
23.
24.
25.
26.
27.
28.
29.
30.
31.
32.
33.

SENATOR PARTEE:

I suppose Mr. President, they'll have to go to 1st reading..
ah ..we made the rule that we were going to take whatever they sent.
ah..this is the result of our changing our position because a half
of these bills came over here without having even been printed
at the time they were considered. I'm gonna suggest this, that
we are going to have a meeting of the Rules Committee an' I note that
a lot of the bills on the Calendar on 1st reading are just being
by-passed. It is indicated to me that the House members who have
sent them over have no desire to see them passed an' I'm going to
suggest to the Rules Committee when we meet today that any bill
on this Calendar which is on first reading a House bill which is
not does not have a sponsor assigned to it within the 3rd day of
it's reading is gonna be stricken an' tabled.

PRESIDENT:

The Chair can just add I think it's an excellent idea.
3586, Senator Savickas...is taking.

SECRETARY:

Message from the House by Mr. Selcke, Clerk:

Mr. President---I'm directed to inform the Senate that the
House of Representative has adopted the following preamble and
Joint Resolution in the adoption of which I am instructed to ask
the concurrence of the Senate to wit: House Joint Resolution 134.
This is relative to the accusations made by Oscar Weil on..ah..

PRESIDENT:

Executive Committee.

SECRETARY:

Message from the House, Mr. Selcke, Clerk:

Mr. President---I'm directed to inform the Senate that the
House of Representative has adopted the following preamble and
joint resolution in the adoption of which I am instructed to ask
the concurrence of the Senate, to wit: House Joint Resolution 135.
which is...ah...congratulating Northwestern University students

1. relative to their work in Greene County...on...historical as-
2. pect of the Indian civilization.

3. PRESIDENT:

4. Greene County is...ah...that's Senator Latherow...yes...
5. you wish to...Senator Latherow..Sen..Latherow..wishes that..
6. All in favor of the adoption of the resolution...the congratu-
7. latory resolution indicate by saying aye. Contrary minded. The
8. resolution is adopted. Senator Partee.

9. SENATOR PARTEE:

10. Mr. President an' members of the Senate, our friend Miss Clas-
11. cena Harvey, who is the administrative assistant in the tourism
12. department of the department of Business an Economic development an'
13. Mrs. Stephen Bartholf, a member of the Springfield commission on
14. international visitors, are here today an' have brought to us some
15. international visitors. I hesitate to say where they're from, that
16. is the area where they're from, because teachers on some occasions
17. have told me that it's called Caribbean an' some have said Caribbean
18. so I'm not really sure, maybe we'll find out today, but in any
19. event we have here, from Guyana that's spelled Guyana, Mr. Cecil
20. Griffith, the news editor of radio station GBS, Mr. Griffith.
21. We have Mr. Alrich S. Mentiss, editor of the Sunday Graphic,
22. Mr. Cecil C. Ogle, assistant secretary, People's National Congress
23. Political Party an' from that beautiful land of the sun, that bea-
24. utiful island in the sun Jamaica, Mr. Elrich D. Simmons, executive
25. editor of the Daily Gleaner, Mr. Constantine T. Walters, manager
26. of news, Jamaica Broadcasting Corporation and from Trinidad, Mr.
27. John Babb, political editor of the Trinidad Guardian, an' Mr. Slay-
28. becker is the escort. We're delighted to have these gentlemen an'
29. we're glad they brought us some sun.

30. PRESIDENT:

31. Senator Partee.

32. SENATOR PARTEE:

33. I wonder if just one of them would say a few words for us.

1. We can pick up a little of that calypso beat.

2. PRESIDENT:

3. Do you have a spokesman in your group here now? You have
4. been designated, sir.

5. SPOKESMAN FOR INTERNATIONAL VISITORS:

6. Mr. President, members of the Senate, speaking personally
7. and you may excuse me for projecting myself....Ah..th...this is in-
8. deed...ah...a time in my life in which I've had to address both
9. Houses of the Assembly, in Springfield . In fact, I have just fin-
10. ished addressing...ah...the lower House and the decision that
11. I should address the Lower House was taken unilaterally by the
12. members of my group, in fact, they delegate from that beautiful
13. island of Jamaica decided on his own that I should speak on be-
14. half of the group. There was...the entire absence of democracy
15. and I may assure you that since we came together...ah...the 2nd
16. day of this month...ah...this democracy has been slipping away
17. from us an' we are an entire...the entire group is being gov-
18. erned by..ah .the Jamaican people who feel that because Jamaica
19. is very close to the United States and I think there has been some
20. reference that they would like to become the 53rd, or 54th..state
21. ..fifty second state. They have decided that they shall act dic-
22. tatorily and the presence of democracy has gone from this group.
23. May I say that the expressions by Senator Partee ...that about
24. the Caribbean or Caribbean, it would be very difficult for me to
25. give any proper explanation or pronounciation of that word be-
26. cause you find that in Jamaica they have a different pronounciation
27. in Trinidad they too would probably pronounce it differently and
28. in Guyana, where we speak better English than the other members
29. of the Caribbean, we probably would say Caribbean but it means the
30. same thing. It means that we have come together from a British
31. colonies an' most of us, in fact all of us, have come from indepen-
32. dent countries. We have shed our colonial yolk and we're now in-
33. dependent. We have set up among ourselves in the Caribbean on
economic grouping

1. which is known as Crifita and we hope that within the next ten
2. years there would be a political grouping which would enhance our
3. envancem...our advancement both politically an' economically, be-
4. cause we...the politicians have said this and as newsmen we be-
5. lieve this, that political independence without economic inde-
6. pendence is just a shell and we hope that with political inde-
7. pendence from Britain we'll be able to move on economically.
8. For those who do not know the Caribbean and Guyana is the only...
9. was the only British colony in South America, but we speak Eng-
10. lish, we do not speak Spanish and I do hope that Senators and
11. the President, whenever they decide to take a holiday, instead
12. of going to Europe, which I guess most of you have seen, I think tha
13. you should see the Caribbean, so you'll be able to differentiate
14. that Guyana is in the Caribbean an' it's not Guyana which is in
15. Africa...ah...speaking more home...the Senate is a far different
16. kettle of fish to the House that I visited...because I saw there...
17. members were...ah...excuse the in total confusion.....
18. but still...ah...I was able ...an' I now see the reason why...
19. ah...you must have...ah...a Senate in which there must be some
20. sanity brought back into their ...the deliverations...of the
21. help...but in Guyana we only have one House an...as I remark-
22. ed..ah..just a few minutes ago an' I was ah..speaking to the other
23. members of the House that it seems as though quite a lot of free-
24. dom an' this is a fact exist in the lower House, because in Guyana
25. and in Trinidad an' in Jamaica we have adopted a Brit..the British
26. Constitution and members are not allowed to smoke, to shed their
27. jackets an' to speak on the telephone, but I see this freedom ex-
28. isting down there, but I see that in this House, members are more
29. stayed and they're more conservative and I wonder if..ah the House
30. the Senate is elected...is elected...that's the reason...ah...
31. but on behalf of members of my group...we would like to express
32. our thanks for being given the opportunity to address both Houses
33. and since our arrival in Springfield we were able to see beau-
tiful places,

1. we are able to see ...ah...agricultural development, which is
2. ah..like our agricultural development and your able to meet
3. people who coming from New York...ah...we then realize that
4. New York was not the United States of America an' it is good
5. that those who arrange this tour...ah ..included Springfield
6. ..ah..on...our itinerary...we will go back to our respective
7. homes...ah...having learned, seen that in Springfield
8. there are people who were..ah..ready to take time off to say good
9. morning or good afternoon and people were able to see people in
10. Springfield...ah...coming from New York, we are..ah...speaking
11. personally you just saw machines...ah...an' once again on behalf
12. of the..ah..Caribbean group thank you, Mr. President, and Senator,
13. for allowing us ...ah..the privilege of..ah..taking part in your
14. deliberation. Thank you.

15. PRESIDENT:

16. Thank you very much. Just a second one of the Senators....
17. Senator Nihill.

18. SENATOR NIHILL:

19. Ah...Mr. President, I'd like to have these fine gentlemen
20. stop in Chicago an' see the City of Chicago before they go back
21. home and meet the Mayor there, Mayor Richard J. Daley, an' I
22. think they'll appreciate it.

23. PRESIDENT:

24. Senator McBroom.

25. SENATOR MCBROOM:

26. Mr. President, addressing myself to the gentleman behind you,
27. several of us here have had the good fortune to be in Jamaica
28. on several occasions, I know Senator Partee has, Senator Ozinga,
29. I know Mr. Cadigan has an' I have and I want to assure you gentle-
30. men who have not been there that Jamaica is much more pleasant than
31. Springfield, Illinois, Chicago , Illinois, it's even nicer than
32. Kankakee, Illinois.

33. PRESIDENT:

1. PRESIDENT:

2. ...Neistein:

3. SENATOR NEISTEIN:

4.

5. While we're on the matter of personal privileges, I'd
6. who's nation wide known in the elk of Melvin Beli an' F. Lee
7. Bailey. He's an outstanding criminal attorney. He's here for the
8. Baily, he's an outstanding criminal attorney, he's here for the
9. swearing in ceremonies ...ah...of the Illinois State Bar an'
10. that's Julius Lucious Echo's, who's seated right here.

11. PRESIDENT:

12. Senator Savickas.

13. SENATOR SAVICKAS:

14. Mr. President an' members of the Senate, I would like leave
15. of the Senate to advance HB...ah...3586 to second reading with-
16. out committee hearing. I talked to ..ah...leaders on both sides
17. of the aisle and there was no objection.

18. PRESIDENT:

19. 3586 advanced to second reading without reference. Is there...

20. SENATOR GRAHAM:

21. Ah...just to relieve the Calendar a little bit, I was asked
22. by the sponsor of 4318 and 4319 to be the Senate sponsor. HB
23. 4318 and 4319.

24. PRESIDENT:

25. 4318 and 4319, Senator Graham is the sponsor. Senator Berning.

26. SENATOR BERNING:

27. Mr. President, I've been asked by the sponsor to pick up HB
28. 4327. Will the record so show?

29. PRESIDENT:

30. 4327, Senator Berning is the sponsor. Senate bills on 2nd read-
31. ing. Senator Bruce, Senator Bruce.

32. SENATOR BRUCE:

33. Yes, HB4276 was inadvertantly given to Senator Johns, Repre-

1. sentative McCormick has asked me to handle that bill for him.

2. PRESIDENT:

3. 4276 will be assigned to Senator Bruce. 4436 will be as-
4. signed to Senator Gilbert. Senate bills on 2nd reading. Sena-
5. tor Clarke.

6. SENATOR CLARKE:

7. Ah...earlier I spoke to the President Pro Tempore about the
8. propriety of going out of order..ah..House bill on 3rd reading
9. 4198 was an emergency bill..ah..yesterday the Department of Re-
10. venue run..ran out of income tax refund money and this is a bill
11. that would replenish that and I asked the Pro tempore whether
12. it be agreeable to go out of order, the Governor is in his office
13. an' waiting to sign it, if we see favorable to act on it.

14. PRESIDENT:

15. Senator Partee.

16. SENATOR PARTEE:

17. Yes...Mr. President, I think we have no alternative, there's
18. no objection.

19. PRESIDENT:

20. Senator McBroom is recognized on 4198. HB on 3rd reading.

21. SENATOR MCBROOM:

22. Well, I think Senator Clark an' Senator Partee adequately ex-
23. plained the bill. It's a supplemental appropriation 25 million
24. dollars for the payment of refunds on the Illinois Income Tax
25. Act. Do I have to go into it any further? If you'll..if...

26. PRESIDENT:

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

29. SECRETARY:

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

AB 1389
2nd Reading
5/16/77

- 1. Latherow, Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler,
- 2. Mohr, Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
- 3. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper, Sours,
- 4. Swinarski, Vadalabene, Walker, Weaver.

5. PRESIDENT:

6. Latherow aye. On that question the yeas 39...yeas are 39...
7. The nays are none. The bill having received a constitutional
8. majority is declared passed. Senate bills on 2nd reading. 13...34
9. Senator Egan...1334.

10. SECRETARY:

11. 2nd reading of the bill. No committee amendments.

12. PRESIDENT:

13. Any amendments from the Floor? 3rd reading. 1388 Is Sena-
14. tor Harris on the Floor? 1388, Senator Harris do you want that? 1388

15. SECRETARY:

16. 2nd reading of the bill. One committee amendment from Trans-
17. portation.

18. PRESIDENT:

19. Senator Harris moves the adoption of the committee amendment.
20. All in favor signify by saying aye. Contrary minded. The amen-
21. ment is adopted. Any further amendments? 3rd reading. 1389.

22. SECRETARY:

23. 2nd reading of the bill. One committee amendment from Trans-
24. portation.

25. PRESIDENT:

26. Senator Harris moves the adoption of the committee amendment.
27. All in favor signify by saying aye. Contrary minded. The amen-
28. dment is adopted. Any further amendments? 3rd reading. 1391

29. Senator Chew's bill, I wonder if we can advance that...with the
30. understanding that it can be brought back to second reading...

31. 1391.

32. SECRETARY:

33. 2nd reading of the bill. No committee amendments.

PRESIDENT:

1. Any amendments from the Floor? 3rd reading. 1419 is
2. Senator Savickas on the Floor? Oh, Senator O'Brien.. yea..
3. let's advance that an' Senator if O'Brien wants to ..1419

4. SECRETARY:

5. 2nd reading of the bill. No committee amendments.

6. PRESIDENT:

7. Any amendments from the Floor? Sen..Senator Berning ..

8. SENATOR BERNING

9. ...r..to that...ah..can we have the understanding that it
10. will be brought back?

11. PRESIDENT:

12. W..We're advancing it with the understanding that it can
13. be brought back. 4...1423 Senator McCarthy...1423.

14. SECRETARY:

15. 2nd reading of the bill. No committee amendments.

16. PRESIDENT:

17. Any amendments from the Floor? 3rd reading 1430.

18. SECRETARY:

19. 2nd reading of the bill. No committee amendments.

20. PRESIDENT:

21. Any amendments from the Floor? 3rd reading 1541 Senator
22. Newhouse.. Senator Newhouse ..1541..1541.

23. SECRETARY:

24. 2nd reading of the bill No committee amendments .

25. PRESIDENT:

26. Any amendments from the Floor? 3rd reading ..Senate..Senator
27. Clarke.

28. SENATOR CLARKE:

29. Ah ..if I could have the attention of the pro tempore, it's
30. been called to my attention that HB4200, the last bill on the
31. list is also an emergency ..ah ..supplemental appropriation an
32. possibly we'd go out of our business and get rid of that...ah..
33. it has to do with the Industrial Commission.

1. PRESIDENT:
2. Senator Partee.
3. SENATOR PARTEE:
4. 3200 did you say?
5. PRESIDENT:
6. 4200.
7. SENATOR PARTEE:
8. Hold on a minute.
9. PRESIDENT:
10. House bills on 3rd...I wonder...Senator Soper, you can
11. check with...
12. SENATOR PARTEE:
13. Oh, Mr. President, I'm, I am aware of this bill and we
14. oughta.. I think we have to do this right now.. it's alright
15. with me.
16. PRESIDENT:
17. Alright, we'll go out of order and take HB4200 on 3rd read-
18. ing. Senator Soper
19. SENATOR SOPER:
20. Ah ..Mr. President an' members of the Senate, this is a supple-
21. mental appropriation for the Industrial Commission and this is the
22. 16th of the month an' now the 15th they ran out of money and ah..
23. it's necessary and it does exactly what the Calendar says it
24. appropriates 89 thousand seven hundred ninety-three dollars,
25. otherwise the commission can't travel...can't do a thing. So
26. we need the money.
27. PRESIDENT:
28. Is there any discussion? Secretary will call the 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. Ha...Hall, Harris Horsley Hynes, Johns, Knuepfer Knuppel,
Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom McCarthy,

1. Merritt, Mitchler, Mohr Neistein, Newhouse, Nihill, O'Brien,
2. Ozinga, Palmer, Partee, Rock, Romano, Rosander Saperstein,
3. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
4. Weaver.

5. PRESIDENT:

6. Bruce aye, Carroll aye, Carpentier aye, Graham aye, Bid-
7. will aye, Knuppel aye. On that question the yeas are 37. The
8. nays are none. The bill having received the constitutional ma-
9. jority is declared passed. Senate bills...O'Brien aye on the
10. last one. Senate bills on 3rd reading 82. ...ask Senator Chew
11. to come up here. 82 Senator Harris, 889 Senator Laughlin, 1062
12. Senator O'Brien, 1328 Senator Berning, Senator Berning.

13. SENATOR BERNING:

14. Yes Mr. President, members of the Body ..

15. PRESIDENT:

16. Just a second ..before wegentlemen...let's take our
17. seats ..we got about 12 different caucuses going on on your
18. side of the isle Senator Berning. Senator Smith, Senator Mc-
19. Broom, Representative Duff, Senator Fawell, Senator Walker, gen-
20. tlemen.. please...I'm with you, Senator Bidwill. ..Senator Berning
21. is recognized.

22. SENATOR BERNING:

23. Mr. President, thank you, this is the annual appropriation
24. for the Local Government Law Enforcement Officers Fund.....ah...
25. it is in the budget. I know of no objection to it. It came out
26. of the committee unanimously and I'd appreciate a favorable roll
27. call.

28. PRESIDENT:

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

30. SECRETARY:

31. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier
32. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, David-
33. son, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham, Groen,

1. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel, Kos-
2. inski, Kusibab, Latherow, Laughlin, Lyons, McBroom, McCarthy,
3. Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
4. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
5. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
6. Weaver.

7. PRESIDENT:

8. Nihill aye, Newhouse aye, Weaver aye, Hynes aye. On that
9. question the yeas are 44. The nays are none. The bill having
10. received the constitutional majority is declared passed. Sec-
11. retary has called my attention to the fact that Senator Graham
12. has...ah ..bill of sizeable proportion that's ready for intro-
13. duction and to expedite that we'll go out of the order of bus-
14. iness for introducing it. Senator Graham.

15. SENATOR GRAHAM:

16. Mr. President, ah...this is a joint bill, joint venture,
17. this little piece of merchandise here represents 14 years of
18. work by Senator Dougherty and myself, members of the Election
19. Laws Commission, it's a complete recodification of the Illinois
20. Election Code. We're going to attempt to have a understandable
21. synopsis of it prepared so that all the members may have it,
22. I just talked with Senator Partee, an' Senator Dougherty an' I
23. would like permission from the Senate for this bill to remain
24. wherever it might remain after it's introduced until the date of
25. printing and with proper notice there as...soon thereafter as
26. possible to have a committee meeting of the whole on this bill
27. because it's important to every legislator. Senator Partee agrees
28. with this procedure. Senator Dougherty agrees with it. It's a
29. complicated bill, gentlemen, an' I think in respect to everybody here
30. with due respect to them, we should have a ..ah..committee of the
31. whole, have members people down here who are expert in this field
32. people who helped drafted it..draft it so we could all understand
33. it an' I would like to introduce it with that thought in mind on

1. behalf of Senator Dougherty and myself.

2. PRESIDENT:

3. Is there...well...the bill will be referred to committee
4. an' we'll read...read it...1st reading now.

5. SECRETARY:

6. SB#1569 introduced by Senators, Graham, Dougherty, Partee
7. and Clark by request of the Election Laws Commission, a bill
8. for an Act to revise the law relating to elections and to re-
9. peal an Act therein named.

10. PRESIDENT:

11. And then, Senator Graham, at the appropriate time we'll make
12. a Motion for a committee of the whole. While we're out of the
13. order of business, Senator Chew ..ah...on 1391 Senate bills on
14. 2nd reading Senator Chew has an amendment on that bill that was
15. advanced. Senator Chew.

16. SENATOR CHEW:

17. Yes, I'd like to call it back to 2nd reading for the purpose
18. of an amendment No. 1.

19. PRESIDENT:

20. Is there ..can you explain the amendment?

21. SENATOR CHEW:

22. Yes, Mr. President, it clarifies the...bill...itself
23. and it confines the...personnel...that will be able to
24. use this service according to the CTA, the Chicago Transit
25. Authority. It's their amendment and which I'll accept.

26. PRESIDENT:

27. Is there any discussion? All in favor signify by saying aye.
28. The amendment is adopted 3rd reading. Senator Graham.

29. SENATOR GRAHAM:

30. I just had a request from one of the Senators. It seems
31. to make good sense to me. Senator Dougherty, could I have your
32. attention, please? I think you and I are in agreement that we
33. can...(Bad Tape)....

members of this Senate that want to be cosponsors of that big election code to get on it, we'd welcome it. So if they would notify the Secretary's office, come ye all, we need your help.

PRESIDENT:

1339, Senator Knuepfer. Senator, can these two be considered on one roll call?

SENATOR KNUEPFER:

Yea, they are companion bills. It needs both bills to ...to do what the bills...ah...propose.

PRESIDENT:

Is there objection from anyone from considering them together on one roll call? Leave is granted. Senator Knuepfer.

SENATOR KNUEPFER:

Sb1339 and 1340 are companion bills and they are bills addressing themselves to providing property tax relief to the hard pressed senior citizens, who live in their own homes. The State has enacted a Homestead exemption but on the assumption that the Homestead exemption is presently a constitutional one the (Bad Tape) in the amount is so small that it is practically meaningless for many citizens. Unfortunately, as we increase the amount...significant losses can take place to local government such as schools, libraries, municipalities, etc., and increasing the amount of the Homestead exemption has the...imminent possibility of putting local finances in jeopardy. The concept embodied in this package of bills permits deformed (Bad tape) either partial or intotal (Bad Tape) tax payer's needs and desires (Bad Tape) on his qualifying property by filing with the county clerk of the count...(Bad Tape)...has been made and when the taxes...are extended shall send to the department the tax bills. The department of local government that is on all tax deferred property in that collector's county. The Department of Local Government will then pay to the county collector for distribution to the taxing bodies the total amount of taxes so deferred. These taxes shall be made from the Illinois Deferred Tax Revolving Fund. Deferred real estate taxes and any interest thereon are a lien on the estate...on the real

1. estate until paid. Deferred real estate taxes are due either
2. one year from the date of death of the taxpayer claiming de-
3. ferral or 90 days from the date when the tax deferred property
4. is sold or is no longer qualifying property. If one spouse dies
5. and the other is 65 year of age or over an' files a claim at the
6. proper time a deferral may be continued. When any deferred taxes
7. including interest are paid the money shall be credited to a spe-
8. cial account in the county treasurer, treasury. The county
9. treasurer shall within 30 days upon receiving (Bad Tape) remit the
10. amount paid and the accrued interest to the Department of Local
11. Government. If the tax deferred property is sold by foreclosure
12. the proceeds of the sale should be applied under the revenue act
13. of 1939 to the payment of real estate taxes an' interest. Essen-
14. tially this concept is one which (bad Tape) to make decision as to
15. whether to defer and how much to defer. It is administratively
16. simple to manage. All tax bodies will continue to enjoy the re-
17. venue which they are presently enjoying an' the State of Illinois
18. will eventually be reimbursed for it's expenditures. That is
19. the bill. I would be happy to answer any questions.

20. PRESIDENT:

21. Senator Soper:

22. SENATOR SOPER:

23. Mr. President, Senator Knuepfer, would you be available for
24. a few questions?

25. PRESIDENT:

26. He indicates he will.

27. SENATOR SOPER:

28. Now, let's say that there's a mortgage on this piece of pro-
29. perty an' the mortgage calls for the payment of taxes. Could these
30. taxes be deferred for 10 or 15 or 20 years, as far the...as far
31. as the mortgage holder is concerned.

32. PRESIDENT:

33. Senator Knuepfer.

1. SENATOR KNUEPFER:
2. Ah ..Senator, as I understand it taxes are a prior lien.
3. PRESIDENT:
4. Senator Soper.
5. SENATOR SOPER:
6. I underst...Senator, I understand that but also mortgages,
7. mortgages, have cloused in them which say if the taxes aren't
8. paid at a certain time and there's a default in the mortgage
9. then the mortgage can be foreclosed. How do you expect to
10. cure that?
11. PRESIDENT:
12. Senator Knuepfer.
13. SENATOR KNUEPFER:
14. I didn't get the question, I'm sorry.
15. PRESIDENT:
16. Would you repeat?
17. SENATOR SOPER:
18. Yes. Most mortgages have clauses in them which state that
19. the taxes have to be on time and if the taxes aren't paid on time
20. then that's a substantial default in the mortgage now an' then the
21. mortgage can't be foreclosed now do you...ah ..with this law do
22. you expect to put into effect the fact that a mortgage ..ah...can
23. not be defaulted or foreclosed because the taxes were not paid on
24. an affidavit of this type for..for senior citizens.
25. PRESIDENT:
26. Senator Knuepfer.
27. SENATOR KNUEPFER:
28. Well, Senator, I suspect that this legislation would...ah..
29. preempt that area of those clauses and these...these deferrments
30. are specific..would be specifically authorized for by the leg-
31. islature if this bill passes and I can see no problem of...of
32. foreclosure there. I think this would preempt that area.
33. PRESIDENT:

1. Senator Soper.

2. SENATOR SOPER:

3. Now, I think...I think that the constitution of the United
4. States say that there shall be no laws that will impair any
5. contract. Now, if we..if you do this your going to impair
6. a contract between a mortgage holder and a mortgage lender.
7. Now, if you..if you can get around that I think you've got a
8. good bill, but I think your bill is unconstitutional.

9. PRESIDENT:

10. Senator Laughlin.

11. SENATOR LAUGHLIN:

12. Well, Mr. Chairman, members of the Senate, I have three,
13. three questions an' three comments that I'd like to make, an' I
14. don't know which is the proper way to categorize them. Number
15. 1, you say this is easy to administer, Senator Knuepfer, an' I
16. wanna know how and when it is determined and who makes the de-
17. termination that the amount of the deferred taxes together
18. with the mortgage, is more than the value of the property?

19. PRESIDENT:

20. Senator Knuepfer.

21. SENATOR KNUEPFER:

22. Senator, that, that question...ah...is not answered in the
23. bill...that...

24. PRESIDENT:

25. Just a moment...Senator Berning can we take that conference
26. right next to Senator Knuepfer off the Floor, please. .

27. SENATOR KNUEPFER:

28. There, there is no question that the legislature would have to
29. address itself to that question within a period of approximately 5
30. years...ah ..here's the reason for the 5 years. ah.. most very
31. few morgages, none that I know of are available without at least
32. a 25% down payment. That leaves approximately 75% borrowed...ah..
33. by a home owner. Banks an' savings an' loans may go to 80%, but rare-

1. ly above 75 in my experience...ah...on the assumption that the
2. average real estate tax is approximately 5% of the real value
3. of the property, that is it's sale value, then within 5 years
4. conceivably someone could get to a zero value.. ah...in terms
5. of his own equity. This bill has not a solution for that. That
6. bill, that solution would have to be legislatively determined
7. within a period of 4 to 5 years after the enactment of this kind
8. of a concept to determine at what...what happens when there is
9. zero value and what...where we would go from there.

10. PRESIDENT:

11. Senator Laughlin.

12. SENATOR LAUGHLIN:

13. But Senator Knuepfer, you don't only talk about mortgages, you
14. talk about people who are buying homes under contracts of pur-
15. chase an' often time the down payment may be as low as 10% an' how
16. are you gonna police that an' how are you gonna take care of it
17. where the contracts...ah...are not necessarily recorded.

18. PRESIDENT:

19. Senator Knuepfer.

20. SENATOR KNUEPFER:

21. Well, I can only suggest in ca...in the event that the con-
22. tract provides...ah...the contract provides only a 10% down pay-
23. ment..that...ah...then in 2 years we would have to address our-
24. selves to this question

25. PRESIDENT:

26. Senator Laughlin.

27. SENATOR LAUGHLIN:

28. Well..I wanta make these points because you said this was so
29. simple to administer and it was afforded no problems. Now, let's
30. go to the second page of the ...SB1340.

31. PRESIDENT:

32. Just a moment...let's...gentlemen..let's maintain some or-
33. der...please. Senator Laughlin.

1. SENATOR LAUGHLIN:

2. Ah...this says as to qualifying property not having a separate
3. assessed valuation the taxpayer shall also file with the county
4. clerk a written appraisal of the property prepared by a qualified
5. real estate appraiser, Now this...isn't this an improper delega-
6. tion. I assume what you're talking about, for example, is a farm
7. house, at least to use one example. The farm property itself
8. would not be exempt, it would only be the homestead, so somebody
9. would have to come in and have an appraisal...then and say that
10. the acre or half acre on which the farm homestead stands is worth
11. so much money. Now, this is a job for the assessor an the super-
12. visor of assessments, is it not? How can you delegate this kind
13. of an authority to a licensed real estate appraiser?

14. PRESIDENT:

15. Senator Knuepfer.

16. SENATOR KNUEPFER:

17. Well, I..ah ..it..it doesn't effect the assessment it is
18. simply to provide ..ah...the...provide the State of Illinois
19. an' the county collector with a ...ah...approximation of the
20. value, the current market value of that property, it does...it
21. does not effect in any way the assessor's assessment of that
22. property.

23. PRESIDENT:

24. Senator Laughlin.

25. SENATOR LAUGHLIN:

26. Oh, but, oh but it does, Senator Knuepfer and it denies...
27. the fellow who doesn't have a piece of property in which he can
28. maneuver with, equal protection of the laws. In fact it gives
29. him an advantage over the fellow that has a house an' lot in
30. town and no more and his value and his assessment is fixed by
31. the assessor subject to the supervisor of assessments making an
32. additional judgment or the board of review in a down state county
33. passing judgement on the assessment, so I think you have a real

1. problem here an' I don't think this makes the bill one as you
2. stated one that is real simple to administer I don't think it
3. is at all. The last count...the last thing I have to say is
4. by way of comment an' I'd like to say this that I don't object
5. to what your tryin' to do here but I don't know how you're gonna
6. get the job done. The last comment is the one that I made in
7. committee and that is that it provides for an interest rate of
8. 3% and there is no basis of need established. In other words, an
9. extremely wealthy couple or taxpayer over 65 that might have a
10. hundred thousand dollar home is entitled to permit his taxes to
11. be deferred an' only saddle his heirs or himself with 3%. This,
12. I think, gives him a break which the poor guy does not get and I
13. haven't read Judge Cabeley's decision on No-Fault in which he held
14. it unconstitutional and one of the reasons is being that the poor
15. guy lost out and wasn't getting the same break as the fellow who
16. had considerable property I think might well apply here. As a
17. matter of fact, if the Supreme Court of the United States con-
18. tinues to broaden the scope of the 14th amendment in it's interpreta-
19. tion,.....ah... there's a real question , ah...I beg your pardon,
20. you have now amended the bill to 6%, I take back what I just said,
21. the comments and the questions that I first made though still stand.

22. PRESIDENT:

23. Senator Dougherty.

24. SENATOR DOUGHERTY:

25. Mr. President, members of the Senate, I was in Committee
26. and interposed some objections to the bill...for one parti-
27. cular reason. When we had the Homestead Exemption Act in Cook
28. County of 15 hundred dollars, in Cook County alone there were
29. 91 thousand applications, now if they who were eligible for this
30. in Cook County would make request for such referral, how in the
31. name of goodness are you going to ...conduct...ah ..simple method
32. of ...bookkeeping on these 91 thousand cases? And then what if the
33. property is destroyed by fire ? I mean what claim do you have?

1. I mean and this is entirely possible within the realm of possib-
2. ility. There's only...no...getting away from it, the
3. property could be destroyed by fire...and the...immense
4. number of people in the State of Illinois who would be eligi-
5. ble under this act ...would not...the 20 million dollars would
6. not be enough...because we have another proposition ...for the
7. revolving to take care of the ...ah...monies lost to local gov-
8. ernment by other legislation...by almost 30 million...that would
9. be 50 million dollars that we'd have to appropriate, now, I re-
10. cognize the 20 million would be a revolving fund, but it still
11. would not be there because it would be...being paid to local and
12. taxing bodies for..to take care of these deferrals. The princi-
13. ple is fine, but the operation, ...the motise...opera..operandee,
14. does not appeal to me...and I sincerely do not like to take
15. and put a further hardship on older people that to me this ...
16. these two bills do not fit into my ...concept of equitable taxa-
17. tion to payment of taxes. It is unconstitutional to some...one
18. degree for the reason that it..it..works against the man under
19. 65 who might be in just a certain circumstances and not over 65.
20. PRESIDENT:

21. Is there any further disucsion? Senator Knuepfer may close
22. the debate.

23. SENATOR KNUEPFER:

24. Well, I...I want to emphasize what I consider a very substan-
25. tial benefit of this kind of legislation and that there is no long
26. run cost to the State. Now, Senator Dougherty suggested and it is
27. true that it would tie up 20 million dollars...ah.. I would like to
28. point out, however, that ..ah...it would tie up 20 million dollars
29. at 6%. The State can currently borrow 20 million dollars at some-
30. thing slightly less than 5% so if we were in the future to give the
31. State authorization to borrow money to fund this, the State could
32. actually make something better at current interest rates than,than
33. 1% on this differential....ah..I think it has one other great pos-

1. sibility and that is when I compare it to a proposal that is
2. presently an administration proposal that is presently before
3. these legislative bodies. That proposal provides the possibil-
4. ity of substantial and very rapid growth because each Session
5. we are going to be coming into this Body to try and ease the load
6. a little bit more. One of the concepts of finance that has al-
7. ways intrigued me is to provide programs that do not provide aid
8. for a very rapid growth in state expenditures and as I suggested
9. I do not think this does because in truth the money can be bor-
10. rowed by the state and loaned back at 1% profit. I don't know
11. whether this is the answer to a maiden's prayer. I know that the
12. 15 hundred dollar Homestead exemption in my county is practically
13. meaningless. We have all kinds of retired people who move to
14. Florida...ah...who have to go somewhere else where they can get
15. a Homestead exemption an 15 hundred dollars is about seventy-five
16. dollars and that's not very much when you're on a fixed income an'
17. on a pension..ah ..I think this has a great deal to commend it...
18. and I consequently offer it to you.

19. PRESIDENT:

20. Secretary will call the roll.

21. SECRETARY:

22. Arrington, Baltz,

23. PRESIDENT:

24. The roll call incidently applies to both bills.

25. SECRETARY:

26. Berning,

27. PRESIDENT:

28. Senator Berning.

29. SENATOR BERNING:

30. Yes, Mr. President, I...I like the concept of this bill
31. because it does essentially what I tried to do six years ago.
32. There are a couple of flaws in the bill, as I see it however,
33. and more importantly the administrative responsibility that this

1. bill carries without any provision for covering the costs which
2. will necessarily be borne by the county make it a little less
3. than acceptable. It would seem to me that the sponsor would
4. do well to withhold it and as an alternative to make this pro-
5. gram in lieu of a Homestead exemption or a circuit breaker to
6. others that we now have, but by combining this with the others,
7. it seems to me that the administrative chore is going to be in-
8. surmountable, but the other things that..ah..provide...that in-
9. dicate a weakness here are requiring the county collector to
10. act where the county clerk should be involved an' at the time the
11. taxes are extended...this is again the county clerk, not the
12. county collector. There...there are things here that should be
13. reviewed and while I support the concept I can't support this
14. bill, would suggest the sponsor consider holding it and rework-
15. ing it. I will have to vote no.

16. SECRETARY:

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

25. PRESIDENT:

26. Knuepfer aye, On that..on those measures the yeas are 12.
27. The nays are 3. The bill having failed to receive the constitu-
28. tional majority is declared defeated. Senator Latherow.

29. SENATOR LATHEROW:

30. Mr. President, ..ah..members of the Body...I'd like the pri-
31. vilege to violate the Rules at this time, for the purpose of in-
32. troduction.

33. PRESIDENT:

1. The Chair does not recognize you for that purpose, but
2. Senator Latherow may proceed.

3. SENATOR LATHEROW:

4. Thank you...ah...sitting in the President's gallery to
5. our right are 7 essay contest winners from Adams County,
6. Electrical Co-op, Camp Hoy, Illinois, who are competing in
7. a contest to determine which one's of. which two of this
8. group will make an..expense paid, I'll have you note I add-
9. ed expense paid to that, trip to Washington, D.C., in the
10. very near future, in June. I'd like for them to stand and
11. be recognized by the Senate, along with them a Dean Surrel,
12. the manager of that electric co-op...

13. PRESIDENT:

14. The....1344, 1345, Senator Fawell. Can..can we consider
15. these two on one roll call Senator?

16. SENATOR FAWELL:

17. Yes, I..I think you can.

18. PRESIDENT:

19. Is there objection from anyone? Leave is granted.

20. SENATOR FAWELL:

21. Mr. President, members of the Senate, these two bills are
22. basically very simple as amended. They simply increase the tax
23. in reference to the Harness Racing Act and the tax in regard to
24. the Horse Racing Act by a very modest 1/2 of 1 percent, which
25. I am informed would amount to approximately 3 and one-half mil-
26. lion dollars per year and allocates that amount of money for ..ah..
27. aid to welfare in Illinois. This...ah...legislation grew out
28. of a series of meetings in the suburban Chicagoland area at the
29. time when the welfare crisis in Illinois was very well public-
30. ized and in the meetings that I attended I pointed out that I
31. think the feeling of the legislature in regard to increase of
32. taxes is understandably negative, but on the other hand, I think
33. that a majority believe that in this area an increase of tax is

1. justified. It's a very small gesture, but I think it's a step
2. in the right direction. It's not going to solve the welfare
3. crises, but it is going to give three and a half new...three
4. and a half million new and additional dollars for the very
5. much needed welfare area. I would hope that we would have
6. the support of the Senate for the passage of these bills.

7. PRESIDENT:

8. Senator Gilbert.

9. SENATOR GILBERT:

10. Well...I..I'm not opposed to the bill but I just don't see..
11. why you...allocate it directly to Public Aid...if you give
12. Public Aid three and a half million dollars more I don't see
13. that your gonna reduce Public Aid appropriations any, I think
14. your just gonna mean that your giving three and a half million
15. more that they are going to spend. I think it would be a lot
16. better to put this in General Revenue and let then let it be
17. used to for Public Aid, which is the main source...our main...
18. main expenditure now or wherever it's needed, but it seems to
19. me that if Public Aid gets the idea they have three and a half
20. million more why they're going to just have that much more to
21. spend...I...I'm in favor of this bill, the concept of it, but I
22. just don't see any reason to allocate it to Public Aid, which is
23. the biggest spender of all.

24. PRESIDENT:

25. Senator Knuppel.

26. SENATOR KNUPPEL:

27. Mr. President, an' members of this Body, as you know, I'm a
28. freshman member in this Body but it's amazing to me when I see
29. all of the bills that are introduced here that would solve the
30. problems of financing a state government by taking from harness
31. racing or..or ...flat track racing, or lotteries, or bingo, or
32. some other type of...ah ..bill where chance is involved, par-
33. ticularly when that money always is tied, always is tied to

1. some good end so that..ah..they seem to think there's some-
2. thing wrong with it so they tie it to education or they tie
3. it to welfare or they tie it to something that's kind of sac-
4. red cow hoping everybody will vote for it. All I can say is
5. is that if harness racing an...anda...racing in Illinois deserves
6. to pay a greater tax, I'll vote for it when there's some case
7. made for it on this Floor, but that money should go into General
8. Revenue, it should go into General Revenue, as Senator Gilbert
9. has said and let's be careful that we don't kill the goose that
10. laid the golden egg. We..we wanta take a half a percent for this
11. and we want to take charity dated for that and we want to do some-
12. thing else with the money...that comes from racing, or from lot-
13. teries, or from bingo. I think the people of this State will sup-
14. port us when we levy the...taxes that are necessary to finance
15. government and to financing essential and necessary elements of
16. it and that's education, roads, schools and let's quit trying to
17. hide what we're doing. Let's be honest with the people and tell
18. them this tax is an honest tax to defray a necessary expense of
19. government and I just don't like this kind of bills. I think
20. they demean the Senate, they demean the legislators and their
21. forthrightness and honesty. Let's either levy the taxes or say
22. we don't need the service.

23. PRESIDENT:

24. Is there further discussion? Senator Fawell, may close the
25. debate.

26. SENATOR FAWELL:

27. Well, I'm well aware, of course, that there are varying
28. views in regard to whether funds ought to be earmarked. I don't
29. feel quite as strongly as Senator Knuppel. I think that unfor-
30. tunately, when money goes into the revenue fund, general reven-
31. ue fund, there is a feeling of many that we're not quite sure
32. just where that money finally ends up and we all budget. I
33. don't feel that simply because you earmark, that this is
ipso facto bad.

1. It's an effort here, rather than for instance to just to vote for
2. the ...ah ..increased services, which are certainly needed in
3. Public Welfare, to be, I hope, constructive by saying here at
4. least is three and a half million that can be utilized for the
5. many unfortunate people who find themselves in some pretty tragic
6. circumstances and though we spend a great deal of money in
7. Public Aid, I think we ought to be aware that the great increases
8. of Public Aid in the last ten years have been basically in the
9. medical area. Some 1/3 of our total budget now is basically to
10. finance the medical fees and the hospital charges and the in-
11. crease in regard to basic living expenses, rent and food, etc.,
12. has not hardly kept up. And I think there's nothing wrong
13. with simply saying therefore we're going to be realistic, we know
14. we can't appropriate what we should, but here at least is three
15. an'a half million dollars and I for one wish that when we voted
16. for the income tax that we had earmarked the income tax only for
17. education. I think the people back home could have accepted it
18. much more an' I think we'd had a better law. So, I..I just with due
19. respect to those who advance the theory that earmarking or bud-
20. geting in that sense is bad, I can't quite agree. I think this
21. is a small step, but a correct step and it can help some people
22. who do need that help very, very much. Thank you.

23. PRESIDENT:

24. Senator Groen.

25. SENATOR GROEN:

26. Senator Fawell, does this bill state that the monies resulting
27. from this one-half of one percent...ah...shall be appropriated over
28. and above any other appropriations, for the general...for this..
29. welfare fund?

30. PRESIDENT:

31. Senator Fawell.

32. SENATOR FAWELL:

33. Well, it..it states that the tax received under this section

1. shall be paid into the general revenue fund in the State Trea-
2. sury and then will be used for financing Public Aid as defined
3. in sections 2-2, no, so it doesn't in that sense, in that sense
4. I suppose increase the appropriation, it does provide the ad-
5. ditional funds which ...ah...obviously we're gonna be short of
6. as in the last section I think we're gonna be...we're gonna be
7. appropriating and I think all of us will recognize that..the..
8. actual cash isn't going to be there to fulfill the appropriation.

9. PRESIDENT:

10. Senator Groen.

11. SENATOR GROEN:

12. Well then from a budgeting process would it not follow
13. that in determining what the total appropriation for Public
14. Aid for example would be...ah...this, these funds of as you say,
15. three an' a half million dollars or whatever that figure was...
16. ah..these monies would be tapped first and used to make up a
17. part of that total appropriation. If this is a situation where
18. this income shall be over and above the regular appropriation for
19. this purpose I would be opposed to it, but if this is simply mak-
20. ing available additional monies from this source in the general
21. treasury and then in the budgeting process, these monies shall
22. be tapped first to provide the total appropriation for Public
23. Aid I can support it. Now if..would you tell me if that's what
24. it does?

25. PRESIDENT:

26. Senator Fawell.

27. SENATOR FAWELL:

28. That..that is what it does and I thank you for clarifying
29. that point...That..that is what it does. It doesn't increase
30. the budget for Public Aid, but it does say here are some funds
31. from a source where perhaps...the margin of profit would jus-
32. tify utilization in this manner.

33. PRESIDENT:

Secretary will call the roll. The roll call applies to both

1. bills.

2. SECRETARY:

3. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
4. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
5. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert...

6. PRESIDENT:

7. Senator Gilbert.

8. SENATOR GILBERT:

9. I hate people that talk on a matter and then explain
10. their vote, but I'm going to vote yes on this, but I would hope
11. that the House would give some consideration to changing this
12. back to general revenue, now...ah..I have never seen a time,
13. since I have been in the legislature when Public Aid needed a
14. deficiency appropriation or more money we didn't give it to
15. them, so I don't think that you're going to solve anything there
16. and I think that if you say here's three and a half million
17. dollars even though it's supposedly taken out of the first....
18. appropriation that's made I think that you're going to find
19. people in Public Aid trying to get an additional 3 and a half
20. million dollars to their appropriation, by saying, well we have
21. some funds there that were specifically for Public Aid and there-
22. fore we are entitled to those. I think that the wrong approach
23. is being used here. I think it should be general revenue, but
24. I'm going to vote aye because I am in favor of the bill in prin-
25. ciple.

26. SECRETARY:

27. Graham, Groen, Hall, Harris, Horsley, Hynes, Johns, Knuep-
28. fer, Knuppel, Kosinski, Kusibab, Latherow, Laughlin, Lyons,
29. McBroom, McCarthy, Merritt, Mitchler, Mohr, Neistein, New-
30. house, Nihill, O'Brien, Ozinga, Palmer, Partee, Rock...

31. PRESIDENT:

32. Senator Partee.

33. SENATOR PARTEE:

I have some of the reservations that some of the members

1. have expressed here. I would only say this, Senator Fawell,
2. I have another reservation which I did not hear expressed
3. an' that is whether or not this kind of law would in any way
4. jeopardize any funds which may be forth coming from the Fed-
5. eral government under any of the perspective revenue sharing
6. plans. Hoping that it will not, I'll vote aye, but I just cer-
7. tainly want to sound a warning that this could in some way jeo-
8. pardize federal monies, but I'm gonna vote aye.

9. SECRETARY:

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

12. PRESIDENT:

13. For what purpose Senator Carroll arise?

14. SENATOR CARROLL

15. Mr. President, how am I recorded?

16. PRESIDENT:

17. You are not.

18. SENATOR CARROLL:

19. I'd like to explain my vote, Mr. President, members of the
20. Senate, you know, we talk about three and a half million dollars
21. a day, actually in our Public Aid Appropriation that's coming up,
22. this will not pay for one day's cost of Public Aid, which runs
23. I just figured it out four million dollars per day and I agree
24. with Senator Partee that I'm going to vote for this bill, but I
25. wonder and have some qualms about the...what it'll do to some
26. of our federal matching funds, but I vote aye.

27. PRESIDENT:

28. Hynes aye, Nihill aye. On those measures the yeas are 31.
29. The nays are 6 McBroom no. The bills are declared passed.
30. 1363 Senator Mohr on the Floor? 1408 Senator McCarthy. Hold.
31. Senator Fawell.

32. SENATOR FAWELL:

33. I've voted on the prevailing side. I...

1. PRESIDENT:

2. Senator Fawell moves to reconsider the vote by which
3. Senate bills 1344 and 1345 were passed. Senator Coulson
4. moves to Table. All in favor of the Motion to Table
5. signify by saying aye. Contrary minded. Motion to Table
6. prevails. 1409, Senator Partee. 1422, Senator Savickas.
7. Hold. 1429, Senator Hynes. 1431, Senator Saperstein. Sena-
8. tor Saperstein.

9. SENATOR SAPERSTEIN:

10. Mr. President, Senators..the..Calendar aptly an...
11. correctly describes 1431. This will permit...school districts
12. to make a feasibility study in terms of possible 12 month
13. school year. They may apply for a grant to do this in the a-
14. mount of up to 24 hundred dollars. They have one year to make the
15. study and report to the OSPI, in the event that the plan is ap-
16. proved and the school districts recommend the change or anyone
17. of the schools within the district it doesn't have to be a en-
18. tire school district there will be funds ah...to provide the..
19. ah...expense of a transition...of the transitional period...ah..
20. m...the bill was amended to include the ah...special chartered
21. districts...ah...there.. I don't believe there's any opposition
22. an' I urge your support.

23. PRESIDENT:

24. Is there any discussion? The Secretary will call the roll.

25. SECRETARY:

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

1. PRESIDING OFFICER (Senator Rock)

2. Nihill aye. Carpentier aye. Latherow aye. Soper aye.
3. Romano aye Lyons aye. Bruce aye. Johns aye. Saperstein
4. aye. Partee aye. Cherry aye. Rock aye. Paul aye. New-
5. house aye. Senator Latherow.

6. SENATOR LATHEROW:

7. I'm sure you assumed, Mr. President, that I am going
8. to vote aye, but I would want to make this statement. I think
9. in 99% of these so called surveys and so on that they make for
10. these determinations almost anyone of us here could predeter-
11. mine that the answer was going to be yes.

12. PRESIDING OFFICER (Senator Rock)

13. Senator Berning.

14. SENATOR BERNING:

15. Mr. President, just on a point of personal privilege, I was
16. the first aye vote on this for Senator Saperstein's measure an'
17. I hope she takes cognizance of that but I have supported long
18. that 12 year school program and I merely want to encourage the
19. sponsor to urge the office of the Superintendent of Instruction
20. to avail itself on the studies already done by many outstanding
21. persons, one in my district in McHenry County called the 1244
22. plan is excellent. We don't need an extended study I'm quite
23. sure.

24. PRESIDING OFFICER (Senator Rock)

25. Senator Merritt. Senator Merritt votes aye. On that
26. question the yeas are 42. The nays are none. The bill is
27. declared passed. Senator Partee was off the Floor when we
28. touched on SB1409. Senator Partee. SB1409.

29. SENATOR PARTEE:

30. Mr. President an' members of the Senate, SB1409 is a Judi-
31. cial Primary bill. I'm not going to call the bill today, but
32. I would like leave to move it back to the order of 2nd reading
33. for the purpose of an amendment. Now, the amendment simply
provides for a different final date for filing. Now, if
the primary is to be held

1. pursuant to this bill it would be in August hence it would be
2. necessary to move it back so that we could file within 37
3. days not more than 37 nor less than 30 days prior to the date
4. of the primary. This is only if we have it so...ah...the amend-
5. ment is there an' I would move it's adoption.

6. PRESIDING OFFICER (Senator Rock)

7. SBl409 is there any objection to bringing it back to 2nd
8. reading for that amendment? Back to 2nd reading ..ah...Senator
9. Partee offers Amendment No. 1. All in favor of the amendment say
10. Aye. Any opposed. The amendment is adopted. Any further amend-
11. ments? 3rd reading. SBl432...Ho...Hold that one. SBl442 and 1443
12. Senator Fawell. Senator Fawell.

13. SENATOR FAWELL:

14. Ah.. Mr. President, members of the Senate, these two bills
15. are bills which very frankly do without referendum increase the
16. real estate tax, I wanna be very clear on that subject. The in-
17. crease, however, is very miniscule and it is very specific. One
18. bill, 1443, excuse me this yea, one bill 1442 pertains to the
19. park district ...ah ..code..an 1443 pertains to the municipal code,
20. both bills are identical, however, and what they do is to refer
21. to the authority that a city and or a park district presently
22. have to enter into a joint agreement program, joint agreement
23. recreation program for handicapped children. For many years...
24. ah...as you know until just a few years ago I think in '67, when
25. the legislature recognized that handicapped children also have
26. the right to have recreation programs for their benefit we really
27. had no provision for the handicapped children. What we did then
28. was to say well a city or a park district can have such a program
29. in conjunction with other park districts or other cities, but
30. what we never did was to provide the wherewithal so that these
31. programs can become a reality. Now, I am as conscious I think as
32. any of you in regard to how my constituents feel about not in-
33. creasing real estate tax an' yet I have had not one negative letter

1. in regard to these bills and I have published my intent to
2. sponsor the bills and as one person said who had worked
3. extensively with handicapped children that in reality what you
4. have here is the legislature setting forth enabling legislation
5. which it should have done long ago in other words at the very
6. time we passed the law which authorized cities and park districts
7. to have recreation program for children we should also have seen
8. fit that we had recreation programs for the handicapped children
9. an' now we're beginning to find with a mandatory education pro-
10. grams and a more aware citizenry in regard to the rights of
11. handicapped children that they have a great deal of potential
12. and thus this very miniscule extention is simply, I think, the
13. legislature saying that we're going back a number of years a-
14. go when we should have made provision for the retarded, for the
15. physically handicapped, for the blind, for the many small chil-
16. dren who have not had the same opportunity to join a little league
17. team or to go to a recreation summer camp and things of this
18. sort and we're extending laws we long ago should have extended
19. it so that you can have these programs and bear in mind that this
20. is not a tax that can be utilized by any park district or city by
21. itself; it must go into a joint recreation program with another park
22. district or with another city. I think that under these circum-
23. stances that it is reasonable for us to take this step an' I would
24. hope that we would have a good majority vote in support of this
25. legislation. Thank you.

26. PRESIDENT:

27. Is there any discussion? Senator Berning.

28. SENATOR BERNING:

29. Mr. President an' members of the Body, I hesitate to speak
30. in oppositon to these measures an' yet I bitterly resent the mail
31. that I have been subjected to implying that I am not considerate
32. of the retarded and the handicapped. My answer has been, if a
33. referendum is presented properly I am sure there is no park dis-

1. trict which would turn down a rate increase where the citizens 1.
2. are asked to support a program funded in such a nominal amount, 2.
3. but I think it is unconscionable to continually come to this 3.
4. body with requests to arbitrarily raise the taxes of our de- 4.
5. fenseless citizens back home. 5.

6. PRESIDENT: 6.

7. Senator Sours. 7.

8. SENATOR SOURS: 8.

9. Mr. President, Mr. President and Senators, my comments are 9.
10. pretty much the same. The people want no new taxes. We have 10.
11. had four referenda in the City of Peoria in the last couple of 11.
12. years and they have been ...abysmal failures. I can't vote 12.
13. for this and I feel many people are just tired of the legislature 13.
14. increasing the taxes without referendum. If they don't want it, 14.
15. they'll vote against, if..if it's presented properly and it's good 15.
16. it has virtue and all that people are reasonable an' to deprive 16.
17. them of the right to vote yes or no to me is wrong. I'm gonna.. 17.
18. vote against this bill. 18.

19. PRESIDENT: 19.

20. Is there...is it satisfactory to have one roll call on both 20.
21. of these measures, Senator? Senator Fawell may close the debate. 21.

22. SENATOR FAWELL: 22.

23. Let me...make one point clear. The legislature will not be 23.
24. the entity that increases this miniscule tax at the local level. 24.
25. It will be your local park board or your city council and they are 25.
26. as conscious I think as we are of the feeling of their constitu- 26.
27. ency. If they decide they wish to do this they can and again I 27.
28. point out to you that it will only be in regard to a joint agreement 28.
29. program with other cities and other park districts. I..I feel 29.
30. as I said before very strongly too about the real estate tax having 30.
31. been so heavily utilized but I think if there are ...if it is ap- 31.
32. propriate to describe citizens back home as defenseless, I think the 32.
33. most defenseless are all...of all are the kids who for so many years 33.

1. have just been ostracized and ignored and that, gentlemen and
2. lady, is what we have done in the past when we have built and
3. constructed programs for the kids who have all the blessings
4. of physical abilities and mind and agility and forgotten that
5. a retarded boy would like to play little league baseball too
6. an' would like to go to camp and be able to do some of the things
7. that the other boys and girls have such a tremendous opportunity
8. to do. Park districts and the local cities are the ones that will
9. make the decision as to whether or not this should be done but
10. again I say long ago we gave that enabling power to cities and
11. park boards for the benefit of the children who have the benefits
12. of...ah...physical and mental health. I think that we...we do
13. owe it to the handicapped children too. Thank you.

14. PRESIDENT:

15. Sen...Senator Groen.

16. SENATOR GROEN:

17. Well, Senator Fawell, why is this Act necessary? Can't a
18. park board that desires provide facilities now within it's pre-
19. sent income, or..or provide a referendum for a tax increase if
20. they so desire. It seems to me that they can already provide
21. this for handicapped children if..if the park board or the local
22. park district or the municipality wants to do it...I...I...don't
23. see the necessity for this enabling legislation, other then the
24. tax increase Now, it...it...would also seem to me as I stated
25. that if they want to impose...a...additional tax they can. If
26. they're at their maximum this is one thing, but...can you tell me
27. why this is necessary. Do they not have the authority to provide
28. such a program now if they want to?

29. PRESIDENT:

30. Senator Fawell.

31. SENATOR FAWELL:

32. The specific statutory authority in the Municipal Code and the
33. park district code does not have any tax authority to go with it and

1. therefore if any of these programs and I'm talking now only
2. about joint agreement programs where various cities and various
3. park districts combine together under a joint agreement to pro-
4. vide these specialized services and as far as the singular park
5. district or the singular city often times..the number are
6. felt to be fixed so very small that they simply...ah...don't have
7. these programs and they do not apparently have the funds ...to
8. go into these joint agreement programs. The joint agreement
9. sections that I referred to gave the authority to have the pro-
10. grams, yes, so I suppose in general that they feel they have
11. from their general fund sufficient funds to finance a joint a-
12. greement program with sister park districts and sister park cities
13. they could so do so. The fact is that they don't. They barely
14. have enough to make the basic operations and so they'll finance, say,
15. a city wide little league program on recreational programs but they
16. don't have the funds to go into these joint agreement programs.

17. PRESIDENT:

18. Senator Groen.

19. SENATOR GROEN:

20. No, that's all...he answered my question and that is that they
21. do have the authority, now the question is whether they have ada-
22. quate funds available ...ah...for each of the two...ah...joint
23. entities to contribute...to...the purposes involved and...
24. the question then is solely are we going to vote a tax increase ..
25. ah...for them without a referendum and I have said for a long time
26. down here and I would reiterate it now, we pass these and then we
27. go back home an' when your local, in this case, park district or
28. municipal government passes this they put onus on the General
29. Assembly. When you walk down the street after your city council
30. or your park district has passed this, they have passed the buck
31. on and say the legislature authorized us to do this. Now..I...
32. suggested...last year as I recall that all of these bills where
33. we do this ought to require...the...the...the tax ordinance

1. that authorizes the increase to include within it that this is
2. a tax which is being levied by that particular governmental en-
3. tity so that we down here do not take...the onus of...of having
4. increased taxes at the local level without a referendum...an...an
5. until such time as such amendments are added to this kind of bill
6. support it.

7. PRESIDENT:

8. Secretary will call the roll. The roll call will apply to
9. both bills.

10. SECRETARY:

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

19. PRESIDENT:

20. Senator Fawell.

21. SENATOR FAWELL:

22. I...my last two bills...Senator Groen who is a...ah...
23. very able and articulate Senator...ends up giving the final ar-
24. guments...after I have concluded my arguments on each occasion...
25. ah...I...I...so therefore, I feel constrained to say one little
26. parting thought anyway and I hope he doesn't have another question.
27. ...I don't think...I would say to you that a vote in favor of
28. this bill you would not have one negative response from any-
29. one in your district, but I will say this if it might mean that
30. some of you would change your vote I would pledge to you I would
31. put a back door referendum on this if it gets over to the House
32. and instruct that a back door referendum go on to it so that if the
33. people feel that indeed they want to have a referendum to question
the passage of this and even go as far as to say that we would put

1. a publication notification if the park board desires to utilize
2. that tax to put a publication notice in the papers so that the
3. people would have a right for a back door referendum on the ques-
4. tion. Gentlemen, it is, I think, a very important question, the
5. brutal fact is that these young citizens back home simply don't
6. have the little league program, the hockey programs, all the re-
7. creation programs, which all the normal youth do have available
8. to them an' I think it's nothing more than an extension of saying
9. to them what we said to the normal children long ago that
10. you will have this enabling authority without any type of a ref-
11. erendum whatsoever so I think still it's a very reasonable step
12. to take I don't think there will be any negative reaction whatso-
13. ever, but I would back that up by saying that I would attach a back
14. door referendum with publication notice in the House, if some of
15. you were to see fit to change your minds. I vote aye and ..are
16. we.. at the end of the roll call. I'd ask for a call of the
17. absentees then I fear that I might not have enough votes right
18. now.

19. PRESIDENT:

20. Request for a call of the absentees. The absentees will be
21. called. For...for what purpose does Senator Cherry arise? Pro-
22. ceed with the call of the absentees.

23. SECRETARY:

24. Arrington, Baltz, Cherry, Chew, Coulson, Course, Donnewald,
25. Dougherty, Egan, Graham Hall, Horsley, Hynes, Johns, Knuppel,
26. Kosinski, Kusibab, Lyons, Mohr, Neistein, Newhouse.

27. PRESIDENT:

28. Senator Neistein.

29. SENATOR NEISTEIN:

30. I understand this bill has 4 or 5 votes, could you tell me
31. how it got out of committee? Or is this a breakdown of the com-
32. mittee system..an' they don't want to kill a bill in committee
33. when it gets there. I pass my vote.

1. SECRETARY:

2. Nihill, O'Brien, Ozinga, Palmer Partee, Rock, Romano,
3. Rosander Saperstein, Savickas, Smith, Soper, Swinarski,
4. Walker an Weaver.

5. PRESIDENT:

6. Senator Walker

7. SENATOR WALKER:

8. Am I recorded?

9. PRESIDENT:

10. You are not.

11. SENATOR WALKER:

12. Ah...I'd like to vote aye an' I found out for the benefit of
13. Senator Neistein that Senator Fawell said he was much more elo-
14. quent in committee than he was on the Floor so maybe you ought to
15. give it another shot Bernie.

16. PRESIDENT:

17. On that ques ...on those bills the yeas are 9. The nays are
18. 14. The bills having failed to receive the consitutional ma-
19. jority are declared defeated. 1455 Senator Ozinga.

20. SENATOR OZINGA

21. Mr. President, these are a couple of merely bills for the
22. Department of Public Health Now, all that these bills do...they,
23. I think, they can be taken as one. These merely amend the school
24. code and amend the public health act and all that they do is they
25. delete the smallpox from the list of communicable diseases against
26. which immunization are required. The reason for the proposal
27. smallpox does not exist in this country. The U.S. Public Health
28. Service, the American Academy of Pediatrics and the Advisory
29. Committee of Immunization to the Department of Public Health re-
30. commended that this be eliminated from the required list of im-
31. munizations for school children. The office of Superintendent of
32. Public Instruction administers this Act.

33. PRESIDENT:

1. Is there objection to the use ...of the one roll call on both
2. bills. Leave is granted. Secretary will the roll on 1455
3. an' 1456.

4. SECRETARY:

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

14. PRESIDENT:

15. Hall aye, Collins aye, Nihill aye, On those bills the yeas
16. are 37. The nays are none. The bills having received a con-
17. stitutional majority are declared passed. 1462, Senator Groen.

18. SENATOR GROEN:

19. Yes, Mr. President, SB1462 is a Department of Insurance
20. bill given to me by the Director and in his report to me he
21. states that when in during the last Session...ah...between
22. January and June sometime we passed a bill that required...ah...
23. insurance companies to maintain a prescribed minimum surplus in
24. addition to their required capitol. The bill became effective
25. upon September the 10th and this bill is a companion measure to
26. that bill to define impairment of a stock company in that same
27. section of the code. Now, what it does, is states it adds mini-
28. mum required surplus to capitol in determining the minimums that
29. shall be ...ah...maintained by an insurance company. It also
30. states that when the Director finds that an insurance company has
31. become impaired they shall discontinue the issuance, the old law
32. said new and this would add and renewal policies while the im-
33. pairment exist. Now we adopted an amendment to the bill to pro-

1. tect the constitutionality of the bill insofar as the impair
2. ment of contract rights are concerned. The amendment states
3. that nothing in this section regarding this ...the issuance of
4. new and renewal policies, says nothing in this section prohibits
5. while the impairment exists...the issuance of a policy to a
6. owner who is exercising an option granted to him under an ex-
7. isting policy to obtain renewed or converted insurance cover-
8. age. This...was ..as I stated was to...ah...maintain...the or
9. and preserve the constitutionality of the bill. Now at the pre-
10. sent time when an impairment such as this exists the company may
11. call upon it's shareholders for rabable contribution. This would
12. add that the deficiency ..ah...which produces the impairment...may
13. may be made up by other means so that the company could borrow
14. money perhaps. .or...or ..ah ..otherwise come in by contributions
15. to.. ah ..remove the impairment...thus stay in business...ah...
16. if the impairment is not removed...ah...in accordance with the
17. Directors ...ah...requirement and the company becomes insolvent
18. then of course the. .ah ..the ..ah...company is.. ah.. I think
19. under the insolvency provision as I recall. I don't know of
20. any objection to the bill, if there are any questions I will
21. certainly try to answer them.

22. PRESIDENT:

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

24. SECRETARY:

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

1. PRESIDING OFFICER (Senator Rock)

2. Ozinga aye, Knuepfer aye, O'Brien aye Carpentier aye,
3. On that question the yeas are 34. The nays are none. The
4. bill is declared passed. SB1473, Senator Fawell. Senator
5. Fawell.

6. SENATOR FAWELL:

7. Yes ..ah.. Mr. President, members of the Senate, I first
8. of all would like to ask leave of the Senate, something I
9. should have done long ago, ask that the name of Senator Cherry
10. an' Senator Saperstein be appended to this bill. In my haste
11. in filing the same I forgot to add their names and they are
12. members of the Children's Commission so I would ask that that
13. leave be granted.

14. PRESIDING OFFICER (Senator Rock)

15. Any objection? So ordered.

16. SENATOR FAWELL:

17. I think all of us are very familiar with the fine work
18. of the Children's Commission and it has been my pleasure to
19. have been on this commission for a number of years as Senator
20. Cherry, also downstate. It's a tremendous commission. I won't
21. go into details. but would ask for the favorable roll call.

22. PRESIDING OFFICER (Senator Rock)

23. Any further discussion? Secretary will call the roll

24. SECRETARY:

25. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
26. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
27. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,
28. Groen, 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. PRESIDING OFFICER (Senator Rock)

2. Donnewald aye, Nihill aye, Hynes aye, Hall aye, McBroom,
3. aye, Berning aye, Sours ..no. .aye...Sours aye, Vadalabene,
4. aye, On that question the yeas are 39. The nays are none.
5. The bill is declared passed. SB1476 Senator Saperstein,
6. pass, 1477...no...1480 Senator Laughlin. Senator Laughlin.

7. SENATOR LAUGHLIN:

8. Yes, Mr. President, members of the Senate, this is just
9. what the Calendar says it is. I don't think it needs any ex-
10. planation. I'd appreciate a favorable roll call.

11. PRESIDING OFFICER (Senator Rock)

12. I wonder, Senator, could we do that with all five of those
13. bills? Senator Cherry, Senator Cherry, Senator Donnewald, I just
14. asked the Senators Laughlin and Gilbert if we could take all 5
15. of the appellate court districts on one roll call. I'd..the Chair
16. will rule that it's legal. Alright, we consider then 1480, 1481,
17. 1482, 1483, and 1484 on one roll call. Senator Bruce, Senator
18. Bruce.

19. SENATOR BRUCE:

20. I would advise against that action since these are appro-
21. priation bills I...I believe we can do that on the noncontro-
22. versial bills, but I think you open yourselves to the question of
23. whether or not a roll call was called, there will not be a showing
24. in our Journal that anything other than 1480 had a roll call vote.
25. All the other bills are the roll call will apply. It is not like
26. the old days when we could say our Journal would reflect that. The
27. Journal will not reflect it. The tapes will not. The tapes will
28. reflect merely one call.

29. PRESIDING OFFICER (Senator Rock)

30. Well...I'm...I'm advised by the Secretary that the Journal
31. will so reflect an individual roll call on each of these bills.
32. Senator Bruce.

33. SENATOR BRUCE:

1. Then a question to the Secretary, we are to be making a
2. transcript of our proceedings here. Am I now informed that
3. the transcript that is made is not made from the recordings
4. but are put together in some other fashion because...it re-
5. quires...the legislation requires we make an actual transcript
6. of our proceedings. Then the actual transcript will not show
7. five roll calls, it cannot.

8. PRESIDING OFFICER (Senator Rock)

9. Yes, Senator Laughlin.

10. SENATOR LAUGHLIN:

11. Well, as long as the question has been raised and is now...
12. is on the tape as raised by Senator Bruce, I think discretion
13. is the better part of valor...let's take the time and call the roll
14. on each bill.

15. PRESIDING OFFICER (Senator Rock)

16. Alright. SB1480, is there any further discussion? The
17. Secretary will call the roll.

18. SECRETARY:

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

28. PRESIDING OFFICER (Senator Rock)

29. Donnewald aye. Fawell aye. On that question the yeas are
30. 40, the nays are none. The bill is declared passed. SB1481,
31. Senator Donnewald. Senator Donnewald. Senate...SB1481.

32. SENATOR DONNEWALD:

33. Appropriations...that's the appropriation for the...ah...

1. ah...one of the appellate districts...1481 is the..ah...5th,
2. 5th district. I also have 1483. I would move the...ah...
3. same roll call.

4. PRESIDING OFFICER (Senator Rock)

5. The Secretary...is there any further discussion? Secretary
6. will call the roll. He can't. We're gonna do 'em one at a time,
7. we've already been through that.

8. PRESIDING SECRETARY (Mr. Fernandes)

9. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
10. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course, Dav-
11. idson, 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, Romano, Rosander, Sap-
16. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,
17. Walker Weaver.

18. PRESIDING OFFICER (Senator Rock)

19. Senator Carroll votes aye. On that question the yeas are
20. 46. The nays are none. The bill is declared passed. SB1482
21. Senator Laughlin. Is there any further discussion? Secretary
22. will call the roll. SB1482. Put the number up please.

23. PRESIDING SECRETARY (Mr. Fernandes)

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

32. PRESIDING OFFICER (Senator Rock)

33. Senator Gilbert.

1. SENATOR GILBERT:

2. On a matter of ..on a matter of personal privilege...I...
3. can you hear me? The lights on...On a matter of personal...
4. privilege I would like to introduce Professor King Brodrick
5. and a group of students from the University of Illinois, who
6. are in the gallery to the rear. They are here observing the
7. Senate...political science course. Professor Brodrick and his
8. class.

9. PRESIDING OFFICER (Senator Rock)

10. On...on that question, the yeas were 46, the nays are none.
11. The bill is declared passed. SB1483, Senator Donnewald. Any
12. further discussion? Secretary will call the roll. SB1483.

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

23. PRESIDING OFFICER (Senator Rock)

24. Clarke aye, On that question the yeas are 42. The nays are
25. none. The bill is declared passed. SB1484, Senator Cherry.

26. SENATOR CHERRY:

27. This is the appropriation for the 1st appellate court dis-
28. trict, Mr. President and members of the Senate.

29. PRESIDING OFFICER (Senator Rock)

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

32. SECRETARY:

33. 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, Merr-
5. itt, Mitchler, Mohr, Neistein, Newhouse, Nihill, O'Brien,
6. Ozinga, Palmer, Partee, Rock, Romano, Rosander, Saperstein,
7. Savickas, Smith, Soper, Sours, Swinarski, Vadalabene, Walker,
8. Weaver.

9. PRESIDENT:

10. On that question the yeas are 40, the nays are none.
11. The bills...the bill having received a constitutional ma-
12. jority is declared passed. 1485, Senator Groen.

13. SENATOR GROEN:

14. Yes, Mr. President, members of the Senate...ah...SB1485
15. at the outset let me say is not a bill which is designed to
16. give preferential treatment to Illinois business. What it
17. is designed to do is put them on a basis of equality, now,
18. to give you an example of the problem an Illinois manufacturer
19. in response to advertisement for bids by the State of Arkansas
20. or the county in the state of Arkansas goes to the state of Arkan-
21. sas and submits his bid. He is faced with what is called a favo-
22. rite son rule in the state of Arkansas and if his bid is not more
23. than 3% lower than the bidder from the state of Arkansas he loses
24. the bid. Now, all this bill does is says that when an Illinois
25. bidder runs into that kind of a statute, a favorite son stat-
26. ute, so to speak as it is doubled in another state, then and in
27. that event when a bidder from that state comes into Illinois
28. his law, his preferential law at home, shall be applicable a-
29. gainst him when he bids in this state. It's hoped and this
30. Illinois bill is patterned after the Minnesota bill, which does
31. the same thing that Illinois is trying to do, not give it's
32. bidders any preferences, but simply to put them on a basis of
33. equality so that when they go to bid out of state ...ah...they

1. will be in a similar position an' a fair and competitive position.
2. Now, I might add this...ah...I might add this one thing...that
3. when this situation prevails you run into situations where every
4. state unless this kind of legislation is passed is going to come
5. up with a so called favorite son law, now it is hoped...ah...that
6. when more states adopt this kind of an approach that simply says
7. we don't want any preference for our bidder here unless you
8. impose one against him in your state. It is hoped that all of
9. the states will ultimately do away with this kind of situation,
10. this so called favorite son treatment and that fair and equitable
11. bidding will be the result in all states and that the taxpayers
12. may be able to obtain the services an' the merchandise that are
13. desired at the best low competitive bid, which is not the case
14. at this time. I'll be happy to answer any questions if there
15. are any.

16. PRESIDENT:

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

18. SECRETARY:

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

28. PRESIDENT:

29. Newhouse aye, Johns aye, Sours aye, Coulson aye, Knuepfer
30. aye, Dougherty aye, Palmer aye, Mitchler aye, Bruce no. On
31. that question the yeas are 39. The nays are one. The bill
32. having received a constitutional majority is declared passed.
33. 1489, Senator Cherry. 1490, Senator Saperstein. Hold. 1492,

1. Senator Cherry.

2. SENATOR CHERRY:

3. Hold the next....ah...

4. PRESIDENT:

5. Hold that series. Alright. 1500, Senator Cherry.

6. SENATOR CHERRY:

7. Mr. President an' members of the Senate, SB1500 has for
8. it's purpose of providing for a supplemental budget for the Chi-
9. cago City College. It is faced with a....possibility be-
10. cause of lack of funds to discharge some 45 teachers and o-
11. ther personnel. This bill is a one shot situation because we
12. adopted a amendment repealing it...ah...so that it...put..it's
13. applicable for only one year. It changes the tax base so that
14. the Junior College system can have a supplemental tax rate to
15. provide for the necessary funds so that these teachers can be
16. retained and...ah...so that they can continue on in their educa-
17. tional program. I...we have adopted the amendment that
18. Senator Gilbert and several others have suggested, I don't know
19. of any controversy with respect to the bill. It's only applicable
20. to the Chicago City Colleges and I would ask your favorable con-
21. sideration.

22. PRESIDENT:

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

24. SECRETARY:

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

27. PRESIDENT:

28. Senator Clarke.

29. SENATOR CLARKE:

30. I'd just like to ask a question and this went pretty fast
31. ...ah...did this just have one amendment, Senator Cherry?

32. PRESIDENT:

33. Senator Cherry.

SENATOR CHERRY:

That is correct. One amendment that was suggested by

1. Senator Gilbert an' several others in the Education Committee
2. an' we put it on on 2nd reading just to make sure that it's just
3. for the one year an' one year only.

4. SENATOR CLARKE:

5. In other words is that...that amendment then is the self
6. pealer.

7. PRESIDENT:

8. Sen...Senator Cherry.

9. SENATOR CHERRY:

10. Yes, an' that was suggested by your...ah...your aids...
11. Senator Clarke.

12. SECRETARY:

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

20. PRESIDENT:

21. O'Brien aye. On that question the yeas are 36. The nays
22. are one. The bill having received the constitutional majority
23. is declared passed. 1508 Senator Lyons, Hold, 1509 Senator
24. Latherow, Hold. 1521 Senator Berning...15....ah....Senator
25. Partee, you have a Resolution that you'd like to...take up at
26. this time?

27. SENATOR PARTEE:

28. Yes, Yes, Mr. President, Mr. President an' members of the
29. Senate, because of a rather tragic event in American history
30. on yesterday. I'm offering this Resolution. It's very short and
31. I'll read it. (Senate Resolution No. 329 read by Senator Partee)
32. Now, Mr. President, I think anyone without really ever dis-
33. cussing this subject with me would know that philosophically

1. I am polls apart from Governor Wallace in many areas of Ameri-
2. can endeavor. I am polls apart from his attitude on certain
3. things including the denial of the white to attend schools un-
4. der certain circumstances and conditions, but nonetheless, Mr.
5. President, I would point out to you that ...perhaps prophetically
6. last week standing before a group of citizens in Bloomington,
7. Illinois, I had these words to say: I have always felt that
8. there are only two ways to create change for minorities in this
9. country either politically or by armed revolution. I prefer
10. the ballot to the bullet. I believe that human life is uniquely
11. valuable and precious, so for me the choice has been to make
12. creative use of the system. Those words were uttered last Tues-
13. day night in Bloomington, Illinois an' Charles Hilty, the re-
14. porter for the Panagraph, in an article quoted those words use
15. ballot not bullet an' then my name...this was the expression of
16. my philosophy. This is the expression, I think, of the philos-
17. ophy of most decent Americans. When we reach a point in our
18. human development where men cannot be expressive of their views,
19. where they cannot be expressive of their notions, I think we
20. are living in something less thana human environment. It is
21. as though we were becoming animalistic. It was as though we were
22. living in a jungle. Whatever is necessary to be accomplished
23. to make certain that all men of all views may freely and clear-
24. ly express them, we must hasten to bring about that change. I
25. would hope, Mr. President, that each member of the Senate, would
26. add his name to this Resolution and that the Rules be suspended
27. and it be immediately adopted.

28. PRESIDENT:

29. I'm sure that all members want to be included on that Reso-
30. lution, Senator Chew.

31. SENATOR CHEW:

32. Mr. President, I rise to support the Resolution that Senator
33. Partee has offered and my first act of duty this morning when I

1. arrived in the Senate was to get his permission to offer this
2. same type Resolution an' he informed me that his staff was in
3. the process of preparing it...an' I'm happy to join in this
4. because I stated on last night to the press that I would in-
5. troduce this kind of Resolution in the Senate today. I had
6. planned to say some of the same things that Senator Partee has
7. said, but certainly he has voiced my opinion wholeheartedly,
8. an' I would just like to add that I attended school in the State
9. of Alabama and in latter years I had the opportunity to..to meet
10. Governor George Wallace an' I think an American citizen should
11. have the right to his own views, he should have the right to ex-
12. press those views an' it is not a question as to whether one a-
13. grees with another. The question is that the constitution gives
14. us the right to express those views an' if those views are denied
15. an individual that is a United States' citizen, I would fight
16. to the high heaven to restore that privilege in which we cherish
17. so much. I think he's a great American, just as all other Ameri-
18. cans are an' I am totally opposed to the kind of conduct that hap-
19. pened in Maryland on yesterday an' I think we all should be opposed
20. to it. I recall the fatal incident of the President of the Uni-
21. ted States when no cause just a senseless murder and to follow it
22. up with Doctor Martin Luther King, another senseless murder, and
23. a third follow up of the former attorney general and then Senator
24. Robert Kennedy, which was a senseless murder, an' an attempt murder
25. yesterday which again is...si.....senseless.....if these condi-
26. tions are allowed to remain we may as well admit that this coun-
27. try is in a chaotic condition and unless we as men of good will
28. can institute means to prevent criminals and the allegations are
29. that the apprehended man was a criminal. To prevent these kinds
30. of people from access to guns, we...those of us here in this Cham-
31. ber never know whether we are safe sitting here or whether we're
32. in danger an' I wholeheartedly support this Resolution an' I hope
33. God will let that man live to get back on the path in which he

1. was was carrying out his own ideas...and I hope him a speedy re-
2. recovery an' I hope that the latest report that was received that
3. there was a great possibility of him becoming paralyzed....will
4. just vanish in the wake by the means of God....and God may he
5. be happy as an American again.

6. PRESIDENT:

7. All those in favor of the adoption of the Resolution, in-
8. dicate by saying aye. Contrary minded. Resolution is adopted.
9. House bills on 3rd reading, 493 Senator, Hold. 1318 Senator
10. Latherow, 1555 Senator Rock, 1769 Senator Savickas, that whole
11. series hold, 2267 Senator Latherow, 2396 Senator Egan, 2444
12. Senator Bruce, 2460 Senator Latherow, Senator Harris, that whole
13. series, 3077 Senator Hynes, 3080 Hold, 3559 Senator Hall, 3647
14. Senator Sours, 3648 Senator Dougherty, 3682 Senator Graham, 3740
15. Senator Latherow, Senator Latherow, 3740.

16. SENATOR LATHEROW:

17. Mr. President, ah...this is the appropriation bill for the
18. Secretary of State, for his administration of the Illinois Ethics
19. Act, which was created after the Secretary's budget was presented
20. It also...leaves funds in him..in there for him...to...adminis-
21. ter the federal act that is required.

22. PRESIDENT:

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

24. SECRETARY:

25. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
26. Carroll, Cherry, Chew, Clarke,

27. PRESIDENT:

28. Senator Chew.

29. SENATOR CHEW:

30. Ah...I'm a little lost here an' I don't oppose Senator
31. Latherow's bill, but as I view this it's to appropriate \$50,000
32. for the administration of the Illinois Governmental Ethics Act,
33. Is that correct?

1. PRESIDENT:

2. Senator Latherow indicates that is correct.

3. SENATOR CHEW:

4. Well, if my memory serves me right...both Ethic Acts
5. were ruled unconstitutional by the courts a couple of weeks a-
6. go an' if that...ah...adjudication stands today then what is
7. the need for the appropriation of these funds to administrate
8. something that doesn't exist.

9. PRESIDENT:

10. Senator Latherow.

11. SENATOR LATHEROW:

12. Well, yesterday we discussed the fact that this was the admin-
13. istration of...of the act prior to the time that it was declared
14. unconstitutional, Senator.

15. PRESIDENT:

16. Senator Chew.

17. SENATOR CHEW:

18. Well, ...is this a deficiency appropriation, Senator?

19. PRESIDENT:

20. Senator Latherow.

21. SENATOR LATHEROW:

22. I don't know as you'd call it deficiency, but at the
23. time the budget was taken up we had not passed the Ethics Act
24. the budget of the Secretary of State, so in his administration
25. of this there were no funds, so this is to provide the funds
26. that he used in the administration of the...of the Act, I think,
27. Senator Partee, may...may have a...an additional answer to that.

28. PRESIDENT:

29. Senator Partee.

30. SENATOR PARTEE:

31. Yes, Mr. President, Senator Chew, if I might have your atten-
32. tion a minute, I may I think I may be able to clear this up for you.
33. Yesterday when you and other members of the Senate Agricultural

1. Subcommittee were in Chicago we had occasion to discuss this
2. and what this amount of money is is to pay the Secretary of
3. State's office for that work which they engaged in preparation
4. for the bill...ah...you may recall or you may have seen a large
5. number of forms which they prepared preparatory to the Act be-
6. coming law. It has been declared unconstitutional in a Circuit
7. Court in Cook county. It has been declared constitutional in a
8. Circuit Court in Sangamon County. The entire matter is now be-
9. fore the Supreme Court, but this is 50,000 which was spent by
10. the Secretary of State's office in preparation for the bill,
11. so this is not what we ...would...what... it would be if it
12. was actually in effect.

13. PRESIDENT:

14. Senator Chew.

15. SENATOR CHEW:

16. Ah...in other words ...ah...in, in the Secretary of State's
17. budget this \$50,000 did not show as a line item, but insomuch
18. as we have spent it it would be a deficiency budget a defici-
19. ency appropriation. Well, that...that's good enough for me,
20. I'll vote for it. I vote aye.

21. SECRETARY:

22. Collins, Coulson, Course, Davidson, Donnewald, Dougherty,
23. Egan, Fawell, Gilbert, Graham, Groen, Hall, Harris, Horsley,
24. Hynes, Johns, Knuepfer, Knuppel, Kosinski, Kusibab, Latherow,
25. Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,
26. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
27. Rock, Romano, Rosander, Saperstein, Savickas, Smith, Soper,
28. Sours, Swinarski, Vadalabene, Walker, Weaver.

29. PRESIDENT:

30. On that question the yeas are 43. The nays are none.
31. The bill having received a constitutional majority is de-
32. clared passed. Before we proceed we have a distinguished
33. visitor with us, the former Lieutenant Governor of the State

1. of Nebraska...ah...We share something in common. He ran for
2. Governor and didn't quite make it...ah...Phil Sorenson.....
3. very happy to have you with us. He heard that too, Senator
4. Chew. Senator Knuppel.

5. SENATOR KNUPPEL:

6. I had the pleasure of hearing this man as a delegate
7. to the constitutional convention. I went in there a...a
8. dedicated bicameral legislator and came out after hearing him
9. an' others an' I think more others who didn't want change and
10. I was firmly convinced that ultimately the State of Illinois
11. must go to unicameral legislature, he had something to do with
12. me being a man who favored unicameral legislature.

13. PRESIDENT:

14.Governor Sorenson's father was one of those who
15. pioneered for the unicameral system in Nebraska. His brother, Ted...
16. many of you are acquainted with Ted Sorenson, who was president
17. Kennedy's advisor. 3790, Senator Donnewald.

18. SENATOR DONNEWALD:

19. Yes, Mr. President, it does exactly what the Calendar states.
20. It is...releases...a highway easement to certain lands in Fayette
21. county and I'd appreciate a favorable roll call.

22. PRESIDENT:

23. Secretary will call the roll.

24. SECRETARY:

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

1. PRESIDENT:

2. Lyons aye, Newhouse aye, Berning aye. On that question
3. the yeas are 45. The nays are none. The bill having receiv-
4. ed the constitutional majority is declared passed. House bills
5. on 2nd reading. 2033 Senator Mohr on the Floor? 2555 Senator
6. Knuepfer, Hold. 3047 Senator Coulson, 3047.

7. SECRETARY:

8. 2nd reading of the bill. One committee amendment from Con-
9. stitutional Implementation.

10. PRESIDENT:

11. Senator Coulson moves the adoption of the committee amend-
12. ment...no...Senator Coulson.

13. SENATOR COULSON:

14. Ah...Mr. President, I stated at the time that this com-
15. mittee amendment was imposed...ah...without agreement by me,
16. I do not move it's adoption...I...I am duty bound to call the
17. bill and to process the bill, an' I intend to do so, but I..I do
18. not endorse the amendment I believe ..ah...Senator Laughlin an'
19. Senator Gilbert were on a subcommittee at which these amend-
20. ments were developed. It may take some time to discuss this
21. and if time is running out on us today, perhaps the amendment
22. could be printed so that we could discuss it further...if...if
23. you wish to dispose of it I would say it'll take fifteen min-
24. utes or so.

25. PRESIDENT:

26. Is there a request to have it printed...before it is...
27. There is a request that it be printed...the Oh...it has been
28. printed...Is it on the members desks...then? Has it ...been
29. distributed? Is there a request that it be printed then if it
30. is not...is not been distributed?...I...Hear...no request.
31. We may proceed with the discussion of the amendment. Senator
32. Coulson.

33. SENATOR COULSON:

1. Perhaps the...the chairman of the subcommittee would be
2. the proper advocate for the amendment as I understand it....
3. ah...this was taken in connection with the basic bill for
4. the appropriation of the ...of the..Judicial Inquiry Board. That
5. appropriation bill has now passed...an...and now left this
6. House. This bill is a constitutional implementation of the man-
7. date to create such a board...Within that frame work I would sug-
8. gest, Mr. President, that perhaps the sponsor of the amendment should
9. be the chairman of the subcommittee which recommended it and we may
10. discuss from that basis.

11. PRESIDENT:

12. Senator Hynes.

13. SENATOR HYNES:

14. I was not the chairman of the subcommittee I was a member
15. but since I did offer the amendment in committee...ah...I will
16. offer it...ah...here today. Let me briefly explain what the
17. amendment does. The subcommittee, the special subcommittee,
18. was appointed in January to consider the question of the ap-
19. propriation for the Judicial Inquiry Board. We held two pub-
20. lic hearings an' had a third meeting of the subcommittee to con-
21. sider recommendations, a majority report was adopted which con-
22. tained six recommended modifications of the original bill. The
23. first three of those changes were agreed upon unanimously by all
24. members of the subcommittee and they were incorporated in amend-
25. ment number one to HB3030, which was the basic appropriation for
26. the Judicial Inquiry Board. That bill was passed last Thursday
27. by this Body. The remaining three recommendations, majority
28. recommendations of the subcommittee which were not adopted by
29. the minority report, are offered in this amendment to HB3047
30. which is implementing or enabling legislation for the Judicial
31. Inquiry Board and those three points covered in this amendment are as
32. follows: First, that no lawyer member of the Judicial Inquiry
33. Board shall participate before...participating in any matter
involving a judge before whom he regularly practices...or be-

1. fore whom he is actually practicing at the time. The obvious
2. purpose of this is to eliminate the clear cut conflict of in-
3. terest that arises when a judge is under investigation by
4. the Judicial Inquiry Board and is confronted with a lawyer
5. appearing before him, who happens to be a member of that board
6. and therefore, is participating in the investigation. It in-
7. volves, I think, a very serious...ah...detriment to the oppos-
8. ing attorney, to the opposing litigant, it is fraught with
9. danger and we believe that this is perhaps the best way to dis-
10. solve the problem. We did consider very seriously the possib-
11. ility of prohibiting lawyer members from practicing law. We
12. also considered the possibility of requiring the practicing at-
13. torney to disqualify himself from practicing in front of that
14. judge but we adopted this later alternative as the most practical
15. under the circumstances. There was a great deal of difficulty
16. in getting an inforceable provision because of the constitution-
17. al requirement that the deliberation of a board should be confid-
18. ential and we felt that this was the best way within the confines
19. of the constitution to eliminate that potential conflict of in-
20. terest. The second provision prohibits a judicial member of the
21. board from participating in any matter which involves him
22. an' I think there...ah...the wisdom of the...ah...provision is
23. unassailable. It...it is almost self-evident. The third and final
24. recommendation prohibits any member of the Judicial Inquiry
25. Board from being compensated by any other governmental entity
26. for a day on which he is being compensated as a member of the
27. Judicial Inquiry Board. This adopts in...intoto or follows
28. the constitutional provision with respect to legislators an'
29. I think is a reasonable provision and I would move the adoption
30. of this amendment.

31. PRESIDENT:

32. Motion is for the adoption of the amendment. Senator
33. Laughlin.

1. SENATOR LAUGHLIN:

2. Well, Mr. President, members of the Senate, this particu-
3. lar subject matter has been the subject of a long drawn out dis-
4. pute in this Body. The subcommittee chaired by Senator
5. Knuppel...ah....went seriously about its work. I think we
6. seriously considered all the various proposals. In the first
7. instance it became obvious to Senator G...Gilbert and myself
8. that despite whatever constitutional problems might be in-
9. volved, certainly you couldn't attach these proposed amend-
10. ments to the appropriation bill for constitutional reasons
11. and for the additional reason that each year when the appro-
12. priation for this Board came up it would be subject again de-
13. pending on what it might or might not have done in the pre-
14. ceeding year to have further qualifications or restrictions
15. placed upon its work and its function. Now very simply, we
16. have a dispute here, an honest dispute I would characterize it
17. between some lawyers all of whom I think, have acted completely
18. in good faith, that's Senator Knuppel, Senator Hynes, Senator
19. McCarthy, Senator Gilbert and myself an' it is the position and
20. we so took that position in writing, I'm referring now to Sena-
21. tor Gilbert and myself that there was no legislative power un-
22. der the constitution to impose any restrictions such as those
23. suggested by the proposed amendment. We are aware that this
24. particular inquiry board is entrusted with a great deal of re-
25. sponsibility, but we don't think that it's wrong and we think that
26. any group charged by the constitution with initiating complaints
27. sorting out complaints an' prosecuting complaints before the court's
28. commission should be completely free of legislative interference.
29. Now, you can talk as has been said that this therefore is a fourth
30. type of governmental entity outside of the executive judiciary
31. or legislative an' I don't particularly care whether you charac-
32. terize it that way or not, the answer is that this commission
33. should be free from any kind of restrictions an' to take you back

1. in the beginning we had questions by Senator Knuppel about
2. whether or not the Governor's appointments were made in con-
3. formity with the constitution, in other words were gut Demo-
4. crats appointed as Democrats or were independent Democrats
5. or were Republicans masquerading under the guise of indepen-
6. dence appointed as Democratic members. Our answer to that
7. was and is that that there is a legal way of challenging the Gov-
8. ernor's appointments an' as I understand it, Senator Knuppel,
9. after looking at the primary voting records of the members
10. of the Judicial Inquiry Board, has withdrawn that particular
11. objection. I find that rather interesting myself. In other
12. words we're down here now to two things: should a judge on the
13. inquiry board sit on a case in which he's accused of being
14. incompetent or something other than a regular judge? Now, the
15. canons of judicial ethics and common sense dictates that he
16. would not an' so is the other portion of the amendment talking
17. about lawyer members who might ...ah...appear before a judge
18. who was under inquiry. I would point out to you at the meet-
19. ing of the Judicial Inquiry Board on March 2nd, 1972, this
20. policy statement was adopted an' I quote, "Any member of the
21. Judicial Inquiry Board shall disqualify himself from partici-
22. pation in any action of the board, when there exists a con-
23. flict of interest or an appearance thereof. As a guide in this
24. area the members of the board will consider the standards of
25. ethics applicable to Illinois judges". end quote. So in good
26. faith, I rise in opposition to the proposed amendment an' sug-
27. gest that under the consititution all we have to do is to ap-
28. propriate money to fund this board. If the board should get out
29. of hand, the legislature through it's control of the purse strings
30. can effectively control the board.

31. PRESIDENT:

32. Senator Nihill.

33. SENATOR NIHILL:

1. Mr. President, I rise on a point of...special privilege.
2. This morning, May the 16th, a group of fine children is here
3. from my district here from Chicago, from...Thomas Hedrick School,
4. at 4316 South Princeton. The teacher here is Miss Delroy, R.
5. Lowe, and F. Coody. The teachers are by...on both sides, if
6. you'll gonna stand and...be recognized ladies, please.

7. PRESIDENT:

8. Senator Knuppel.

9. SENATOR KNUPPEL:

10. Mr. President and members of the board, the Judicial
11. Inquiry Board as constituted in the constitution is the result
12. of member proposals and I believe that in the State of Illinois
13. I was the first elected official of any kind to propose an inde-
14. pendence Judicial Inquiry Board not dominated by the bench. I
15. was appalled at the appointments at the time they were made by
16. the Governor and by his own press release. Identified the mem-
17. bers of the Board as 4 Republicans and 3 Independents. One of
18. those 3 Independents had voted 3 out of 4 times during the six-
19. ties and in the last time she had called for a primary ballot had
20. voted Republican. (New tape...some left out)
21. addresses itself to three specific things. I, as a member of that
22. committee, did not present the amendment because I do not think
23. it goes far enough in recognizing the right of this Body to...
24. attach conditions to appropriations. Interestingly enough this
25. Body had not taken any action before the subcommittee was ap-
26. pointed to discipline itself in the area of conflict of interest.
27. Now, there are members, even today, serving on that board who draw
28. substantial amounts of money. Anyone who checks the vouchers
29. will find tens of thousands of dollars drawn by many of these men
30. who are lawyers on this board. Now, the constitutional convention
31. anticipated the judges should not receive pay for their service.
32. I think the intent was explicit that lawyers shouldn't be paid
33. twice for the identical periods of time....We're told about....

1. ...double dipping and the other side of the aisle...has been
2. trying to make a great issue of double dipping. This is...
3. triple dipping because the double dippers that they talk a-
4. bout use different time for two different salaries. They don't
5. use the same time but these people would have us believe that
6. it's alright for lawyers serving on the Judicial Inquiry Board
7. to receive a salary as a retained attorney for some state Body,
8. for a municipality, for a university, or in doing legal work
9. advising the Governor of this State which many of these lawyers
10. are doing an' at the same time for that same period of time they're
11. using to be paid per diem. This we know exists and it was for
12. this reason that Section 8 was proposed an' this is doing only
13. what Senator Laughlin has suggested. We are using in a sense...
14. our power of the appropriation, even though we're using it in a
15. different legislative embodiment we're using our power to ap-
16. propriate money and to control how that money is spent in
17. telling this board that lawyers serving on that board can draw
18. only one public salary for the time spent. These are reasonable
19. requirements. They are reasonable impositions on members of
20. this Board. They avoid the conflicts of interests which the board
21. itself prior to the time of the appointment of the subcommittee
22. in this Body was not because of the conflicts, you see, this is
23. what it is, this is why you have to guard against conflicts of
24. interests the people who are involved themselves don't see it.
25. They don't realize it until it's pointed out by some other source
26. an' that's exactly what happened here an...they ought to be re-
27. minded by the embodiment of these three amendments an' I submit
28. to those people who believe that conflicts of interests ought to be
29. avoided at all stages of government an' in all phases of govern-
30. ment that they subscribe an' support these amendments because the
31. people involved in conflicts of interest are not able to act
32. themselves. That's the reason that they are not able to act.
33. That's the reason that we have implementation of this nature be-

1. cause they are subjectively involved. I submit that this is a
2. good amendment and that it follows the statements that were
3. made by Senator Laughlin that the only way we can control is
4. through the appropriate process and even though this is a dif-
5. ferent embodiment, it's action taken with respect to the spending
6. of money of the State of Illinois, by saying that no public, no
7. two public bodies will pay for the same time that a man can on-
8. ly render once.

9. PRESIDENT:

10. Senator Tom Lyons.

11. SENATOR LYONS:

12. Well, Mr. President and members of the Senate, I disa-
13. gree with the position taken by Senator Laughlin and I guess
14. to some minor extent, I disagree with some of the remarks of
15. Senator Knuppel. There is absolutely nothing wrong with this
16. amendment. There is certainly nothing unconstitutional about
17. it. If we were to follow out the arguments, the rational, if it
18. can be called that, that has been advanced by the minority here,
19. this would mean that the Illinois General Assembly would be with-
20. out power to tell the Governor, for instance, that he must make
21. economic disclosure or to tell that...to any other state em-
22. ployees. The fact is that the sovereignty of the State of Illi-
23. nois resides right here in the Illinois General Assembly. To
24. take the position, therefore, that this Body is without power
25. to regulate the conduct of other state officials is to advocate
26. a position unique in western society. Now I knew...I know that
27. the new constitution...ah...is a very far reaching document
28. but I don't think it reaches that far and I can assure you it was
29. not so intended. All that this amendment does is set forth em-
30. inently rational guidelines, eminently reasonable standards of
31. conduct for members of the Judiciary Inquiry Board and for peo-
32. ple who practice before it. There is absolutely nothing unreason-
33. able about any of the provisions of this amendment and there is cer-

1. tainly nothing unconstitutional about them an' this is totally
2. apart from the appropriative process. Were there no appropria-
3. tion bill at all an' indeed this is not an appropriation bill
4. ...the...same amendment would have been adduced, the same
5. concepts would have been developed. We agreed to separate the
6. appropriation bill, however, from the enabling act so that the
7. two things could be discussed independently. I recall some months
8. ago, it was brooded about in the public prints and was
9. stated by...ah...some people...ah..of a party not my own that...
10. the only reason that this ...HB3030, the appropriation bill...for
11. the...for the Judicial Inquiry Board was being held up was quote
12. "politics of the most blatant and cross variety", close quotes.
13. ...ah...The people who said that fortunately for them were not
14. lawyers, as a matter of fact...after ...after it became thunder-
15. ously obvious that the only way that the Judicial Inquiry Board
16. could ever spend one nickle would be to have that money appro-
17. priated by the General Assembly by line item, which was all I
18. ever said. After that was done, an amendment was offered by the
19. sponsor of the bill from the other side of the aisle setting
20. out line items in the appropriation bill so that the appropriation
21. at least conformed to the law, never mind the policy implications
22. of it. What this bill does now is to...is to fill...play the...
23. roll of an enabling act an' all that it does...all that this amend-
24. ment does is to seek to put on the...to the Judicial Inquiry Board
25. members, and the people who practice before it, minimal standards
26. of conduct much less stringent then those contained in the so-
27. called ethics bill that whopped through this hall in one less than
28. one day, last fall. So I don't think that there's anything unrea-
29. sonable. I think that those who voted aye on the so-called Ethics
30. bill a few weeks ago are in very sorry shape to urge that this
31. amendment is unconstitutional, because it does only what the
32. Ethics Bill did except that it doesn't do it to nearly that ex-
33. tent.

1. PRESIDENT:

2. Senator Partee.

3. SENATOR PARTEE:

4. Well, Mr. President an' members of the Senate . I was off
5. the Floor for a minute. I didn't hear all the debate, but
6. this is HB3030. 3047...well...this amendment came as a re-
7. sult of a subcommittee which was formed pursuant to agreement
8. by leadership on both sides to..bring in what they thought should
9. be brought in in terms of making this a viable, palatable piece
10. of legislation. Now, the first three amendments, those relating
11. to the line item appropriations and (Bad Tape) expenses apparent-
12. ly meets with no disfavor. It is then, I suppose, declared to
13. be perfectly proper to impose those conditions, but as to sec-
14. tions 3, 4 well, 4, 5 and 6there's something wrong about
15. them although they are only imposing conditions. I think we
16. have to realize that this is not an autonomous body. This is
17. not a body which just like a puff of smoke became something, this
18. is a body which is a product of legislative enactment and leg-
19. islative enactment ...implicitly brings about the kind of con-
20. dition where certain things may be imposed. I don't think that
21. anyone would question that this Body cannot appropriate its own
22. money. The money's appropriated by the legislature...They...
23. can't establish how many members should be on the Body, this is
24. a legislative determination. If they should decide tomorrow that
25. they should have two more members or two less members it would
26. clearly be a violation of their power and authority. If they
27. should try to change the qualifications of the members it would
28. clearly be a violation of the rules under which this is set up.
29. If they should impose some age considerations, if they should com-
30. pose some other and different political considerations ...with
31. reference to the members, it would clearly be a violation of this
32. statute. Hence, this statute, by legislative determination, should
33. be a kind of statute which legislators can address themselves to

1. and can say what should be. Now, in sections 4, 5 and 6 there
2. are some standards imposed. Now, these gentlemen, I take it...
3. take the position that those standards cannot be imposed on
4. them. There's an old expression that you take the good with
5. the bad and the bad with the good. They obviously want to accept
6. which they consider to be restrictive. Well, it isn't their de-
7. cision to make. It is the decision of the legislature and certain-
8. ly in this age where people are so concerned and talk so much about
9. this age where people are so concerned and talk so much about
10. ethics, it does not to me, to this Senator, seem unreasonable
11. that they should subject themselves to these things which are
12. set forth in section 4, 5 and 6. I'm just a little tired of
13. the politics of this question, because beginning with the be-
14. ginning of the year, when this bill first came into being, we
15. on this side of the aisle were roundly criticized and excoriated
16. because we felt that the composition was something not in keep-
17. ing with the statutory language of the bill. We were roundly
18. criticized by the press, we were criticized by the Governor's
19. office, we were criticized by legislators on the other side
20. of the aisle as being obstreperous people who were obstinate
21. and adamant about our position. We felt that our position was
22. right, we thought that it was sound and we stuck by it. We sent
23. to the Attorney General some questions to edify and enlighten
24. us on questions with which we had problems. We got an
25. answer back from the Attorney General. We accepted them in the
26. spirit in which we had asked for them and commenced to go forward
27. with this bill. Now, after we have done this, we are now not the
28. obstreperous ones, we are not the ones who are holding up the
29. production now. It is you who are holding it up, only because
30. you say that, we, as a legislature, do not have the right to im-
31. pose the conditions which we feel should be imposed and if you
32. really believe in the concepts of which you have addressed your-
33. selves and which you've talked so loud and long about you'll see

1. nothing wrong with these conditions. Why should a person be
2. paid twice for the same work, there's nothing to prevent it
3. if we don't have these amendments. Why should a person be
4. able to accept a part of his assignment, but only on the
5. conditions under which he wants them...The Chicago Bar Associa-
6. tion, the Bar Associations throughout this State are but arms
7. of the Supreme Court in certain matters where they are given
8. the right to hear cases relating to lawyers or their miscon-
9. duct. There's nothing new, there's nothing strange, there's no-
10. thing unique about a branch of government serving as the arm
11. of another branch of government, so ladies an gentlemen, I say
12. to you that this amendment is a kind of amendment which would
13. make this a good piece of legislation and if you're seeking by
14. this bill to do what you have always said you wanted to do
15. in terms of policing the judiciary then you ought to go all the
16. way and do it properly. If on the other hand you are going to
17. use this piece of legislation not to clean up, not to help the
18. courts, but to use it in some fowl ribald subrosa kind of
19. way, then I can understand why you're gonna oppose this amend-
20. ment. It's a good amendment and should be supported.

21. PRESIDENT:

22. Senator Gilbert.

23. SENATOR GILBERT:

24. Well, Senator Partee brought up some matters that I hadn't
25. planned to discuss, but...I think that the politics was brought
26. into this by your side of the aisle, Senator, and not on our side.
27. This bill passed the House a hundred an' forty-five to nothing.
28. It was only after the Governor made his appointments to the board
29. an' certain members...of your side, as Senator Laughlin has point-
30. ed out, questioned whether certain people were gut Democrats, as
31. was described in our subcommittee hearing on more than one occasion,
32. and the person who was charged with not being a gut Democrat was
33. present and...defended herself very aptly....The...fact...that

1. Senator Lyons opposed this matter vigorously in the Consti-
2. tutional convention...he continued to oppose it. He appeared
3. before our subcommittee. He wrote a letter to Mr. Dunn and
4. asked him a series of four questions, Senator...Mr. Green-
5. berg, a member of the commission and a Democrat came down
6. and testified Senator Lyons had left pointing out that Sena-
7. tor Lyons knew the answer to every question he asked cause he
8. was present at the constitutional convention when the ques-
9. tions were asked, so let's not talk about who brought politics
10. into this matter because it was not brought in by the Repub-
11. licans because the vote was a hundred and forty-five or so to
12. nothing in the House before the commission was appointed. Now,
13. at the constitutional convention the matter was brought up and
14. discussed shall the Senate have the right to confirm the appoin-
15. tees. The matter was debated. The constitutional convention
16. said no, we do not want this Body to have to be confirmed by
17. the Senate, another evidence of an attempt to remove this Body
18. ...to remove that Body's control from the legislature. The only
19. thing that this bill says that the legislature shall ...do...it
20. says we shall appropriate the money an' in relation to bill 3030
21. if you will look at section 8, section D, you will see this
22. statement in the constitution, appropriation bills shall be limited
23. to the subject of appropriations. The..the attempt of the other
24. side of the aisle to put all of this bill in the appropriations bill
25. which resisted by Senator Laughlin an' me..ah..showed exactly
26. that we were right in our position, there is no possible way
27. for this...these other matters to be added to the appropriation
28. bill. We made no commitment to the members of the subcommittee
29. that we would support their position when it was added to this
30. bill. We merely said that if...Senator Coulson called the bill,
31. and he said that he would, then at that time we would make our posi-
32. tion clear. There's no question but what this board was set up
33. in an attempt to keep the legislature...and Senator Partee, I

1. would say that the best way to keep this legislature from
2. putting politics into it and to trying to make a good court
3. system would be to let this judicial inquiry board be their
4. own boss, let them be the ones that make the investigation
5. and make the recommendations and be the...the prosecuting group
6. before the..ah...judicial ...ah...commission, not to have us
7. down here telling them what to do. They have adopted their
8. own rules and regulations, I think that they are just as honor-
9. able men that there gonna be just as fair and strict in their
10. interpretation of these rules of that they have established
11. as we as members of the legislature are on voting..on...act-
12. ing upon things ourselves when we are dealing with a state
13. that might be a conflict of interest. It's certainly appar-
14. ent that this board was established to attempt to keep us from
15. having anything to say except we appropriate the money and we
16. are mandated to do it.

17. PRESIDENT:

18. Senator Coulson.

19. SENATOR COULSON:

20. Well, Mr. President...I...I...would just like everyone to
21. think back in his memory and I challenge any of you to find any
22. public statement by me, any reference, any newspaper interview,
23. any letter to the editor, any television interview in which
24. I have suggested that politics had the least bit to do with this.
25. I have studiously refrained from making any comment whatever.
26. It is you gentlemen on the other side who have written letters
27. to the editor, appeared on television, appeared on the radio,
28. issued press releases, and made your dramatic speeches and I have
29. done nothing but retained an absolute silence on this subject
30. and simply asked to have the bill called and agreed to process
31. the bill. If there has been an injection, the needle has not
32. been in my hands. Now, I'm not sure of my arithmetic, but
33. it seems to me there are 17 or 18 canons of ju...judicial....

1. ethics. This amendment proposes to insert just one of those
2. canons into this bill, well, why just one, next Session we'll
3. try another one, next Session another one, there are some 21
4. canons, I believe...of legal ethics. I don't practice law
5. as energetically as some of you so I may be wrong in the num-
6. ber of canons. Maybe that's the number for a presidential salute.
7. ...Suppose there are 20 canons. I don't know. This amendment
8. proposes to insert just one into this bill and again why not
9. all 14 or all 18? Why not prescribe the residence of these peop-
10. ple? Why not nit pick this thing to death and amend it upwards and
11. downwards. It seems to me that my big problem is going to come
12. when I have to appear on 3rd reading of this bill and justify
13. it's passage at all. I think that it being a constitutionally
14. mandated organization, that its only request is for funds and
15. I doubt if even the bill is necessary, but the bill as amended
16. is even more confusing...ah...Object...I cannot with all sincere-
17. ity justify even proceeding with it, but I intend to do so. One
18. last comment I was pleased to learn from the Senator from Peters-
19. burg that he had attended the constitutional convention in his
20. modesty he has concealed that fact from us for this entire Session
21. and it came with some surprise to me to learn that he had par-
22. ticipated in that activity an' I appreciate the wisdom that I hope
23. he will continue to give us with regard to implementation. He does
24. however make one mistake, when he quotes Senator Laughlin as re-
25. ferring to appropriate means for correcting an' judges that to be
26. appropriation means. I think we don't have to go to our constitu-
27. tional experts to discover that even a dictionary will tell us that
28. an appropriate means is not necessarily the appropriation process
29. and between Senator Laughlin and Senator Knuppel there's perhaps
30. not such a strong difference of opinion, what Senator Laughlin said
31. is as I understood it, was there are appropriate means to do it and
32. what Senator Knuppel understood him to say was that the appropri-
33. ation means was the only one. Now, I personally am going to vote

1. against this amendment. Not out of any ...great...partisan
2. conviction, not out of any great feeling that...ah...an is-
3. sue has been made. I've tried to get no mileage out of this. I'm
4. not running for any office and as I told you before, I've
5. stayed away from the television, stayed away from the lark's
6. pops and the letters and the speeches. I haven't dramatized this
7. thing one bit. Vote it up or down on 3rd reading as you like
8. I'm not going to rely on the usual courtesy that is extended
9. a sponsor to let him keep his bill in the shape it...he
10. thought it should be in because I'm not ...sure we even need a
11. bill. Vote this thing up or down, as you please. I intend to
12. vote against it.

13. PRESIDENT:

14. Senator Berning.

15. SENATOR BERNING:

16. Thank you, Mr. President, once again I...I must say that
17. I've been...ah... entertained and amused by the exortations of
18. the members of the bar and particularly those who served on that
19. august Body the Constitutional Convention and because of some com-
20. ments that I heard by one speaker, I would like to recall the at-
21. tention of the members of this Body to article 6 under section 15
22. which sets up the requirements for this board an under paragraph
23. D it says members of the board who are not judges shall receive
24. per diem compensation an' necessary expenses. It would appear to
25. me, reading that, that...there is a little choice we have in setting
26. this. However, I would like to further observe that...that con-
27. stitutional convention in all of its wisdom again exhibited
28. a certain lack of good judgement in setting up the requirements
29. because it's right here in our section 15 again paragraph B that
30. says that the Supreme Court shall appoint two circuit judges and
31. the Governor shall appoint three lawyers. Had the constitutional
32. convention really had the interest of the average citizen in
33. mind that provision wouldn't have been in there, I think. When

1. you bear in mind that if you and I as a layman must go to
2. court, we as ordinary citizens are not allowed to participate
3. in any court action. We are at the mercy and under the direct
4. subjection of the judge and the attorneys, by what stretch of
5. the imagination then should such a Body as the Judicial Inquiry
6. Board be at all subject to any direction from any member of the
7. bar or the judiciary these people ought to be ordinary citizens.
8. Once again the Jud...the constitutional convention has exhibited
9. a dire lack of understanding for the average citizen in my
10. opinion. I will have to oppose this.

11. PRESIDENT:

12. Senator Nihill.

13. SENATOR NIHILL:

14. Ah...Mr. President, I rise on a point of special privi-
15. lege. I have a group of children down here from my district
16. in the City of Chicago, ...(unintelligible)...will you rise to
17. be...please.

18. PRESIDENT:

19. Senator Lyons.

20. SENATOR LYONS:

21. Well, let's get right to the point and the point is the
22. so called injection of politics an' who had the needle and who
23. didn't have the needle. First of all, neither I nor anybody
24. else that I'm aware of ever suggested that the Senator from
25. Waukegan had anything to do with any political ...ah...mo-
26. tivations when it comes to the treatment by this Body of this
27. bill or ,...

28. PRESIDENT:

29. For what purpose does...Senator Berning arise? Just a
30. moment....

31. SENATOR BERNING:

32. Point of order, Mr. President, I think the speaker has
33. spoken not only once but twice so far and...

1. PRESIDENT:

2. Senator Berning is not correct. Senator Lyons has
3. spoken only once. Senator Lyons may proceed.

4. SENATOR LYONS:

5. Well, even if that were not the case I would of got up
6. on a point of personal privilege, Senator, because my name
7. was injected into the conver...into the so called debate
8. by a gentleman on the other side. Ah...let me go on to
9. finish what I started to say what was...before the interruption.
10. Neither I nor anybody else that I'm aware of ever suggested
11. that Senator Coulson was motivated by political considerations in
12. this matter. As a matter of fact...ah...it has been said by
13. me that...ah..until some members on the other side regrettably
14. painted themselves into a corner and adopted a position as a
15. tactical device which they knew would or should have known that they
16. could never defend on a legal basis. It's at that point that the
17. politics became intrusive. In fact I did write a letter, not only
18. to Mr. Greenberg and not only to the chairman of the Judicial In-
19. quiry Board but to every member of that board asking them for
20. their views on certain questions which I perponded in that
21. letter. Some of the answers, some of the questions were ren-
22. dered moot by subsequent events. Some of the answers were em-
23. bodied in HB3030 which passed last week when finally the fog
24. fell from people's eyes on the other side and it became clear
25. that we could only pass HB3030 with line item appropriations an
26. not in any other manner. As far as SB3047 is concerned I not
27. only wrote a letter to the members of the Judicial Inquiry Board
28. but I had several conversations with them, before, during and
29. after the deliberations of the subcommittee, stretching I might
30. say all the way back to the days of the Constitutional Convention,
31. when I happened to spend some time in this city paying close
32. attention to the deliberations of that Body. Now let me just
33. say, Mr. President, an' members that if anybody wants to...ah...

1. ah..drag this thing out, this can be done. We have plenty of
2. people who are fully articulate and fully informed on this sub-
3. ject, much more so, I think, than I've noticed on the other
4. side. Let me just say this, when you take ..indefensible ...
5. positions an' you try to defend them even though you know you
6. can't, the conversation degenerates, the debate degenerates
7. and a lot of time is wasted and a lot more heat than light is
8. produced.

9. PRESIDENT:

10. Senator Vadalabene.

11. SENATOR VADALABENE:

12. Thank you, Mr. President an' members of the Senate, I
13. move the previous question.

14. PRESIDENT:

15. Motion for the previous question. All in favor signify
16. by saying aye. Contrary minded. Motion prevails. Senator
17. Hynes may close the debate.

18. SENATOR HYNES:

19. Mr. President, members of the Senate, very briefly.
20. In essence, I think, there are two points of controversy, here.
21. One, does the legislature have the power to enact these or any
22. other regulations with respect to the operation of the Judicial
23. Inquiry Board. Secondly, are these regulations, assuming an
24. affirm...affirmative answer to the first question, are these
25. regulations reasonable and desirable. On the first question
26. the position taken by the minority report in effect is a state-
27. ment that the Judicial Inquiry Board is a fourth branch of
28. government. Specifically, during the subcommittee delibera-
29. tions, Mr. Dunn, who is the ...the chairman of the board, was asked
30. whether the legislature had any power over this board with
31. respect to conflict of interest, he said, no, he was asked if
32. the judicial branch had any power over this board with respect
33. to conflict of interest regulations, he said, no, he was asked

1. whether the executive had any power with respect to conflict
2. of interest regulations and he said no, and to the final ques-
3. tion that the Judicial Inquiry Board...in and of itself will de-
4. termine what is and is not a conflict of interest, that is
5. to say it's a power in and of itself, he said that is correct,
6. so the clear cut position taken by the members of the board
7. an' supported by the minority position here, is that the leg-
8. islature has no power whatever to adopt regulations. I say
9. that ...that is indefensible from a constitutional point of
10. view...don't...the legislature is prohibited from in..inter-
11. ferring with or impairing the constitutional purpose of
12. the board, certainly, but we do have powers ...power to flesh
13. out...and...adopt regulations with respect to this board...
14. ...and I think...particularly so in....an....area...of such
15. great importance as...ah...the potential conflict of interest.
16. On the merits of of these amendments, couple of points were raised.
17. One, the ...point was made that the Judicial Inquiry Board it-
18. self adopted a statement as to conflicts of interest on March 2nd.
19. Well, that is interesting, but I might point out the fact that in
20. November, when the original rules and regulations were adopted
21. not one word was said about this most serious conflict of in-
22. terest question. Only when it became apparent during the sub-
23. committee hearings that this was a matter of primary concern to
24. the members was this regulation adopted. Secondly, the regu-
25. lation as read by Senator Laughlin is in very general language
26. does not specifically deal with the point we are concerned with
27. here, namely, can a member of the Judicial Inquiry Board, who is
28. investigating a judge, appear in court before that judge represent-
29. ing a client? To me, the other attorney and his client are put at
30. a severe disadvantage or potential disadvantage and that should
31. not be permitted. I believe these amendments are reasonable.
32. I believe they are within our power to adopt and I would urge the
33. this Body to support the amendment.

1. PRESIDENT:

2. Secretary will call the roll.

3. SECRETARY:

4. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
5. Carroll, Cherry, Chew, Clark, Collins, Coulson, Course,
6. Davidson, Donnewald, Dougherty, Egan, Fawell, Gilbert, Graham,,
7. Groen,

8. PRESIDENT:

9. Senator Groen.

10. SENATOR GROEN:

11. Mr. President, I only hope that when the judges come in
12. here with a new pay raise bill and believe me they'll be here,
13. when they come in with another unconscionable pension request,
14. an' believe me they'll be here with it, I just hope that this
15. Body gives the indepth study an' debate to those bills that they've
16. given to these. I vote no.

17. SECRETARY:

18. Hall, Harris, Horsley, Hynes, Johns, Knuepfer, Knuppel,

19. PRESIDENT:

20. Senator Knuppel.

21. SENATOR KNUPPEL:

22. For Senator Berning's benefit, the proposal I made did
23. not include judges, nor law...lawyers. I agree with you whole-
24. heartedly, I was not successful in getting my proposal intact..
25. adopted by the constitutional convention so you don't disagree
26. with me on that. I agree with Senator Groen that I hope pay
27. raises will receive the same attention. I vote aye for the
28. amendment.

29. SECRETARY:

30. Kosinski, Kusibab, Latherow, Laughlin, Lyons, McBroom,
31. McCarthy, Merritt, Mitchler, Mohr, Neistein, Newhouse, Nihill,
32. O'Brien, Ozinga, Palmer Partee, Rock, Romano, Rosander, Sap-
33. erstein, Savickas, Smith, Soper, Sours, Swinarski, Vadalabene,

1. Walker, Weaver.

2. PRESIDENT:

3. Romano aye. Senator Sours.

4. SENATOR SOURS:

5. How am I recorded?

6. PRESIDENT:

7. You're not.

8. SENATOR SOURS:

9. Mr. President and Senators, I've said nothing about this.

10. I've seen the various political advertisements in the news-

11. papers of the active participants who are candidates for pub-

12. lic office. For some time I've been quite familiar in my

13. own mind with the fact that what we're talking about here to-

14. day, the Judicial Inquiry Board...ah...subparagraph B of

15. Article 6 is explicit. It needs no implementation, naturally

16. it needs money and that would be our only instance of any in-

17. termeddling in this legislation. Let me say, that even with

18. the appointment of the Board...there is not going to be any

19. mysterium tremendum that will cure all political dishonesty.

20. These turlitcal remedies rarely work. As Mike Howlett says,

21. let's elect an honest man in the first place. I vote no.

22. PRESIDENT:

23. On that question the yeas are 26. The nays are 23.

24. The amendment having received the majority votes will..is

25. declared adopted. Senator Rock, moves to reconsider. Sena-

26. tor Neistein moves to Table. All in favor of the Motion to

27. Table signify by saying aye. Contrary minded. Motion to

28. Table prevails. Senator Coulson.

29. SENATOR COULSON:

30. Mr. President, you know, in all fairness with the...members

31. on both sides of the aisle, I think I should properly withdraw

32. as sponsor of the bill. I would not want anyone to feel that

33. ...ah...I should handle the bill if I can't give it a good

1. college try and since my heart wouldn't be in it I think it
2. would be proper to withdraw, if some gentlemen on your side
3. of the isle would care to take my place as sponsor of the
4. bill.

5. PRESIDENT:

6. Senator Knuppel volunteers to be the sponsor of the
7. bill. The Journal will so show. Senator Gilbert. 3681,
8. 2nd Reading. 3047, is advanced to 3rd Reading. 3681.

9. SECRETARY:

10. 2nd reading of the bill. One committee amendment from
11. Education...from Elections.

12. PRESIDENT:

13. Senator Egan, moves the adoption of the committee amen-
14. ment. All in favor signify by saying aye. Contrary minded.
15. The amendment is adopted. Any further amendments? Senator
16. Egan offers amendment No. 2. Can you explain this amendment,
17. Senator?

18. SENATOR EGAN:

19. Yes, Mr. President, members of the Senate, very briefly.
20. Amendment No. 2...ah...is an amendment, which was adopted by
21. the House, but inadvertently it was omitted from the bill from
22. which was sent to the Senate from the Enrolling and Engrossing
23. Committee. The amendment has been adopted, I'll explain it...
24. ah..it was approved out of the House to change the Election
25. Authority from the Secretary of State to...ah...defined Elec-
26. tion Authority ...ah...which is defined in the bill as it
27. passed out of the House, but this simple language...some of the
28. they're just deleting Secretary of State and placing in place
29. of the word Secretary of State, election authority. If there's
30. any questions, I'll be happy to answer them.

31. PRESIDENT:

32. Is there any discussion? All in favor of the adoption
33. of the amendment indicate by saying aye. Contrary minded. The

1. amendment is adopted. Third reading. Senator Rock, you
2. wanted to make a Motion?

3. SENATOR ROCK:

4. Yes, Mr. President, and members of the Senate, on the
5. Calendar, there's a HB4269, which is on 1st reading. I've
6. discussed this with my leadership and with Senator Clark. I
7. would like to ask leave of the Body to move this to 2nd reading
8. without reference to committee. It has to do with changing of
9. certain court forms and in order to facilitate the change ef-
10. fective July 1, this bill should pass I hope tomorrow, because
11. the printing of the forms they have to let out bids and there's
12. some 500 thousand forms involved and I would ask that it... be
13. moved to 2nd reading without reference.

14. PRESIDENT:

15. Is there any objection? Leave is granted. Senator Sours
16. wanted to amend two bills on consideration postponed. Senator
17. Sours.

18. SENATOR SOURS:

19. Mr. President and Senators, I should like to refer to Sen-
20. ate bills 1524, 1525. Presently on postponed consideration.
21. I'd like to make the proper Motion to have each bill brought
22. back for the purpose on 2nd reading of having an amendment
23. in each one.

24. PRESIDENT:

25. The bills are brought back to 2nd reading for purposes of
26. amendment and Senator Sours, can you explain the amendment?

27. SENATOR SOURS:

28. Yes, I have discussed the amendment with Senator Partee
29. and I have also discussed it with Senator Newhouse. There was
30. some concern about depriving a person of a license beyond...by
31. reason of a conviction for a felony. So what has been done by
32. these amendments in each case is to amend line 12 and I'll read
33. it, it's very brief. A person who has been convicted of a

1. felony under...and then the amendment comes in, under any fed-
2. eral law or state law, if the department determines after
3. investigation that such person has not been sufficiently
4. rehabilitated to warrant the public trust. Now, I think,
5. this amendment takes care of the objection if...the person
6. has not been sufficiently rehabilitated it would be a very
7. improvident act anyway, gentlemen, to grant that person a
8. license. If that person has been rehabilitated, fine, then I
9. would suggest it would be the better part of wisdom to give
10. him the license. And I move the adoption of each amendment
11. and each bill.

12. PRESIDENT:

13. Is there any discussion? Senator Neistein.

14. SENATOR NEISTEIN:

15. Senator Sours, What does it mean sufficiently rehabilitated?
16. what does that....how would you define it?

17. PRESIDENT:

18. Senator Sours.

19. SENATOR SOURS:

20. Senator, I could answer that by saying, reasonable doubt...
21. I don't think you can redefine...sufficiently rehabilitated,
22. because we are calling for the discretion...of the Department of
23. Revenue. Sufficiently rehabilitated, means just what it says.
24. And there wouldn't be too many yardsticks on that in my opinion.

25. PRESIDING OFFICER (Senator Rock)

26. Is there any further discussion? SB1524. Senator Ne..Ne..Neis-
27. tein.

28. SENATOR NEISTEIN:

29. Maybe you can define what sufficiently, Senator Rock, suf-
30. ficiently rehabilitated, you're our President, maybe you can
31. give us the answer.

32. SENATOR ROCK:

33. Why I'm not the sponsor of that amendment I wouldn't care

1. to comment on that, Senator.

2. SENATOR NEISTEIN:

3. Well, but I'd go by your opinion. The amendment says
4. that if in the mind of the director the man is sufficient-
5. ly rehabilitated, I want to know what that means.

6. PRESIDING OFFICER (Senator Rock)

7. If you will meet me in my office at seven o'clock to-
8. morrow morning, I'll explain the whole thing to you. Senator
9. Partee.

10. SENATOR PARTEE:

11. I want to make it clear to the members, particularly, those
12. on this side that I have talked with Senator Sours. I talked
13. to a gentleman, from the industry for which this bill is put in
14. and I see nothing wrong with the language which is employed.
15. It occurs to me, however, that this question as raised as to
16. discretion, allowable discretion, in terms of whether a per-
17. son has been sufficiently rehabilitated is of course a judge-
18. ment question but the problem with all judgement questions is...
19. the problem is this, once the decision has been made and the
20. judgement has been exercised, what remedy then, Senator Sours,
21. does the rejected applicant have to over turn what is an admin-
22. istrative decision?

23. PRESIDING OFFICER (Senator Rock)

24. Senator Sours..

25. SENATOR SOURS:

26. That would be under the rules of the administrative re-
27. view act and under the supreme court decisions. If it were mani-
28. festly against the weight of the evidence, Senator, that is
29. always the full reason which would prohibit the Department of
30. Revenue from being arbitrary, capricious, revengeful or bad.

31. PRESIDING OFFICER (Senator Rock)

32. Senator Partee.

33. SENATOR PARTEE:

1. If such a refusal is subject to administrative review
2. under the administrative review act, then, that would satisfy that part of it. Senator Cherry, tells me that it is his
3. view, that it is not under the administrative review act and
4. in order to turn around such a decision one must go directly
5. to court rather than through the administrative review process.
6. Now, is that right, Senator?

7. PRESIDING OFFICER (Senator Rock)

8. Senator Cherry.

9. SENATOR CHERRY:

10. One of the main objections that was referred to in the con-
11. sideration of these bills was the fact that it failed to provide
12. for a hearing within the department and that as the result of
13. that fact you had a unilateral situation where the director,
14. or his subordinates can make a decision and say to an applicant
15. regardless of the reason, be it vindictive, arbitrary, or ...
16. otherwise, we are not going to issue a license to you and un-
17. der the conditions and terms of these bills there is no way
18. that an applicant can produce evidence to overcome whatever the
19. objections may be of the department. Now, in every situation
20. where a department has the ability and the right to issue a
21. license, in the event that they do not, a person has a right for a
22. hearing and that's what should be provided in these bills
23. before, at least I'm satisfied with them, because an administra-
24. tive review...application to the courts...you are bound...
25. by the records and the court reviewing the decision of the ex-
26. ecutive department that makes that decision denying the appli-
27. cation can only go by the record and if there is no hearing pro-
28. vided for before the department, obviously, there could be no
29. evidence introduced on the part of the applicant on the basis
30. that whatever the decision is, it is wrong, it is incorrect...or
31. doesn't...or isn't sustained by logic or evidence. So I would
32. say that the bill, even with these amendments, Senator Sours, does
33.

1. not remove the objections that many of the Senators had on
2. this Floor when they did not vote in support of this bill.
3. And I would say that unless such a provision is included in
4. this bill it is still offensive.

5. PRESIDING OFFICER (Senator Rock)

6. Senator Sours.

7. SENATOR SOURS:

8. Well, Mr. President, Senators, these comments are directed
9. to Senator Cherry. Senator Cherry, as of right now,
10. while you're talking about this bill the Illinois Liquor Control
11. Commission has even more authority than this amendment
12. would give the Director of Revenue, because the bill unamended is
13. precisely, verbatim what the Illinois Liquor Control Commission
14. Act requires. They can turn a man down too. Now, let's ...not
15. get off on to some ancillary matters here when I know why you
16. men don't want this bill. Now let's just lay it on the Table.
17. Let me give you a concrete example of why we want the bill and
18. why you don't want the bill.

19. PRESIDING OFFICER (Senator Rock)

20. Excuse me Senator, I'm just trying to get some order.

21. SENATOR SOURS:

22. Two years ago the Crime Commission had before it a man
23. by the name of Kenneth Leonard, a Northwestern University
24. graduate, who took the fifth amendment 83 times, with a rhythm
25. that would give an English professor ecstasy in scanning it.
26. It turned out that Mr. Leonard was the Zenith Vending Company.
27. He had the cigarette machines on Rush Street in the tender-
28. loin area. He also controlled the Attendance Service Corpora-
29. tion, they had all the check rooms. He had the parking lots.
30. There was one called the Playboy Parking lot and it may be he
31. was in the United Vending Company also. Some of his assis-
32. tants, they call themselves euphemistically salesman included
33. Phil Billy Beans Tolamaeo, the crooked cop. He was a salesman.
Ross Preo, another character was a salesman. Now, Leonard had

1. no convictions for any felony. Now, I'll leave it up to you.
2. If a man like Leonard were to come around next week, with-
3. out a felony connection...conviction he should, upon the
4. filing of his bond alone, be given that wholesale distribu-
5. tors and I say your answer morally, or any other basis, would
6. be no. That's what this bill does. It gets the cockroachs
7. and the bed bugs and the crooks and the syndicate out of
8. that business. Now, you vote anyway you care, I couldn't have
9. any interest in how you vote. This is a good bill. The a-
10. mendment will, I believe satisfy Senator Newhouse and others
11. and I don't know why it shouldn't pass and frankly if it
12. doesn't, so what, another day in the life of the Senate.
13. PRESIDING OFFICER (Senator Rock)

14. Senator Cherry.

15. SENATOR CHERRY:

16. In response to Senator Sour's remarks, I don't want the
17. Department of Revenue to license any syndicate men or men who
18. have been engaged in crime activities in this State anymore than
19. Senator Sours does, but I want to protect the innocent people,
20. who may have made application for a license and who as Senator
21. Sours has said is denied that license because of vindictiveness
22. ...or perhaps his political convictions or perhaps whatever...
23. a person who has no record of any kind of any crime and who is en-
24. gaged as a moral person in the community makes application and
25. for whatever reason may be denied that license. All I'm...
26. saying to you Senator Sours is let's not protect the people who
27. have been engaged in crime because all the Department of Revenue
28. has to say, your license application is rejected, if you want
29. a hearing you can have it, but also give the people who are inno-
30. cent of any wrong doing the opportunity of having a hearing before
31. the Department of Revenue. I think that's basic logic and I
32. think that's the fairest and most equitable position the Depart-
33. ment of Revenue can take. You know Senator Sours, I voted in the
for...

1. this bill and I helped you get it out of committee, but it was
2. during the debate of this...these bills before this Body and
3. many Senators got up and stated the kind of things that I am
4. referring to now. All we're asking the Department of Revenue
5. to do is, when they want to deny the application is to provide
6. the applicant for a forum where he can come in and protect him-
7. self with evidence if he has any evidence to produce why that
8. license should be issued.

9. PRESIDING OFFICER (Senator Rock)

10. Senator Neistein.

11. SENATOR NEISTEIN:

12. Mr. President and Senators, I agree with what Senator Cherry
13. says, I think the innocent should be given a chance to have
14. a hearing and Senator Sours, for your information, today the
15. Director of Revenue, in Chicago went out and arrested 25 pro-
16. duce merchants and the law does not give the Director of Rev-
17. enue any arrest powers, but he takes them himself and I hope
18. these 25 merchants take it upon themselves to file false arrest
19. suits, but you have great confidence that the Director should
20. have the power under a broad definition, sufficiently rehabili-
21. tated, that'll give him the right whether to grant or not to grant
22. the license. Well frankly, I haven't got the same confidence and I'd
23. like to see some safe guards written into the law. It isn't what
24. you state that we're objecting to the bill, it's what Sena-
25. tor Cherry stated that let's put the proper safeguards and you'll
26. have the support of Senator Cherry and myself for two, I know that.

27. PRESIDING OFFICER (Senator Rock)

28. Senator Sours.

29. SENATOR SOURS:

30. This debate is almost over, I'd like to call the attention
31. to the other side to what the bill actually says. Now, we've
32. been talking about an amendment to take care of minorities, so
33. called, who may have had a felony conviction. This bill says

1. this: The following are...ineligible to receive a distributors
2. license under this act, and this is just the way the liquor con-
3. trol act reads in aye verba.

4. PRESIDING OFFICER (Senator Rock)

5. Senator, excuse me, I wonder could we move the adoption
6. of the amendment and then we can get on the merits of the bill.
7. Are you going to call the bill for passage?

8. SENATOR SOURS:

9. Yes, I so move and I'm going to make this comment. A per-
10. son, who is not of good moral character. Now, that's not the law
11. now, that's what we want the law to be and reputation in the com-
12. munity in which he resides. Now, that's elementary, when one
13. brings up a character witness. Certainly, you couldn't be a
14. lawyer, or a doctor, or a surveyor, you couldn't have a liquor
15. license unless that lingo, a person who is of good moral char-
16. acter and reputation in the community, that's what we're talking a-
17. bout. The fact that I have amended this to placate some of....
18. the others that has nothing to do with that section. This
19. simply says, a person who is not of good character or reputation
20. in the community, that's what we're talking about and are you
21. against that?

22. PRESIDING OFFICER (Senator Rock)

23. Senator Sours has called...moved the adoption of Amendment
24. No. 1 to SB1524, which has been called back to 2nd reading for
25. the purpose of adopting an amendment. Senator Chew.

26. SENATOR CHEW:

27. Before the amendment is adopted and this may be a point of
28. personal privilege or it may be a point of inquiry or a statement.
29. May I make this for correction? I heard the Senator from Peoria
30. so state that one has a felony charged to him if it is deemed that
31. he has good moral character in a community that he could be is-
32. sued a liquor license. Is that what you said Senator?

33. PRESIDING OFFICER (Senator Rock)

Senator Sours.

1. SENATOR SOURS:
2. Yes, that is the way the liquor law reads.
3. PRESIDING OFFICER (Senator Rock)
4. Senator Chew.
5. SENATOR CHEW:
6. Apparnetly, I don't live in Illinois, because in the City
7. of Chicago, it has been my experience that if you have had a felony
8. you could become a bishop later and you're not eligible for a
9. liquor license. Are you aware of that?
10. PRESIDING OFFICER (Senator Rock)
11. Senator Sours.
12. SENATOR SOURS
13. Yes, that is under your local city ordinance, Senator,
14. not the state law we're talking about.
15. PRESIDING OFFICER (Senator Rock)
16. Senator Chew.
17. SENATOR CHEW:
18. If we could put an amendment in that to override that....
19. city ordinance, I will support anything...you bring up from
20. Peoria or anywhere else. May I ask to...may I ask your permission
21. to amend your bill to so override the city ordinance?
22. PRESIDING OFFICER (Senator Rock)
23. Senator Sours.
24. SENATOR SOURS:
25. Senator, all I want to do is to get this amendment hooked
26. on and I don't care what happens on 3rd reading. I will have done
27. my duty. If you folks on the other side in the interim and by
28. the way this came out of committee with all affirmative votes,
29. but the time differential has changed. Now, if ...you...I...
30. think what you're talking about will only complicate this bill, I
31. want to get it out of here. I want to pass it. If it doesn't pass
32. on 3rd reading, so what...I'm not jumping off any bride.
33. PRESIDING OFFICER (Senator Rock)

1. Senator Chew.

2. SENATOR CHEW:

3. Mr...Mr. Sours, you're a Yale man. You know questions
4. when you..when..when they're ask. You didn't answer my question.
5. Are you evading it? May I put the amendment on there..that
6. would make the law...equal in the State of Illinois. Would you
7. object to it?

8. PRESIDING OFFICER (Senator Rock)

9. Senator Sours.

10. SENATOR SOURS:

11. Senator, if you want to change the city ordinance of the
12. City of Chicago you will find one very sincere ...agregious
13. helpmate, always, on this side.

14. SENATOR CHEW:

15. Will you hold that bill until I have this amendment drawn
16. up?

17. PRESIDING OFFICER (Senator Rock)

18. Senator Sours.

19. SENATOR SOURS:

20. No, I want to get on with it.

21. PRESIDING OFFICER (Senator Rock)

22. Senator Chew.

23. SENATOR CHEW:

24. I thought you were going to be my helpmate?

25. PRESIDING OFFICER (Senator Rock)

26. The question before the Floor is the adoption of Amendment No.
27. 1 to SB#1524. All in favor of the adoption of the amendment
28. signify by saying aye. All opposed. The amendment is adopted.
29. 3rd reading. Now it goes bacto...well it goes back to considera-
30. tion postponed I'm informed. The question, now before the
31. Floor is Amendment No. 1 to SB1525. Same Motion by Senator
32. Sours. All in favor of the adoption of the amendment, signify
33. by saying aye. All opposed. The amendment is adopted. 3rd

1. reading back to consideration postponed. Senator Merritt, had
2. a Motion. Senator Sours...Senator Sours...
3. SENATOR SOURS:
4. Is the amendment on both?
5. PRESIDING OFFICER (Senator Rock)
6. The amendment is adopted on both bills.
7. SENATOR SOURS:
8. And then where is the bill now?
9. PRESIDING OFFICER (Senator Rock)
10. It stays on consideration postponed, until...
11. SENATOR SOURS:
12. Is that...is that what the...Alright...Okay.
13. PRESIDING OFFICER (Senator Rock)
14. Senator Merritt had a Motion.
15. SENATOR MERRITT:
16. Yes...Mr. President, members of the Senate, I'd like...ask...
17. like to ask leave of the Body for unanimous consent to waive
18. the six day rule on hearings and put SB1466 for hearing tomor-
19. row, before the Senate Appropriations Commission. I just dis-
20. cussed it with Chairman Lyons and he's...agreeable...to it.
21. PRESIDING OFFICER (Senator Rock)
22. Is there a objection? So ordered. Senator Knuepfer.
23. SENATOR KNUEPFER:
24.I've got a couple of measure here, I would like to
25. ask leave to discharge the Senate committee on Local Govern-
26. ment from SB811, I've talked to Senator Dougherty about it and
27. put it on the order of 2nd reading.
28. PRESIDING OFFICER (Senator Rock)
29. Is there any objection? So ordered. Senator Knuepfer.
30. SENATOR KNUEPFER:
31. I would like leave of the Body to Table HB3664 or to dis-
32. charge the Judiciary Committee, first of all, for the purpose
33. of Tabling 3664.

1. PRESIDING OFFICER (Senator Rock)

2. Is there any objection? Committee is discharged and the
3. bill will be Tabled. Senator Clark.

4. SENATOR CLARK:

5.Mr. President....In Senator Horsley's absence...
6. HB4432 is merely the repeal of a conveyance and I would like
7. to ask that that be advanced to 2nd reading. It's a...a minor
8. repealer. I talked to the Pro tempore and he said it would
9. be alright.

10. PRESIDING OFFICER (Senator Rock)

11. Is there any objection? So ordered. Senator Romano.
12. Senator Romano.

13. SENATOR ROMANO:

14. ...The committee on Labor and Commerce will have a short
15. meeting, I hope, after adjournment in the Senate Chambers.
16. ...

17. PRESIDING OFFICER (Senator Rock)

18. Thank you. Senator Clarke, I'm sorry.

19. SENATOR CLARKE:

20. I also wanted to ask that I be named the sponsor of
21. HB4359 and 60. That those ...you know...be...sent to as-
22. signment committee.

23. PRESIDING OFFICER (Senator Rock)

24. 4359 and 4360, Senate will show...Senator Clarke...as...
25. the Senate sponsor. Senator McBroom had those, I believe.
26. Senator McBroom.

27. SENATOR MCBROOM:

28.Mr. Chairman, members of the Senate....Senator Clarke
29. ...I was told that those bills were inadvertently given to me and
30. that Senator Cherry was going to...Okay...Allright...Okay.

31.
32.
33.

1. PRESIDING OFFICER (Senator Rock)
2. Senator Clarke is now the Senate sponsor I take it.
3. Senator Latherow.
4. SENATOR LATHEROW:
5. Mr. President, I'd like to be shown as the...as the
6. Senate sponsor of HB2733 and also 4508. I would also...
7. PRESIDING OFFICER (Senator Rock)
8. 2733 and 4508 ...Senator Latherow...
9. SENATOR LATHEROW:
10. ...4432 this morning to 2nd reading.
11. PRESIDING OFFICER (Senator Rock)
12. Yes, the Secretary so informed me.
13. SENATOR OZINGA.
14. This morning on 1st reading I failed to pick up HB4189...
15. 4189.
16. PRESIDING OFFICER (Senator Rock)
17. 4189, Senator Ozinga will be shown as the Senate sponsor.
18. Senator Saperstein.
19. Senator Smith has asked me...to announce that there will
20. not be a Welfare Committee meeting this afternoon because
21. there was just one bill on the agenda, but instead we will
22. have a subcommittee meeting the same ...immediately after adjourn-
23. ment in M-1 on Senate bill 2...HB2222.
24. PRESIDING OFFICER (Senator Rock)
25. Senator Dougherty.
26. SENATOR DOUGHERTY:
27. Mr. President, I would like to have permission to waive
28. the six day rule and put SB1552 for hearing on Wednesday, May
29.tomorrow afternoon at 3:30.
30. PRESIDING OFFICER (Senator Rock)
31. In what committee?
- 32.
- 33.

1. SENATOR DOUGHERTY:

2. I have spoken to Senator Lyons....he has no objection.

3. PRESIDING OFFICER (Senator Rock)

4. You want to have it heard in Appropriations, tomorrow,
5. what is the bill number again?

6. SENATOR DOUGHERTY:

7. 1552.

8. PRESIDING OFFICER (Senator Rock)

9. Okay. So ordered. Any objection to that? Leave is
10. granted (bad tape) Senator Bruce.

11. SENATOR BRUCE:

12. I would like to have leave of the Body to waive the six
13. day notice rule for the hearing of House..SB1352 in Revenue
14. Committee today. I have spoken to Senator Clarke, Senator
15. Partee, has a companionbill of 1353 which is inadvertently re-
16. ferred to the Appropriations Committee.

17. PRESIDING OFFICER (Senator Rock)

18. Now...what do you want done with it?

19. SENATOR BRUCE:

20. I'd like to have leave of the Body to have that bill trans-
21. ferred from Appropriations to Revenue and have it heard this af-
22. ternoon along with its companion bill.

23. PRESIDING OFFICER (Senator Rock)

24. Is there any objection? So ordered. Senator Harris.

25. SENATOR HARRIS:

26. Mr. President, are we going to go through House bills on
27. 1st reading?

28. PRESIDING OFFICER (Senator Rock)

29. We...We've been through them once. Have you got some
30. you're going to pick up?

31. SENATOR HARRIS:

32. Yea...I...

33. PRESIDING OFFICER (Senator Rock)

1. Most of them....most of them I am informed were picked
2. up, Senator Harris and your name...you were given...you were
3. assigned some.

4. SENATOR HARRIS:

5. Okay...there's, there's one bill...that I want to ...
6. inquire about, HB4098. I should be shown as the sponsor and
7. I wish to seek leave of the Senate to have that bill heard in
8. the Appropriations Committee tomorrow.

9. PRESIDING OFFICE (Senator Rock)

10. Yes, you were shown as the sponsor this morning and is
11. there any...objection to waiver of the six day notice and have
12. this bill heard tomorrow in Appropriations? So ordered.
13. Senator Harris.

14. SENATOR HARRIS:

15. Yea...one other bill that...on 1st reading HB4209. Okay,
16. fine, thank you.

17. PRESIDING OFFICER (Senator Rock)

18. Any further business? Senator Savickas...I almost for-
19. got about Senator...Senator Savickas....

20. SENATOR SAVICKAS:

21. ...Mr. President...I was told that we would get back to
22. SB1422...was on 3rd reading.

23. PRESIDING OFFICER (Senator Rock)

24. Well...I don't have any indication. Is Senator Partee on
25. the Floor? Senator...Senator Savickas advises the Chair that
26. ...he was told that he was going to go back...to SB1422...
27. Senator Partee.

28. SENATOR PARTEE:

29. When was that...yes...I think we did make that accommodation.
30. I think we said that. It's alright.

31. PRESIDING OFFICER (Senator Rock)

32. We're back on the order of Senate bills on 3rd reading.
33. SB1422, Senator Savickas.

1. SENATOR SAVICKAS:

2. ...Mr. President, members of the Senate, this is a very
3. ...simple bill. It adds the word educational before operation
4. ...I would solicit your support. I passed out a memo, on your
5. desk...this morning..sure if there's any questions, I'll try to an-
6. swer them.

7. PRESIDING OFFICER (Senator Rock)

8. Senator Gilbert.

9. SENATOR GILBERT:

10. We heard this bill in the education committee and at that
11. time..the question was raised...by some of us...that this would
12. create a situation where the principal would not actually have
13. control...of the school that the...custodian of the engineer
14. ...would have control over certain things and the principal
15. would not be able to direct him as to certain things and there were
16. some of us that felt that this might create a situation that could
17. cause problems in the school district. Now, the Chicago prin-
18. cipals, the ones that...have...asked this...apparently...do not
19. object to it but they asked that...we have a principal in...
20. every school, Chicago asked us to do that where they're four
21. teachers or more and now it seems that they're wanting to take
22. some authority away from him. I just don't know whether this
23. is good or not.

24. PRESIDING OFFICER (Senator Rock)

25. Senator Laughlin.

26. SENATOR LAUGHLIN:

27. Well Mr. President, members of the Senate, when all was said
28. and done in the hearing in education there's apparently some kind
29. of a dispute among the unions in there and that is the reason for
30. this bill and frankly, I can't understand that and I can't support it.
31. I don't know why we should be legislating down here, I think, im-
32. properly in order to settle a union dispute in the City of
33. Chicago.

1. PRESIDING OFFICER (Senator Rock)

2. Senator Partee.

3. SENATOR PARTEE:

4. Mr. President, would you clear the Floor of unauthorized
5. persons? Let's have some order. I'd like to hear this bill.
6. It's an important bill. I didn't even get a chance to hear...

7. PRESIDING OFFICE (Senator Rock)

8. Sergeant at Arms will clear..clear the aisles and the Floor.

9. SENATOR PARTEE:

10. ...What either...either the sponsor or Senator Laughlin said.
11. I just don't know.

12. PRESIDING OFFICER (Senator Rock)

13. Sergeant of arms will clear the Floor. Members will be
14. in their seats. Senator Neistein. Senator Knuppel. Senator
15. Savickas, do you care to respond?

16. SENATOR SAVICKAS:

17. Well and I on closing arguments?

18. PRESIDING OFFICER (Senator Rock)

19. Well...I...I don't know if there is any further discus-
20. sion. Senators Gilbert and Laughlin raised a couple of points
21. to which I thought you might want to respond.

22. SENATOR SAVICKAS:

23. Well...in closing I would say this much...my memorandum
24. to all the members this morningstated the responsibility
25. and it stated by a proposal that was signed by...the Engineer
26. Custodian's union and the Board of Education in Chicago and
27. I'll read it to you, I think this should answer ...as far as
28. the jurisdictional part. It says the engineer custodian is in
29. charge is responsible at all times for the proper operation and
30. maintenance of the physical plant, school buildings, and grounds,
31. to which he is assigned. The engineer custodian is in complete
32. charge of the building until 30 minutes before the educational
33. programs begin each morning and assumes complete charge 30

1. minutes after the education programs terminate each day or
2. 15 minutes after the evening programs end. The principal,
3. director, or designated person in charge shall be in ...
4. charge of the building 30 minutes before the educational
5. programs begin each morning and until 30 minutes after the edu-
6. cation programs terminate each day or 15 minutes after the even-
7. ing programs end. I think that should clarify any question as far
8. as the responsibility. When Mr. Burke, ...president of the Chi-
9. cago...principals association in his letter when this legisla-
10. tion first was introduced last Session and passed, in no way
11. did he intend to use this legislation to preempt or usurp any
12. jurisdiction or that of any other crafts or trades. It also has
13. been looked upon and through the Superintendent of Public Instruc-
14. tion's office and Mr. Don Eslick has stated that the Superinten-
15. dent had no objection to this legislation. I think that what we're
16. talking about here is that for clarification purposes only that
17. the word educational...was inserted...before the word operation...
18. I don't think this is any big to do about it. I don't know how
19. to answer some of theyou...know...statements here...it's
20. as simple as that as...as far as we're concerned.

21. PRESIDING OFFICER (Senator Rock)

22. This...we did...close the debate. Senator Gilbert.
23. SENATOR GILBERT:

24. I....I didn't know we were closing...I wanted to ask some
25. questions...you see the way the bill was passed originally....
26. The principal shall be employed to supervise by the operation
27. of the attendance center as the board shall determine necessary.
28. In other words the superintendent..the of the school was runn-
29. ing it under the direction of the board. Now, he's limited...
30. to educational operation. Now, ...we have...no definition...
31. in the bill as to what's educational operation....There's...
32. already...the...the purpose of this bill, as I understand it, is
33. because as Senator Savickas's memorandum indicates...some ques-

1. tion between the custodians and the engineers as to who con-
2. trols what and when...I think that there certainly should be
3. some identification of what the educational operation is...
4. meaning that the school board, apparently can only...de-
5. signate to the principal educational operations of the atten-
6. dance center and nothing to do with the physical plant or con-
7. trol of it and I certainly can't conceive of a school being run
8. very well where the principal does not have control of the
9. entire building...and direct to the people, who work for him
10. as to not how to do things, but what are the general things that
11. he wishes to be done and it seems to me that you're creating
12. a situation, where you can get into dispute if the principal
13. says, well, this is an educational matter and ask that it be
14. done. The custodian or the engineer says no this is not edu-
15. cational and therefore you don't have any authority over me.
16. That was the thing Senator Savickas, who was present in the com-
17. mittee, knows that we were talking about it. It's ..it seems to
18. me that the bill is loosely drawn and definition of educational
19. should be put in it...if...you're going to limit ...the....
20. authority of the principal...to only educational matters...
21. When we passed the bill originally they wanted the...prin-
22. cipal to have control of that attendance center and that's
23. why we adopted this legislation...in 1967 or 9, I think, it's
24. been a few years ago.

25. PRESIDING OFFICER (Senator Rock)

26. Senator Savickas.

27. SENATOR SAVICKAS:

28. When closing again, I have to reiterate...

29. PRESIDING OFFICER (Senator Rock)

30. Senator...

31. SENATOR SAVICKAS:

32. ...jurisdiction of...what the engineer...custodians had
33. signed with their union agreement with the Chicago Board of

1. education. Evidently, the Senator didn't pay attention to it
2. and also...as far as the principal is concerned with the Chicago
3. Principal's Association...their interest...that they too be-
4. lieve that this legislation wasn't intended to usurp what...
5. is presently...a jurisdictional right of the engineer cus-
6. todian and this is why I went through the effort of looking up
7. the board's proposal to the engineer's union and ...and proposal
8. that they signed. I took the struggle to reproduce it and lay
9. it on each Senator's desk to show that the principal is in ef-
10. fect in charge of the building 30 minutes before the educational
11. program and 30 minutes after. I...can't see the validity of
12. the agrument against this...and I do solicit your support for this
13. bill.

14. PRESIDING OFFICER (Senator Rock)

15. Secretary will call the roll.

16. SECRETARY:

17. Arrington, Baltz, Berning, Bidwill, Bruce, Carpentier,
18. Carroll, Cherry, Chew, Clarke, Collins, Coulson, Course,
19. Davidson, Donnewald, Dougherty,

20. PRESIDING OFFICER (Senator Rock)

21. Senator Dougherty.

22. SENATOR DOUGHERTY:

23. Mr. President, I'd like to explain my vote. I think that
24. the important of this bill is completely misunderstood by some of
25. the objectors. I don't know that whether or not if you are aware
26. of the fact ...that engineer custodians and other employees hav-
27. ing to do with the...maintenance operation of the physical pro-
28. perties of the school are there long before the principal...
29. appears on the grounds. In the case of real cold weather, they
30. are there on Sundays. In case of real cold weather, they are
31. there real early in the morning, as early as 4:30 and 5:00 o'-
32. clock in the morning and they stay there and maintain the school,
33. provide the heating and the ventilation necessary and also af-

1. ter the children and the teachers leave the school the cus-
2. todial people under the direction of the engineer custodian
3. put the building in proper form. This is what they mean by
4. that...This...if you'll read what the agreement was made, that
5. 30 minutes before the taking up of classes, he relinquishes,
6. whatever, authority he has over the operations and ...it is...
7. turned to education...is turned over to the principal. This does
8. not in any way, in any shape, form, or manner interfere with
9. the principal and the conduct of the education of the child-
10. ren. This is merely to provide for the safety and operation of
11. those same children. You need people there who know what they
12. are doing. The principal rarely goes into a boiler room. As
13. a matter of fact the...anything that takes place between the
14. principal and the engineer custodian takes place in the prin-
15. cipal's office...they're subject to the call and they obey...
16. There's a great deal of cooperation. There's far more cooperation
17. between the engineer custodians and the principals than there
18. is in any other form of education. These people work together.
19. This is just to give them the protection so they can do the
20. things they are required to do. There are millions of dollars
21. invested in equipment that these men preserve and try to keep
22. working in a proper manner. This is a very good bill. I vote
23. aye.

24. SECRETARY:

25. Egan, Fawell,
26. PRESIDING OFFICER (Senator Rock)
27. Senator Fawell.

28. SENATOR FAWELL:

29. In ...explaining my vote ..I realize this pertains only
30. to the school board of the City of Chicago, but obviously too,
31. if this concept can be adapted there it's going to be requested
32. downstate, eventually. And I think, any educator downstate,
33. would recoil if he felt that we were seriously considering this

1. at least for the downstate areas. I recognize too, that
2. evidently the unions in Chicago have put the pressure on
3. and evidently reached some type of an understanding in re-
4. gard to the various duties of the engineers or the janitors
5. as we often referred to them...as I recall, and the adminis-
6. tration, but what this bill does as I read it, it simply takes
7. the law as it previously read, which states that the principals
8. shall be employed to supervise the operation of the attendance
9. centers and states that their ability to supervise is only in re-
10. gard to what is referred to as educational operation of the at-
11. tendance center. To me that means that if the engineer decides
12. he wants to fix the pipes in the math class at 10:00 o'clock...
13. that...that's an engineering duty...I can't see why you'd want
14. to take from the board the basic power to give to the principal
15. the job of operating his school. I think it's tough enough right
16. now and to give to the unions and to the engineers here the pow-
17. er to just come in here and put real muscle in...and then to
18. statutorily ...put that down so that the board could not even
19. renegotiate the point, I don't think it's wise. I prefer to let
20. the school board certainly in Chicago operate the schools the
21. way they want to, but I look upon this as ultimately being a
22. concept which the union will demand that will spread downstate.
23. I think the principal is the man who ought to operate that school
24. building and in the final analysis the engineer and the principal
25. both are going to be responsible to that board and I think this
26. is poor policy and I vote no.

27. SECRETARY:

28. Gilbert,

29. PRESIDING OFFICER (Senator Rock)

30. Senator Gilbert.

31. SENATOR GILBERT:

32. I'll try to be brief. I would like to point out two
33.

1. things. The first place under the present law the Chicago
2. school board can give...the...principal certain instructions
3. in relation to the powers and duties of the custodians and
4. all. This bill is not necessary for them to have the controls
5. that they are wanting and one other point in this bill that I
6. failed to bring out and I don't believe has been called to your
7. attention, which I think is important. This, now takes away
8. from the principal the right to submit recommendations to the
9. general superintendent concerning the appointment, retention,
10. promotion and assignment of all personnel assigned to the atten-
11. dance center. Who is better? Now this bill would limit it only
12. to the educational personnel. I ask you, who is better to recom-
13. mend to the general superintendent and to the school board whether
14. the engineer, the custodians and all are properly doing their job.
15. The superintendent should know from someone who is responsible
16. for the operation of the education in that school as to whether
17. those people who are employed under a different craft, under a
18. different union are properly doing their job and it not be left
19. up to the union negotiation. If the Chicago Board of Education
20. wishes is to give to these custodians and engineers certain rights
21. in the attendance centers they may do so. All they need to do is to
22. tell the principal what the limits of his powers are because
23. the first sentence of the...bill and I repeat it again, the
24. principal shall be employed to supervise the operation of at-
25. tendance centers as the board shall determine necessary. If
26. the board determines it's necessary to give the custodians and
27. engineers certain rights before and after and of course they
28. will have those rights...Senator Dougherty...you don't expect
29. the principal to go down and tell them how to operate every
30. little thing, but he should be the one that's responsible for
31. the educational center and therefore he should be the one who
32. has the control over the entire operation except as limited by
33. the board from which he gets his entire authority. I vote no.

1. SECRETARY:

2. Graham, Groen, Hall, Harris, Horsley, Hynes,
3. PRESIDING OFFICER (Senator Rock)

4. Senator Hynes.

5. SENATOR HYNES:

6. Mr. President, members of the Senate, I rise in support
7. of this bill and...I think there is some misunderstanding, at
8. least to ...as at least as to what it's intended to do and perhaps
9. a moment of history is necessary to..to clarify it. This
10. bill will restore ...will clearly restore...will clarify what
11. is now a question...the situation to what it was prior to the
12. passage of SB74 last Session, which is the situation that has...
13. existed in the Chicago public schools since time immemorial...
14. Prior to the passage of SB74 in the last Session the Chicago
15. Board of Education had complete control in both areas, educa-
16. tional and noneducational. SB74 was passed to give some sta-
17. tutory status to principals. It was not the intention of the
18. sponsor of that bill, Senator Saperstein, nor of the principals
19. that supported it to change, alter, or modify in anyway the
20. situation that had...has existed for many, many years in Chicago
21. without any problems a very efficient system of operation. This
22. minor amendment makes absolutely clear what was intended by SB74.
23. The custodians, engineers, etc., are indeed subject to the ...to re-
24. gulation by the Board of Education just as the principals are.
25. The board of education maintains control. It's simply a question
26. of letting the Chicago Board of Education determine it's own
27. chain of command rather than have it set up through the legis-
28. lature in Springfield which is what there's some fear SB74
29. did. This...this bill ..I...I do not think.. is deserving
30. of all the controversy that has arisen...I think it's desirable
31. and I vote aye.

32. SECRETARY:

33. Johns, Knupefer, Knuppel, Kosinski, Kusibab, Latherow,
Laughlin, Lyons, McBroom, McCarthy, Merritt, Mitchler, Mohr,

1. Neistein, Newhouse, Nihill, O'Brien, Ozinga, Palmer, Partee,
2. Rock, Romano, Rosander, Saperstein,
3. PRESIDING OFFICER (Senator Rock)

4. Senator Saperstein.

5. SENATOR SAPERSTEIN:

6. Mr. President and gentlemen of the Senate, as the original
7. sponsor of the original bill, which in effect had the effect
8. for the first time in history of setting forth and identifying
9. ...in the school code, the role of a principal...and...I am
10. supporting this bill because I know that...the principals ob-
11. jective was not to ...run quote...the, the custodial...aspect
12. of a school building and ...it's true, as Senator Hynes said, that
13. ...this is a simple bill but it somehow..how..or other it...it
14. raises so many questions and I don't think...Senator Gilbert, that
15. this bill will do harm to the role of a principal, as the chief..
16. individual who controls the educational program..of..the....
17. within the attendance centers and insofar as the principals
18. right and role to promote, retain and assign...the personal
19. it was never meant to retain, assign ...the...the engineering
20. custodial aspect of...a...an attendance center. I vote aye.

21. SECRETARY:

22. Savickas, Smith...

23. PRESIDING OFFICER (Senator Rock)

24. Senator Savickas.

25. SENATOR SAVICKAS:

26. Mr. President, members of the Senate, it seems that some
27. of our Senators ...are stuck on this idea...of hiring and pro-
28. moting. If they would take the time to look at the setup in the
29. Chicago school system, the engineers and all of the custodial
30. workers are under the Civil Service system. They take examina-
31. tions for these promotions. They are not promoted or have any-
32. thing to do with the principal's ability to promote them. These
33. are merit system examinations. They are given...through...the

1. Board of Education, not through the principals. They are pro-
2. moted and obtain their positions through examination, not through
3. the principal's ability to hire, fire, or promote. I think
4. that this..these Senators that have stressed on this position
5. haven't investigated what is going on in this area and as far as the
6. control of the school, again if they would read the proposal be-
7. tween the engineer's custodial union and the Board of Education,
8. they would see that the principal is in complete control of the
9. building and the operation, 30 minutes before, 30 minutes after
10. the educational program. So these arguments really are not pro-
11. per for this bill. I do solicit your support and I vote aye.

12. SECRETARY:

13. Smith, Soper, Sours, Swinarski, Vadalabene, Walker, Weaver.
14. PRESIDING OFFICER (Senator Rock)

15. Senator Sour votes no. Request for the call of the absentees.
16. The absentees will be called.

17. SECRETARY:

18. Arrington, Baltz, Carroll, Cherry, Coulson, Graham, Horsley,
19. Johns, Knuepfer, Kusibab, Merritt, Mitchler, Ozinga, Rosander,
20. Swinarski, Weaver.

21. PRESIDING OFFICER (Senator Rock)

22. Cherry aye. Senator Savickas.

23. SENATOR SAVICKAS:

24. Mr. President, I'd like to postpone consideration.

25. PRESIDING OFFICER (Senator Rock)

26. Consideration will be postponed. Is Senator Partee on the
27. Floor? Is there any further business to come before the Sen-
28. ate? Any announcements that anybody has to make? Motion by
29. Senator Partee, that the Senate...Alright...Resolutions...Re-
30. solutions.

31. SECRETARY:

32. Senate Resolution No. 330, introduced by Senator Mitchler
33. and Graham and it's a congratulatory resolution.

1. PRESIDING OFFICER (Senator Rock)

2. Senator Mitchler.

3. SENATOR MITCHLER:

4. Mr. President, members of the Senate, this is a con-
5. gratulatory resolution for the Elgin Rotary Club and I'd like to
6. have leave and have immediate consideration and adoption
7. of the Resolution.

8. PRESIDING OFFICER (Senator Rock)

9. Is there any...any objection? The Resolution is adopted.
10. All in favor of the adoption of the Resolution say aye. All
11. opposed. Resolution is adopted.

12. SECRETARY:

13. Senate Resolution No. 331, introduced by Senator Latherow,
14. Knuppel, Harris, Donnewald and Bruce....it's congratulatory....

15. PRESIDING OFFICER (Senator Rock)

16. Senator Latherow.

17. SENATOR LATHEROW:

18. Mr. President, this is a congratulatory resolution and
19. I move the suspension of the Rules and the immediate adoption.

20. PRESIDING OFFICER (Senator Rock)

21. Senator Latherow, has moved for the immediate adoption
22. of this Resolution. Is there any objection? All those in favor
23. of the adoption of the Resolution say aye. All those opposed.
24. The Resolution is adopted.

25. SECRETARY:

26. Senate Resolution No. 332, introduced by Senator Knuppel,
27. Latherow, Donnewald, Arrington, Partee, Bruce and Gilbert and
28. it's a death Resolution.

29. PRESIDING OFFICER (Senator Rock)

30. Senator Knuppel.

31. SENATOR KNUPPEL:

32. Mr. Chairman, this is a death Resolution for Orville Fore-
33. man, a well know lawyer of Jacksonville, Illinois, in the rural

1. electric cooperative movement. I move it's adoption.

2. PRESIDING OFFICER (Senator Rock)

3. We have a death Resolution. Senator Knuppel has moved
4. for the immediate consideration and adoption of this Reso-
5. lution. All those in favor of the adoption of the Resolution
6. will stand. Resolution is adopted. Senator Donnewald moves
7. that the Senate stand adjourned until 10:00 o'clock tomorrow
8. morning.All those in favor of...we've got an objector
9. to adjournment....Senate stands adjourned until 10:00 o'clock
10. tomorrow morning.

11.

12.

13.

14.

15.

16.

17.

18.

19.

20.

21.

22.

23.

24.

25.

26.

27.

28.

29.

30.

31.

32.

33.